OPEN MINUTES
Architectural Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects

Sunday, January 22, 2017, 3:00 P.M.
Monday, January 23, 2017, 8:00 A.M.

Truman A Meeting Room
Capitol Plaza Hotel and Conference Center
415 West McCarty Street
Jefferson City, Missouri

The Architectural Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order by Chairman JC Rearden at 3:00 p.m. on Sunday, January 22, 2017. A quorum being present, Chairman Rearden declared the meeting open for business.

Members Present
James C. “JC” Rearden, Chairman of the Division
Michael Popp, Member of the Division
Martha John, Member of the Division

Others Present
Bob Hartnett, Board Chair
Sherry Cooper, Board Public Member
Judy Kempker, Board Executive Director
Edwin Frownfelter, Board Litigation Counsel
Curt Thompson, Board Counsel
Dawn Wilde, Board Investigator
Shantae Duren, Board Staff

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.

Motion to Close Meeting pursuant to Sections 610.021(1) and (14) and 620.010.14(7) RSMo

At 3:04 p.m., Chairman JC Rearden 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. Martha John made a motion that the meeting be closed to the general public pursuant to Chapter 610.02(1) subsection (14), 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. The motion was seconded by Michael Popp. A roll call vote was taken and unanimously carried. Mr. Rearden asked for any visitors to leave the room. There being none, Mr. Rearden declared the meeting was closed to the general public.

**Reconvene in Open Session**

At approximately 6:07 p.m., Martha John made a motion to go back into open session. Motion was seconded by Mike Popp and unanimously carried.

**Motion to Recess**

At approximately 6:07 p.m., Martha John made a motion to recess the Architectural Division meeting until 8:00 a.m. January 23, 2017. Motion was seconded by Mike Popp and unanimously carried.

**January 23, 2017**

**Reconvene in Open Session**

The Architectural Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order by Chairman JC Rearden at 8:05 a.m. on Monday, January 23, 2017. A quorum being present, Chairman Rearden declared the meeting open for business.

**Approval of Minutes**

Martha John made a motion to approve the minutes of the November 14, 2016 Architectural Division Open Meeting. The motion was seconded by Michael Popp and unanimously carried.

Open House with area licensees to discuss any items of common interest relative to licensure, enforcement, and regulation of architecture in the State of Missouri as set forth in Chapter 327, RSMo.

At approximately 8:10 a.m. Chairman Hartnett and Board Counsel Curt Thompson joined the meeting.

Three area licensees; Dennis Andy Carrol, Jeffrey Harper, and John Thompson joined the Division members to discuss items of common interest. Chairman JC Rearden allowed the licensees to ask the Division Members any questions they felt needed to be discussed. There being no specific questions from the licensees the Division members continued on with the discussion of the open agenda items.
Discuss status of, or potential changes to, the Board Rules and/or Chapter 327, RSMo, regarding the Architectural profession

Division members advised that due to Governor Greitens placing a hold on all proposed rule changes that have been presented to the legislators for approval, there will be no changes to the Board’s rules or the State statutes until the freeze is lifted.

Review and discussion of Open Items on the full Board’s January 23 and 24, 2017 agenda

Division members reviewed and discussed Full Board Open Agenda Item #5, Tab A, Key Objective 1, Improving/updating website/making it user-friendly. Ms. John advised of the improvements that she and Executive Director Judy Kempker were currently working on to make the website more user friendly. Improvements are to include drop down menus as well as placing links to answers of frequently asked questions the Board staff receives phone calls on in more than one place on the website, so that they will be located easier by the licensees. This is in hope that licensees are able to quickly find the answers to any questions that they may have.

Division members reviewed and discussed Full Board Open Agenda Item #5, Tab D, Key Objective 3, More effective use/training of technology, establish technology subcommittee. Mr. Popp discussed how the Division of Professional Registration is working to improve the licensure system and how eventually parts of the system should be available to the licensees and the applicants.

Board Legal Counsel Curt Thompson spoke to the area licensees about the Board’s Title Block requirements. The Licensees were provided an example of a proper title block as well and a copy of the Boards rules on what information a title block is required to contain.

Please note that at approximately 8:19 a.m. Chairman Hartnett and Mr. Thompson exited the room.

Division members reviewed and discussed Full Board Open Agenda Item #9, Report on who will be attending the Design Alliance Meeting on Wednesday, January 25, 2017 at which time discussion will be heard regarding the proposed amendments to Chapter 327, RSMo. Mr. Rearden described to the licensees in attendance what the Design Alliance meeting is and how its purpose is to help ensure that the professional associations that represent the different professions of the Board’s licensees are on the same page when it comes to legislation that is to be proposed. During the discussion it was brought up by a licensee in attendance that NCARB no longer recognizes “Architectural Interns” anymore and the licensee inquired to what job title agencies and companies should give these individuals until they have passed the ARE and can obtain licensure as an architect. The Division members advised that NCARB has not yet come up with a replacement term for “Architectural Intern”; however, their attention is directed to Board Rule 20 CSR 2030-5.030(1).
Division members reviewed and discussed Full Board Open Agenda **Item #13; Report from Architectural Division.** Mr. Rearden reported the topics he plans to discuss to the full Board include: Mr. Popp and Ms. John being assigned to the cut score task force; Ms. John, Mr. Popp and Ms. Kempker are to attend the NCARB Regional meeting in Jersey City; and, advise that all three Division members would like to attend NCARB’s 2017 National Meeting. In addition, Mr. Rearden would report to the Board on the presentation he made to code officials on December 8, 2016, and that he has been invited to speak at the AIA Missouri’s annual meeting on March 29 regarding digital seals.

Division members reviewed and discussed Full Board Open Agenda **Item #20, Letter of Undertaking with NCARB.** Mr. Rearden explained to the licensees in attendance what the letter of undertaking is and that it would force the Board to automatically license applicants from New Zealand and Australia. Mr. Rearden explained that the Division did not realize when signing the letter that it would require them to automatically grant licensure to the individuals even if they do not meet Missouri licensure requirements. Mr. Rearden explained that the Division has decided that they do not have the authority to enter into such an agreement because it would first require a change in statute and therefore would recommend to the Board that Missouri withdraws from the arrangement and rescind its Letter of Undertaking dated August 9, 2016.

Please note that at approximately 8:48 Executive Director Judy Kempker entered the room.

The question was raised by one of the licensees to what a licensee can refer to themselves as if they are no longer a member of the AIA. The Division members advised the licensee that they can still refer to themselves as an architect. The Division members advised the licensee that when recording their CEUs without the assistance of the AIA they should hold on to their certificates for at least four years.

The Licensees inquired to the Board members regarding the rules on **electronic seals and signatures.** Mr. Rearden advised the licensees of the changes that the Board has proposed to help bring Missouri’s signing and sealing requirements up to date with current technology, but advised that due to the freeze on the statutes the progress is currently on hold. Mr. Rearden advised that the Board will continue to work to have the rule changed once the freeze has been lifted. Mr. Rearden advised the licensees that when signing and sealing they should be doing the following: signing and sealing in the traditional form; use a digitally secure seal on electronically transferred documents and auto-cad files; and, when using a pdf to make sure that their signature is legible.

At approximately 8:55 a.m. licensee Howard D. Thomas, joined the meeting.

Ms. Kempker spoke to the licensees about the current legislative freeze and advised that the Board had approximately 80 Rule changes sitting at the governor’s office to be approved that have now been kicked back and will need to be further reviewed and resubmitted for approval to file.

Please note that at approximately 9:05 Mr. Carroll, Mr. Harper, Mr. Thompson, and Mr. Thomas exited the room.
Motion to Close Meeting pursuant to Sections 610.021(1) and (14) and 620.010.14(7) RSMo

At 9:05 a.m., Chairman JC Rearden 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. Martha John made a motion that the meeting be closed to the general public pursuant to Chapter 610.02(1) subsection (14), 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. The motion was seconded by Michael Popp. A roll call vote was taken and unanimously carried. Mr. Rearden asked for any visitors to leave the room. There being none, Mr. Rearden declared the meeting was closed to the general public.

Reconvene in Open Session

At approximately 3:30 p.m., Michael Popp made a motion to go back into open session. Motion was seconded by Martha John and unanimously carried.

Adjournment

There being no further business, on motion of Michael Popp, seconded by Martha John, and unanimously carried, the meeting adjourned at 3:30 p.m.

ATTEST:

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Executive Director

Date Approved: ________________