

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

Santa Fe A Meeting Room
Hilton Garden Inn
19677 East Jackson Drive
Independence, Missouri
August 7, 2012

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects was called to order at 8:00 a.m. on Tuesday, August 7, 2012 in the Santa Fe A Meeting Room at the Hilton Garden Inn, 19677 East Jackson Drive, Independence, 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

James C. "JC" Rearden, Chair of the Architectural Division
Kenneth M. Frashier, Member of the Architectural Division
Kathy W. Achelpohl, Member of the Architectural Division
Kevin C. Skibiski, Chair of the Professional Engineering Division
Abiodun "Abe" Adewale, Member of the Professional Engineering Division
Kelley P. Cramm, Member of the Professional Engineering Division
Melissa J. Edwards, Member of the Professional Engineering Division
Michael C. Freeman, Chair of the Professional Land Surveying Division
Daniel L. Govero, Member 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
Jerany L. Jackson, Member of the Landscape Architectural Division
Robert S. Shotts, Member of the Landscape Architectural Division

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Processing Technician Supervisor
Jane Coffman, Board Staff
Kevin Oligschlaeger, Board Investigator
Curtis F. Thompson, General Counsel
Edwin Frownfelter, Assistant Attorney General
James S. Anderson, P.L.S.
Tod Hueser, L.A., Member, Kansas City Chapter of ASLA

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. Govero nominated Mr. Bob Hartnett to conduct the remaining business of the meeting. Ms. Jackson 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 minutes of the May 1, 2012 Open Board meeting as submitted. The motion was seconded by Mr. Govero and carried with Ms. Cramm and Ms. Edwards abstaining from voting.

Discuss a letter from Robert N. Volz, PE-17672 and LS-741, wherein he requests information regarding the changes to Board Rule 20 CSR 2030-2.050 Title Block

The Board Members discussed a letter received from Mr. Robert N. Volz, E-17672 an LS-741, wherein he requested information regarding the changes to Board Rule 20 CSR 2030-2.050 Title Block. Mr. Skibiski reported that the Professional Engineering Division Members had discussed Mr. Volz's letter at its meeting on Monday, August 6th. The Division Members thought Mr. Volz had some valid points, but was of the opinion that all engineering work product should be sealed. Therefore, Mr. Skibiski volunteered to draft a letter responding to all of Mr. Volz's questions, which he will send to Mr. Thompson and the Board's Executive Director Judy Kempker for review and comment. The Board Members directed Ms. Kempker to draft a rule change to the title block rule by taking out [and other documents] and in its place adding "exhibits, plans, plats, maps, and surveys that are". The Board asked Ms. Kempker to have a draft of the amendment to its Members for review and comment within four weeks after the Board's August 2012 meeting. Any initial comments and ideas by Board Members will need to be emailed to Ms. Kempker as soon as practicable. The Board directed Ms. Kempker to place the draft amendment to the title block along with any comments from Board Members, on the Board's November 2012 Agenda for final review and comments.

Discussion of possible rescission of and/or proposed amendments to Board Rule 20 CSR 2030-2.040 Standard of Care as it relates to comments submitted by Bill Quatman, A-4887

The Members of the Board discussed possible rescission of and/or proposed amendments to Board Rule 20 CSR 2030-2.040 Standard of Care as it relates to comments submitted by Mr. Bill Quatman, A-4887. The Sub-committee on defining incidental practice and proposed changes to the definitions of the practice of architecture, engineering, land surveying, and landscape architecture as well as other sections in Chapter 327 will review Board Rule 20 CSR 2030-2.040 Standard of Care and will report back to the Board at its November 2012 meeting with any recommended proposed amendments and/or rescission.

Update from the Sub-committee on defining incidental practice and proposed changes to the definitions of the practice of architecture, engineering, land surveying, and landscape architecture as well as other sections in Chapter 327

The Members of the Sub-committee reported to the Board that it had made changes to its previous definition for “Incidental Practice” wherein it replaced “work” with the words “Professional service”. The Sub-Committee submitted the following definition for “Incidental Practice”:

Incidental Practice

Incidental practice is the performance of other professional services licensed under Chapter 327 that are related to a licensee’s professional service; and is secondary and substantially less in scope and magnitude when compared to the professional services performed by the licensee in their licensed profession.

This incidental professional service shall be safely and competently performed by the licensee without jeopardizing the health, safety and welfare of the public. The licensee shall be qualified by education, training, and experience, as determined by the Board and in Sections 327.091, 327.181, 327.272, and 327.600, RSMo to perform such incidental professional service.

Mr. Skibiski made a motion to accept the most recent definition of “Incidental Practice” as recommended by the Sub-committee, and to move forward with presenting it along with the other proposed changes to Chapter 327 to the Members of the Design Alliance Task Force Committee at their next meeting for further review and comment. The motion was seconded by Mr. Govero and unanimously carried.

Ms. Jackson then made a motion directing Mr. Thompson to review the remaining recommended changes by the Sub-committee to the definitions of the practice of

architecture, engineering, land surveying, and landscape architecture as well as other sections in Chapter 327 to determine if there are any conflicts with other laws and Rules that could present challenges to the Board. Mr. Thompson is to report his findings back to the Board prior to its November 2012 meeting. The motion was seconded by Mr. Govero. A roll call vote was taken and unanimously carried.

Discuss email from Steven Ray, PE-19194, wherein he asks that the Board hold a discussion on the propriety of using the Design Alliance, that represents no one 'officially', as a means to compromise on proposed legislation

The Board Members discussed Mr. Ray's email wherein he asked the Board to hold a discussion on the propriety of using the Design Alliance, which represents no one 'officially', as a means to compromise on proposed legislation. Former Board Member and Board Chair Jim Anderson, was present for this discussion and presented a letter he wrote which explains the history and origin of the Design Alliance Task Force. The Board found the letter very informative and asked for Mr. Anderson's permission to use the facts listed in his letter in its response to Mr. Ray. Mr. Anderson gave his permission and was glad the Board found his letter helpful. Ms. Jackson then made a motion directing Ms. Kempker to send an email response to Mr. Ray, incorporating the content of Mr. Anderson's letter, advising Mr. Ray that the Design Alliance Task Force meetings and the Open Session of the Board's quarterly meetings are open to the Public and that he is welcome to attend all public meetings. The motion was seconded by Ms. Cramm and unanimously carried.

Discuss email from Steven Ray, PE-19194, inquiring about the controlling and regulating the qualifications of the City Code Officials and why the State has not mandated their qualifications

The Board Members discussed the email from Steven Ray, PE-19194, inquiring about the controlling and regulating of the qualifications of the City Code Officials and why the State has not mandated their qualifications. Upon discussion, Mr. Govero made a motion directing Mr. Thompson to send a letter to Mr. Ray advising that it is the role of the General Assembly to regulate Code Officials and not a role of the Board. The motion was seconded by Ms. Jackson and unanimously carried.

Update from Kevin Skibiski and Mike Freeman regarding NCEES Central Zone Meeting

Messrs. Skibiski, Adewale and Freeman provided information to the Board Members regarding the NCEES Central Zone meeting they attended on May 17, 18 and 19, 2012 in Jackson Hole, Wyoming. Mr. Skibiski reported that NCEES is pushing for the Masters Degree or equivalent as the minimum requirement to take the Fundamentals of Engineering (FE) Professional Engineering (PE)

examinations. Mr. Freeman stated that NCEES is also pushing for a four year Bachelor's degree as a requirement to take the Fundamentals of Surveying (FS) and the Land Surveying (LS) examination. Messrs. Skibiski and Freeman also advised that in January 2014, NCEES will begin administering the FE and FS as computer-based exams rather than pencil-and-paper ones. Once that conversion takes place, many states are opting for all applicants to be automatically approved by NCEES rather than the state boards. Ms. Kempker then chimed in and said she did some research into the automatic approval process and was informed that the state licensing boards could provide specific guidelines regarding education requirements that the applicants have to attest to in order to be allowed to take the exam. Upon discussion, a motion was made by Mr. Adewale for the Board to relinquish the processing of FE and FS applications for testing to NCEES. He then authorized Ms. Kempker to advise NCEES of the Board's decision and to provide them with a list of guidelines that applicants applying for testing in Missouri must attest to before being accepted for examination. However, before she forwards the list to NCEES, she is to first send a draft of our guidelines to the PE and PLS Members of the Board for review and edit. Once the guidelines have been approved and finalized, Ms. Kempker is to forward them to NCEES with notice of the Missouri Board's decision to relinquish the processing of its FE and FS exam applications for testing to NCEES. The Missouri Board will continue to process all applications for the April and October 2013 exams but would then thereafter participate in the automatic approval process by NCEES with the Board approved guidelines that the applicants applying for testing in Missouri must attest to before being accepted for examination. The motion was seconded by Mr. Govero and unanimously carried.

Update from JC Rearden regarding NCARB Annual Meeting

Mr. Rearden reported that he and Mr. Frashier attended the 2012 NCARB Annual Meeting which was held on June 20, 21, 22 and 23, 2012 in Minneapolis, Minnesota. Mr. Rearden stated that several attendees were very interested in the Missouri Board's three step process letter. It was also noted by attendees that Missouri has the lowest renewal fees. Mr. Rearden stated that budgetary restriction for some states had prevented those states from attending the annual meeting. It was specifically noted that Wisconsin was one such state. Mr. Rearden also advised the Board Members that NCARB has concerns over the amount of time it takes for an applicant to become licensed and mentioned that Mr. Frashier is becoming more involved with the accreditation program. Mr. Rearden further advised the Board Members that NCARB continues to encourage all states to adopt their continuing education requirements. Mr. Rearden also noted that NCARB's Executive Director said he would like to visit every Board in the near future. Mr. Rearden then inquired if the Missouri Board would like to extend an invitation to NCARB to make a visit at the November Board Meeting and that among the topics that could be discussed would be Missouri's position on the continuing education matter. Upon discussion, it was noted that Missouri is

restricted to a biennial renewal and would not be allowed to go to an annual renewal which is what NCARB's new continuing education requirements appear to be pushing. Therefore, it was decided not to extend an invitation to NCARB to meet with the full Board in November.

Discuss Missouri hosting the 2016 NCEES Central Zone Meeting as well as selecting possible dates and locations

Mr. Adewale stated that Missouri will be hosting the 2016 NCEES Central Zone Meeting. He advised that the Professional Engineering Division Members had discussed this item during their meeting on Monday and decided to suggest Branson, Missouri as a possible site for the meeting. Mr. Skibiski stated that since both Springfield and Branson had airports plus the fact that Branson had several hotels that could accommodate a convention, he felt that Branson would be a good choice. Mr. Freeman reported that the Professional Land Surveying Division Members were going to suggest St. Louis, Missouri, but in light that the 2012 NCEES Annual meeting is presently scheduled for St. Louis, the Professional Land Surveying Division Members would be willing to go with the Professional Engineering Division's suggestion of Branson. Therefore, Mr. Adewale made a motion to recommend Branson, Missouri as the site for the 2016 NCEES Central Zone meeting. The motion was seconded by Mr. Frashier and unanimously carried.

Discussion regarding the "Friday packets" and whether the Board wants staff to continue sending new complaints in the packet or to start sending them as a separate document to the appropriate Division Members with a "cc" to all the other Board Members

The Board Members discussed their "Friday packets" and whether the Board wanted its staff to continue sending new complaints in the packet or to start sending them as a separate document to the appropriate Division Members with a copy to all other Board Members. Upon discussion, the Board Members directed Ms. Kempker to send each complaint separately to the appropriate Division Chair with a copy to the Division Members. She is to then put copies of the complaint in the weekly mail packet for all Board Members to review.

Please note that at approximately 10:05 a.m., Messrs. Anderson and Hueser departed the meeting.

Probation Violation Hearing of the Dennis Stanley Nelson

At approximately 10:23 a.m., the Board conducted a Probation Violation Hearing in the matter of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects vs. Dennis Stanley Nelson. Mr. Nelson did not appear. Assistant Attorney General Edwin Frownfelter appeared for the Board. Mr. Hartnett stated for the record that the hearing had convened. The record was established by a certified court reporter and a copy made a part of the Board's file in Case No. 12-003. When the hearing was concluded (at approximately 10:44 a.m.), Mr. Frownfelter was told that the Board would issue an Order soon after it has completed its deliberations.

Probation Violation Hearing of the Robert Alan Walz

At approximately 10:44 a.m., the Board conducted a Probation Violation Hearing in the matter of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects vs. Robert Alan Walz. Mr. Walz did not appear. Assistant Attorney General Edwin Frownfelter appeared for the Board. Mr. Hartnett stated for the record that the hearing had convened. The record was established by a certified court reporter and a copy made a part of the Board's file in Case No. 12-004. When the hearing was concluded (at approximately 10:57 a.m.), Mr. Frownfelter was told that the Board would issue an Order soon after it has completed its deliberations.

Motion to go into closed session

At approximately 10:57 a.m., Mr. Hartnett called for a motion to close the meeting to the general public for the purpose of deliberating on the Dennis Stanley Nelson and Robert Alan Walz probation violation cases. Mr. Govero 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 deliberation on discipline. Ms. Jackson seconded the motion. A roll call vote was taken as follows: JC Rearden – Yea; Kenneth Frashier – Yea; Kathy Achelpohl – Yea; Kevin Skibiski – Yea; Abe Adewale – Yea; Kelley Cramm – Yea; Melissa Edwards – Yea; Mike Freeman – Yea; Dan Govero – Yea; Mike Flowers – Yea; Bob Hartnett – Yea; Jerany Jackson – Yea; and, Bob Shotts – Yea. Motion carried. Mr. Hartnett asked that all visitors leave the room. Upon the departure of Mr. Frownfelter and the court reporter, Mr. Hartnett declared the meeting closed to the general public.

Reconvened in Open Session

At approximately 11:10 a.m., the Board returned to Open Session for the purpose of discussing the remaining Open Agenda items.

Update from Strategic Planning Committee

Mr. Hartnett gave 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 and decide if the Board wants to be an exhibitor at the 2012 Missouri Association of Counties' Annual Conference which is scheduled for November 18 and 19, 2012 at Tan-Tar-A Resort in Osage Beach, Missouri

Ms. Kempker stated that she had just recently received a flyer announcing that the 2012 Missouri Association of Counties' Annual Conference is scheduled for November 18 and 19, 2012 at Tan-Tar-A Resort in Osage Beach, Missouri. She asked the Board Members if they wished to again have a booth at the MAC conference. Upon discussion, the Board Members decided to have an exhibit booth at the 2012 Missouri Association of Counties' Annual Conference on November 18 and 19, 2012. Ms. Kempker stated that Board staff would man the booth and if any Board Members were attending the conference, they were welcome to help man the booth as well. Mr. Skibiski stated that he would be attending the MAC conference and would stop by the booth if he had the chance to do so.

Report from Architectural Division

Mr. Rearden reported when that he and Mr. Frashier attended the 2012 NCARB annual meeting, they found out that NCARB wanted to make changes to the IDP program. Mr. Rearden stated he and Mr. Frashier decided to accept the changes as directed by NCARB.

Report from Professional Engineering Division

Mr. Skibiski reported that the Professional Engineering Division Members discussed a letter from NSPE President Dan Wittliff to NCEES President Dale Jans encouraging the early taking of the Principles and Practice of Engineering (PE) Examination. Mr. Skibiski stated that the change would require a statute change before the Missouri Board could allow the early taking of the Principles and Practice of Engineering (PE) Examination. The Missouri statute currently states that an individual must have four year experience before taking the exam. Mr. Skibiski stated that the "Incidental Practice Committee" would look into a possible change to Chapter 327. Mr. Skibiski asked that Ms. Kempker send him a reminder asking that the "Incidental Practice Committee" look into a possible change to Chapter 327 to include the early taking of the Principles and Practice of Engineering (PE) Examination.

Report from Professional Land Surveying Division

Mr. Freeman reported that, at this time, the Professional Land Surveying Division Members did not have anything to report.

Report from Landscape Architectural Division

Ms. Jackson reported that CLARB is moving forward into its first administration of computer exams. She stated that CLARB has been working with NCARB and NCEES regarding computer exams. Ms. Jackson stated that she thought CLARB did a great job in the transition in changing its exam from a five part exam to a four part exam.

Executive Director's Report

Ms. Kempker presented the most recent information regarding the Board's Financial Report. She advised the Board that as of August 3, 2012, the financial balances were as follows:

Personal Service Balance (PS) was \$356,575. Originated with \$381,662. The Board has 93.43% of its PS funds remaining.

Expense & Equipment (E&E) Balance was \$308,165. Originated with \$324,596. The Board has 94.94% of its E & E funds remaining.

Ms. Kempker announced that the Board's Fund Balance was \$3,718,136. Ms. Kempker stated that per current statute, in order to avoid a sweep of the Board's fund, the balance needs to be kept under \$3,959,943.00, or 3 times its appropriation (3 x \$1,319,981.00). However, it is recommended that the Board keep a fund balance more at a level of 1.5 times our appropriation.

For FY 2013, the Board was appropriated a total of \$706,258 for Expense and Equipment and Personal Service (\$324,596 was appropriated for E&E and \$381,662 for PS); \$122,100 for transfers (i.e., AHC & AG); and, \$278,472 for payment of operating expenses to Professional Registration (PR). This is a difference of \$1,185 less than what was appropriated last year. The Board's E&E balance was decreased by \$6,991 due to the Governor's recommended 5% decrease related to In-State Travel, Out-of-State Travel, Professional Development, and supplies. The Board's PS balance was increased by \$5,806 due to a 2% Cost of Living Adjustment. Fringe Benefits expenses are not included in the Board's appropriation but they run approximately \$105,462/year. This last fiscal year (FY2012), the Board lapsed approximately \$57,500 in our PS and \$111,000 in our E&E. The Board has requested no changes in its FY 2014 appropriation.

Next, Ms. Kempker provided an update to the Board regarding recent legislation.

HB 2007 – The Board's Budget Bill

FINAL ACTION: This bill was truly agreed and finally passed. Governor Nixon signed it on June 22, 2012 but vetoed the part appropriating \$80,000 to Missouri Humanities Council Trust Fund for 2012 Blues in School Program.

HB 1280 – This Bill establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer.

Peer reviewers and each person who testifies before them, provides information to them, acts upon their recommendation, or participates in the peer review process are immune from civil liability for these actions, as long as the actions are performed in good faith, without malice and are reasonably related to the scope of inquiry of the peer review process.

Certain documents created during the peer review process are privileged and are prohibited from being released to any person. These documents are not admissible in any judicial or administrative action for failure to provide appropriate architectural, landscape architectural, land surveying, or engineering services. A person who participated in the peer review process shall not be permitted or required to disclose information they learned from the peer review process.

This act does not limit the authority of the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to obtain information from a peer reviewer.

FINAL ACTION: This bill was truly agreed and finally passed. Governor Nixon signed it on July 10, 2012 so it will go into effect on August 28th of this year.

Ms. Kempker provided the Board with an update on Board Rules and Rule Status.

The Proposed Rule for 20 CSR 2030-4.055 – Criteria to File Application Under 324.008.1 for a Temporary Courtesy License; and, the Proposed Amendments to Board Rules 20 CSR 2030-6.015 – Application, Renewal, Reinstatement, Relicensure, and Miscellaneous Fees; and, Board Rule 20 CSR 2030-11.015 – Continuing Professional Competency for Professional Engineers were all submitted to the Division for review and/or approval on March 28, 2012. These proposed amendments have successfully gone through all levels of approval which now include the Division of Professional Registration, the Department, and the Governor's Office. They were filed with the SOS, JCAR and SBRFB on July 26th and are scheduled to appear in the Missouri Register on September 4th. The comment period ends on October 4th and the first day to file the Final Order of Rulemaking with JCAR is October 5th and the last day to file with the Final Order of Rulemaking with JCAR is November 30th. The end of the 90 day comment period is scheduled for January 2, 2013.

Ms. Kempker advised the Board Members that the purpose of Proposed Rule 20 CSR 2030-4.055 (Criteria to File Application Under 324.008.1 for a Temporary Courtesy License) is to state the requirements and procedures for a nonresident spouse of an active duty member of the military who is transferred to this state in the course of the member's military duty to obtain a temporary courtesy license to practice architecture, engineering, land surveying, or landscape architecture for one hundred eighty days which may be extended, at the discretion of the Board and upon receipt of an additional fee, for another 180 days.

Board Rule 20 CSR 2030-6.015 (Application, Renewal, Reinstatement, Relicensure, and Miscellaneous Fees) is being amended to include a fee for a temporary courtesy license for nonresident spouses of active duty members of the military who are transferred to this state in the course of the members' military duty and to eliminate the \$10 verification fee.

Board Rule 20 CSR 2030-11.015 (Continuing Professional Competency for Professional Engineers) is being amended to bring it into compliance with Section 327.031, RSMo, which was recently revised to increase the number of members comprising the Professional Engineering Division of the Board from three members to four. This change took effect on August 28, 2010. Therefore, paragraph (2)(D) of this rule is being amended to reflect that change.

Currently, the Board has two vacant positions on the Board (Board Chair and Public Member) and five members serving in expired terms (Mike Freeman, Jerany Jackson, Bob Hartnett, Ken Frashier, and Kevin Skibiski). However, the Governor had just recently appointed Kelley Cramm and Melissa Edwards to serve on the Professional Engineering Division of the Board. Ms. Kempker stated that both will be excellent Board Members. Since Ms. Cramm and Ms. Edwards were appointed while the Senate was not in session, they will need to get confirmed within 30 days of when the Senate next convenes which will be sometime in January or early February. Ms. Kempker stated that she had a conversation with Division Director Jane Rackers soon after the appointment of Kelley and Melissa, and was informed by Ms. Rackers that no other appointments are pending at this time so it looks like it may be a little while yet before a Board Chair and/or Public Member will be appointed.

Ms. Kempker announced that the newsletter went out in May in electronic format. The Board received a lot of compliments on it and because of those many positive comments, the Board received recognition in the Department's newsletter, "*DIFP Spotlight*." The article was titled "PR board saving state thousands." She said it mentioned that the Board redesigned a printed newsletter into an electronic version that will save more than \$74,000 each year in printing and postage costs and it features a more vibrant, readable design that is getting great reviews by other professional registration administrators, including one in South Carolina which said, "*The way you laid out the exam dates and deadline information is excellent – you might see something similar in our newsletter soon! What a great job – you have raised the bar on newsletters!*" Ms. Kempker stated that the Board needed to decide when it wanted the next edition to go out. She said six months would be approximately November. The Board Members then decided that the next edition of the Board's newsletter "Dimensions" should be sent out in November. Ms. Kempker stated that she will need all articles by October 1st.

Ms. Kempker reminded the Board Members that the 2012 NCEES annual meeting will be held in St. Louis on August 22, 23, 24 and 25. The meeting will be held at the Hyatt Regency St. Louis at the Arch. Kevin Skibiski, Abe Adewale, Melissa Edwards, Mike Freeman, Dan Govero, Sandy Robinson as well as Ms. Kempker will all be attending the full meeting with Mr. Adewale delivering an opening invocation at the start of the Business Session on Thursday, August 23rd, at approximately 1:30 p.m. Mr. Oligschlaeger will be attending the Law Enforcement Session of the meeting which will be held on Friday and Saturday, August 24th and 25th; and, Jerany Jackson will be attending Friday evening, August 24th, to give the invocation at the start of the banquet.

Ms. Kempker announced that in order to go along with the majority of the other boards within the Division of Professional Registration, the APELSLA Board will follow Per Diem rate for expenditures for meals, effective June 1st. Therefore, when Board Members submit their expense accounts for this meeting, Ms.

Kempker asked that they claim \$22.00 for all their evening meals. In the past, the Board did actuals not to exceed per diem but was recently informed that the Department's policy is to pay the "Per Diem" rate regardless of the amount spent. Therefore, in order to avoid meal reimbursement from being considered taxable income, the Board has to follow an established policy.

Ms. Kempker reminded the Board Members that the Board will have a booth at the Missouri Municipal League's Annual Conference, which is scheduled for September 9, 10, 11, and 12 at Tan-Tar-A in Osage Beach, Missouri. Board Staff will be manning the booth for the Board.

Date and Location of August 2013 Board Meeting

The Board noted that the NCEES Annual Meeting will be held on August 20, 21, 22, 23, and 24, 2013 in San Antonio, Texas. Therefore, the Board's August 2013 meeting will be held in the Kansas City, Missouri area on August 5, 6 and if necessary 7, 2013. Also, the Board requested that Ms. Kempker continue to negotiate Wi-Fi with all future hotel contracts. The Board feels that free Wi-Fi would be a valuable tool to be used during all quarterly meetings since there have been numerous occasions where a search of the internet was helpful in deciding on an issue that has become before the Board.

Motion to go back into Closed Session

At approximately 12:57 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. Govero 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. Mr. Adewale 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 5:20 p.m., the Board reconvened its open meeting for the purpose of adjournment.

Adjournment

A motion was made by Mr. Frashier and seconded by Mr. Govero, to adjourn. The motion carried unanimously. The meeting adjourned at 5:20 p.m. on Tuesday, August 7, 2012.

ATTEST:

Executive Director

Approved by the Board on: _____