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

Conference Room D
DoubleTree by Hilton Hotel St. Louis-Chesterfield
16625 Swingley Ridge Road
Chesterfield, Missouri
April 20 and 21, 2015

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order at 4:00 p.m. on Monday, April 20, 2015 in the Conference Room D of the DoubleTree by Hilton Hotel St. Louis-Chesterfield located at 16625 Swingley Ridge Road, Chesterfield, 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

Robert N. Hartnett, Board Chair
James C. “JC” Rearden, Chair of the Architectural Division
Michael L. Popp, Member of the Architectural Division
Martha K. John, 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
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 S. Shotts, Chair of the Professional Landscape Architectural Division
Noel T. Fehr, Member of the Professional Landscape Architectural Division
Sherry L. Cooper, Public Member

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Processing Technician Supervisor
Phyllis Prenger, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Craig M. Lucas, PE, CCM

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.
Introduction of Guest and newest Board Member

Chairman Hartnett introduced Mr. Craig M. Lucas, PE, CCM, to the Board Members. Chairman Hartnett stated that Mr. Lucas is slated to be confirmed by the Senate on Wednesday, April 22, 2015 and will join the Board as a Professional Engineering Division Member upon confirmation. The Board Members then welcomed Mr. Lucas.

Approval of Minutes

A motion was made by Mr. Skibiski to approve the January 26 and 27, 2015 Open Board Meeting minutes as submitted. The motion was seconded by Mr. Rearden and carried with Ms. Cramm abstaining from voting because she was not present at the meeting. Ms. Cramm made a motion to approve the March 24, 2015 Open Committee Conference Call minutes as submitted. The motion was seconded by Mr. Flowers and carried by the following committee members voting in favor of the motion: Martha John, Kelley Cramm, Mike Flowers and Bob Shotts.

NCEES Central Zone meeting will be held in Kansas City, Missouri on May 5, 6 and 7, 2016. Since Missouri is the Host Board, one of the tasks for the Host Board is to provide NCEES information for guest tours, off-site dinner events and/or transportation needs for these events. Board Staff needs ideas for guest tours and/or off-site dinner locations in the Kansas City area, and if needed, transportation recommendations.

The Board Members discussed the NCEES Central Zone meeting which will be held at the Westin Kansas City at Crown Center on May 5, 6 and 7, 2016. Since Missouri is the Host Board, one of the tasks of the Board is to provide NCEES information for guest tours, off-site dinner event locations and/or transportation needs for these events. Ms. Kempker asked Board Members for ideas for guest tours and/or off-site dinner locations in the Kansas City area, and if needed, transportation recommendations. Board Members suggested the World War I (WWI) Museum, Boulevard Brewery tour, the Steamboat Arabia museum tour, and the Kauffman Center for the Performing Arts. Chairman Hartnett suggested both WWI Museum and the Kauffman Center for the Performing Arts would be excellent venues to host a welcome reception and/or off-site dinner. Chairman Hartnett suggested that Ms. Kempker contact the Division of Professional Registration’s new Division Director, Katie Steele Danner, for assistance regarding “give aways” at this meeting, since Ms. Danner was previous the Director of Tourism for the state of Missouri.

Mr. Govero stated since the Board is the host State for the NCEES Central Zone Meeting in Kansas City, Missouri on May 5, 6 and 7, 2016, he thought it was a good idea to set the Board’s April/May 2016 meeting for May 3 and 4, 2016 in Kansas City, Missouri. The Board will then schedule its August 2016 meeting to be in St. Louis, Missouri. The Board Members directed Ms. Kempker to secure the May 2016 Board
Meeting on May 3 and 4, 2016 at the Westin Kansas City at Crown Center, if at all possible, since it best suits the Board’s meeting needs and will eliminate the Board Members and its staff from moving from one hotel to another to attend the NCEES Central Zone Meeting. The Board Members directed Ms. Kempker to ask the hotel to make the parking at the hotel complimentary. However, if the Westin is not able to accommodate the Board, Board Members suggested the Marriott at 45th and Main, the Sheraton at the Plaza, or the Embassy Suites at 43rd and Broadway, in downtown Kansas City. 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 come before the Board.

**Discussion regarding the renewal of Curt Thompson’s contract for general counsel services**

The Members of the Board reviewed Mr. Thompson’s contract for general counsel services to the Board. Upon discussion, Mr. Rearden made a motion to renew Mr. Thompson’s contract as the Board’s General Counsel for the period of July 1, 2015 through June 30, 2016. The motion was seconded by Mr. Adewale and unanimously carried.

**Budget Item Requests, if any**

Ms. Kempker asked the Board Members if they had any requests for budget items. No requests were noted. Chairman Hartnett then asked the Board to again look at its strategic plan. He advised the Board Members that on or about January 2010, the Board went through a strategic planning process with Mr. Art Davis of the Art Davis Group, LLC, who helped facilitate the strategic plan. The Members of the Board directed Ms. Kempker to forward a copy of the Strategic Plan from 2010 to them and to place this matter back on the Board’s August 2015 agenda for further discussion.

**Discussion regarding rejection of electronic seals by DNR**

Mr. Skibiski reported that the Professional Engineering Division Members discussed an email inquiry from Mr. Ken Stumpf regarding the rejection of electronic seals by the Department of Natural Resources (DNR). Upon discussion, Mr. Skibiski made a motion directing Ms. Kempker to send an email response to Mr. Ken Stumpf advising that the Board does allow electronic seals per Board Rule 20 CSR 2030-3.060(3) and agencies are allowed to set their own rules as long as they are not in conflict with Board Rules or other statutes. Ms. Kempker is to also advise Mr. Stumpf that during the review of the sample seal he submitted, the Professional Engineering Division Members were of the opinion that
it lacks electronic evidence of a signature for authentication as stated in the Board’s Rule. The motion was seconded by Mr. Rearden and unanimously carried.

**Discuss Proposed Amendment to Board Rule 20 CSR 2030-2.040 – Evaluation Criteria for Building Design**

The Board Members discussed the Proposed Amendment to Board Rule 20 CSR 2030-2.040 – Evaluation Criteria for Building Design. The amendment would change the 2012 IBC to 2015 IBC. Upon discussion, Mr. Skibiski made a motion to move forward with the Proposed Amendment to 20 CSR 2030-2.040 – Evaluation Criteria for Building Design. Mr. Shotts seconded the motion and it unanimously carried. Since the Missouri Small Business Regulatory Fairness Board believes the most effective way to accomplish regulatory fairness for small businesses is by fostering communication during the promulgation, enforcement, and review of rules and regulations, the Board will be soliciting input from small business owners regarding this rule by publishing the text of Proposed Board Rule 20 CSR 2030-2.040 – Evaluation Criteria for Building Design on the Board’s website.

**Discuss reduction in the Board’s Corporate Renewal Fee and Proposed Amendment to Board Rule 20 CSR 2030-6.015**

Ms. Kempker reported that she visited with Sherry Hess, the Division of Professional Registration’s Accounting Director, to go over the possibility of a sweep of the Board’s funds. It was determined that if the Board did not file for another fee reduction, the Board could be in jeopardy of a sweep in FY2017 or FY2018. For that reason, Ms. Kempker stated that she is proposing another reduction in the corporate renewal fee.

By reducing the corporate biennial renewal fee from $100 to $50, the Board will see a net decrease every two years of $53,655. The Board’s fund balance will gradually go down but still remain healthy. Ms. Kempker advised that with the lower fee it is projected that by FY2025 (9 years later), the Board’s fund balance will still be approximately $3,000,000. Upon discussion, Ms. John made a motion to move forward with the Proposed Amendment to Board Rule 20 CSR 2030-6.015 – Application, Renewal, Relicensure, and Miscellaneous Fees by reducing the corporate biennial renewal from $100 to $50. Ms. Cramm seconded the motion and it unanimously carried. Since the Missouri Small Business Regulatory Fairness Board believes the most effective way to accomplish regulatory fairness for small businesses is by fostering communication during the promulgation, enforcement, and review of rules and regulations, the Board will be soliciting input from small business owners regarding this rule by publishing the text of Proposed Amendment to Board Rule 20 CSR 2030-6.015 – Application, Renewal, Relicensure, and Miscellaneous Fees on the Board’s website.
Report from Ad Hoc Committee formed to discuss the possibility of requiring the Board's licensees to take and pass a test on Missouri statutes and rules

Ms. Cramm reported that on March 24, 2015, the Ad Hoc Committee of the Board met via conference call to discuss the possibility of requiring the Board’s applicants to take and pass an online test on Missouri statutes and rules before being issued a license. After much discussion, it was the consensus of the Committee to recommend to the full Board that all applicants, except for Professional Land Surveyor applicants, be required to take and pass an online test on the Board’s statutes and rules. Ms. Kempker then asked the Board Members if they would consider each profession offering the same on-line test on the Board’s statutes and rules as 2 hours of approved continuing education credit at no cost to all licensees. The Professional Land Surveying Division Members stated that in order to become licensed as a Professional Land Surveyor, a candidate must take and pass the Missouri State Specific examination. Therefore, the Professional Land Surveying Division did not feel that it was necessary for Professional Land Surveyors to be included in this requirement to take and pass a test on the Board’s statutes and rules for licensure or continuing education credits. Ms. Kempker reported that she checked with the Division of Professional Registration’s Information Technology employees (PR IT) and was told that if they had nothing else pressing, they could get an exam up on the Board’s website within one week. Upon discussion, Mr. Adewale made a motion to promulgate a rule requiring Architect, Professional Engineer and Professional Landscape Architect applicants to take and pass an exam on the Board’s rules and statutes before being licensed and to also offer the online exam to all Architect, Professional Engineer and Professional Landscape Architect licensees as an option to earn 2 hours of continuing education credit. The motion was seconded by Mr. Shotts and unanimously carried. Since the Missouri Small Business Regulatory Fairness Board believes the most effective way to accomplish regulatory fairness for small businesses is by fostering communication during the promulgation, enforcement, and review of rules and regulations, the Board will be soliciting input from small business owners regarding this rule by publishing the text of Proposed Rule on the Board’s website.

Recess

At approximately 5:55 p.m., the Board recessed its open meeting until 8:00 a.m. on Tuesday, April 21, 2015.
Tuesday, April 21, 2015

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order at 8:00 a.m. on Tuesday, April 21, 2015 in the Conference Room D of the DoubleTree by Hilton Hotel St. Louis-Chesterfield located at 16625 Swingley Ridge Road Chesterfield, 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

Robert N. Hartnett, Board Chair
James C. “JC” Rearden, Chair of the Architectural Division
Michael L. Popp, Member of the Architectural Division
Martha K. John, Member of the Architectural Division
Kevin C. Skibiski, Chair of the Professional Engineering Division
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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 S. Shotts, Chair of the Professional Landscape Architectural Division
Noel T. Fehr, Member of the Professional Landscape Architectural Division
Sherry L. Cooper, Public Member

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Processing Technician Supervisor
Phyllis Prenger, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Edwin Frownfelter, Assistant Attorney General
Craig M. Lucas, PE, CCM
Rusty Saunders, PLA

Public Comment – Limited to 10 minutes

At the Board’s May 5 and 6, 2014 quarterly meeting, Ms. Kempker was directed to add an additional agenda item on all future agendas for individuals and/or licensees who may appear before the Board to discuss matters of mutual interest. This agenda item would be limited to 10 minutes. No one present had specific issues they wanted to discuss, therefore no further action was deemed necessary at this time.
Possible changes to the Board Rules and/or Chapter 327, RSMo (For information and/or discussion)

The Board Members decided that no new Board Rule changes were warranted at this time other than the proposed rule changes previously discussed. The Board Members also decided no new statute changes were required at this time. This item was presented for informational purposes; therefore no action was taken.

Report from Architectural Division

Mr. Rearden reported that he, along with Ms. John and Ms. Kempker, attended the NCARB Regional Summit Meeting in Long Beach, California on March 12, 13, and 14, 2015. Also, Mr. Rearden announced that Ms. John and Mr. Popp are planning to attend the NCARB Annual Meeting in New Orleans, Louisiana on June 17, 18, 19 and 20, 2015 as funded delegates. Mr. Rearden also stated that if his schedule allows, he may also be attending the NCARB Annual Meeting.

Report from Professional Engineering Division

Mr. Skibiski reported that Mr. Adewale and Mr. Freeman will be listed as the funded delegates to attend the upcoming NCEES Annual Meeting in Williamsburg, Virginia on August 19, 20, 21, and 22, 2015. Mr. Skibiski also stated that Ms. Cooper is also planning to attend this meeting as a new Public Board Member. Her expenses will be covered by NCEES.

Mr. Skibiski also reported that on Monday, April 20th, the Architectural and Professional Engineering Division Members met jointly to discuss a phone conversation Ms. Cramm had with Mr. Wayne Miller regarding situations when: 1) the original engineer is gone and someone else must seal the record drawings; 2) whether it’s appropriate for a public entity to require that an engineer seal and sign record drawings; and 3) if so, do the Board Rules need to be amended. The Division Members agreed that someone has to take over the responsibility for sealing the plans or the company will be in breach of contract. Therefore, Ms. Cramm volunteered to write an article for the Board’s Fall/Winter 2015 newsletter addressing these issues.

Report from Professional Land Surveying Division

Mr. Freeman reported that he plans to attend the upcoming NCEES Annual Meeting in Williamsburg, Virginia on August 19, 20, 21, and 22, 2015 as one of the funded delegates.
Mr. Freeman discussed with the Board Members, the hiring of a contract investigator for certain complaint cases which will be discussed in depth during the Board’s closed meeting.

Report from Professional Landscape Architectural Division

Mr. Shotts reported that Rusty Saunders and Carrie Coyne attended the Professional Landscape Architectural Division meeting on Monday, April 20th. Mr. Shotts stated that since Chairman Hartnett has been appointed Board Chair, the Professional Landscape Architectural Division is now short a member. Mr. Saunders reported that the Missouri Association of Landscape Architects (MALA) is presently working on a list of potential Board Members to present to the Governor. Mr. Shotts then reported that he along with Mr. Fehr and possibly Chairman Hartnett, plan to attend CLARB’s annual meeting which is set for September 16, 17, 18 and 19, 2015 in New Orleans, Louisiana.

Executive Director’s Report

Ms. Kempker presented the most recent information regarding the Board’s Financial Report. She advised the Board that as of April 17, 2015, the financial balances were as follows:

Personal Service Balance was $141,358. Originated with $388,688.

E&E (Expense & Equipment) Balance was $159,866. Originated with $301,397.

Currently, the Fund Balance is $3,752,882. Per Section 327.081, in order to avoid a sweep of the Board’s fund, the balance needs to be kept under $3,794,340, or 3 times the Board’s appropriation (3 x $1,264,780). The Board’s balance is high right now because a renewal cycle has just been completed, but for the remaining months of the year, it will decline since the Board’s monthly expenses will be greater than its monthly revenue; thus, bringing the fund balance down. But since the Board just voted to amend Board Rule 20 CSR 2030-6.015, the Board’s fund balance will gradually go down but still remain healthy. In fact, with the lower fee it is projected that by FY2025 (9 years later), the Board’s fund balance will still be approximately $3,000,000.

Ms. Kempker reported that the Board had no changes in its FY 2016 appropriation which is determined by House Bill (HB) 7. HB 7, the Budget Bill, is still being discussed but is expected to pass. The budget is as follows:

<table>
<thead>
<tr>
<th>Personal Service</th>
<th>$388,688</th>
</tr>
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<tbody>
<tr>
<td>Expense and Equipment</td>
<td>$301,379</td>
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From State Board for Architects, Professional Engineers,
Ms. Kempker reported how excited she was for the Board to finally have a Board Chair. After going 6+ years without a Board Chair, it is certainly a pleasure to have Bob Hartnett in this position. Ms. Kempker stated that Mr. Lucas was appointed at the same time as Chairman Hartnett to serve as the fourth member of the PE Division. Unfortunately, Mr. Lucas was not confirmed prior to the Board’s April 20 and 21, 2015 meeting so he was unable to participate in the full Board meeting. Ms. Kempker stated she invited Mr. Lucas to join the Board during its open session since the Board was meeting in the St. Louis area and that is his home domicile. With the appointment of Mr. Lucas, that leaves only one vacant position on the Board (PLA Member due to the appointment of Chairman Hartnett as Board Chair). The Board currently has ten members serving in expired terms (Bob Shotts, JC Rearden, Mike Freeman, Mike Flowers, Dan Govero, Kevin Skibiski, Abe Adelwale, Kelley Cramm along with the Board’s Public Member, Sherry Cooper). However, upon speaking with Mr. AJ Fox at Chairman Hartnett’s confirmation hearing, Mr. Fox indicated that Ms. Cooper may be reappointed to serve another four year term since her term had already expired before she even was confirmed.

Ms. Kempker advised that the newsletter is on track for being distributed around the first part of May. She then thanked everyone for timely submitting their articles. Ms. Kempker stated that she plans on producing the Board’s next newsletter by the first part of November. Ms. Kempker stated that it takes a lot of time on her part for putting the newsletter together and also a lot of time on the part of the Chairs and Ms. Cooper in writing their articles, which all contain very valuable and informative information. With all the work that goes into producing a newsletter, it’s a shame for licensees to not read it; which negates the whole purpose of producing one. She asked the Board to consider awarding ½ credit of continuing education per newsletter to each licensee who reads it in its entirety. As documentation, you must complete and print the “CEU/PDH/PDU Certificate,” which can be

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects’ newsletter, *Dimensions*, is now ready for viewing.

The Board’s newsletter contains a lot of valuable information regarding your licensure and the profession in which you practice. Therefore, starting with the edition of the 2015 Spring/Summer newsletter, the Board is awarding .5 CEU, PDH, or PDU to each licensee who reads it in its entirety. As documentation, you must complete and print the “CEU/PDH/PDU Certificate,” which can be
found inside the newsletter. You are to print and keep a copy of the completed Certificate in your file with your other supporting documentation. If audited, you will be required to produce the completed “Certificate” as documentation. Since the Board produces two newsletters per year this is an easy and worthwhile way of earning one free CEU, PDH, or PDU per year or two per each renewal period. We would then say:

Click here for the 2015 Spring/Summer newsletter:

At this time Ms. Kempker distributed a copy of the “Sample Certificate” for the Board Members to review. Upon discussion, Mr. Adewale made a motion to allow ½ credit per newsletter, which would be 1 CEU, PDH or PDU per year or 2 per renewal period, for reading the newsletter and correctly answering the questions listed in the certificate. The motion was seconded by Ms. John and carried with Mr. Flowers voting against the motion.

Next, Ms. Kempker discussed Legislation and/or Bills of interest to the Board.

**HB 361**, presented by Representative Spencer. This Bill designates the third week of February as "Engineer Awareness Week" in Missouri. On April 15, 2015 it was placed on consent calendar.

**HB 422**, presented by Representative Burlison. This Bill provides that boards and commissions under the Division of Professional Registration may issue certain opinions for educational purposes. Ms. Kempker reported that there has not been much movement on this bill recently; however, on April 8, 2015 HCS voted out of committee.

**HB 586**, presented by Representative Korman. The current law requires that all rules promulgated by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects be consistent with and not supersede rules established by the Department of Natural Resources pursuant to Chapter 60, RSMo. This bill removes the reference to the Department of Natural Resources. This Bill is not moving at all. The last action was on 2/24/2015 – Public Hearing completed in the House.

**HB 1000**, also presented by Representative Korman. This Bill modifies education requirements relating to land surveyors by increasing education requirement to 30 credit hours. This Bill is not moving; last action was on March 11, 2015 when it was Referred: Professional Registration and Licensing(H).

**HB 1042**, presented by Representative Korman. This Bill modifies provisions related to design-build contracts. On March 31, 2015, this Bill was reported Do Pass (H) and was referred to a Select Committee on General Laws (H).
**HB 1052**, presented by Representative Miller. This Bill modifies provisions relating to land surveyors. This bill removes from the description of the practice of a professional land surveyor work which involves the survey of easements. The survey and location of rights-of-way are not exclusive to professional land surveyors unless the survey affects real property rights as defined in current law. The bill specifies that any document prepared between August 27, 2014 and August 28, 2015, must remain valid and enforceable even though any legal description contained in the document was not prepared by a professional land surveyor. This bill is moving right along. On March 11, 2015 it was voted Do Pass Consent by the House and on April 13, 2015 it was voted Do Pass Consent Senate.

**SB 14**, presented by Senator Munzlinger. This Bill requires all departments and divisions of the state, including statewide offices, to post copies of contracts entered into for the provision of legal services from outside firms on the Missouri Accountability Portal. If passed, we would be required to post Curt’s contract on the portal. On April 13, 2015, Hearing conducted H Gov. Efficiency Committee.

**SB 16**, presented by Senator Dixon. This Bill prohibits gubernatorial appointees from serving more than sixty days after the expiration of their term of office. No movement since January 13th.

**SB 88**, presented by Senator LeVota. This Bill provides that appointed officers shall only hold office until their term ends. No movement since January 22nd.

**SB 95**, presented by Senator LeVota. This Bill modifies laws relating to the number of professional boards that an executive director can serve on and who can request licensee information. No movement since January 22nd.

**SB 103**, presented by Senator LeVota. This Bill allows members of the General Assembly to request confidential professional licensee information. A public hearing was held on March 4, 2015 but very little movement otherwise.

**SB 107**, presented by Senator Sater. This Bill provides that boards and commissions under the Division of Professional Registration may issue certain opinions for educational purposes. On April 13, 2015 it was referred to the House Professional Registration and Licensing Committee.

**SB 348**, presented by Senator Schaefer. This Bill requires the transfer of excess fund balances to the state general revenue fund. This Bill has had no movement.

**SB 499**, presented by Senator Wasson. This Bill modifies provisions relating to land surveyors. This bill removes from the description of the practice of a professional land surveyor work which involves the survey of easements. The survey and location of rights-of-way are not exclusive to professional land
surveyors unless the survey affects real property rights as defined in current law. The bill specifies that any document prepared between August 27, 2014 and August 28, 2015, must remain valid and enforceable even though any legal description contained in the document was not prepared by a professional land surveyor. This bill is a companion bill to HB 1052. HB 1052 is the preferred bill and is the one moving. SB 499 was referred to the House Professional Registration and Licensing Committee on 4/13/15.

**SB 536**, presented by Senator Schaaf. This Bill requires state agencies to waive certain privileges including attorney/client information with regard to documents requested by members of the General Assembly. This Bill has had no movement.

Next, Ms. Kempker provided the Board Members with an update on Board Rules and Rule status. Proposed Amendment to 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 was submitted to the Division of Professional Registration on December 24, 2013 and was sent to the Department on July 8, 2014. It is pending Department approval. Upon discussion, Mr. Freeman made a motion for Ms. Kempker to request Professional Registration Division Director, Katie Danner, to please expedite Proposed Amendment to Board Rule 20 CSR 2030-5.110 Standards for Admission to Examination-Professional Land Surveyors since technology is moving faster than the rule change. The Board noted that there are seminars being presented with the anticipation of this rule change. The motion was seconded by Mr. Adewale and unanimously carried.

Please note that at approximately 9:10 a.m., Mr. Rusty Saunders departed the meeting.

**Probation Violation Hearing of Donald Dustin Curtis**

At 9:15 a.m., the Board conducted a Probation Violation Hearing in the matter of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects vs. Donald Dustin Curtis. Mr. Curtis personally appeared with legal counsel, Mr. David Barrett. Assistant Attorney General Edwin Frownfelter appeared for the Board. Chairman 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. 12-1565 AR PV1. When the hearing was concluded (at approximately 10:37 a.m.), Messrs. Curtis, Barrett and Frownfelter were told that the Board would issue an Order soon after it has completed its deliberations. Messrs. Curtis and Barrett departed the meeting at approximately 10:37 a.m.
Probation Violation Hearing of Robert Lee Davis

At 10:40 a.m., the Board conducted a Probation Violation Hearing in the matter of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects vs. Robert Lee Davis. Mr. Davis did not appear. Assistant Attorney General Edwin Frownfelter appeared for the Board. Chairman 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. 2013-0411-PV. When the hearing was concluded (at approximately 11:10 a.m.), Mr. Frownfelter was told that the Board would issue an Order soon after it has completed its deliberations. Mr. Frownfelter then departed the meeting.

Motion to go into closed session

At approximately 11:10 a.m., Chairman 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 carried. Mr. Adewale seconded the motion. A roll call vote was taken and unanimously carried. Chairman Hartnett asked that all visitors leave the room. Mr. Craig Lucas and Mr. Edwin Frownfelter departed the meeting at approximately 11:10 a.m. After their departure, Chairman Hartnett declared the meeting closed to the general public.

Return to Open Session

At approximately 12:25 p.m., the Board reconvened in Open Session for the purpose of discussing the remaining items on the Open Agenda.

Ms. Kempker continued with her Executive Director’s report.

Ms. Kempker reported due to the passage of SB 809, Chapter 327 had a major overhaul; thus, resulting in the need for a number of rule changes. At the Board’s August 2014 meeting it approved the following 32 Proposed Amendments for promulgation:
20 CSR 2030-1.010  General Organization
20 CSR 2030-1.020  Board Compensation
20 CSR 2030-1.030  Procedural Rules
20 CSR 2030-2.010  Code of Professional Conduct
20 CSR 2030-3.010  Official Seal of Board
20 CSR 2030-3.060  Licensee’s Seal
20 CSR 2030-4.010  Filing Deadline—[Architects,] Professional Engineers[,] and Professional Land Surveyors [, Landscape Architects, Engineer Interns and Land Surveyors-in-Training]
20 CSR 2030-4.050  Criteria to File Application Under [327.391 and] 327.392, RSMo
20 CSR 2030-4.060  Evaluation—Comity Applications—Architects
20 CSR 2030-4.070  Evaluation—Comity Applications—Professional Engineers
20 CSR 2030-4.080  Evaluation—Comity Applications—Professional Land Surveyors
20 CSR 2030-4.090  Evaluation—Comity Applications—Professional Landscape Architects
20 CSR 2030-5.010  Special Examinations Prohibited
20 CSR 2030-5.020  NCARB Examinations—Architects
20 CSR 2030-5.030  Standards for Admission to Examination—Architects
20 CSR 2030-5.050  Admission to Examination RESCISSION
20 CSR 2030-5.055  Passing Grade—Architects
20 CSR 2030-5.070  NCEES Examinations—Professional Engineers
20 CSR 2030-5.080  Standards for Licensure—Professional Engineers
20 CSR 2030-5.090  Scope of Examination—Professional Engineers
20 CSR 2030-5.105  Reexaminations—Professional Engineers
20 CSR 2030-5.130  Reexamination—Land Surveyor-in-Training and Professional Land Surveyor
20 CSR 2030-5.140  CLARB Examinations—Professional Landscape Architects
20 CSR 2030-6.015  Application, Renewal, [Reinstatement,] Relicensure, and Miscellaneous Fees
20 CSR 2030-6.020  Reexamination Fees
20 CSR 2030-7.010  Nonresidents
20 CSR 2030-8.010  Professional Land Surveying Matters
20 CSR 2030-10.010  Application for Certificate of Authority
20 CSR 2030-11.010  Renewal Period
20 CSR 2030-11.020  Professional Land Surveyor—Renewal and Reactivation of Licensure
20 CSR 2030-11.030  Professional Engineer Renewal and Reactivation of Licensure
20 CSR 2030-12.010  Public Complaint Handling and Disposition Procedure
These Proposed Amendments had been finalized, fiscal notes prepared for each, and were submitted to the Division of Professional Registration on November 3, 2014 for review and approval. They were forwarded to the Department on December 22, 2014 and are currently pending Department approval.

At the Board’s November 2014 meeting, it approved the following 4 Proposed Amendments for promulgation:

- 20 CSR 2030-11.015 Continuing Professional Competency for Professional Engineers
- 20 CSR 2030-11.025 Continuing Education for Architects
- 20 CSR 2030-11.035 Continuing Education for Professional Landscape Architects
- 20 CSR 2030-13.010 Immediate Personal Supervision

These Proposed Amendments had been finalized, fiscal notes prepared for each, and were submitted to the Division of Professional Registration on December 23, 2014 for review and approval. They have not yet been forwarded to the Department.

At the Board’s January 2015 meeting, it approved the following 4 Proposed Amendments for promulgation:

- 20 CSR 2030-15.020 Easements and Property Descriptions
- 20 CSR 2030-21.010 Design of Fire Suppression Systems
- 20 CSR 2030-21.020 Engineer of Record and Specialty Engineers
- 20 CSR 2030-8.020 Professional Land Surveyor – Professional Development Units

These Proposed Amendments had been finalized, fiscal notes prepared for each, and were submitted to the Division of Professional Registration on February 9 and 11, 2015 for review and approval. The Proposed Rule on Easements and Property Descriptions is being held at the Division of PR pending legislation filed via SB 499 and HB 1052. The others were forwarded to the Department on April 9, 2015 and are currently pending Department approval.

Also, at the Board’s January 2015 meeting, it approved the following 35 Proposed Amendments for promulgation pending signature of the MOU with the Missouri Department of Agriculture:

- 20 CSR 2030-16.010 Application of Standards
- 20 CSR 2030-16.020 Definitions (Rescission)
- 20 CSR 2030-16.030 General Land Surveying Requirements (Rescission)
- 20 CSR 2030-16.040 Accuracy Standards for Property Boundary Surveys (Rescission)
- 20 CSR 2030-16.050 Use of Missouri Coordinate System, 1983 (Rescission)
Ms. Kempker reported that the Memorandum of Understanding (MOU) was signed by all parties on March 23, 2015. Therefore, these Proposed Amendments have been finalized, fiscal notes prepared for each, and were submitted to the Division of Professional Registration on March 26th for review and approval. Ms. Kempker reported she had a meeting with Katie Steele Danner and the PR Rules and Legal team on Friday, April 17th, to go over the changes. They were impressed with the changes and the wording of the fiscal notes and gave verbal approval. They will now coordinate the joint filing with the Missouri Department of Agriculture (MDA). The Division of PR’s rules research analyst, Debby Bullock, was given Sharon Hankin’s contact information to coordinate the filings with MDA. Ms. Hankin is Darrell Pratte’s assistant. These rule amendments have not yet been forwarded to
the Department. The Board has a total of 76 rules that are being amended. This is definitely a record for the Board.

Ms. Kempker advised the Board Members that the Board’s revised statutes, pursuant to SB 809, are available online and Ms. Kempker had hard copies of the booklet made recently. Due to the extensive changes and reserve in the Board’s fund, a hard copy was mailed to all licensees and building code officials as a proactive measure. Ms. Kempker stated that the Board Members should have already received their copy in the mail or will be receiving it very soon. Ms. Kempker stated that there had been a problem with the mailing. State Printing had sent out approximately 10,000 booklets but they had sent the wrong booklets. The documentation proved it was their mistake and not the Board’s so the State Printing Manager was very helpful in correcting the situation. He said they would send postcards out to all those who received the wrong booklet advising of the error and announcing a corrected copy will be resent. He then said they will run the correct version of the booklet and mail it out all at their expense since it was their mistake. So, if Board Members already received a booklet, it most likely is the wrong one and they will be receiving a corrected version very soon.

Ms. Kempker reported that the renewals were mailed out the first part of October 2014 to every licensee who was originally licensed in an even year. Approximately 91% of the Board’s licensees had completed the renewal process and had been approved prior to December 31st. Of those who had renewed, approximately 84% renewed online compared to 62% the previous year. On April 1, 2015, the Board had 852 licenses expire for failure to renew. Due to the passage of SB 809, this is the first time the license of those who failed to renew actually expired on December 31, 2014 instead of lapsing or suspending on April 1, 2015. Expiration notices were mailed to them last week. It was noted that the Board lapse 730 last renewal cycle which was 122 less than the number that expired this renewal cycle.

Also, in June of 2015, the Division of Professional Registration is scheduled to update the Board’s licensing system to where each licensee will be able to create a personal online account with the Board. As with any new system, it will probably take some time to get all the bugs worked out but the end goal is to provide the Board’s licensees with easier access to their licensing information and more flexibility with managing that information. The name of the new system is PRISM. So once the new system is up and running, PROMO will be history!

**Date and Location of April/May 2016 Board Meeting**

This matter was discussed during the Board’s meeting on Monday, April 20, 2015.
Motion to go back into Closed Session

At approximately 1:40 p.m., Chairman 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 discussing pending litigation and complaint matters as well as any confidential or privileged communication between this agency and its attorney. Mr. Skibiski seconded the motion. A roll call vote was taken unanimously carried. Chairman Hartnett asked that all visitors leave the room. There being none, Chairman Hartnett declared the meeting closed to the general public.

Return to Open Session

At 4:00 p.m., the Board reconvened its open meeting for the purpose of adjournment.

Adjournment

Mr. Popp made a motion to adjourn the meeting. The motion was seconded by Mr. Adewale and unanimously carried. The meeting adjourned at 4:00 p.m. on Tuesday, April 21, 2015.

ATTEST:

_______________________________________
Executive Director

Date approved: _________________________