

OPEN MINUTES
**Missouri Board for Architects, Professional Engineers,
Professional Land Surveyors and Landscape Architects**

Jefferson B & C Room
Capitol Plaza Hotel and Convention Center
415 West McCarty
Jefferson City, Missouri
January 25, 2011

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects was called to order at 8:00 a.m. on Tuesday, January 25, 2011 in the Lincoln Room of the Capitol Plaza Hotel and Convention Center located at 415 West McCarty, Jefferson City, Missouri. The Board met in both open and closed sessions during the meeting as reflected in the minutes. The meeting was declared open for business.

Members Present

Kenneth M. Frashier, Chair of the Architectural Division
Kathy W. Achelpohl, Member of the Architectural Division
James C. "JC" Rearden, Member of the Architectural Division
Kevin C. Skibiski, Member of the Professional Engineering Division
Abiodun "Abe" Adewale, Member of the Professional Engineering Division
Michael C. Freeman, Chair of the Professional Land Surveying Division
John Michael Flowers, Member of the Professional Land Surveying Division
Robert N. Hartnett, Chair of the Landscape Architectural Division
Jeramy L. Jackson, Member of the Landscape Architectural Division

Member Absent

C. Royce Fugate, Chair of the Professional Engineering Division
Daniel L. Govero, Member of the Professional Land Surveying Division
Marian "Munnie" Pacino, Public Member

Others Present

Judy Kempker, Executive Director
Shawn Hagerty, Board Investigator
Sandra Robinson, Executive Assistant
Jane Coffman, Board Staff
Curtis F. Thompson, General Counsel

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

Selection of Individual to Conduct Meeting

Since the Board currently does not have a Board Chair, Ms. Kempker called the meeting to order and asked for nominations of an individual to conduct the remaining business of the meeting. The Members of the Board discussed the selection of an individual to conduct the business of the meeting. Upon discussion, Mr. Flowers nominated Mr. Bob Hartnett to conduct the remaining business of the meeting. Mr. Frashier seconded the nomination and it unanimously carried. Ms. Kempker then turned the meeting over to Mr. Hartnett.

Approval of Minutes

A motion was made by Mr. Skibiski to approve the November 9, 2010 Open Board Meeting minutes as submitted. The motion was seconded by Mr. Flowers and unanimously carried.

A motion was made by Mr. Freeman to approve the January 20, 2011 Open Committee Conference Call minutes as submitted. The motion was seconded by Mr. Frashier and unanimously carried.

Please note that at approximately 8:08 a.m., Mr. Bruce Wylie, Executive Director for the Missouri Society of Professional Engineers (MSPE), joined the meeting.

Please note that at approximately 8:11 a.m., Assistant Attorney General Edwin Frownfelter joined the meeting.

Review and discuss the AG Opinion letter regarding Public Nuisance

The Members of the Board along with their General Counsel, Curt Thompson, discussed the Attorney General Opinion letter regarding "Public Nuisance." The Missouri Attorney General has concluded that the Board has no authority to bring a "public nuisance" action but it may be possible for a prosecuting attorney to bring a nuisance action with regard to a structure greater than 20,000 cubic feet that accommodates more than nine people and has identified life safety problems that have not been corrected, at least if the structure is open to the public or otherwise threatens public health or safety, regardless of whether the structure was built with or without use of a licensed architect or professional engineer. The Board Members decided that if they encounter a building that violates Chapter 327, RSMo and indicates a potential danger to the public health or safety, they will send direct the Attorney General's Office to a copy of the complaint along with a copy of the Attorney

General's "Public Nuisance" letter to the local county prosecuting attorney for the filing of a "Public Nuisance" charge. The Board Members also directed its General Counsel, Curt Thompson to write a newsletter article for the Board's next newsletter regarding "Public Nuisance". Mr. Thompson's newsletter article is to be added to the Board's May 3, 2011 agenda for review and discussion.

Follow-up to the AG Opinion letter regarding Quality Based Selection (QBS)

Mr. Thompson discussed the Attorney General Opinion letter regarding Quality based Selection (QBS). The Board again directed Mr. Thompson to write an article for the Board's next newsletter regarding QBS. This article is also to be added to the Board's May 3, 2011 agenda for review and discussion. In the meantime, the Board directed Mr. Hagerty to email the Department of Elementary and Secondary Education (DESE) and/or the Missouri Association of Schools, Missouri Association of Counties (MAC), Missouri Municipal League (MML) and others to inform them of the requirements of Chapter 327. After Mr. Thompson's QBS article has been written and approved by the Board, Mr. Hagerty may also include information from that newsletter article.

Report from Subcommittee on Consistency with Discipline

Ms. Jackson reported that the Subcommittee on Consistency with Discipline had not met but that a member of the subcommittee, Mike Flowers, had compiled a "Summery of Assessed Discipline and Civil Penalties" assessed by the Board from 2000 to 2010. Ms. Jackson then advised the Board Members that due to her now being Secretary for CLARB and to her increased workload, she is unable to continue serving as Chair of this Subcommittee; however, she would like to continue serving as a "member" of the Subcommittee. Ms. Jackson stated that she thought Mr. Flowers would be good choice to step up and Chair the Subcommittee. At that point, Mr. Flowers did agree to Chair the Subcommittee on Consistency with Discipline. The Board directed Ms. Kempker to place this matter back on its agenda for its May 3, 2011 meeting.

Update from Strategic Planning Committee

Mr. Hartnett reported that on Monday, January 24, 2011, he met with Ms. Deborah Price, Acting Director of Boards and Commissions and Ms. Jane Rackers, Director of the Division of Professional Registration to discuss Board appointments. He felt the meeting was very informative and productive. Mr. Hartnett pointed out to Ms. Price that 10 of the Board's 15 member spots are either vacant, expired, or soon to be expired so he urged her to sequence the new appointments which she seemed to be amenable to. Mr. Hartnett presented a progress report to the Board Members on issues identified in the Board's Strategic Plan. Mr. Hartnett stated that the following

objectives have been completed: Evaluate need to adjust licensee renewal fee (ongoing quarterly as part of the Board's Executive Director's Report); Create and maintain healthy policy goals for the Board's reserve fund (completed May 2010); Allow Landscape Architects to serve as chair/ranking vice chair as well as cast a vote (approved and became effective August 28, 2010); Add a fourth engineer to the Board to assist with excessive work load of Engineering Division of the Board (approved and became effective on August 28, 2010); Change restrictive quorum requirement that requires cancelling meetings, slowing down disciplinary process and other important work, plus several other changes (approved and became effective on August 28, 2010); and, Update New Board Member orientation procedure, Board Member job descriptions, and continue to expedite new Board member orientations (completed by Board's Executive Director at May 2010 meeting). Mr. Hartnett stated that the remaining goals and/or objectives are pending the appointment of a new Board Chair or are ongoing.

Discuss the Attorney General's Office hourly rate increase

Ms. Kempker discussed the Attorney General's Office hourly rate increase with the Board. The Missouri Attorney General's Office has notified the Board that they are raising their hourly rate from \$67.49 to \$115.50 effective January 1, 2011. The Board's annual usage amount was approximately \$55,000 which now will be approximately \$94,000. Ms. Kempker had inquired as to why such a large increase and was informed that the Attorney General's Office had not previously included fringe benefit costs in their computation but are now including it. The Attorney General's Office had previously used budgeted FTE in their computation but now is using actual FTE. The Board agreed that no further action was deemed necessary at this time.

Please note that at approximately 9:30 a.m., Mr. Frownfelter departed the meeting.

Discuss the process for utilizing Consent Agendas for Complaint/Discipline Cases

Mr. Hartnett discussed the process of utilizing Consent Agendas for Complaint and Disciplinary cases with the Board Members. Everyone was in agreement that the Open Consent Agenda seems to be working quite well. However, there were some concerns voiced about the use of the Closed Consent Agenda. Therefore, after discussion and consideration of those concerns, it was unanimously decided to continue using the Open Consent Agenda but to discontinue the use of the use of the Closed Consent Agenda.

Report from Architectural Division

Mr. Frashier reported that, at this time, the Architectural Division Members did not have anything to report.

Report from Professional Engineering Division

Mr. Skibiski reported that the Professional Engineering Division Members discussed counting military experience (i.e., officers training course, advanced training, field experience) as satisfactory engineering experience on future applications. After reviewing excerpts from Professional Engineering Division minutes dated May 4, 1999 and October 18, 2000, the Division Members decided to accept military experience as satisfactory engineering experience since the Board had previously determined that military experience should be accepted. Mr. Skibiski also reported that the Members of the Professional Engineering Division discussed whether to start accepting applications from individuals who do not receive a favorable evaluation from NCEES for the lack of humanities. The Division Member felt that it was imperative that all applications have favorable evaluations in Mathematics and Science. However, after much discussion, the Division Members decided to start accepting applications from individuals who do not receive a favorable evaluation from NCEES for the lack of Humanities.

Report from Professional Land Surveying Division

Mr. Freeman reported that he and Mike Flowers will participate in a workshop for the examination question bank which will be held in February in Rolla, Missouri. The Board's contract Examination Coordinator, Dr. Richard Elgin, will conduct the meeting which will include Professional Land Surveyor licensees with a variety of experience.

Report from Landscape Architectural Division

Ms. Jackson reported that, at this time, the Landscape Architectural Division Members did not have anything to report.

Please note that at approximately 10:15 a.m., Mr. Frownfelter joined the meeting.

Executive Director's Report

Ms. Kempker presented the most recent information regarding the Board's Financial Report. She advised the Board that as of January 21, 2011, the financial balances were as follows:

Personal Service Balance was \$204,172.21. Originated with \$375,856. The Board has 54.33% of our PS funds remaining.

E&E (Expense & Equipment) Balance was \$201,202.74. Originated with \$331,587. The Board has 60.75% of our E & E funds remaining.

Fund Balance was \$3,860,862.51, which is close to three (3) times its appropriation. Ms. Kempker explained that the reason it is so high now is because we just completed a renewal cycle. However, with the “reduced” \$35 renewal fee that was collected, the Board will eventually see its fund balance gradually decrease as the months go by since it will be greater than the revenue projected to be collected.

Ms. Kempker announced that even year renewals for all four professions were sent out the first of October and the Board is presently in the process of winding up the random continuing education audit of licensees. Each Division should have received a status report during their Division Meeting on Monday, January 24th.

Ms. Kempker then stated that she was not aware of any proposed legislative changes to Chapter 327, RSMo at this time; however, the following bills are ones that are being tracked for the APELSLA Board:

House Bill 45, introduced by Representative Hoskins – Changes the laws regarding the Big Government Get Off My Back Act and provides an income tax deduction for certain small businesses that create new full-time jobs. Bill History - 01-20-11 H Set on the House Calendar.

House Bill 92, introduced by Representative Molendorp – Authorizes school districts to enter into design-build contracts for construction projects. Bill History - 01-06-11 H Read second time.

House Bill 126, introduced by Representative Barnes – Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff. Bill History – 01-10-11 H Read second time.

House Bill 145, introduced by Representative Schoeller – Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity. We’ve questioned if this includes our national councils since they give us funds to travel to the annual meetings. Bill History - 01-11-11 H Read second time.

House Bill 148, introduced by Representative Nance – Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an

insurance deductible as an inducement to the sale of goods or services. Bill History – 01-12-11 H Read second time.

House Bill 150, introduced by Representative Webber – Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours. Bill History – 01-12-11 H Read second time.

Senate Bill 101, introduced by Senator Parsons – Creates requirements for contractors who perform home exterior and roof work. Bill history – 01-12-11 S Introduced and read first time.

Ms. Kempker asked Mr. Freeman for a report on the Missouri Society of Professional Surveyors' (MSPS) change to Section 327.312, RSMo. Mr. Freeman reported that MSPS is still studying the change to Section 327.312, RSMo and will not be filing anything with the legislature this session.

Ms. Kempker then gave an update on Board Rule changes. They are as follows:

Board Rule 20 CSR 2030-6.015 – Application, Renewal, Reinstatement, Relicensure and Miscellaneous Fees (was an Emergency Amendment). This Emergency Proposed Amendment was filed with SB, JCAR and the Secretary of State on July 20, 2010 and went into effect on July 30, 2010. It appeared in the *Missouri Register* on September 2, 2010 and expires on February 24, 2011. This rule was amended to reduce the Board's individual biennial renewal fee from \$60 down to \$35. This reduction will bring the Board's fund balance down at a gradual rate; however, the Board will most likely have to consider doing a fee increase in FY2017 or FY2018. An Emergency Amendment was filed so that the new fee would be in effect for the upcoming renewal period. A Proposed Amendment was also filed the traditional way, which is required in order to make the fee reduction more permanent. It was filed simultaneously with the Emergency Amendment. It appeared in the *Missouri Register* on September 2, 2010. The comment period ended on October 2, 2010. One comment was received from a licensee who was supportive of the amendment. The Final Order of Rulemaking was filed with SB and JCAR on October 5, 2010 and with the Secretary of State on November 4, 2010. It appeared in the *Missouri Register* on December 15, 2010 and in the Code on December 31, 2010. The effective date of the rule is scheduled to be January 30, 2011.

These following proposed amendments have been forwarded to the Division of Professional Registration for review and/or approval:

Board Rule 20 CSR 2030-2.050 – Title Block. This rule is being amended to include land surveying entities.

Board Rule 20 CSR 2030-11.015 – Continuing Professional Competency for Professional Engineers. This rule is being amended to allow a one time award of ten (10) PDHs for obtaining a work related patent.

Board Rule 20 CSR 2030-11.035 – Continuing Education for Landscape Architects. This Rule is being amended to allow a one time award of ten (10) CEUs for obtaining a work related patent.

The rescission of Board Rule 20 CSR 2030-14.050 – Definition of Degree in Science as Used in Section 327.391, RSMo which is no longer necessary or correct due to recent statutory changes in Section 327.391.

Ms. Kempker stated that she had not received any comments as a result of the posting on the Board's web site. As previously directed, they were posted on the Board's website in an effort to solicit comments from small business owners. Board Rule 20 CSR 2030-2.050; Board Rule 20 CSR 2030-11.015; Board Rule 20 CSR 2030-11.035; and, Board Rule 20 CSR 2030-14.050 are all pending "Division of Professional Registration Review."

Ms. Kempker announced that Mr. Rearden had been confirmed by the Senate on January 13th. Other than Mr. Rearden, the Board has no other appointments. Currently, the Board has four vacant spots on the Board which are: Board Chair, Public Member (Ms. Pacino has given her verbal resignation but has not yet sent her resignation in writing, to the Governor) PE Member, and LA Member; three members serving in expired terms (Royce Fugate, Mike Freeman, and Jerany Jackson); and, three more members serving on terms that will expire September 30th of this year (Bob Hartnett, Ken Frashier, and Kevin Skibiski). Mr. Hartnett had reported earlier that he had a meeting on Monday, January 24th with Jane Rackers, Professional Registration Division Director, and Deborah Price of the Governor's Office who oversees all Board and Commission Appointments and stressed the importance of staggering the appointments.

Ms. Kempker announced that the next edition of the newsletter is scheduled to be mailed any day. She stated that she had signed off for approval of the final copy last week. Ms. Kempker stated that she plans to send the next edition out sometime mid to late summer. The Board Members discussed the editing of the newsletter articles by the Professional Registration Administration staff. Ms. Kempker provided the Board Members with some explanation which the Board Members were receptive to. However, upon discussion, the Board Members directed Ms. Kempker to notify Division Director Jane Rackers and Legislative Liaison Connie Clarkston, that when a member of Division of Professional Registration Administration staff makes an edit to a Board Member's article that they then contact that Board Member, as a courtesy, to advise of the edits and to explain the reason why the edits are being made. Ms. Kempker stated that she would do so immediately upon returning to the Board Office.

Ms. Kempker announced that she, along with Board Members Bob Hartnett, Kevin Skibiski, Abe Adewale, Ken Frashier, and, Mike Flowers, will be in attending the January 26th Professional Design Alliance meeting which will be held at MSPE. Ms. Kempker requested the following be added to the agenda: "Defining the Practice of Architecture and Engineering, and Overlapping Incidental Practice", "MoAPELSLA Strategic Plan Update", and "Progress of Future Board Appointments." Other items currently on the agenda are: 1) Activity of MSPS in regards to DNR's DGLS Program in Rolla; 2) Restraint of Trade/Practice Issues – instances where review agencies have prohibited or resisted permitting with LA seal only; 3) Missouri Office of Administration isn't allowing Landscape Architects to be prime consultant, instead it is restricted to Engineers and Architects; 4) Possible threat of sales tax on professional services; and, 5) Including Landscape Architects in Qualifications Based Selection (QBS).

Ms. Kempker then reported that the Professional Registration Legislative Licensing Committee met with the Executive Directors at the Division of Professional Registration last week on Wednesday at which time Ms. Kempker met with and spoke to Representative Bart Korman who is dually licensed as a Professional Engineer and a Professional Land Surveyor. Representative Korman said he would like to develop a close connection to the Board and may drop in on the Board's meeting while in public session or the Design Alliance Meeting scheduled for January 26th.

Ms. Kempker advised the Board Members that, so far as this renewal period comes to a close, the Board has not received any notices of House Bill 600 Suspensions. Ms. Kempker stated that this time last year, the Board had already sent out 26 letters to tax delinquent licensees advising if they don't come into compliance with Revenue that their license will be suspended.

Ms. Kempker announced that a second renewal notice was sent, as a courtesy reminder, the first part of December to all those licensees who had not yet renewed. The Board's staff will also send a post card, as a third reminder, in March of 2011 to all of those licensees who had not yet renewed reminding them that their license will officially lapse come April 1 if they don't renew before then. As of the first part of January, the Board had approximately 90% of its licensees renew on time. Of that 90%, 61% renewed online. This percentage is up 20% more than the last two year online renewal percentages of 40% and 41% respectively.

Ms. Kempker advised Board Members that if they have not yet received a Personal Financial Disclosure Statement from the Ethics Commission they should receive one soon. She reminded them to fill it out and file it before the deadline. Ms. Kempker then informed the Board Members if they fail to file Personal Financial Disclosure Statement by May 1st, they will be assessed a \$10.00 per day penalty. For the first time, Board Members can complete the form online;

however, if a Board Member prefers to mail a hardcopy of the form, she suggested they mail it via certified mail. Ms. Kempker stated that even if a Board Member just recently completed a Personal Financial Disclosure Statement, they will need to file another one for the new year.

Ms. Kempker announced that the 2010 Year End Report was recently completed and a copy submitted electronically to each Board Member. She then gave a brief synopsis of the year end report. The Board has a total of 53,265 licensees and interns, 24,801 are licensees and the remaining 28,464 are engineer interns and LSITs. A more specific breakdown of each profession is as follows:

<u>TOTAL NUMBER OF LICENSEES:</u>	24,801*
Architects	4,249
Professional Engineers	14,063
Land Surveyors	877
Landscape Architects	<u>313</u>
Total Individual Licensees with Active Status	19,502*
Architects with Inactive Status	413
Professional Engineers with Inactive Status	2,250
Land Surveyors with Inactive Status	126
Landscape Architects with Inactive Status	<u>68</u>
Total Individual Licensees with Inactive Status	2,857*
Architectural Corporations	689
Engineering Corporations	1,414
Land Surveying Corporations	271
Landscape Architectural Corporations	<u>68</u>
Total Corporate Licenses	2,442*

TOTAL NUMBER OF INTERNS/LSITS: **28,464**

Engineer Interns Enrolled	28,025
Land Surveyors-in-Training Enrolled	<u>439</u>
Total Enrollment of Engineer Interns/LSITs	28,464

The Board also had a total of 34 Disciplinary Actions in 2010:

- 3 Revocations
- 2 Suspensions followed by Probation
- 6 Probations
- 3 Public Censures
- 12 Civil Penalties (10 of which included the issuance of a probated C of A)
- 1 Voluntary Surrender
- 3 Violations of Discipline

4 HB 600 Suspensions

In closing, Ms. Kempker mentioned a Press Release that was sent out by the Department of Insurance, Financial Institutions & Professional Registration (DIFP) Media entitled "State regulators call for tougher laws to regulate doctors." Due to the concerns raised in this press release, Ms. Kempker said the Healing Arts Board and the Division of Professional Registration are planning to file legislation which would modify the disciplinary and administrative procedures for professions and businesses licensed under Professional Registration. Although the Division of Professional Registration would like to see these proposed changes apply to all the licensing boards, their main focus at this time will be on getting the changes passed for the Board of Healing Arts.

At approximately 10:30 a.m., Mr. Wylie departed the meeting. Prior to Mr. Wylie's departure, he advised the Board Members that he was looking forward to seeing many of them at the Design Alliance meeting on Wednesday, January 26th as well as working with them during this legislative session.

Date and Location of January 2012 Board Meeting

The Board Members set the January 2012 meeting for January 30 and 31, and if necessary, February 1, 2012 to be held in Jefferson City, Missouri. The Board asked the staff to request the hotel to place all meeting rooms on the same level and farther away from the kitchen because of the excessive noise, which was disturbing during the Board's 2011 meeting.

Disciplinary Hearing

Mr. John Renner, LS-2000 (expired 12/31/2010) was scheduled for a disciplinary hearing at 10:00 a.m. on January 25, 2011. However, due to a death in Mr. Renner's family, the hearing was cancelled and will be rescheduled for Tuesday, May 3, 2011 at 10:00 a.m.

Please note that at approximately 11:00 a.m., Mr. Frownfelter departed the meeting.

Personal Appearance

At approximately 11:00 a.m. Mr. Darrell Pratte, LS-2126 and Mr. Robert Ross, LS-2005019227 appeared at their request, for the purpose of discussing the electronic signing and sealing of documents pursuant to Board Rule 20 CSR 2030-3.060 with the Board Members. Mr. Pratte is the Missouri State Land Surveyor and Mr. Ross is an employee of the Department of Natural Resources (DNR) and works for Mr. Pratte. Therefore, they were particularly interested in surveys submitted

electronically to the DNR Land Survey Program. After much discussion, Ms. Jackson suggested to the Board that a subcommittee be set up to study the matter further. Mr. Freeman volunteered to serve as chair of the subcommittee. Ms. Jackson, Messrs. Adewale and Rearden agreed to serve as members of the subcommittee. The Board invited Messrs. Ross and Pratte to also serve on the subcommittee as advisors. After some discussion, Mr. Ross agreed to serve on the subcommittee. It was also suggested that an expert in software and/or information technology serve as a member or consultant to the subcommittee. Ms. Kempker suggested that perhaps Mr. Bill Quatman, AIA and/or Ms. Cheri Leigh, P.E. might be willing to also serve on the subcommittee since both of them were involved with drafting the Board's rule on this matter. At approximately 11:37 a.m., Messrs. Pratte and Ross departed the meeting.

Motion to go into closed session

At approximately 11:40 a.m., Mr. Hartnett called for a motion to close the meeting to the general public for the purpose of discussing confidential or privileged communications between this agency and its attorney as well as to discuss pending litigation and complaint matters. Ms. Jackson made a motion that the meeting be closed to the general public pursuant to Chapter 610.021 subsection (14) and 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports, complaints, audits and/or other information pertaining to licensees or applicants; Chapter 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes of action or litigation and any confidential or privileged communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under Chapter 610.021 RSMo which authorizes this agency to go into closed session during those meetings. Mr. Adewale seconded the motion. A roll call vote was taken as follows: Kenneth Frashier – Yea; Kathy Achelpohl – Yea; JC Rearden – Yea; Royce Fugate – Absent; Kevin Skibiski – Yea; Abe Adewale – Yea; Mike Freeman – Yea; Dan Govero – Absent; Mike Flowers – Yea; Jerany Jackson – Yea; and, Munnie Pacino – Absent. Motion carried. Mr. Hartnett asked that all visitors leave the room. There being none, Mr. Hartnett declared the meeting closed to the general public.

Go Back into Open Session

At approximately 12 Noon, the Board went back into Open Session for the purpose of meeting with its staff.

Board Meets with the Staff

At approximately 12:00 Noon the Board met with the staff for the purpose of discussing licensure and policy issues. Members of the Staff joining the meeting were: Nancy Plaster, Jan Gilliam, Karen Payne, Laurie Koelling, Brianne Rademan and Brittney Wenzel. The Members of the Board took a moment to thank the staff for their excellent service and for the courtesies that they extend to the Board. Mr. Hartnett presented Service Awards to Nancy Plaster and Karen Payne. On May 26, 2011, Ms. Plaster will be employed by the Board for 30 years and Ms. Payne had been employed by the Board for 10 years on December 5, 2010. Ms. Koelling then addressed questions regarding the procedure for completing and submitting per diem claim forms and expense accounts. At approximately 1:05 p.m., Ms. Gilliam, Ms. Plaster, Ms. Rademan, Ms. Koelling, Ms. Payne and Ms. Wenzel departed the meeting.

Motion to go back into Closed Session

At approximately 1:05 p.m., Mr. Hartnett called for a motion to go back into closed session to continue discussing pending litigation and complaint matters as well as any confidential or privileged communication between this agency and its attorney. Mr. Freeman made a motion to go back into closed session to continue discussion pending litigation and complaint matters as well as any confidential or privileged communication between this agency and its attorney. Ms. Jackson seconded the motion. A roll call vote was taken unanimously carried. Mr. Hartnett asked that all visitors leave the room. There being none, Mr. Hartnett declared the meeting closed to the general public.

Return to Open Session

At 7:00 p.m., the Board reconvened its open meeting for the purpose of adjournment.

Adjournment

A motion was made by Mr. Skibiski and seconded by Mr. Frashier, to adjourn. The motion carried unanimously. The meeting adjourned at 7:00 p.m. on Tuesday, January 25, 2011.

ATTEST:

Executive Director

Approved by the Board on: _____