

OPEN MINUTES
Sub-Committee of the
Missouri Board for Architects, Professional Engineers,
Professional Land Surveyors
and Landscape Architects

March 2, 2012

A Special Sub-Committee meeting of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects met via telephone conference call and was called to order at 9:00 a.m. on Friday, March 2, 2012. The meeting was declared open for business.

Members Present

Kevin C. Skibiski, Member of the Professional Engineering Division and Chair of the Sub-committee

Kathy W. Achelpohl, Member of the Architectural Division and Member of the Sub-committee

Jerany Jackson, Member of the Landscape Architectural Division and Member of the Sub-committee

Others Present

Judy Kempker, Executive Director

Sandra Robinson, Executive Assistant

Curt Thompson, General Counsel

Review, Discuss and Attempt to Define “Incidental Practice”

The Members of the Sub-committee discussed how “Incidental Practice” is involved with the practice of architecture and engineering and how it has now crossed over into the practices of land surveying and landscape architecture as well. Ms. Jackson stated that she felt it was important to have a member from the Professional Land Surveying Division of the Board to also be a member of the Sub-committee. Upon discussion, Ms. Jackson made a motion directing Chair Skibiski to contact the Professional Land Surveying Division to solicit a member to serve on the Sub-committee. The motion was seconded by Ms. Achelpohl and unanimously carried. The Members also discussed how important it is for the Board to define “Incidental Practice” since it appears that the courts have set a pattern in starting to define “Incidental Practice” for the Board. Mr. Skibiski asked Ms. Kempker to provide the Sub-committee with the location of where “Incidental Practice” is mentioned in the

Board's Rules and Statutes. Ms. Kempker replied that "Incidental Practice" appears four times in the Statutes and one time in the Rules. She stated that she would provide each member with a copy of each page where "Incidental Practice" appears in the Board's Rules and Statutes. Mr. Skibiski stated that he had been checking with other states to find out if they had defined "Incidental Practice". He has found that Idaho has defined "Incidental Practice" in the laws. Ms. Jackson also mentioned that the state of Kansas is in the process of defining "Incidental Practice" and she then requested Ms. Kempker check with Kansas to see if they would share their definitions with Missouri. After further discussion, Mr. Skibiski asked Ms. Jackson and Ms. Achelpohl to check the model law of each of their professions as well as to do research of what other states are doing or have done to define "Incidental Practice" for each of their professions. Mr. Skibiski stated that he would check the model law for engineers as well as with other states for their definitions of "Incidental Practice." In closing, it was decided the Sub-committee will meet again, via conference call, in approximately four weeks.

Adjournment

There being no further business, on motion of Ms. Jackson seconded by Ms. Achelpohl and unanimously carried, the meeting was adjourned at 9:54 a.m. on Friday, March 2, 2012.

Executive Director

Approved by Board on: _____