The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order at approximately 3:00 p.m. on Monday, August 8, 2016 in the Salon D Meeting Room of the Adams Pointe Conference Center and Courtyard by Marriott, 1400 Northeast Coronado Drive, Blue Springs, 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
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
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
Eric Davis, Member of the Professional Landscape Architectural Division
Sherry L. Cooper, Public Member

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Processing Technician Supervisor
Shantae Duren, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
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.

Upon commencement of the meeting, Chairman Hartnett asked the Board Members to take a moment of silence to honor former Board Member Charles “Royce” Fugate, Sr., P.E., who passed away on July 22, 2016. Royce served the Board honorably from September 19, 2005 until June 1, 2012. He was Vice Chair of the PE Division from January 28, 2008 until May 6, 2008 and served as PE Division Chair from May 7, 2008 until June 1, 2012. Mr. Skibiski reported that he had gone to Royce’s funeral on Monday, July 25, 2016, and that Royce’s wife, Rita, and son, Charles, were very touched that a member of the Board had attended. The Board Members and staff who knew and worked with Royce indicated they will always remember him as a true gentleman.

**Approval of Minutes**

A motion was made by Mr. Skibiski to approve the April 25 and 26, 2016 Open Board Meeting minutes as submitted. The motion was seconded by Ms. Cooper and carried with Ms. Cramm and Mr. Davis abstaining from voting since neither was in attendance.

Mr. Rearden then made a motion to approve the June 3, 2016 Open Strategic Committee of the Board Conference Call minutes as submitted. The motion was seconded by Mr. Lucas and carried by the following committee members voting in favor of the motion: JC Rearden and Craig Lucas.

Ms. John questioned the time the Board went into closed session during the July 5, 2016 Closed Board Conference and asked if the time should be 9:01 a.m. and not 10:01 a.m. Upon discussion, Mr. Flowers made a motion to amend the time of the motion to go into closed session to 9:01 a.m. and then approve the July 5, 2016 Open Board Conference Call minutes as submitted. The motion was seconded by Mr. Rearden. A roll call vote was taken as follows: Kevin Skibiski – Yes; Abe Adewale – Yes; Kelley Cramm – Abstain; Craig Lucas – Yes; Mike Freeman – Yes; Dan Govero – Yes; Mike Flowers – Yes; Bob Shotts – Yes; Noel Fehr – Abstain; Eric Davis – Abstain; Sherry Cooper – Yes; JC Rearden – Yes; Martha John – Abstain; and, Michael Popp – Yes. Motion carried.

Mr. Rearden then made a motion to approve the July 14, 2016 Open Strategic Committee of the Board Conference Call minutes as submitted. The motion was seconded by Mr. Lucas and carried by the following committee members voting in favor of the motion: JC Rearden and Craig Lucas.
Mr. Skibiski made a motion to approve the July 26, 2016 Open Committee of the Chairs Conference Call minutes as submitted. The motion was seconded by Mr. Shotts 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**

Since no one from the Public was present, no specific issue was discussed.

**Update on Board’s Strategic Plan**

A. **Key Objective 1, Improving/updating website/making it user-friendly** – Martha John – Ms. John stated she did not have anything to report.

B. **Key Objective 1, Create a position for public outreach/possible Assistant Director** – Bob Hartnett – Chairman Hartnett reported that this matter would be discussed on Tuesday, August 9, 2016, when the Board is in closed session.

C. **Key Objective 1, Expand FAQ to municipalities and school boards and other organizations** – JC Rearden and Craig Lucas – Mr. Rearden reported that he and Mr. Lucas along with Ms. Kempker met via conference call on June 3, 2016 and July 14, 2016 to discuss Mr. Rearden’s draft “Proposed Frequently Asked Questions (FAQs) for Public Schools and Municipalities” per the Board’s Strategic Plan as well as the Sample Cover Letter to Public Schools and Municipalities. After much discussion, the Committee Members decided to present two options for the Board's consideration at its August 8 and 9, 2016 quarterly meeting. The first option would be to send an email to all of the entities listed on the document Mr. Rearden previously prepared. The second option would be to send a FAQ brochure along with the email. The Committee Members also want a "pdf" of the Reference Manual attached to the email that is sent along with the link for the recipient’s ease in downloading the manual. Ms. Cooper asked if there was a short answer as to what the penalty is if a school or municipality breaks the law. The Board just wants them to know they are in violation if the law is broken. Upon discussion, Mr. Rearden made a motion to proceed with the distribution of the FAQ handout to Public Schools and Municipalities and provide the link to the FAQ on the Board’s web site. Also have the FAQ handout ready to be distributed at the Missouri Municipal League (MML) and the...
Missouri Association of Counties (MAC) conferences. Ms. Cramm seconded motion and it unanimously carried.

D. **Key Objective 1, Open-houses concurrent with Board meetings to meet with professions/combine webcast** – Bob Shotts – Mr. Shotts announced that the first Open-House meeting will commence at 8:00 a.m. on Tuesday, August 9, 2016 with others being held in conjunction with the November 2016, January 2017, and April 2017 Board meetings.

E. **Key Objective 1, Marketing package/Social Media (YouTube video – what the Board does)** – Noel Fehr – Mr. Fehr stated he did not have anything to report.

F. **Key Objective 1, Webcasting Board meetings** – Abe Adewale – Mr. Adewale reported that he had looked into live streaming Board Meetings. He stated the Division of Professional Registration’s IT people could do it for the Board if they had a stable internet connection or the Board could hire a company to live stream Board meetings. Mr. Adewale stated if the Division’s IT people would do it, the cost for equipment would be anywhere from $2,500 to $25,000. If the Board decided to hire a company, the cost would be anywhere from $5,000 to $25,000 or more. Mr. Adewale asked the Board if live streaming Board Meetings would be engaging enough for licensees and the public to watch to justify the cost. Upon discussion, the Board decided it would not be. Therefore, it was unanimously decided not to pursue the webcasting/live streaming of Board meetings; especially since the Board is now hosting Open-house meetings with area licensees around the state. Chairman Hartnett thanked Mr. Adewale for doing the research and providing good information.

G. **Key Objective 2, Talk to other boards/best practices Research and create position description** – Bob Hartnett and Judy Kempker – Chairman Hartnett again stated this discussion would be held when the Board is in closed session.

H. **More effective use/training of technology, establish technology subcommittee** – Kelley Cramm, Mike Popp, and Dawn Wilde – Ms. Cramm stated that the committee did not have anything to report.

I. **Key Objective 4, Create opportunities to speak at conferences and other venues** – Kevin Skibiski, Dan Govero, and Noel Fehr – Mr. Skibiski stated that the committee did not have anything to report.

**Discuss ordering Board Shirts**
Ms. Robinson announced that she had various Land’s End catalogs for Board Members to review. Should anyone wish to place an order, he/she is to provide Ms. Robinson with the page number, item name, size, color and price. After collecting all information and money from each Board Member, Ms. Robinson will then place the order. Chairman Hartnett, Ms. John, Ms. Cramm, Ms. Cooper, and Messrs. Lucas, Shotts, and Davis were all interested in placing orders.

Update from Chairs of the Architectural and Professional Engineering Divisions of Annual and Central Zone Meetings and report on actions taken:

A. NCEES Central Zone meeting held on May 5, 6 & 7, 2016 in Kansas City Missouri – Both Mr. Skibiski and Mr. Freeman stated that they thought the Missouri Board was well represented at the Central Zone meeting in Kansas City, Missouri on May 5, 6 and 7, 2016. They felt the program was very good and that the whole meeting went off without a problem. Mr. Skibiski stated that the purpose of having Zone meetings is to prepare for the NCEES Annual Meeting. This year, the NCEES Annual Meeting is set for August 24, 25, 26, and 27, 2016 in Indianapolis, Indiana. Mr. Skibiski stated that he will not be attending the annual meeting this year but Abe Adewale and Craig Lucas will be attending the meeting along with Mike Freeman, Chairman of the Professional Land Surveying Division, and Ms. Kempker. Due to the Law Enforcement program scheduled to be held in conjunction with the meeting, Ms. Wilde will also be attending. Mr. Adewale stated that he is serving on the Uniform Procedures and Legislative Guidelines (UPLG) Committee and Mr. Skibiski stated he is serving on the Education Committee.

B. NCARB Annual Meeting held on June 15, 16, 17 & 18, 2016 in Seattle, Washington – Mr. Rearden reported that he along with Ms. John, Mr. Popp, Chairman Hartnett, and Ms. Kempker attended the NCARB Annual meeting in Seattle, Washington. Mr. Rearden also reported that all resolutions passed such as the update to Certification Guidelines to reflect the December 2016 title changes of the Intern Development Program (IDP) to the Architectural Experience Program (AXP) and the adoption of new Mutual Recognition Arrangement for licensure in Australia and New Zealand, and reciprocity for those foreign licensees in the United States. These items will be fully discussed later under Agenda Items 9 and 10. Mr. Rearden stated that the resolution proposed by Region 6, which was to move authority to amend “substantive
programmatic changes: of the experience program from the NCARB Board of Directors to the full membership generated a lot of discussion. In essence, Region 6 made it clear to NCARB that they want all serious issues to be voted on by all state Boards and not the Executive Committee. NCARB stated that they have heard them loud and clear and want to be transparent on all issues.

Discussion of NCARB’s 2016 Annual Meeting Workshop Session entitled “Technology in Board Meetings”

Chairman Hartnett stated that he attended a very interesting workshop while attending NCARB’s 2016 Annual Meeting. Chairman Hartnett reminded Board Members not to text on their cell phones during Board Meetings and/or appearances and disciplinary hearings as that can be subject to Sunshine Law requests. Also, Chairman Hartnett reminded Board Members to close their laptops during appearances and disciplinary hearings as it is in bad taste to be checking email, Googling for information (other than the present appearance/hearing), etc. Chairman Hartnett advised Board Members that licensees and the public deserved the Board’s undivided attention during appearances and disciplinary hearings. Using company computers for personal use is a bad idea. Mr. Thompson encouraged Board Members to review Sections 610.021 (Closed meetings and closed records authorized when, exceptions.) and 610.025 (Electronic transmission of messages relating to public business, requirements.), RSMo. Also, Mr. Thompson recommended that Ms. Kempker be notified if anyone downloaded Board Meeting material onto a state laptop, so that she can ask the Division of Professional Registration’s Information Technology (IT) people to strip the laptops for all confidential information. Ms. Kempker stated it was noted in the past other boards had confidential information on state laptops and she did ask the IT personnel to strip those laptops.

Discussion of Letter of Undertaking in respect of the Mutual Recognition Agreement between NCARB, the Architects Accreditation Council of Australia and the New Zealand Registered Architects Board

The Board Members discussed the Letter of Undertaking in respect of the Mutual Recognition Agreement between NCARB, the Architects Accreditation Council of Australia and the New Zealand Registered Architects Board. Mr. Rearden asked the Board if they would be agreeable for the Board to sign the Letter of Undertaking and who would be the signer the Letter. Upon discussion, Mr. Rearden made a motion to have Chairman Hartnett sign the Letter of Undertaking with respect to the Mutual Recognition Arrangement between the National Council of Architectural Registration Boards and the Architects Accreditation Council of Australia and the New Zealand Registered Architects Board. Mr. Rearden then
directed Ms. Kempker to send an email response to Ms. Kathy Hillegas at NCARB, advising that the members of the Missouri Board reviewed and discussed the Letter of Undertaking at their meeting on August 8 and 9, 2016. As a result of the meeting, the Missouri Board voted to sign the letter. Ms. Kempker is to then attach a scanned copy of the signed letter to her email. The motion was seconded by Mr. Skibiski and unanimously carried.

Discussion of potential amendments to Chapter 327, RSMo, to change reference to the Intern Development Program (IDP) in Section 327.131, RSMo, to instead reflect Architectural Experience Program (AXP) and to amend Section 327.106, RSMo to reference the adoption of a new Mutual Recognition Arrangement for licensure in Australia and New Zealand, and reciprocity for those foreign licensees in the United States

Mr. Rearden discussed potential amendments to Chapter 327, RSMo, to change reference to the Intern Development Program (IDP) in Section 327.131, RSMo, to instead reflect Architectural Experience Program (AXP) and to amend Section 327.016, RSMo, to reference the adoption of a new Mutual Recognition Arrangement for licensure in Australia and New Zealand, and reciprocity for those foreign licensees in Missouri. Upon discussion, the Board decided to support the potential amendments to Chapter 327, RSMo, to change reference to the Intern Development Program (IDP) in Section 327.131, RSMo, to instead reflect Architectural Experience Program (AXP). The Architectural Division is to work up language to be presented at the Board’s November 2016 quarterly meeting. The Board will then take the matter to the Design Alliance Members seeking support in a bill before the Legislature.

Completion of the CLARB 2016-2017 Board of Directors & Committee on Nominations Elections Ballot and Letter of Delegate Credentials

Mr. Shotts reported that the Professional Landscape Architectural Division discussed the CLARB 2016-2017 Board of Directors and Committee Nomination Elections Ballot and Letter of Delegate Credentials. Mr. Shotts stated that he and Mr. Fehr will be attending CLARB’s Annual Meeting in Philadelphia along with Ms. Kemper and they have decided to support Ms. Nichole Crutchfield for Committee on Nominations and Mr. Patrick Beam for the Region 2 Director. The President-Elect, Vice President, and Secretary are all running unopposed.

Reminder that the amendment via CCS HCS SB 833 to Section 327.272.5 goes into effect on August 28, 2016
Mr. Kempker reminded Board Members that the amendment via CCS HCS Senate Bill 833 to Section 327.272.5, RSMo, goes into effect on August 28, 2016. Section 327.272.5, RSMo, states: “Nothing in this section shall be construed to preclude the practice of title insurance business or the business of title insurance as provided in chapter 381, or to preclude the practice of law or law business as governed by Missouri supreme court and as provided in chapter 484.”

**Consideration of possible revisions to Board Rule 20 CSR 2030-10.010(2)**

Messrs. Thompson and Frownfelter talked with the Board about possible revision of Board Rule 20 CSR 2030-10.010(2). After much discussion, Mr. Rearden made a motion to amend Board Rule 20 CSR 2030-10.010(2) to say, “The managing agent shall be an owner or officer of the applicant corporation, or member or manager of the applicant limited liability company, or a full-time employee of the applicant corporation or the applicant limited liability company.” The motion was seconded by Mr. Adewale and unanimously carried. Since the Missouri Small Business Regulatory Fairness Board believes the most effective way to accomplish regulatory fairness for small businesses are 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 change by publishing the recommended amendment to Board Rule 20 CSR 2030-10.010(2) on the Board’s website.

**Discussion of Jerry Carter’s June 30, 2016 letter to the Board inquiring if there is interest in the scheduling of a visit for a member of the NCEES Board or Senior Staff to attend an upcoming meeting of the Board**

The Board discussed a letter dated June 30, 2016, from Mr. Jerry Carter, Executive Director for the National Council of Examiners for Engineering and Surveying (NCEES), wherein he inquires if there is any interest in the scheduling of a visit for a member of the NCEES Board or senior staff to attend an upcoming meeting of the Missouri Board. NCEES Board of Directors is committed to facilitating active and effective engagement of all member boards as outlined in its strategic plan. NCEES feels this is an opportunity to enhance communication and provide greater awareness about the range of NCEES’ services and leadership opportunities within the organization. Upon discussion, Mr. Skibiski made a motion directing Ms. Kempker to send a letter to Mr. Carter advising that the Missouri Board would be pleased to have a member of the NCEES Board or a senior staff member to attend an upcoming meeting of the Board. The motion was seconded by Mr. Freeman and unanimously carried.

**Update from the Task Force regarding revisions to Board Rule 20 CSR 2030-3.060 – Licensee’s Seal as it relates to Digital Signatures; and Discussion regarding revisions to the brochure entitled “State of Missouri Requirements**
Regarding Use of Professional Seals and the Practice of Architecture, Professional Engineering, Professional Land Surveying, and Professional Landscape Architecture

The Board discussed the proposed changes to Board 20 CSR 2030-3.060, Licensee’s Seal, as presented to the Board by JC Rearden on behalf of the Electronic Seals and Signatures Task Force. Upon discussion no additional changes were made. Therefore, Mr. Rearden made a motion to move forward with promulgating the proposed amendments to Board Rule 20 CSR 2030-3.060 Licensee’s Seal as presented to the Board. Ms. Cramm seconded the motion and it unanimously carried. Those proposed changes are as follows:

20 CSR 2030-3.060 Licensee’s Seal

PURPOSE: This rule describes the format for personal seal of an architect, a professional engineer, a professional land surveyor, and a professional landscape architect. Due to the passage of SB 809, this rule is being amended to add the word “Professional” in front of landscape architect(s) and to add a new subsection (D) under paragraph (1). It also provides more clarity with regard to technical submissions and in the use of digital and electronic signatures.

(1) Each person licensed as an architect, professional engineer, professional land surveyor or professional landscape architect (not including interns or individuals “in-training”) shall, at his/her own expense, secure a seal one and three-quarters inches (1 3/4") in diameter of the following design: the seal shall consist of two concentric circles between which shall appear in roman capital letters, the words, “State of Missouri” on the upper part of the seal and either “Architect,” or “Professional Engineer,” or “Professional Land Surveyor” or “Professional Landscape Architect,” as the case may be on the lower part, and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letter(s) A for Architect, PE for Professional Engineer, PLS for Professional Land Surveyor or PLA for Professional Landscape Architect.

(A) The seal of an architect licensed prior to January 1, 2002 may display “Registered Architect” on the lower part and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letter A.

(B) The seal of a professional engineer licensed prior to January 1, 2002 may display “Registered Professional Engineer” on the lower part and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letter E.
(C) The seal of a professional land surveyor licensed prior to January 1, 2002 may display “Registered Land Surveyor” on the lower part and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letters LS.

(D) The seal of a professional landscape architect licensed prior to January 1, 2015 may display “Landscape Architect” on the lower part and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letters LA.

(2) The seal may be in the form of an embossing seal, a rubber stamp, or a computer-generated image, identical in size, design and content with the provisions of section (1) above.

(3) In addition to the personal seal, the licensee shall also affix his/her signature and place the date when the document was originally sealed, at the minimum, to the original of each sheet in a set of plans, drawings, specifications, estimates, reports and other documents all final technical submissions that include, but are not limited to, drawings, specifications, exhibits, plats, reports, surveys, and certifications of construction which were prepared by the licensee or under his/her immediate personal supervision. The term “signature,” as used herein shall mean the following: [a handwritten identification containing the name of the person who applied it; or for electronic or digital documents shall mean an electronic authentication process attached to or logically associated with the document. The digital signature must be unique to, and under the sole control of the person using it; it must also be capable of verification and be linked to a document in such manner that the digital signature is invalidated if any data on the document is altered.

(A) Documents that are without an electronic signature or authentication process that are transmitted electronically shall have the seal removed and the following inserted in its place: “This media should not be considered a certified document.”

(B)] (A) For a hand drawing (e.g., paper, vellum, mylar), printed document or computer generated hard copy media, a handwritten “wet signature” identification containing the name of the person who applied.

(B) For electronic or digital documents transmitted to others in their native file format (e.g., AutoCAD, Revit, Word or Excel), a digital signature with an electronic authentication process attached to or logically associated with the document. The digital signature must be unique to, and under the sole control of the person using it; it must also be capable of verification and be linked to a document in such manner that the digital signature is invalidated if any data on the document is altered.
(C) For electronic or digital documents transmitted to other in a “pdf” or similar format that has modified the native file so that it is not easily altered, a scanned signature is acceptable if it is an accurate depiction of the licensee’s actual signature.

(4) When revisions are made the licensee who made the revisions, or under whose immediate personal supervision the revisions were made, shall sign, seal and date each sheet and provide an explanation of the revisions. Revisions to technical submissions which are not made or approved by the licensee are prohibited.

[(C)] (5) In lieu of signing, sealing and dating each page, the licensee(s) may sign, seal and date the title page, an index page, or a seals page on bound multiple page documents not considered to be drawings, providing that the signed page clearly identifies all of the other pages comprising the bound volume. Provided further that any of the other pages which were prepared by, or under the immediate personal supervision of another licensee be signed, sealed and dated as provided for, by the other licensee. Any additions, deletions or other revisions shall not be made unless signed, sealed and dated by the licensee who made the revisions or under whose immediate personal supervision the revisions were made.

(6) An original document which is sealed, signed and dated (by hand or electronically) by the licensee can be reproduced by photocopy, traditional blue printing, faxing, scanning in “pdf,” publishing or printing to “pdf,” or similar format.

[(4)] (7) [Plans, specifications, estimates, plats, reports, surveys, and other documents or instruments] Technical submissions shall be signed, sealed and dated unless clearly designated preliminary or incomplete, not to be used for construction, or is a record drawing of as-built construction information provided by others. If the [plan] document is preliminary or incomplete, not to be used for construction, or is a record drawing of as-built construction information provided by others [is not completed], the phrase, “The information on this document is preliminary or incomplete [Preliminary], not for construction, recording purposes or implementation” or similar [language or phrase] disclaimer and notice to others shall be placed in an obvious location so that it is readily found, easily read and not obscured by other markings. [It shall be a disclaimer and notice to others that the plans are not complete.]

[(5)] (8) In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee shall seal, date and sign those documents, using the appropriate disclaimer for clarification of each licensee’s responsibility.
[(6)] (9) The signing and sealing of [plans, specifications, estimates, reports and other documents or instruments] technical submissions not prepared by the licensee or under his/her immediate personal supervision is prohibited.
[(7)] (10) This rule [supersedes] supersedes any conflicting rules.

Since the Missouri Small Business Regulatory Fairness Board believes the most effective way to accomplish regulatory fairness for small businesses are 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 change by publishing the recommended amendment to Board Rule 20 CSR 2030-3.060 on the Board’s website. Ms. Kempker was the directed to update the “Chapter 327 Brochure” (State of Missouri Requirements Regarding the use of Professional Seals) to reflect the changes recommended by the Electronic Seals and Signature Task Force.

Discussion of the difference between a “technology” drawing and an “engineering” drawing

Ms. Cramm reported to the Board the difference between a “technology” drawing and an “engineering” drawing. Ms. Cramm informed the members that she did not see any difference between a “technology” drawing and an “engineering” drawing, as they were both engineering. However, she believed it to be a matter of competition between licensees and technology people as a licensee charges more than a technology person. Mr. Rearden recommended that Ms. Cramm contact Marina Klevnov with St. Louis County regarding this issue and asked Ms. Cramm to report her findings to the Board at its November 2016 quarterly meeting.

Review Expert Witness List and make Revisions, if Necessary

The Board reviewed the Expert Witness List compiled by Ms. Kempker and made recommendations for revisions. The Architectural Division recommended that Stuart Scroggs and Vernon Reed be removed from the list and Randy Miltenberger, Charles Hill and Vicki Noteis be added to the list. The Professional Engineering Davison recommended David Smith and Charles “Chuck” Owsley be added to the list. The Professional Land Surveying Division recommended the removal of Charles Kutz, Craig Ruble, and Gary Bockman and Mike Gray, Christopher Wickern, and Brian Viele be added to the list. The Professional Landscape Architectural Division recommended adding the following Professional Landscape Architects to the list of experts: Bob Bushyhead; Stephen Ibendahl; Jim Wolterman; Jane Earnhart; Julia Montroy; Jeffrey Bruce; Allan Cooksey; and, Austin Tao.
Discussion regarding the Board giving financial support (in the amount of $3,000) to Dick Elgin for a grant to write a book that covers riparian law in Missouri

The Members of the Board discussed giving financial support in the amount of $3,000, to Dr. Richard Elgin, for a grant to write a book that covers riparian law in Missouri. Upon discussion, the Board directed Ms. Kempker to communicate with Dr. Elgin that the Board felt the book would be a tremendous help to currently licensed Professional Land Surveyors and future Professional Land Surveyors in Missouri. However, the Board decided not to approve the request primarily because it is not in the Board’s authority to do so and also because the Division of Professional Registration’s Legal Counsel advised there would be a question as to ownership of the book and also a concern about the appearance of supporting or endorsing one particular book/entity/person.

Discussion of email from Jason Carver inquiring if Chapter 327, RSMo, requires Electric Cooperatives who are operating in the state of Missouri to have a corporate certificate of authority

The Board decided to discuss this matter during its closed meeting on Tuesday, August 9, 2016.

Discussion of an email received by Kevin Skibiski from Nick Georgalis regarding a Professional Ethics Course for Missouri Engineers

Mr. Skibiski stated that he has received emails from Mr. Georgalis on and off for quite a while regarding an ethics course for engineers but wanted to bring this particular one to the Board’s attention. Mr. Skibiski stated that he would not recommend this ethics course to anyone as the content was basically about the government and lots of advertising for Mr. Georgalis’ books. Since the Board does not preapprove courses for Professional Development Hours (PDHs) for Professional Engineers, it cannot endorse Mr. Georgalis’ courses. Ms. Kempker advised that she has had extensive communication with Mr. Georgalis for a number of years as well. He continues to submit requests for email addresses for all Professional Engineers licensed in Missouri. Ms. Kempker stated she consistently responds to Mr. Georgalis’ requests that email addresses of Board’s licensees are not considered public record.

Recess

At approximately 5:25 p.m., the Board recessed its open meeting until 8:00 a.m. on Tuesday, August 9, 2016.
Tuesday, August 9, 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, August 9, 2016 in the Salon D Meeting of the Adams Pointe Conference Center and Courtyard by Marriott, 1400 Northeast Coronado Drive, Blue Springs, Missouri. The Board met in both open and closed sessions during the meeting as reflected in the minutes. Chairman Hartnett declared the meeting was 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
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
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
Eric Davis, Member of the Professional Landscape Architectural Division
Sherry L. Cooper, Public Member

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Processing Technician Supervisor
Shantae Duren, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Edwin Frownfelter, Assistant Attorney General
Scott Edgar, Lees Summit Public Works Department

8:00 A.M. – 9:00 A.M. – Open House Sessions

- Architectural Division was held in Salon G – Mr. Rearden reported that one person, former Board Member Ken Frashier,
attended the Open House. The Architectural Division Members discussed items of common interest with Mr. Frashier, such as licensure, enforcement, and regulation of architecture in the State of Missouri as set forth in Chapter 327, RSMo.

- **Professional Engineering Division** – Mr. Skibiski reported that approximately 29 Kansas City area licensees met with the Professional Engineering Division Members to discuss items of common interest relative to licensure, enforcement, and regulation of professional engineering in the State of Missouri as set forth in Chapter 327, RSMo. Mr. Skibiski reported they had good discussions with the hot topic being electronic signing and sealing of plans.

- **Professional Land Surveying Division** – Mr. Freeman reported that approximately 5 Kansas City area licensees met with the Professional Land Surveying Division Members to discuss items of common interest relative to licensure, enforcement, and regulation of professional land surveying in the State of Missouri as set forth in Chapter 327, RSMo. Mr. Freeman stated that their group had good discussion as well with the hot topic of electronic signing and sealing plans.

- **Professional Landscape Architectural Division** – Mr. Shotts reported that approximately 6 area licensees met with the Professional Landscape Architectural Division Members to discuss items of common interest relative to licensure, enforcement, and regulation of professional landscape architecture in the State of Missouri as set forth in Chapter 327, RSMo. The Professional Landscape Architectural Division Members felt they had good discussion with area licensees and they too found the hot topic to be electronic signing and sealing of plans.

**Discussion of future legislative priorities**

As was discussed earlier, Mr. Rearden reiterated the Architectural Division would propose amendments to Chapter 327, RSMo, to change reference to the Intern Development Program (IDP) in Section 327.131, RSMo, to instead reflect Architectural Experience Program (AXP) and to amend Section 327.016, RSMo, to reference the adoption of a new Mutual Recognition Arrangement for licensure in Australia and New Zealand, and reciprocity for those foreign licensees in Missouri. Upon discussion, the Board decided to support the potential amendments to Chapter 327, RSMo, to change reference to the Intern Development Program (IDP) in Section 327.131, RSMo, to instead reflect Architectural Experience Program (AXP). The Architectural Division is to work on language to be presented at the Board’s November 2016 quarterly meeting.
Chairman Hartnett then directed all four divisions to prepare their list of recommended changes to Chapter 327, RSMo, and then forward the lists to Ms. Kempker prior to the November 2016 meeting so she can place them on the agenda for discussion. If after review, the Board agrees to pursue any of the proposed changes, the changes will then be presented to the Design Alliance.

It should be noted that Mr. Scott Edgar departed the meeting at approximately 9:20 a.m.

**Report from Architectural Division**

Mr. Rearden stated he had nothing more to report since most of his report was given on Monday, August 8th.

**Report from Professional Engineering Division**

Mr. Skibiski announced to the Board that he is retiring from Horner & Schifrin, Inc. effective January 1, 2017. He will be teaching a three hour class at Missouri University of Science and Technology (Missouri S & T), among other things in his spare time. Mr. Skibiski stated that he will not be attending NCEES’ annual meeting this year but Abe Adewale and Craig Lucas will be attending the meeting along with Mike Freeman, Chairman of the Professional Land Surveying Division, Ms. Kempker, and Ms. Wilde. Mr. Skibiski stated he is serving on the Education Committee for NCEES and Mr. Adewale is serving on the Uniform Procedures and Legislative Guidelines (UPLG) Committee for NCEES.

Since Mr. Skibiski will be teaching a course at Missouri S & T during the Board’s November 14 and 15, 2016 meeting, he requested that the Board hold its open houses from 8:00 a.m. until 9:00 a.m., on Monday, November 14th allowing him sufficient time to travel to the meeting after his class. Upon discussion, the Board directed Ms. Kempker to invite Springfield/Branson, Missouri area licensees to “Open House” meetings on Monday, November 14th from 8:00 a.m. until 9:00 a.m. Each attendee/licensee in attendance will receive 1 PDU, PDH, CEU for attending the “Open House” meeting.

**Motion to go into closed session**

At approximately 9:26 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 Section 324.001.8, 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. Skibiski seconded the motion. A roll call vote was taken and unanimously carried. Chairman Hartnett asked all visitors to leave the room. There being none, Chairman Hartnett declared the meeting closed to the general public.

**Return to Open Session**

At 9:57 a.m., the Board reconvened its open meeting for the purpose of finishing the discussion of the Board’s remaining Open Agenda items.

**Report from Professional Land Surveying Division**

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

**Report from Professional Landscape Architectural Division**

Mr. Shotts stated that, at this time, the Professional Landscape Architectural Division did not have anything to report.

**Executive Director’s Report**

Ms. Kempker presented the most recent information regarding the Board’s Financial Report. She advised the Board that as of August 6, 2016, the financial balances were as follows:

- Personal Service Balance was $372,275. Originated with $398,599.
- E&E (Expense & Equipment) Balance $288,039. Originated with $301,397.

The Board’s current Fund Balance is $3,316,588. Per Section 327.081, RSMo, in order to avoid a sweep of the Board’s fund, the Board’s balance needs to be kept under $3,794,340, or 3 times our appropriation (3 x $1,264,780).

Ms. Kempker announced that the Board has requested no changes to its FY 2017 appropriation which is determined by House Bill 7. For FY 2017, the Board was
appropriated a total of $699,996 for Expense and Equipment and Personal Service ($301,397 was appropriated for E&E and $398,599 for PS).

Ms. Kempker announced that Eric Davis was recently appointed to the Professional Landscape Architectural Division and this is his first face-to-face Board Meeting. The Board currently has ten members serving in expired terms (Bob Shotts, JC Rearden, Mike Popp, Mike Freeman, Mike Flowers, Dan Govero, Kevin Skibiski, Abe Adewale, Kelley Cramm, and Craig Lucas). In addition, Ms. John’s term is due to expire on September 30, 2016. Ms. Kempker said that Chairman Hartnett has been staying in contact with AJ Fox and will give the Board an update on anything further that he knows with regard to reappointments. Chairman Hartnett said that he did not foresee any changes to the Board’s membership until a new governor is elected and has taken office in January 2017. He said that as soon as a new Director of Boards and Commissions has been appointed, he will be in contact with him/her.

Ms. Kempker announced that the Board’s last newsletter went out in May and the next newsletter is slated for going out around the first part of November so she will need Board Member articles by no later than October 1st.

Next, Ms. Kempker provided the Board Members with an update on the Status to Board Rules.

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. Approved for filing and filed with Secretary of State (SOS), Joint Committee on Administrative Rules (JCAR) and Small Business Regulatory Fairness Board (SBRFB) on February 29, 2016. To appear in Missouri Register on April 1, 2016. Comments to end on May 1, 2016. The Final Order filed with JCAR & SBRFB on May 2, 2016. The Final Order was filed with Secretary of State is June 1, 2016, it will appear in the Missouri Register on July 1, 2016, and, appear in the Code of State Regulations on July 31, 2016. The effective date is August 30, 2016.

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 2030-11.015 – 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 2030-16.010 – 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 Easements (Rule); 20 CSR 2030-17.010 – Definitions; 20 CSR 2030-17.020 – Authorization for Removal of Alteration of Corners; 20 CSR 2030-17.030 – Reestablished or Re-stored Corners; 20 CSR 2030-17.040 – Procedure for Filing Documents; 20 CSR 2030-17.050 – Monumentation; 20 CSR 2030-17.060 – Monument Making; 20 CSR 2030-17.070 – Missouri Coordinate System of 1983; 20 CSR 2030-17.080 – Approved Documents; 20 CSR 2030-18.010 – Definitions; 20 CSR 2030-18.020 – Horizontal Control Classification; 20 CSR 2030-18.030 – Accuracy of Horizontal Control; 20 CSR 2030-18.040 – Acceptance and Publication by MDA; 20 CSR 2030-18.050 – GPS Survey Guidelines; 20 CSR 2030-18.060 – Traverse Survey Guidelines; 20 CSR 2030-18.070 – Waiver of 1 Km Limitation; 20 CSR 2030-19.010 – Surveyor’s Real Property Report; 20 CSR 2030-19.020 – Required Work Order Form; 20 CSR 2030-20.030 – Certification of the Map. The Board and the Department of Agriculture (MDA) initiated these rule changes on March 26, 2015. They were formatted on March 27, 2015. On April 17, 2015, the Division met with the Board’s Executive Director. On April 24, 2015, the Board’s Executive Director emailed the rule changes to Sharon Hankins at the MDA. On September 17, 2015, the rules were sent to DIFP for approval.

20 CSR 2030-5.160 – State Exam Covering Chapter 327, RSMo, the Board Rules and Ethics. The Board initiated this rule on October 6, 2015. The rule was formatted on October 7, 2015 and was sent to DIFP for approval on October 30, 2015.

Ms. Kempker announced that she has not yet been made aware of any revisions being sought to Chapter 327, RSMo, by the professional associations. She did state that she suspects MSPS will once again file proposed legislation to increase the educational requirement for land surveyors. Therefore, if Chapter 327, RSMo, is opened up due to the filing of an educational bill presented by MSPS, Ms. Kempker asked the Board to think about proposed changes to amend Sections 327.313 and 327.321, RSMo, to delete the requirement for reference letters from land surveying applicants. Ms. Kempker reminded the Board Members they had
previously voted to no longer require reference letters since it is not a requirement in the statute for the other three professions and also due to the new licensing system that Board staff will eventually be required to use. This proposed change was submitted as a bill this past session but did not get passed. The Board had agreed earlier in the day to ask the Design Alliance for support in the proposed changes to Section 327.106, RSMo, Mutual Recognition Agreement with Australia and New Zealand and the proposed changes to Section 327.131, RSMo, amending Intern Development Program (IDP) to Architectural Experience Program (AXP). Therefore, Ms. Kempker asked the Board to consider amending Section 327.091, RSMo, to include “construction observation and the inspection of construction...” language to the architect’s definition to be consistent with the recent change to the definitions of engineering and landscape architecture and to amend Sections 327.313 and 327.321, RSMo, to delete the requirement for reference letters from land surveying applicants.

The suggested changes to Sections 327.313 and 327.321, RSMo, are as follows:

327.313. Applications for enrollment as a land surveyor-in-training shall be typewritten on prescribed forms furnished to the applicant. The application shall contain applicant's statements showing the applicant's education, experience and such other pertinent information as the board may require[, including but not limited to three letters of reference, one of which shall be from a professional land surveyor who has personal knowledge of the applicant's land surveying education or experience]. Each application shall contain a statement that it is made under oath or affirmation and that the representations are true and correct to the best knowledge and belief of the applicant, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

327.321. Applications for licensure as a professional land surveyor shall be typewritten on prescribed forms furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of prior land surveying examinations, if any, and such other pertinent information as the board may require[, including but not limited to three letters of reference from professional land surveyors with personal knowledge of the experience of the applicant's land surveying education or experience]. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.
Chairman Hartnett then directed these proposed changes, along with all others, be placed back on the Board’s agenda for discussion at its November 2016 meeting to determine a course of action.

Ms. Kempker announced that Board Staff is still using PROMO. PROMO has not yet been upgraded to the new system called PRISM. She advised that there were a lot more areas of concern than what the Division initially thought so until those concerns are addressed, Board staff will continue to use PROMO.

Ms. Kempker stated that she is continuing to see licensees take the Board’s online state specific exam covering Chapter 327, RSMo, the Board Rules, and ethics for Architects, Engineers, and Landscape Architects. The exam went live during the first week of January, 2016. It is pleasing to know that almost everyone who takes the exam receives a score of 80% or higher on their first attempt; only very few received a score lower than 80%. For those individuals who did receive a failing score, when they retake the exam, they eventually receive a passing score. Ms. Kempker stated she thought this was very promising. 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. As reported earlier on the Rule Status Chart, this rule change is currently at the Department/Governor’s office pending approval.

Ms. Kempker announced that she will continue to schedule future Open Houses in the area of the upcoming Board Meetings until the Board directs her otherwise. It runs around $500-$600 for the four rooms. She asked the Board to please let her know should they ever want to schedule one joint open house as opposed to four separate open houses. The Board Members indicated they were satisfied with continuing the separate Open House Meetings.

Ms. Kempker stated that as she was preparing for the August 2016 Board Meeting, and after responding to some emails from certain complainants, she realized that the Board is holding a lot of cases open pending litigation. The complainants in such cases seem to be the most insistent when it comes to wanting a decision. Therefore, Ms. Kempker along with the assistance of Ms. Wilde, drafted language which they propose be added to the “Instructions” page on the Board’s website where individuals go to complete the complaint form. This information would appear directly above the “complaint form link.” The statement proposed is as follows:

**IS LEGAL ACTION PENDING RELATED TO THIS COMPLAINT?**

If YES, please be advised that it is the policy of the Board to postpone action until the court has rendered a final disposition of the case. Therefore, due to the statute of limitations applicable to Board actions, it is suggested that you refrain from filing your complaint at this time until all legal proceedings are final. Upon final determination of the legal proceedings, please complete the
complaint form at the link below and submit it to the Board office along with all supporting documentation, including a copy of the final disposition.

A copy of the above statement was provided to the Board’s General Counsel, Curt Thompson, for review and comment. Mr. Thompson suggested the statement be changed to read “it is the policy of the Board to postpone action” to “the Board often postpones action.” Therefore, Ms. Kempker would like for the Board to advise: 1) if they think it is a good idea to add this statement; and, 2) if, they feel it is a good idea, if they think any further edits need to be made. Also, Ms. Kempker asked the Board if they want to investigate these cases soon after receipt but inform the complainant they will only be advised of the Board’s decision after the court has rendered a final disposition.

**IS LEGAL ACTION PENDING RELATED TO THIS COMPLAINT?**

If YES, please be advised that, upon receipt of the complaint, the Board will initiate an investigation into the alleged violations but, unless there is an imminent threat regarding life safety, it will postpone making its decision as to whether or not a violation has occurred until AFTER the court has rendered a final disposition of the case. Therefore, upon final determination of the legal proceedings, please provide the Board with a copy of all supporting documentation, including a copy of the final disposition.

Upon discussion, the Board Members directed Ms. Kempker to place the statement directly on the complaint form and shorten it to read, “If yes, the Board does not serve as a vehicle to promote a party in litigation and therefore may delay action until the court has rendered a decision.”

**Ratification of decisions on licensure and enrollments made by the Architectural Division, Professional Engineering Division, Professional Land Surveying Division, Professional Landscape Architectural Division and/or Staff:**

At the Board’s April 25 and 26, 2016 meeting, Ms. Kempker advised the Board Members that, in the past, the Board ratified the decisions on licensure and enrollments made by the Architectural, Professional Engineering, Professional Land Surveying and Professional Landscape Architectural Divisions of the Board and/or Staff, especially as it relates to all applications approved “in-house.” Mr. Thompson stated that the Board should resume ratification of licensures and such should be maintained in the Board’s records. The Board Members agreed and directed that Ms. Kempker place this matter on the Board’s Agenda at each quarterly meeting so that they can ratify the approvals of licensure; enrollments, and relicensure for Architects, Professional Engineers, Engineer Interns,
Professional Land Surveyors, Land Surveyors-in-Training, and Professional Landscape Architects as well as architectural, engineering, land surveying and landscape architectural corporations.

- **Architects** – Mr. Rearden made a motion to ratify the corporate licenses for architectural corporations, reauthorizations for architectural corporations and the licenses and relicensures of Architects for the period April 1, 2016 to June 30, 2016. The motion was seconded by Mr. Adewale and unanimously carried.

- **Professional Engineers and Engineer Interns** – Mr. Skibiski made a motion to ratify the corporate licenses, reauthorizations for engineering corporations and the licenses and relicensures of Professional Engineers as well as enrollments as Engineer-Interns for the period April 1, 2016 to June 30, 2016. The motion was seconded by Ms. John and unanimously carried.

- **Professional Land Surveyors and Land Surveyors-in-Training** – Mr. Freeman made a motion to ratify the corporate licenses, reauthorizations for land surveying corporations and the licenses and relicensures of Professional Land Surveyors as well as enrollments as Land Surveyors-in-Training for the period April 1, 2016 to June 30, 2016. The motion was seconded by Mr. Adewale and unanimously carried.

- **Professional Landscape Architects** – Mr. Shotts made a motion to ratify the corporate licenses, reauthorizations for landscape architectural corporations and the licenses, relicensure, and denials of Professional Landscape Architects for the period April 1, 2016 to June 30, 2016. The motion was seconded by Mr. Govero and unanimously carried.

**Selection of Date and Location for August 2017 Board Meeting. (Please note the NCEES Annual meeting is set for August 23-26, 2017 in Miami Beach, Florida.)**

The Members of the Board discussed the date and location for the August 2017 Board meeting. The Board then noted that the NCEES Annual meeting is set for August 23-26, 2017, in Miami Beach, Florida. Therefore, the Board’s August 2017 meeting will be held in the Kansas City, Missouri area on July 31 and August 1, 2017. Ms. Cramm asked the Board if they would consider changing the Board’s January 2017 meeting to a time when she can attend the meeting. The present dates of January 30 and 31, 2017 conflict with her attendance at the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) 2017 Winter Conference. Therefore, since no hotel accommodations have been set up for the January 2017 meeting, Ms. Cramm made a motion to change the January 2017 meeting to January 23 and 24, 2017. The motion was seconded by Ms. John and unanimously carried. The Board then directed Ms. Kempker to continue to
negotiate Wi-Fi with all future hotel contracts. The Board feels that free Wi-Fi is a valuable tool to be used during all quarterly meetings since there has been numerous occasions where a search of the internet was helpful in deciding on an issue that has become before the Board. Additionally, Board Members directed staff to inform them of the Wi-Fi password at the start of each Board meeting.

**Motion to go into closed session**

At approximately 10:53 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 Section 324.001.8, 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. Ms. Cramm seconded the motion. A roll call vote was taken and 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 4:14 p.m., the Board reconvened its open meeting for the purpose of adjournment.

Upon returning to Open Session, Chairman Hartnett announced that Ms. Kempker is planning to retire from the Board effective February 1, 2017. However, she will return to the Board as Executive Director and work as a 1,000 hour employee. Chairman Hartnett then announced that Assistant Attorney General Frownfelter is retiring from the Missouri Attorney General’s Office effective January 1, 2017. He will then commence working for the Board as a contract employee performing legal work for the Board and any other tasks as assigned by Ms. Kempker.

**Discussion of email from Jason Carver inquiring if Chapter 327, RSMo, requires Electric Cooperatives who are operating in the state of Missouri to have a corporate certificate of authority**
The Board discussed this matter earlier in the day in closed session. As a result of that meeting, Kevin Skibiski volunteered to research this matter and give a report of his findings at the November 2016 meeting. The Board then directed Ms. Kempker to send an email response to Mr. Jason Carver advising that the Missouri Board reviewed and discussed his email dated June 27, 2016 and decided additional research was necessary before it could render him a complete response. Therefore, the matter was tabled for further discussion until the Board’s next meeting on November 14 and 15, 2016.

**Adjournment**

Mr. Adewale made a motion to adjourn the meeting. The motion was seconded by Ms. John and unanimously carried. The meeting adjourned at 4:20 p.m. on Tuesday, August 9, 2016.

ATTEST:

_______________________________________
Executive Director

Date approved: __________________________