The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order at 3:00 p.m. on Monday, January 25, 2016 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**

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  
Craig M. Lucas, 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  
Robert S. Shotts, Chair of the Professional Landscape Architectural Division  
Noel Fehr, Member of the Professional Landscape Architectural Division

**Members Absent**

Kelley Cramm, Member of the Professional Engineering Division  
John Michael Flowers, Member of the Professional Land Surveying Division  
Sherry Cooper, Public Member

**Others Present**

Judy Kempker, Executive Director  
Sandra Robinson, Licensing Technician Supervisor  
Phyllis Prenger, Board Staff  
Shantae Duren, Board Staff  
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Bruce Wylie, Executive Director for the Missouri Society of Professional Engineers (MSPE)

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

**Approval of Minutes**

A motion was made by Mr. Adewale to approve the November 9 and 10, 2015 Open Board Meeting minutes as submitted. The motion was seconded by Mr. Rearden and it carried with Mr. Fehr abstaining from voting. Mr. Skibiski made a motion to approve the January 11, 2016 Open Committee Conference Call minutes as submitted. The motion was seconded by Mr. Rearden and carried by the following committee members voting in favor of the motion: JC Rearden, Kevin Skibiski, Mike Freeman and Bob Shotts.

**Public Comment – Limited to 10 minutes**

Board Chair Hartnett thanked Mr. Wylie for attending the meeting and asked if he had any questions or comments to make to the Board. Mr. Wylie stated that he did not have any questions or comments at this time, but was in attendance only to keep apprised as to what issues are before the Board. However, Mr. Wylie did state that as the Board goes through its Open Agenda items, he may ask questions or make comments at that time.

**Update on the Board’s Strategic Plan**

Chairman Hartnett reminded the Board Members that there will be a working lunch on Tuesday, January 26, 2016 to work with People Centric Consulting Group to continue crafting the Board’s Strategic Plan. The Board Members, Ms. Kempker, Ms. Wilde and other stake holders participated in a survey to identify strengths and weaknesses of the Board. The results of the survey will also be discussed during the working lunch. Chairman Hartnett invited Mr. Wylie to participate in the Strategic Plan work session. However, Mr. Wylie declined as he had a prior commitment.

**Update Regarding the Upcoming NCEES Central Zone Meeting set for May 5, 6 and 7, 2016**

Ms. Kempker stated that the Registration and Agenda for the NCEES Central Zone Meeting has been sent to NCEES Central Zone Members, staff and guests. Ms. Kempker announced that Chairman Hartnett will make the welcome address on Thursday evening, Mr. Adewale will provide the invocation on Friday and Chairman
Hartnett’s wife, Gina, has graciously agreed to be the guide for the spouse/guest tours. Ms. Kempker announced that Kevin Skibiski and Mike Freeman will be the funded delegates for this meeting. At this point, Ms. Kempker asked who will be attending the meeting. The following Board Members plan to attend the NCEES Central Zone Meeting: Chairman Hartnett, Kevin Skibiski, Abe Adewale, Craig Lucas, Mike Freeman, Dan Govero, and Bob Shotts. Ms. Kempker advised that she is planning to attend the meeting along with staff members, Dawn Wilde, Sandy Robinson and Shantae Duren.

**Update from the Task Force regarding revisions to Board Rule 20 CSR 2030-3.060 – Licensee’s Seal as it relates to Digital Signatures**

Mr. Rearden gave a report from the Task Force who met via conference call on January 21, 2016 to discuss revisions to Board Rule 20 CSR 2030-3.060 – Licensee’s Seal as it relates to Digital Signatures. The following members were also on the conference call: Board Chair Bob Hartnett, Kelley Cramm, Mike Freeman, Bob Shotts, Sherry Cooper, Judy Kempker, Dawn Wilde, Curt Thompson, and Chris Claxton, Information Technology Specialist from Ms. Cramm’s firm, Henderson Engineers, Inc. The following is a summary of the discussion points from the meeting.

1. The committee believes that the proposed amendment to 20 CSR 2030-3.060 Licensee’s Seal will clear up much of the confusion that currently exists.
2. No amount of regulation can prevent someone from “stealing” a professional seal if they are intent upon doing so. The committee agreed that the rules should not be so prescriptive which make them difficult to understand, soon outdated and needlessly burdensome. It is important that the licensee keep a record of the documents issued with his/her seal on it to defend against such actions.
3. All computer-generated documents that are issued electronically in their “native file format” (i.e. AutoCAD, Revit, Word, Excel), which are easily altered, must be secured with an authentication process.
4. It was acknowledged that files often must be transferred in its “native file format” so that it can be shared with others for purposes such as: facility management; to be used in the Owner’s future work/renovations/additions; collaboration between consultants; to facilitate subcontractor in the development of shop drawings; etc. In such circumstances, the document must be stripped of the professional seal and signature and a disclaimer included on the document stating that the information being provided is not intended to be used for construction or with a similar language.
5. A .pdf is not meant to be easily altered and therefore does not fall into the need for the Board to mandate an authentication process. The title on the Board’s website for the tutorial video creates confusion as to whether an authentication process is mandatory for .pdf documents issued with a seal/signature on it. It should be revised to say:
“Tutorial video on how to create a .pdf document with an authentication process. This video is being provided as a service and should not be considered to be a mandatory requirement.”

6. The use of signature reproductions such as rubber stamps or computer generated facsimiles (scanned signatures) should still be prohibited.

Mr. Rearden stated that the committee will meet one more time for final discussions regarding changes to the Board’s web site and the tutorial video.

**Report on study of the difference between Engineering Degrees and Engineering Technology Degrees**

Mr. Lucas stated that he had not had sufficient time to study the differences between Engineering Degrees and Engineering Technology Degrees thoroughly and asked that this item be placed back on the Board’s April 2016 Open Agenda for discussion. Ms. Kempker advised that as directed, she requested responses from the Member Board Administrators (MBAs) of other state boards via “List Serve” for the National Council of Examiners for Engineering and Surveying (NCEES) regarding this issue. Ms. Kempker stated of the 23 responses received, 17 state licensing boards do accept technology degrees. This matter will be placed back on the Board’s April 2016 Open Agenda for discussion.

**Discussion regarding the award of engineering experience credit to individuals applying with a PhD**

Mr. Skibiski reported that he is presently serving on NCEES’ Education Committee. He further advised that it is the committee’s opinion that if an individual works full-time and is also attending college working towards a Master’s degree (or Doctorate degree), he/she should be able to use both toward credit for licensure. Since PhD candidates are typically holding down a full-time job when working toward their degree, they would earn at least 1 year credit for the PhD as well as 1 year credit for the work experience. Mr. Skibiski stated that the Professional Engineering Division Members decided it is clear to each of the Division Members that if an individual works full-time while attending college to obtain his/her Master’s and/or Doctorate degree, then he/she will receive credit for his/her engineering work experience in addition to 1 year credit for the Master’s and 1 year credit, at a minimum, for the PhD degree. Depending on what experience is earned while obtaining their PhD degree, more than one year credit may be given. Mr. Skibiski stated that the Professional Engineering Division will decide this issue on a case by case basis.
Motion to go into closed session

At approximately 4:00 p.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. Chairman Hartnett asked that all visitors leave the room. After the departure of Mr. Wylie, Chairman Hartnett declared the meeting closed to the general public.

Return to Open Session

At approximately 4:10 p.m., the Board reconvened in Open Session for the purpose of continuing the discussion of open agenda items.

Please note that Mr. Wyle rejoined the meeting at approximately 4:10 p.m.

Review of the Board’s most current listing of “Acceptable Surveying Coursework” for purpose of making any revisions that may be necessary

Mr. Freeman advised the Board Members that during the Professional Land Surveying Division meeting held earlier in the day, the Division Members discussed the listing of “Acceptable Surveying Coursework” for the purpose of making any revisions that may be necessary. Upon discussion, Mr. Freeman made a motion directing Ms. Kempker to contact all of the colleges and/or universities on the “Acceptable Surveying Coursework” list and request that they review the list and advise the Board if these courses are currently being offered. If the courses are still being offered, Ms. Kempker is to ask that the colleges and/or universities provide the Board with the name of the instructor for each one of the courses. The motion was seconded by Mr. Adewale and unanimously carried.
Report from Architectural Division

Mr. Rearden reported that the Architectural Division held elections for Division Chair, Vice Chair of the Division, and CEU Audit Chair. All positions remained the same, in that Mr. Rearden is the Division Chair, Mike Popp is the Vice Chair, and Martha John is the CEU Audit Chair.

Mr. Rearden also reported that Ms. John and Mr. Popp will be traveling to Savannah, Georgia, as funded delegates, to attend the National Council for Architectural Registration Boards’ (NCARB) Regional Summit meeting which will be held on March 11 and 12, 2016. Mr. Rearden further stated that the NCARB Annual Meeting will be held in Seattle, Washington on June 15, 16, 17 and 18, 2016 and that all the Architectural Division Members wish to attend this meeting. However, the funded delegate for this meeting is yet to be determined. Ms. Kempker stated that she along with Board Chair Hartnett and Public Member Sherry Cooper may also be attending this meeting, if approved by the Division of Professional Registration and if funding is available through NCARB.

Report from Professional Engineering Division

Mr. Skibiski reported that the Professional Engineering Division Members held elections for Division Chair, Vice Chair of the Division, PDH Audit Chair and Exam Chair. All positions remained the same, in that Mr. Skibiski is the Division Chair, Mr. Adewale is the Vice Chair, and Ms. Cramm is the PDH Audit Chair and the Exam Chair.

Mr. Skibiski also reported that NCEES had asked him to sit on the “jury panel” to select the NCEES Engineering Award for Connecting Professional Practice and Education. Mr. Skibiski stated that in 2009, NCEES introduced this award to recognize college engineering programs for engaging their students in collaborative projects with licensed professional engineers. He stated there are six cash prizes awarded each year, one Grand prize of $25,000 and five $7,500 prizes. Ms. Kempker advised the Board that a few years ago, the University of Missouri at Kansas City was awarded one of the $7,500 prizes.

Report from Professional Land Surveying Division

Mr. Freeman reported that the Professional Land Surveying Division also held elections for Division Chair, Vice Chair, PDU Audit Chair, Exam Chair, and PDU Preapproval Chair and all positions remained the same. Mr. Freeman is the Division Chair and PDU Preapproval Chair, Mr. Govero is the Vice Chair and Exam Chair, and Mr. Flowers is the PDU Audit Chair.
Report from Professional Landscape Architectural Division

Mr. Shotts reported that the Professional Landscape Architectural Division also held elections for Division Chair, Vice Chair and CEU Audit Chair. Mr. Shotts stated that all positions remained the same. Mr. Shotts is the Division Chair and Mr. Fehr is the Vice Chair and CEU Audit Chair.

Executive Director’s Report

Ms. Kempker introduced the newest member of the Board’s staff, Ms. Shantae Duren. She stated that Ms. Duren started working for the Board on January 6, 2016. Ms. Duren was hired after Laura Stiefermann resigned and Phyllis Prenger transferred to Ms. Stiefermann’s vacated position. Ms. Duren will be processing the complaints from here on as well as logging and coordinating all of the complaint/board meeting material and processing Professional Landscape Architectural applications. Ms. Prenger will primarily be processing architectural applications, relicensures, renewals, bills, expense accounts and per diems, as well as other tasks.

Ms. Kempker then presented the most recent information regarding the Board’s Financial Report. She advised the Board that as of January 22, 2016, the financial balances were as follows:

Personal Service Balance was $229,289. Originated with $390,782.

E&E (Expense & Equipment) Balance was $197,373. Originated with $301,397.

The Board’s current Fund Balance is $3,645,528. Per Section 327.081, in order to avoid a sweep of the Board’s fund, our balance needs to be kept under $3,794,340, or 3 times our appropriation (3 x $1,264,780).

Ms. Kempker stated that the Board requested no changes to its FY 2016 appropriation which is determined by House Bill 7.

Ms. Kempker reported that currently the Board has one Professional Landscape Architectural Division position vacant and nine other Board Members serving in expired terms. Those members are: JC Rearden, Mike Popp, Kevin Skibiski, Abe Adewale, Kelley Cramm, Mike Freeman, Dan Govero, Mike Flowers, and Bob Shotts. Ms. Kempker stated that Board Chair Hartnett has been staying in contact with A.J. Fox, Director of Appointments for Boards and Commissions for the Governor’s Office, and will give you an update on what he knows. At this point, Chairman Hartnett reported that he had spoken with Mr. Fox to invite him to meet with the Board on Tuesday morning, January 26, 2016 to discuss Board Appointments and Re-appointments but due to other commitments he was unable to attend this meeting.
Ms. Kempker announced that the last newsletter went out in November 2015 and the next one is slated to go out around the first part of May 2016. She asked that everyone please have their news articles submitted to her on or before April 1, 2016.

Next, Ms. Kempker advised the Board of Legislation and Bills of interest to the Board. They are:

**HB 1512, Ellington** – Specifics that a person applying for state employment, public assistance, or state housing assistance cannot be required to disclose any prior nonviolent felony plea or conviction, except for felony pleas or convictions for sexual offenses.

**HB 1687, Chipman** – Creates the budget planning incentive fund in which revenues disbursed to state agencies that are subject to a reversion to the General Revenue fund may be diverted for bonus to state agency employees.

**HB 1688, Chipman** – Creates provisions relating to the use of state owned and operated electronic mail systems by certain state employees.

**HB 1727, Kidd** – Authorizes municipalities to use design-build on water and wastewater projects and prohibits the projects from being denied grants on design-based utilization.

**HB 1735, Davis** – Establishes the Password Privacy Protection Act.

**HB 1766, Dunn** – Changes law regarding ethics.

**HB 1894, Korman** – Modifies provisions relating to design-build contracts.

**SB 595, Kraus** – Modifies provisions of law relating to construction management.

**SB 737, Parsons** – Creates the Board of Administrative Appeals and provides that a person is entitled a hearing before the Board following a proceeding before a governmental agency.

**SB 789, Wasson** – Modifies provisions relating to construction contracts entered into by political subdivisions.
**SB 828, Sifton** – Provides that attorneys and title insurance companies are not precluded by land surveyor statutes from preparing property descriptions. (Proposes to revise Section 327.272, RSMo.)

**SB 829, Wasson** – Establishes legislative procedures for regulating previously unregulated professions.

**SB 831, Wasson** – Provides acceptable ways a professional licensee may submit payment, application, requests for educational time extensions or notify his or her licensing board.

Ms. Kempker reported that former Board Chair, Jim Anderson, is on the Missouri Society of Professional Surveyors’ (MSPS) Legislative Committee. Mr. Anderson has been keeping Ms. Kempker informed of the Committee’s direction with proposing changes to Chapter 327, RSMo. Others on that Committee with Mr. Anderson, are Rich Barr and Jim Mathis (both former Board Members), and Representative Bart Korman. Mr. Anderson said what he thinks will happen is that MSPS will introduce a bill similar to last year’s bill which will include the pursuit of amending Section 327.312(3), RSMo, to eliminate the 12 semester hour option and instead require 30 semester hours for enrollment as an LSIT; however, he said they don’t expect it to go anywhere. As of the Board Meeting, Ms. Kempker has not yet heard of an actual bill being introduced. Once she learns that a bill has been introduced, she will let the Board Members know and forward a copy of that bill.

At the Board’s last meeting, Ms. Kempker encouraged the Board to think about deleting the requirement for reference letters. The reason being is that given the Board is moving to a new licensing system which will enable individuals to submit their applications online, it would not be possible for the applicant to electronically submit their reference letters since they are required to be submitted in a sealed envelope. At the Board’s November 2015 meeting, Ms. Kempker reported the actual requirement for reference letters is in the land surveying sections of the law only. Therefore, the Board unanimously agreed to eliminate the reference letter requirement at the time the new licensing system goes into effect. It also decided to support MSPS with the introduction of a Consent Bill to amend the land surveying sections of the law (Sections 327.313, RSMo, and 327.321, RSMo,) to delete the language which requires the submission of reference letters. This change would make the surveying profession consistent with the other three professions. Ms. Kempker stated that she recently heard from Mr. Anderson about the status of this proposed amendment and he said, “The MSPS legislative report said that Representative Robert Ross is going to sponsor the bill to remove the requirement for letters of reference. He is planning to do it as a consent bill.”

Next, Ms. Kempker provided the Board with the following updates to Board Rules.
20 CSR 2030-2.040 – Evaluation Criteria for Building Design. The Board initiated this rule change on June 10, 2015. It was formatted on June 11, 2015. The rule was sent to the Department of Insurance, Financial Institutions and Professional Registration (DIFP) for approval; DIFP approved the rule to be filed on September 25, 2015. The rule was filed with the Secretary of State (SOS), Joint Committee on Administrative Rules (JCAR), and Small Business Regulatory Fairness Board (SBRFB) on September 29, 2015. The rule appeared in the Missouri Register on November 2, 2015 and the end of comment period on December 2, 2015. The Final Order of Rulemaking was filed with JCAR on December 3, 2015. The Final Order was filed with the Missouri Secretary of State on January 4, 2016. The Final Order was in the Missouri Register on February 1, 2016 and it will appear in the Code of State Regulations on February 29th. The effective date will be March 30, 2016.

20 CSR 2030-6.015 – Application, Renewal, Relicensure and Miscellaneous Fee (corporate renewal). The Board initiated this rule on June 10, 2015. It was formatted on June 11, 2015 and it was sent to DIFP for approval on October 30, 2015.

20 CSR 2030-15.020 – Easements and Property Descriptions. The Board initiated this rule on February 9, 2015 and it was formatted on that same day. The rule was held pending legislation on March 27, 2015. On June 9, 2015, the Board again pursued the rule. On June 12, 2015, the rule was sent to DIFP for approval.

20 CSR 2030-21.010 – Design of Fire Suppression Systems and 20 CSR 2030-21.020 – Engineer of Record and Specialty Engineers. These rules were initiated by the Board on February 11, 2015 and were formatted on February 12, 2015. The Division of Professional Registration had a meeting with the Board’s Executive Director on March 27, 2015. On April 9, 2015, the rules were sent to DIFP for approval.

20 CSR 2030-5.110 – Standards for Admission to Examination – Professional Land Surveyors. The rule was initiated by the Board on December 24, 2013. On January 7, 2014, the Board’s Executive Director met with the Division and decided to hold it pending MSPS’ legislation. On July 7, 2014, the rule was sent to the Division’s attorney for review. On July 8, 2014, the rule was sent to DIFP for approval. On September 25, 2015, the rule was approved to be filed. On September 29, 2015, the rule was filed with SOS, JCAR, and SBRFB. The rule appeared in the Missouri Register on November 2, 2015 and the end of comment period was December 2, 2015. The Final Order of Rulemaking was filed with JCAR was December 3, 2015. The 90 days expire on March 1, 2016. The Final Order was filed with the Missouri Secretary of State on January 4, 2016. The Final Order was in the Missouri Register on February 1, 2016 and will appear in the Code of State Regulations on February 29, 2016 with the effective date of March 30, 2016.
These rules were initiated by the Board on November 3, 2014 and were formatted on November 4, 2014. On December 15, 2014, the Board’s Executive Director met with the Division. On December 22, 2014, the rules were sent to DIFP for approval. On September 15, 2015, a revision of 20 CSR 2030-3.060 was sent to Nick.

The Board initiated these rules on November 3, 2014 and they were formatted on November 4, 2014. The Board’s Executive Director had a meeting with the Division on December 15, 2014. On December 22, 2014, the rules were sent to DIFP for approval. The rules were approved on September 25, 2015 and were filed with SOS, JCAR and SBRFB on September 29, 2015. On November 2, 2015, the rules appeared in the Missouri Register with the end of the comment period on December 2, 2015. The Final Order was filed with JCAR on December 3, 2015. The Final Order was filed with the Missouri Secretary of State on January 4, 2016. The Final Order will be in the Missouri Register on February 1, 2015 and it will
appear in the Code of State Regulations on February 29th. The effective date will be March 30, 2016.

20 CSR 2030-8.020 – Professional Land Surveyor – Professional Development Units; 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 rules were initiated by the Board and formatted on December 23, 2014. The Division met with the Board’s Executive Director on January 23, 2015, and Board Rule 20 CSR 2030-8.020, Professional Land Surveyor-Professional Development Units was added to the group. On March 2, 2015, these rules were sent to DIFP for approval. On June 25, 2015, revisions to Board Rules 20 CSR 2030-8.020 and 20 CSR 2030-11.015 were sent to Nick. On September 25, 2015, the DIFP approved Board Rule 20 CSR 2030-8.020.

20 CSR 2030-8.020 – Professional Land Surveyor – Professional Development Units. This rule was initiated by the Board on December 23, 2014 and was formatted the same day. On January 23, 2015, the Division met with the Board’s Executive Director. On March 2, 2015, the rule was sent to DIFP for approval. On June 25, 2015, Board Rule 20 CSR 2030-8.020 was sent to DIFP for approval. On September 25, 2015, the DIFP approved the rule. The rule was filed with SOS, JCAR and SBRFB on September 29, 2015. On November 2, 2015, the rule appeared in the Missouri Register. The end of comment period was December 2, 2015. The Final Order of Rulemaking was filed with JCAR was December 3, 2015. The Final Order was filed with the Missouri Secretary of State on January 4, 2016. The Final Order will be in the Missouri Register on February 1, 2016 and it will appear in the Code of State Regulations on February 29th. The effective date will be March 30, 2016.

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); 20 CSR 2030-16.060 – Approved Monumentation (Rescission); 20 CSR 2030-16.070 – Detail Requirements for Resurveys (Rescission); 20 CSR 2030-16.080 – Detail Requirements for Original Surveys (Rescission); 20 CSR 2030-16.090 – Detail Requirements for Subdivision Surveys (Rescission); 20 CSR 2030-16.100 – Detail Requirements for Condominium Surveys (Rescission); 20 CSR 2030-16.110 – Location of Improvements and Easements (Rescission); 20 CSR 2030-16.020 – Definitions (Rule); 20 CSR 2030-16.030 – General Land Surveying Requirements (Rule); 20 CSR 2030-16.040 – Accuracy Standards for Property Boundary Surveys (Rule); 20 CSR 2030-16.050 – Use of Missouri Coordinate System, 1983 (Rule); 20 CSR 2030-16.060 – Approved Monumentation (Rule); 20 CSR 2030-16.110 – Location of Improvements and
Ms. Kempker reminded the Board Members that in June of 2015, the Board Office was supposed to have its licensing system PROMO upgraded to a new system called PRISM. Ms. Kempker reported at the Board’s November 2015 meeting that the new system will afford each licensee the ability to create and manage a personal online account with the Board. As with any new system, it will probably take a little while to get all the bugs worked out but the end goal is to provide our licensees with easier access to their licensing information and more flexibility with managing that information. Unfortunately, the vendor fell behind schedule so we were given a new projection date of December 1, 2015. However, due to many concerns with making the switch, the implementation date has been moved back even further. No definite date, or even projected date, has yet been given. Instead, we are patiently waiting and providing whatever information is necessary to make the switch successful and painless as possible.

Ms. Kempker reminded the Board Members that the Missouri State Specific Exam covering Chapter 327, RSMo, the Board Rules, and Ethics for Architects, Engineers, and Landscape Architects went live during the first week of January. Ms. Kempker reported that so far, she has received notification that 150 licensees have taken the exam and she continues to receive notifications daily of additional licensees taking the exam. The requirement for all new licensees to take the exam prior to being issued a license will not go into effect until after the Proposed Rule
requiring passage of the exam goes into effect. It is currently at the Department and Governor’s office pending approval.

Ms. Kempker announced that renewals were mailed out the first part of October to every licensee who was originally licensed in an odd year. Approximately 89% of the Board’s licensees have completed the renewal process and were approved prior to December 31st. Of those who had renewed, approximately 87% renewed online compared to 65% last year.

The MAC Annual Conference was held in late November at Tan-Tar-A in Osage Beach, Missouri. Ms. Robinson and Ms. Wilde manned the booth for the Board at this conference and said it was well attended.

The next Design Alliance Meeting is scheduled for this Wednesday, January 27th in Jefferson City at MSPE’s office. Ms. Kempker stated that this is a very worthwhile meeting and therefore encouraged at least one Board Member from each profession (if not more) to be present. The meeting is tentatively scheduled to start at 10:00 a.m. and end at about noon.

**Date and Location of January/February 2017 Board Meeting**

The Board Members set the January/February 2017 meeting for January 30 and 31, 2017 to be held in Jefferson City, Missouri. The Board directed Ms. Kempker to secure the January 2017 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 5:00 p.m., the Board recessed its open meeting until 8:00 a.m. on Tuesday, January 26, 2016.

**Tuesday, January 26, 2016**

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, January 26, 2016, 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

Robert N. Hartnett, Board Chair
James C. “JC” Rearden, Chair of the Architectural Division
Michael L. Popp, Member of the Architectural Division
Kevin C. Skibiski, Chair of the Professional Engineering Division
Abiodun “Abe” Adewale, Member of the Professional Engineering Division
Craig M. Lucas, 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
Robert S. Shotts, Chair of the Professional Landscape Architectural Division
Noel Fehr, Member of the Professional Landscape Architectural Division

Members Absent

Martha K. John, Member of the Architectural Division
Kelley Cramm, Member of the Professional Engineering Division
John Michael Flowers, Member of the Professional Land Surveying Division
Sherry Cooper, Public Member

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Licensing Technician Supervisor
Phyllis Prenger, Board Staff
Shantae Duren, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Edwin Frownfelter, Assistant Attorney General
Katie Steele Danner, Director for the Division of Professional Registration
Bruce Wylie, Executive Director for the Missouri Society of Professional Engineers (MSPE)

Personal Appearance

At approximately 8:00 a.m., Ms. Katie Steele Danner, Director of the Division of Professional Registration, met with the Board to discuss matters of mutual interest to the Board especially as it relates to Board Appointments. Ms. Danner advised the Board Members that AJ Fox, Director of Appointments for Boards and Commissions for the Governor’s Office, was not able to attend the meeting with the Board since he was preparing for several confirmation hearings on Wednesday, January 27, 2016. Ms. Danner stated that the Governor’s office had 106 interim appointments to be held before the Senate for confirmation prior to the February 4th deadline. Ms. Danner reported that the new computer licensing
system is still under construction with no date as to when it will be utilized by the Boards. Board Chair Hartnett advised Ms. Danner that the Board held a discussion on Monday, January 25th regarding whether the Board should hire security to be present at its quarterly meetings. Ms. Danner stated that the Division of Professional Registration recognizes all boards’ security issues as well as security issues the Division of Professional has at its building. She stated that she would be glad to assist the Board in any way possible with this issue or anything else that comes before the Board. After much discussion, the Board thanked Ms. Danner for meeting with them and she departed the meeting at approximately 8:25 a.m.

Please note that at approximately 8:05 a.m., Ms. Martha John and Assistant Attorney General Edwin Frownfelter joined the meeting.

Please note that at approximately 8:09 a.m., Mr. Bruce Wylie, Executive Director for the Missouri Society of Professional Engineers, joined the meeting.

Please note that Steve Feeler, Deputy Division Director of the Department of Natural Resources, and Shawn Muenks, PE-2008019576, joined the meeting at approximately 8:10 a.m.

**Personal Appearances**

At approximately 8:30 a.m., Steve Feeler, Deputy Division Director of the Department of Natural Resources, and Shawn Muenks, PE-2008019576, from the Division of Environmental Quality for the Department of Natural Resources (DNR), appeared before the Board at their request, to discuss the inaccurate information being provided by Professional Engineers with respect to DNR's drinking water and wastewater funding programs. Mr. Feeler stated that Ms. Leanne Tippett Mosby, Division Director, was also to meet with the Board but sent her regrets as she had a conflict to come up at the last minute. Mr. Feeler stated that DNR has seen an increase in false or misleading information provided by licensed professional engineers to municipalities regarding the DNR’s grant and loan programs. This misinformation is instilling unrealistic funding expectations during development of engineering reports and facility plans for drinking water and wastewater projects as evidenced by observations of the DNR’s Water Protection Program, Financial Assistance Center (FAC). Both Messrs. Feeler and Muenks stated they did not believe that professional engineers were being malicious in providing misinformation and that it was just honest mistakes. The Board Members inquired if it would be helpful to publish an article in its upcoming Board newsletter regarding this issue. Messrs. Feeler and Muenks will draft an article and send to Ms. Kempker for possible revisions by the Board. After much discussion, the Board thanked Messrs. Feeler and Muenks for meeting with them and they departed at approximately 8:55 a.m.

It should be noted that Ms. Prenger departed the meeting at approximately 8:45 a.m.
Felony Disciplinary Hearing of Jarod Michel

At approximately 9:00 a.m., the Board conducted a Disciplinary Hearing in the matter of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects vs. Jarod Michel. Mr. Michel did not appear nor did counsel for Mr. Michel appear. Assistant Attorney General Edwin Frownfelter appeared for the Board. Board Chair 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. 2015-002559. When the hearing was concluded (at approximately 9:25 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 9:25 a.m., Chairman Hartnett called for a motion to close the meeting to the general public for the purpose of deliberating and voting to render a final decision after a felony disciplinary hearing as well as to discuss confidential or privileged communications between this agency and its attorney, and 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; for the purpose of deliberating and voting to render a final decision after the felony disciplinary hearing of Jarod Michel, 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. Chairman Hartnett asked that all visitors leave the room. After the departure of Messrs. Wylie and Frownfelter, Chairman Hartnett declared the meeting closed to the general public.

Return to Open Session

At approximately 11:00 a.m., the Board reconvened its open meeting for the purpose of meeting with Dr. John J. Myers and Dr. Joan Schuman from the Missouri University of Science and Technology as well as to meet with Matt Battaglia and Jen Harrison from People Centric Consulting Group.
Please note that Mr. Wylie again joined the meeting at approximately 11:00 a.m.

**Personal Appearance of Dr. John J. Myers**

At approximately 11:00 a.m., Dr. John Myers, PE-2000154303, Associate Dean for Academic Affairs, College of Engr. & Computing, Director, Structural Engineering Research Laboratory, Missouri University of Science and Technology, along with Dr. Joan Schuman, a professor at Missouri University of Science and Technology, met with the Board for the purpose of discussing the Board’s concerns with the manner in which information is being provided to the press as well as questions with how the projects completed by the students are actually being presented to the city and/or county officials who had requested the planning services of the University. Dr. Myers and Dr. Schuman explained what measures the University has put in place to ensure that its clients, when putting out a future press release, are taking to make it clear that licensed professionals will complete the project. They also stated that the University has had no experiences of any city/community acting on a master plan without having sought the services of a licensed professional. Dr. Myers advised that the University’s professors are making every effort to heighten the education of their students by providing them an opportunity to gain valuable experience with “hands on” opportunities while in school, especially as it allows them to deal with real life experiences so that they are better able to obtain employment when they complete their education. The Board stressed to Dr. Myers and Dr. Schuman that it is mandatory that such experience be gained within the statutory framework of Chapter 327, RSMo. The Board also stressed the fact that University professors should obtain licensure. Mr. Skibiski volunteered to help in this effort. Mr. Wylie advised the Board and Drs. Myers and Schuman that the Missouri Society of Professional Engineers (MSPE) has set up the Kimel Endowment Fund for the purpose of assisting with the licensure of university professors. The Board advised that it feels it would be beneficial to them to keep its line of communication open with the University for future dialogue as it is in the best interest of the public. After much discussion, the Board thanked Dr. Myers and Dr. Schuman for meeting with them and they departed at approximately 12:00 noon.

Please note that at approximately 11:45 a.m., Ms. Prenger again joined the meeting.

Please note that at approximately 12:00 noon, Mr. Wylie departed the meeting.

**Working Lunch and Strategic Planning Session with People Centric Consulting Group**

At approximately 12:00 noon in the Truman B meeting room, the Board Members and its staff met with Mr. Matt Battaglia and Ms. Jenn Harrison from People Centric Consulting Group (PCCG) in order to continue crafting its Strategic Plan.
Battaglia is an Engagement Specialist with PCCG. Ms. Harrison is the Engagement Coordinator with PCCG. Mr. Battaglia led the meeting by providing the results of the recent survey. The first topic of discussion was Internal Strengths and Weaknesses. By evaluating the Board in areas where they excel and struggle, it provides the Board with a better understanding of who they are as an organization. The survey listed the following Internal Strengths of the Board: 1) Leadership and competence of staff and director; 2) Experienced, dedicated, competent board members; 3) Teamwork and mutual respect among the 4 disciplines of the Board; 4) Communication (internal) and outreach (external); and, 5) Oversight of the professions and enforcement of policies. The survey also listed the following Internal Weaknesses of the Board: 1) Communication, both internal and to the public; 2) Technology; 3) Restrictions and limitations due to governmental and political restraints; 4) Succession planning for director and replacement of staff; and, 5) Meetings. Next, the Board discussed its External Opportunities and Threats. This analysis allows the Board to find ways to optimize success and identify potential barriers to success. The Opportunities are: 1) Improve communications and public outreach; 2) Legislative and regulatory opportunities; 3) Technology; 4) Education and support of licensees; and, 5) Relationship with professional associations. Next, the Threats were listed as follows: 1) Political deregulation and relaxed certification requirements; 2) Appointment of new Board Members; 3) Political attempts to limit the Board’s effectiveness; 4) Court rulings and attorneys; and, 5) Legislative inconsistency and lack of education. The Board then discussed what Key Objectives they felt were important for the coming year. The following are the Key Objectives the Board felt most important: 1) Improve education to public (includes licensees, members of General Assembly, other state agencies; 2) Succession planning for Executive Director/hire and train an Assistant Director; 3) More effective use/training of technology; and, 4) Communication with educational institutions. From the Key Objectives, the Board chose the following projects:

1. Improving and updating website to make it more user-friendly. Ms. John volunteered to work on this project by developing a plan and timeline to be presented to the Board at its August 2016 quarterly meeting.

2. Create a position for public outreach and possibly an Assistant Director. Board Chair Hartnett and Ms. Kempker volunteered for this project and stated they would have a report for the Board within 3 months after the adoption of the Strategic Plan.

3. Expand “Frequently Asked Questions” (FAQ) to municipalities and school boards and other organizations. Messrs. Rearden and Lucas volunteered to work on this project. They will identify the users and have a plan to be reported at the Board’s August 2016 quarterly meeting.
4. Open-houses concurrent with Board meetings to meet with professions, possibly combine with webcast. Mr. Shotts volunteered to work on this project with the help from the Board’s staff. Mr. Shotts will have a report at the Board’s April 2016 meeting.

5. Marketing package and Social Media (YouTube video – what the Board does). Mr. Fehr volunteered to work on this project and stated he would have a report ready for the Board’s August 2016 meeting.

6. Webcasting Board meetings. Mr. Adewale volunteered for this project and will have a report for the Board at its August 2016 quarterly meeting.

7. Talk to other boards regarding best practices, research and create position description for the Assistant Director position. Board Chair Hartnett and Ms. Kempker volunteered for this project. They stated they would provide the Board with quarterly updates up to one year from this meeting.

8. Communicate to decision makers about the need for the Assistant Director position. Board Chair Hartnett again volunteered for the project.

9. Establish a technology sub-committee. Mike Popp volunteered for this project. Board Chair Hartnett thought Kelley Cramm would be a good person to also work on this project.

10. Evaluate office processes 6 months after implementation of new licensing system, PRISM. Ms. Wilde volunteered to work on this project.

11. For the last Key Objective, Communication with Educational Institutions, the Board Members decided on the following projects: 1) identify plan; 2) identify schools/key champions; 3) identify templates/presentations; 4) work with professional associations; and, 5) create opportunities to speak at conferences and other venues. Messrs. Skibiski, Govero and Fehr volunteered for this project. Mr. Skibiski stated that he would have a draft outline ready for viewing at the Board’s April 2016 quarterly meeting.

Please note that at approximately 1:30 p.m., Ms. Prenger departed the meeting.
At approximately 2:00 p.m., Board Chair Hartnett thanked Ms. Harrison and Mr. Battaglia for assisting the Board with its Strategic Plan. Ms. Harrison and Mr. Battaglia then departed the meeting.

**Motion to go back into Closed Session**

At approximately 2:10 p.m. in the Lincoln meeting room, 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 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. 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 3:45 p.m., the Board reconvened its open meeting for the purpose of adjournment.

**Adjournment**

Mr. Govero made a motion to adjourn the meeting. The motion was seconded by Ms. John and unanimously carried. The meeting adjourned at 3:45 p.m. on Tuesday, January 26, 2016.

**ATTEST:**

__________________________________________

Executive Director

Approved by the Board on: _________________