

OPEN MINUTES
Professional Engineering Division of the
Missouri Board for Architects, Professional Engineers,
Professional Land Surveyors and Landscape Architects

Salons A & B Meeting Room
Adams Pointe Conference Center
1400 NE Coronado Drive
Blue Springs, Missouri
Monday, August 8, 2011

The Professional Engineering Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects was called to order by Mr. Royce Fugate at 8:00 a.m. on Monday, August 8, 2011. A quorum being present, Mr. Fugate declared the meeting open for business.

Members Present

Royce Fugate, Chair of the Division
Kevin Skibiski, Member of the Division

Member Absent

Abiodun "Abe" Adewale, Member of the Division

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Executive Assistant

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.

Approval of Minutes

On motion of Mr. Skibiski and seconded by Mr. Fugate, the minutes for the May 2, 2011 Professional Engineering Division Open Meeting were approved as submitted.

Discuss the Division of Insurance's request for assistance from the PE Division of the Board regarding engineering inspection reports being done in Joplin, Missouri as a result of the recent tornado wherein the consumer's contractor may indicate a total loss but the company's contracted engineer indicates more pre-existing damage and repairable

The Members of the Professional Engineering Division discussed the Division of Insurance's request for assistance from the Professional Engineering Division Members of the Board regarding engineering inspection reports being done in Joplin, Missouri. Ms. Kempker advised the Professional Engineering Division Members that the staff from the Division of Insurance had contacted her because they had been receiving a large amount of complaints from consumers who are stating that the contractor is not agreeing with the Engineering Report. They have asked if the Board had a committee of engineers set up to review the engineer reports pro bono. Mr. Skibiski advised that he had been involved in the same sort of situation wherein the insurance company had sent an engineer from Colorado who was not licensed in Missouri to review the home and provide a report. It should be noted that the corporation was not licensed by the Missouri Board. The homeowner had asked Mr. Skibiski to provide an engineering report. The two reports were contradictory. Ms. Kempker stated that the Division of Insurance had asked Ms. Kempker if there was a Professional Engineer on the Board who would appear at a Forum/Trade Show from 10 a.m. until 3 p.m. on September 24, 2011 at the Missouri Southern University to be available to answer engineering related questions. Mr. Skibiski stated that he would check his schedule to see if he would be available. Mr. Fugate also stated that he might be available as well, to attend the September 24th. Both Messrs. Skibiski and Fugate will contact Ms. Kempker later in the week to let her know if they are available. Ms. Kempker then stated that she had already suggested the Division of Insurance contact Mr. Bruce Wylie at MSPE to see if there were any engineers in the association who might be available to provide pro bono work that is being requested by the Division of Insurance.

Please note that Ms. Kempker departed the meeting at approximately 8:15 a.m.

Additional Agenda Item – Response to the Texas Board Statute change and response to their three Statute change

The Members of the Professional Engineering Division discussed the email received by Ms. Kempker from the Texas Board's Executive Director, Lance Kinney, advising that the Texas legislature had recently passed legislation related to the evaluation of oil and gas resources. The issue at hand has to do with petroleum reservoirs that cross state boundaries, and requirements for licensure for individuals that perform certain evaluation tasks outlined in the statute. The Texas legislature passed a solution that exempts individuals licensed in another state from being licensed in Texas to do such work if the other state allows the same exemption for Texas

Professional Engineers. The Texas Board asked state Boards to reply to the following questions:

1. Do you have a similar provision or an ability to implement such an arrangement given your current statutes and rules?

Response: No, the Members of the Professional Engineering Division are not aware of any provisions.

2. If no, would an MOU with the Texas Board be sufficient to implement such an arrangement?

Response: Initially, the PE Division indicated they would not be opposed to an MOU, however, after further review and learning most other states were opposed to an MOU, the Division Members decided the Missouri Board would not enter into an MOU with the Texas Board.

3. If neither 1 nor 2 are applicable, is this something your Board/Legislature would be interested in pursuing?

Response: No.

Motion to Close

At 8:21 a.m., Mr. Fugate called for a motion to close the meeting to the general public for the purpose of discussing disciplinary and complaint matters. Mr. Skibiski made a motion that the meeting be closed to the general public pursuant to the provisions of Sections 610.021(1) and (14), and 324.001.8, RSMo, for the purpose of discussing complaint matters. The motion was seconded by Mr. Fugate. A roll call vote was taken and unanimously carried. Mr. Fugate asked that all visitors leave the room. There being none, the meeting was declared closed to the general public.

Reconvene in Open Session

At 3:05 p.m., the Professional Engineering Division Members reconvened in Open Session for the purpose of adjourning.

Adjournment

There being no further business, on motion of Mr. Skibiski seconded by Mr. Fugate and unanimously carried, the meeting adjourned at 3:05 p.m..

ATTEST:

Executive Director

Date Approved: _____