

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

Lincoln Room
Capitol Plaza Hotel and Convention Center
415 West McCarty
Jefferson City, Missouri
January 27, 2014

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects was called to order at 4:00 p.m. on Monday, January 27, 2014 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

James C. "JC" Rearden, Chair of the Architectural Division
Kenneth M. Frashier, Member of the Architectural Division
Kevin C. Skibiski, Chair of the Professional Engineering Division
Abiodun "Abe" Adewale, Member of the Professional Engineering Division
Kelley Cramm, 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
Robert S. Shotts, Member of the Landscape Architectural Division

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Licensing Technician Supervisor
Jane Coffman, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Martha K. John, AIA

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. Mr. Adewale 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. Govero to approve the November 5, 2013 Open Board Meeting minutes as submitted. The motion was seconded by Mr. Skibiski and unanimously carried. Mr. Hartnett made a motion to approve the January 21, 2014 Open Committee Conference Call minutes as submitted. The motion was seconded by Mr. Skibiski and unanimously carried.

Discuss an email received from Mr. Michael A. Sater, LS-2001001915, requesting direction from the Board regarding a request he received from a St. Louis County Municipality to prepare a metes and bounds description for different areas the municipality is considering annexing

The Members of the Board discussed an email received from Mr. Michael A. Sater, LS-2001001915, wherein he was requesting direction from the Board regarding a request he received from a St. Louis County Municipality to prepare a metes and bounds description for different areas the municipality is considering annexing. Mr. Freeman reported that the Members of the Professional Land Surveying Division discussed this matter during their meeting earlier in the day. Upon discussion, Mr. Freeman made a motion directing Ms. Kempker to respond to Mr. Sater by stating that it is the Board's recommendation that metes and bounds descriptions should be prepared by a Professional Land Surveyor; however there is nothing in the Section 327.272, RSMo at this time that requires them to be prepared by a Professional Land Surveyor. It is the Board's opinion however, that not using a Professional Land Surveyor to prepare the description may allow for other descriptions to contain errors or omissions that could cause the newly prepared boundary for the annexation to contain gores, gaps, or overlaps. The motion was seconded by Mr. Adewale and unanimously carried.

Update regarding the signing of the Memorandum of Understanding (MOU) between the Board and the Department of Agriculture (Formerly MOU between the Board and the Department of Natural Resources)

Mr. Freeman provided an update to the Board regarding the signing of the Memorandum of Understanding (MOU) between the Board and the Department of Agriculture. Upon discussion, Mr. Freeman made a motion directing Ms. Kempker to send State Land Surveyor, Darrell Pratte, another email advising that at the January 27, 2014, Professional Land Surveying Division meeting it was noted that the Department of Agriculture has a new Director and the Board would like to know how this appointment will affect the signing of the MOU as the Board would like to proceed with promulgation of the rule by April 1, 2014, and to do so it would be necessary to have the "Joint Land Survey Standards Committee" meeting prior to that date. The motion was seconded by Mr. Adewale and unanimously carried.

Discuss carryover hours for continuing education as cited in Board Rules 20 CSR 2030-8.020, 20 CSR 2030-11.015, 20 CSR 2030-11.025, and 20 CSR 2030-11.035

Mr. Shotts stated that during this CEU audit period, he was having difficulty with verifying the carry-over hours and was wondering how each division's Audit Chair was handling the issue. The other Audit Chairs stated that they had not had an issue so they could not provide any suggestions to Mr. Shotts.

Review and discuss a proposed agreement with Japan PE/FE Examiners Council (JPEC) wherein the Missouri Board will accept the licensure applications for Professional Engineers who have passed the PE exam administered by NCEES/JPEC in Japan

Mr. Skibiski reported that Ms. Cramm had provided a draft of the agreement with JPEC and the Missouri Board during the Professional Engineering Division meeting earlier in the day. After Ms. Cramm has a chance to make the suggested revisions she will email the Agreement to Ms. Kempker. Mr. Skibiski directed Ms. Kempker to hold a mail ballot vote for the Board to vote to adopt the Agreement with JPEC. Ms. Kempker stated that she would do so.

Status of Board producing a video recording

Ms. Kempker stated that this matter will be discussed during the Professional Design Alliance meeting on Wednesday, January 29, 2014. Mr. Hartnett announced that MALA was in favor of the video recording and wanted to know an approximate cost. Mr. Rearden reported that AIA was very interested in this project as well. Mr. Govero stated that he would talk with MSPS to obtain its support.

Possible changes to the Board Rules and/or Chapter 327, RSMo (For information and/or discussion)

The Members of the Board stated that they had reviewed the most recent drafts of the changes to Chapter 327 and agreed that no further changes should be made. This matter will be discussed further at the Professional Design Alliance meeting on Wednesday, January 29, 2014.

Report from Architectural Division

Mr. Rearden reported that he had been elected Chair of the Architectural Division and Mr. Frashier had been elected Vice Chair and Audit Chair of the Division.

Mr. Rearden also reported that it was decided that Ken Frashier would be submitted for out-of-state travel approval to attend the NCARB Region V meeting in San Antonio, Texas.

Report from Professional Engineering Division

Mr. Skibiski reported that he was again elected the Chair of the Professional Engineering Division with Mr. Adewale being elected as Vice Chair of the Division. He also announced that Ms. Cramm volunteered to serve as Exam Chair and PDH Audit Chair.

Mr. Skibiski reported that he had been involved in a Round Table Discussion at the Engineers Club in St. Louis, Missouri. Mr. Skibiski, along with former Board Member Cheri Leigh, P.E. and two other Professional Engineers led the discussion regarding "Licensure as a Structural Engineer." Mr. Skibiski stated that he had discussed this issue in the Board's most recent newsletter. Since the newsletter had been posted, Mr. Skibiski had received approximately 25 responses to the question, "Should Missouri allow the early taking of the PE exam?" Out of those 25 responses, 12 were in favor of the early taking of the PE exam; 11 were not in favor of the early taking of the PE exam, and 2 were indifferent. Mr. Skibiski stated that the Professional Engineering Division had discussed this matter and decided to wait until NCEES has completely computerized its exams which is approximately 5 to 6 years away. It was also noted that issue would require a change to Chapter 327.

Report from Professional Land Surveying Division

Mr. Freeman reported that he was again elected as Chair for the Professional Land Surveying Division and PDU Preapproval Chair. He also reported that Mr.

Govero was elected Vice Chair and was re-elected as Exam Chair. Mr. Flowers was re-elected as Audit Chair for the Division.

Report from Landscape Architectural Division

Mr. Hartnett reported that he was again elected as Chair of the Landscape Architectural Division and Mr. Shotts was elected the Vice Chair of the Division and the CEU Audit Chair.

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 24, 2014, the financial balances were as follows:

Personal Service Balance was \$223,334. Originated with \$384,415.

E&E (Expense & Equipment) Balance was \$203,696. Originated with \$301,397.

The Fund Balance is \$3,998,265, which is a little more 3 times the appropriation (approximately \$53,000); however, the Board is at the peak of its income since the renewal cycle just ended and for the next nine months the expenses will be greater than the revenue. Therefore, based on the projections with the decreased fees that recently went into effect, the Board should not be in danger of a sweep. Ms. Kempker announced that the Board has not requested any changes in its FY2015 appropriation.

Ms. Kempker announced that the legislative changes that she is familiar with have been or soon will be introduced in the 2014 session and which have a direct impact on Chapter 327 are the following two bills: 1) The proposed amendment that MSPS filed, via SB 704, regarding Section 327.312(3) which, if passed, will eliminate the 12 semester hour option and instead require 30 semester hours for enrollment as an LSIT, it will increase the Legal Aspects requirement from 2 hours to 6; and, by 2023 it will make the minimum educational requirement for enrollment as an LSIT 60 semester hours of college credit; and, 2) the proposed amendments to Chapter 327 RSMo that the Design Alliance is taking the lead on in getting a bill filed. The Board just recently addressed some last minute changes that were made at the request of some legislators; and, as of now, Ms. Kempker does not think a bill number has yet been assigned. She reminded the Board of the Professional Design Alliance meeting is scheduled for Wednesday, January 29th in Jefferson City at the office of MSPE. Since an update on the status of the filing of this proposed legislation will be given at the Professional Design Alliance meeting, Ms. Kempker encouraged at least one Board Member from each profession to be

present. Messrs. Hartnett, Skibiski, Adewale, and Shotts stated they were attending the meeting.

Ms. Kempker advised the Board of other legislation, as follows:

Senate Bill 504 – This act provides that state agencies must make proposed rules available to the public by providing a web page which contains a summary, full text of the rule, and a fiscal note for each proposed rule, as well as a link to the Missouri Register. This information must be made available on the website the same day that the proposed rule is published in the Missouri Register. The Board is already publishing proposed rule changes on its web site so if this bill passes the Board would just have to make some minor changes by adding the fiscal note and the Secretary of State link.

Senate Bill 528 – Under current law, every application for a renewal of a professional license, certificate, registration, or permit must contain the applicant's Social Security number. This act states that an application for a professional license renewal only has to include a Social Security number in situations where the original application did not contain a Social Security number. After the initial application for license renewal which includes a Social Security number, an applicant is no longer required to provide a Social Security number in subsequent renewal applications. This is something the Board has wanted to get changed for a very long time so hopefully it will pass.

Senate Bill 645 – Currently, certain information pertaining to a licensee or applicant under the Division of Professional Registration is treated as confidential and only disclosed with the person's consent, pursuant to litigation or other lawful requests. This act allows the disclosure of applicant or licensee information when requested by members of the General Assembly or their employees. This act also provides that an executive director of a board or commission under the Division of Professional Registration can only serve in this capacity on one board or commission, or a combination of boards or commission with the total number of licensees under the authority of the various boards is two-thousand or less. However, an executive director may serve on multiple boards if serving a different board personnel function. If passed, the Board would be required to give a copy of complaints and exam and licensure applications to the General Assembly upon request by him or her or an employee of theirs. Since this Board is one board and not a combination of smaller boards, the language about the Executive Director should not affect this Board.

House Bill 1182 – This bill revises and updates statutory language and references. In its main provisions, the bill updates intersectional references (104.342, 104.1024, 105.400,105.430, 210.114, 288.036, 301.562, 324.028, 324.159, 326.265, 327.051, 329.025, 330.190, 332.041, 334.618, 335.036, 336.160,338.130, 339.120, 345.035, and 414.412). Ms. Kempker stated that this

is more or less a cleanup bill. It proposes to change Section 327.051.2 to make reference to subsection 11 of Section 324.001 instead of subsection 10.

House Bill 1532 – This bill proposes to designate the third week of February as "Engineers Awareness Week" in the state of Missouri. The citizens of this state are encouraged to observe the week with appropriate activities and events to promote the engineering discipline to students, expand public recognition of the engineering profession, and celebrate engineering accomplishments. Ms. Kempker stated that if this bill passes, wouldn't have a direct impact on the Board or Chapter 327.

Ms. Kempker provided an update on Board Rules and Rule status.

Board Rule 20 CSR 2030-2.040, which is the current Standard of Care rule. This rule is being amended to change its title from Standard of Care to Evaluation Criteria for Building Design and to delete reference to Section 107.

Board Rule 20 CSR 2030-2.050, Title Block. This rule is being amended to delete reference to "other documents" and provide more clarity by listing the specific documents which shall contain a title block.

Board Rule 20 CSR 2030-2.060, Guidelines for Acceptable Standard of Care. This is the new standard of care rule that would establish guidelines to be followed by architects, engineers, land surveyors, and/or landscape architects to help insure that the professional services they perform meet an acceptable standard of care.

These rules were filed with SOS, JCAR, and SB back in August. They appeared in the *Missouri Register* on September 16, 2013 and the comment period ended on October 13, 2013. The Board had 90 days from that date in which to file its Final Order of rulemaking, which was January 14, 2014. Ms. Kempker reminded the Board Members that comments were received from AIA and MSPE in opposition to the proposed amendments to Board Rule 20 CSR 2030-2.040, which is the current Standard of Care rule and Board Rule 20 CSR 2030-2.060, Guidelines for Acceptable Standard of Care. Comments were received from AIA and MSPE in support of the proposed amendment to Board Rule 20 CSR 2030-2.050, Title Block. With regard to the comments to the Proposed Amendment to Board Rule 20 CSR 2030-2.040, the current Standard of Care rule, the Board concurred and had changed the rule title to "Evaluation Criteria for Building Design." With regard to the comments to the Proposed Rule (20 CSR 2030-2.060) Guidelines for Acceptable Standard of Care, the Board withdrew the rulemaking. With regard to the proposed amendment to Board Rule 20 CSR 2030-2.050, Title Block, the rule was amended as filed. These Final Orders appeared in the *Missouri Register* on January 15, 2014, and are scheduled to appear in the Code of State Regulations on January 29, 2014 with an effective date of February 28, 2014.

At the November 2013 meeting, the Board directed Ms. Kempker to proceed with amending Board Rule 20 CSR 2030-5.110 Standards for Admission to Examination-Professional Land Surveyors. The amendment proposes to change one-third field experience to 24 months; one-third office experience to 16 months; and, engineering surveys to design surveys reducing maximum credit allowed from 25% (12 months) to 8 months. This Proposed Amendment is currently sitting at Division approval. Ms. Kempker advised that on January 7th, she had a meeting with the Administrative Staff of the Division of Professional Registration to discuss the rule change. During that meeting, it was decided that due to “design survey” being defined in the proposed changes to Chapter 327, RSMo, via SB 809 and HB 1771; and, due to Representative Bart Korman wanting to accept experience from any profession regulated by Chapter 327 for licensure as a PLS via SB 704, the Division recommended that the Board hold off with processing this proposed rule amendment until the 2014 legislative session has concluded. That way the Board will know if the term “design survey” can be used or if it should keep it as “engineering survey.” The Board will also know whether Representative Korman was successful at changing Chapter 327, to allow experience from any profession to count toward licensure.

Ms. Kempker announced that the Board currently has five vacant positions on the Board (Board Chair, Public Member, Architectural Division Member, Professional Engineering Division Member, and Landscape Architectural Division Member) and nine members serving in expired terms (JC Rearden, Ken Frashier, Kevin Skibiski, Abe Adewale, Kelley Cramm, Mike Freeman, Mike Flowers, Dan Govero, and Bob Hartnett). Bob Hartnett has been staying in contact with AJ Fox, who is the Deputy Director of Appointments for Boards and Commissions. Ms. Kempker says it sounds hopeful that some appointments will be made soon. Currently, the Board has 14 of its 15 positions either vacant or serving on expired terms. Mr. Shotts is the only Board Member who is not serving on an expired term. Mr. Hartnett then stated that he had invited Mr. Fox to meet with the Board during its public session at 8:00 a.m. on Tuesday morning, January 28th, to provide the Board Members with an update on Board Appointments. Mr. Hartnett also advised that he had invited Ms. Jane Rackers, Professional Registration Division Director to meet with the Board at 8:00 a.m. on Tuesday morning. Both Ms. Rackers and Mr. Fox have stated they will attend the meeting.

Ms. Kempker advised that the next edition of the Board’s newsletter is scheduled to go out in early to mid-May in electronic format. Therefore, she will need everyone to submit their articles to her by no later than April 1st. Ms. Kempker announced that a replacement for Sarah Mengwasser, the lady in PR Administration who Ms. Kempker previously worked with to finalize the Board’s newsletter, has been hired. Her name is Sarah Jorgenson. Ms. Kempker stated that Ms. Jorgenson just started work last week and seems to be really nice. Ms. Kempker stated that she had already alerted Ms. Jorgenson that she will soon start sending her articles for the Board’s newsletter.

Ms. Kempker announced that renewals were mailed out the first part of October to every licensee who was originally licensed in an odd year. She advised that 93% of the Board's licensees had completed the renewal process and had been approved prior to December 31, 2013. Of those who had renewed, approximately 64% renewed online and 36% renewed via paper renewal.

Ms. Kempker then introduced the Board's new investigator, Ms. Dawn Wilde. She advised that Ms. Wilde started in December and has hit the ground running. Ms. Wilde brings with her over 5 years of experience in law enforcement as a Highway Patrol and 8 years of experience from being an investigator for the Nursing Board. Ms. Wilde's knowledge of the general concept of the complaint and disciplinary process, PROMO, experience working with boards, etc. has been priceless. Ms. Kempker stated that she has thoroughly enjoyed having Ms. Wilde on staff.

Date and Location of January 2015 Board Meeting

The Board Members set the January 2015 meeting for January 26, 27, and if necessary, 28, 2015 to be held in Jefferson City, Missouri. The Board directed Ms. Kempker to secure the January 2015 Board Meeting at the Capital Plaza Hotel and Conference Center, if at all possible, since it best suits the Board's meeting needs. 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.

Recess

At approximately 5:45 p.m., the Board recessed its open meeting until 8:00 a.m. on Tuesday, January 28, 2014.

Tuesday, January 28, 2014

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 28, 2014 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

James C. "JC" Rearden, Chair of the Architectural Division
Kenneth M. Frashier, Member of the Architectural Division
Kevin C. Skibiski, Chair of the Professional Engineering Division
Abiodun "Abe" Adewale, Member of the Professional Engineering Division
Kelley Cramm, 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
Robert S. Shotts, Member of the Landscape Architectural Division

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Licensing Technician Supervisor
Jane Coffman, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Jane Rackers, Director for the Division of Professional Registration
AJ Fox, Deputy Director of Boards and Commissions, Office of the Governor

Meeting with Ms. Rackers and Mr. Fox to discuss matters of mutual interest

Ms. Rackers met with the Board to discuss matters of mutual interest such as Board Appointments, Budget, and Legislation. Upon discussion, Ms. Rackers thanked the Board Members for their service and advised that she was looking forward to working with them in the future.

Mr. Fox met with the Board to discuss Board Appointments. Mr. Fox announced that at least two Board appointments were forthcoming within the next week or two, with another appointment coming before the Legislature goes out of session in May 2014. Mr. Fox stated that he has been diligently working on getting all positions filled for this Board as well as for other Boards and Commissions. He thanked the Board Members for their service in protecting the health, safety, and welfare of the public.

After much discussion, the Board thanked Ms. Rackers and Mr. Fox for meeting with them and they departed the meeting at approximately 8:59 a.m.

Motion to go into closed session

At approximately 8:59 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. 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 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. Frashier seconded the motion. A roll call vote was taken as follows: JC Rearden – Yea; Kenneth Frashier – Yea; Kevin Skibiski – Yea; Abe Adewale – Yea; Kelley Cramm – Yea; Mike Freeman – Yea; Dan Govero – Yea; Mike Flowers – Yea; Bob Hartnett – Yea; and, Bob Shotts – Yea. Motion carried. Mr. Hartnett asked that all visitors leave the room. After the departure of Ms. Rackers and Mr. Fox, Mr. Hartnett declared the meeting closed to the general public.

Return to Open Session

At approximately 9:05 a.m., the Board reconvened in Open Session for the purpose of holding a disciplinary hearing on Richard J. Gumerman, E-15710.

Disciplinary Hearing of Richard J. Gumerman

At 9:05 a.m., the Board conducted a Disciplinary Hearing in the matter of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects vs. Richard J. Gumerman. Mr. Gumerman personally appeared without legal counsel. 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. 2012-000692. When the hearing was concluded (at approximately 9:26 a.m.), Mr. Gumerman and Mr. Frownfelter were told that the Board would issue an Order soon after it has completed its deliberations. They then departed.

Motion to go back into Closed Session

At approximately 9:26 a.m., Mr. Hartnett called for a motion to go back into closed session for the purpose of discussing the disciplinary hearing of Richard J. Gumerman 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 for the purpose of discussing the disciplinary hearing of Richard J. Gumerman 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 and unanimously carried. Mr. Hartnett asked that all visitors leave the room. After the departure of Messrs. Gumerman and Frownfelter, Mr. Hartnett declared the meeting closed to the general public.

Return to Open Session

At 9:37 a.m., the Board reconvened its open meeting for the purpose of holding a Probation Violation hearing on Stephen P. Maslan.

Please note that Mr. Frashier joined the meeting at approximately 9:37 a.m.

Probation Violation Hearing of Stephen P. Maslan

At 9:37 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. Stephen P. Maslan. Mr. Maslan appeared personally with legal counsel, Ms. Emily Fretwell. 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. 13-001. When the hearing was concluded (at approximately 10:45 a.m.), Messrs. Maslan and Frownfelter and Ms. Fretwell were told that the Board would issue an Order soon after it has completed its deliberations. They then departed.

Motion to go back into Closed Session

At approximately 10:45 a.m., Mr. Hartnett called for a motion to go back into closed session for the purpose of discussing the probation violation hearing of Stephen P. Maslan as well as discussing other pending litigation and complaint matters and any confidential or privileged communication between this agency and its attorney. Mr. Govero made a motion to go back into closed session for the purpose of discussing the probation violation hearing of Stephen P. Maslan as well as discussing other pending litigation and complaint matters and 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. After the departure of Messrs. Maslan and Frownfelter and Ms. Fretwell, Mr. Hartnett declared the meeting closed to the general public.

Return to Open Session

At approximately 12:30 p.m., the Board reconvened in Open Session for the purpose of meeting with its staff.

Board Meets with the Staff

At approximately 12:30 p.m., 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, Laurie Koelling, and Leah Hauck. 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. At approximately 1:25 p.m., Ms. Gilliam, Ms. Koelling, Ms. Hauck, and Ms. Plaster departed the meeting.

Motion to go back into Closed Session

At approximately 1:25 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. Adewale made 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 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 3:30 p.m., the Board reconvened its open meeting for the purpose of adjournment.

Adjournment

Mr. Skibiski made a motion to adjourn the meeting. The motion was seconded by Mr. Govero and unanimously carried. The meeting adjourned at 3:30 p.m. on Tuesday, January 28, 2014.

ATTEST:

Executive Director

Approved by the Board on: _____