The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order at 3:40 p.m. on Monday, January 23, 2017 in the Carnegies 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  
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  
Robert S. Shotts, Chair of the Professional Landscape Architectural Division  
Noel T. Fehr, Member of the Professional Landscape Architectural Division  
Eric D. Davis, Member of the Professional Landscape Architectural Division

**Members Absent**

John Michael Flowers, Member of the Professional Land Surveying Division  
Sherry L. Cooper, Public Member

**Others Present**

Judy Kempker, Executive Director  
Sandra Robinson, Licensing Technician Supervisor  
Shantae Duren, Board Staff  
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel  
Edwin R. Frownfelter, Litigation 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.

**Motion to go into closed session**

At approximately 3:40 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. There being none, Chairman Hartnett declared the meeting closed to the general public.

**Return to Open Session**

At approximately 4:01 p.m., the Board reconvened in Open Session for the purpose of discussing the Board’s open agenda items.

**Approval of Minutes**

A motion was made by Mr. Skibiski to approve the minutes for the November 14 and 15, 2016 Open Board meeting as submitted. The motion was seconded by Mr. Rearden and it unanimously carried.

Ms. Cramm made a motion to approve the minutes for the December 12, 2016 Open Strategic Plan Committee of the Board Conference Call as submitted. The motion was seconded by Mr. Popp and it unanimously carried with Committee Members Kelley Cramm and Mike Popp voting in favor of the motion.

A motion was made by Mr. Skibiski to approve the open minutes for the January 4, 2017 Committee of the Chairs of the Board Conference call as submitted. The motion was seconded by Mr. Shotts and it unanimously carried with Committee
Members JC Rearden, Kevin Skibiski, Mike Freeman, and Bob Shotts all voting in favor of the motion.

**Public Comment – Limited to 10 minutes**

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

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

A. **Key Objective 1, Improving/updating website/making it user-friendly** – Martha John reported she is currently working with Ms. Kempker on the revamping of the Board’s website while keeping in mind the restrictions of the Department of Insurance, Financial Regulations, and Professional Registration. She stated she was hopeful to have it completed by the Board’s April 2017 meeting.

B. **Key Objective 1, Marketing package/Social Media (YouTube video – what the Board does)** – Noel Fehr reported that he has been giving this matter considerable thought trying to determine how the Board could reach out to licensees and code enforcement people by using Social Media. If Twitter and/or Instagram are used, the Board would have to be able to respond quickly to questions and/or comments. By using Twitter and Instagram, the Board would definitely reach students and recent licensees, but maybe not a longtime licensed professional. Mr. Fehr also suggested the use of YouTube videos on such topics as “Why should you be licensed?” as well as testimonials on why licensees chose the path to licensure. Mr. Fehr thought Code Enforcement Officials might find YouTube videos helpful especially if the Board would provide specific topics relating to code enforcement. Ms. Cramm mentioned that her company has prepared a video describing what needs to be signed and sealed. She stated she would check into letting the Board utilize that video on the Board’s website. Mr. Rearden stated that on December 8, 2016, he made a presentation to Code Officials in the St. Louis, Missouri area, which was well received by everyone in attendance. Mr. Rearden stated there were code officials in attendance from Warrenton, Troy and Cape Girardeau as well as the St. Louis area. The Board Members thought a presentation to local Code Enforcement Officials in conjunction with the Board’s Open Houses would be a good way to reach out and provide information regarding new Board Rules, any changes to the Statutes and other
important information. Mr. Rearden stressed the need to get on the agendas as presenters at the annual meetings for the Missouri Association of Counties (MAC), Missouri Municipal League’s (MML) Annual meeting; as well as get on the list for presenters for Code Enforcement Officials’ continuing education programs. Mr. Rearden said he would prepare a script to make the public and Code Enforcement Officials aware of exactly what the Board does. Ms. Kempker was then directed to connect with the Department’s videographer to see if it would be possible to make such a video. Also, commencing at the Board’s August 2017 quarterly meeting, licensees will be invited to meet with the Board on Monday mornings and Code Officials be invited to meet with the Board on Tuesday morning.

It should be noted that Mr. Jim Anderson, licensee and member of the public, joined the meeting at approximately 4:15 p.m. Also, please note that Mr. Mike Perry, member of the public, joined the meeting at approximately 4:30 p.m. and departed the meeting at approximately 4:37 p.m.

C. Key Objective 2, Talk to other boards/best practices Research and create position description – Chairman Hartnett reported this issue Objective is now accomplished with Ms. Kempker’s upcoming retirement and continuing to work for the Board in the Executive Director position as a thousand hour employee and the hiring of Mr. Frownfelter as Litigation Counsel to assist Ms. Kempker in her tasks.

D. Key Objective 3, More effective use/training of technology, establish technology subcommittee – Ms. Cramm reported that on December 12, 2016, the technology subcommittee met via conference call to discuss the more effective use/training of technology, establish technology subcommittee. Ms. Cramm advised that Mike Popp, Judy Kempker and Dawn Wilde were also a part of the meeting. Ms. Cramm thought that 2 big areas of improvements of technology would be the ability to file applications electronically with the Board and to send the licensure application information electronically to Board Members for approval and/or denial. Ms. Cramm reported that Ms. Kempker stated that the ability to file applications online with the Board may take some time as the Division of Professional Registration is currently working on enhancing the PROMO licensure system but she was hopeful that this can be accomplished sometime in the future. Ms. Cramm stated that Ms. Kempker also advised the Committee Members that the Architectural and Professional Landscape Architectural
Division Members have been receiving their licensure applications electronically. Ms. Kempker pointed out that by sending licensure files out electronically, it saves time, paper, mailing costs, and reduces the possibility of losing important information through the US Postal System and/or UPS®. Ms. Kempker thought it would be beneficial for the Professional Engineering and Professional Land Surveying Divisions to move in this direction. The Professional Engineering and Professional Land Surveying Division Members were all in favor of receiving applications electronically. Therefore, the Board directed Ms. Kempker to scan all applications and forward, in electronic format, to the Professional Engineering and Professional Land Surveying Divisions for review and approval/denial. However, the Professional Engineering Division does not want all applications sent to all four members of the Division, instead, they want the same procedure followed for the electronic forwarding of applications as is currently in place for the forwarding of the paper applications.

E. **Key Objective 4, Create opportunities to speak at conference and other venues** – Mr. Skibiski reported that at a December 2016 MSPE meeting, he spoke on Ethics. He also stated that he is scheduled to speak at University of Missouri-Columbia and at Missouri University of Science and Technology-Rolla. Mr. Govero stated that he speaks periodically to the Missouri Society of Professional Surveyors (MSPS) regarding education. It was also noted that Mr. Rearden previously stated he provided a presentation to Code Enforcement Officials in the St. Louis, Missouri area on December 8, 2016.

Please note that Mr. Richard J. Barr, licensee and member of the public, joined the meeting at approximately 4:40 p.m.

Also, please note that Mr. Perry rejoined the meeting at 4:42 p.m.

It should be noted that Mr. David G. Krehbiel, licensee and member of the public, joined the meeting at approximately 4:47 p.m. and departed the meeting at approximately 4:55 p.m.

At this point, Ms. Cramm announced that she will be resigning from the Board shortly after the Board’s August 2017 meeting. Ms. Cramm stated she is out of her business office so much that she decided something had to be given up. Ms. Cramm said she has really enjoyed her time serving on the Board and would really miss everyone.
Discussion of the difference between a “technology” drawing and an “engineering” drawing

Ms. Cramm reported that it appears that most authorities having jurisdiction do not require sealed technology drawings because there is no building code associated with Information Technology/Security/Audio Visual installation. Most authorities having jurisdiction are part of a code enforcement department and thus do not have a code to apply to these services. Ms. Cramm stated that she tried to contact Ms. Marina Klevno with St. Louis County and was told that Ms. Klevno had retired. She stated that she contacted a person she personally knows at the Kansas City Code Department and they were not able to come to any clear conclusion. A discussion was then held regarding network engineering degrees and IT engineering degrees. It was noted that most of these degree programs were not accredited by the Accreditation Board for Engineering and Technology, Inc. (ABET). The Board considered using the same standards as they did with the design of fire suppression systems in that the design is to be prepared and sealed by a licensed professional engineer. After much discussion, the Board directed Ms. Kempker to send a “Listserve” email to other states inquiring what their Board is doing in this type of situation. She is to then place this matter back on the Board’s April 2017 agenda for further discussion.

Discussion regarding the application process; especially as it relates to requiring an original official transcript to be submitted by either the applicant or directly from the University

Next, the Board held a discussion regarding the application process; especially as it relates to requiring an original official transcript to be submitted by either the applicant or directly from the University. Ms. Kempker reported that NCEES, NCARB and CLARB already require the original transcript or testing scores to be submitted directly from the Universities. However, she said NAAB foreign applicants are not handled in the same manner. The Board was satisfied that the national councils all require an official transcript directly from the University (except NAAB “foreign” degrees), however, the members decided to table further action until Ms. Cooper has had an opportunity to express her concerns at the Board’s April 2017 quarterly meeting. In the meantime, Ms. Kempker was directed to find out if NCEES, NCARB and CLARB have the same requirement for test scores and whether NCEES, NCARB and CLARB only allow a candidate to use a translation service or equivalency review agency that requires direct submission of a transcript or test score to that service or agency. In other words, NCEES, NCARB and CLARB should not accept the use of any translation or equivalency review service or agency that allows a candidate to submit these records directly to that service or agency themselves. These findings will be reported at the Board’s April 2017 meeting.
**Recess**

At approximately 5:00 p.m., the Board recessed its open meeting until 8:00 a.m. on Tuesday, January 24, 2017.

**Tuesday, January 24, 2017**

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 24, 2017, in the Carnegies 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  
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  
Robert S. Shotts, Chair of the Professional Landscape Architectural Division  
Noel T. Fehr, Member of the Professional Landscape Architectural Division  
Eric D. Davis, Member of the Professional Landscape Architectural Division

**Members Absent**

John Michael Flowers, Member of the Professional Land Surveying Division  
Sherry L. Cooper, Public Member

**Others Present**

Judy Kempker, Executive Director  
Sandra Robinson, Licensing Technician Supervisor  
Shantae Duren, Board Staff  
Dawn Wilde, Board Investigator  
Curtis F. Thompson, General Counsel  
Edwin R. Frownfelter, Litigation Counsel
Personal Appearance of NCEES Western Zone Vice President Brian Hanson

At approximately 8:00 a.m., Chairman Hartnett welcomed Mr. Brian Hanson, NCEES Western Zone Vice President, who is meeting with the Board for the purpose of presenting an overview of the National Council of Examiners for Engineering and Surveying (NCEES) and the services it offers and to respond to any questions the Board may have. After answering the questions posed by the Members of the Board, Mr. Hanson was thanked for appearing and departed the meeting at approximately 8:30 a.m.

Please note that Richard Barr and Jim Anderson joined the meeting at approximately 8:10 a.m.

Discussion of potential changes to Board Rules 20 CSR 2030-14.020; CSR 2030-14.030; and 20 CSR 2030-14.040

Mr. Freeman reported that Dr. Richard Elgin, Exam Consultant to the Board, has agreed to propose some possible changes to Board Rules 20 CSR 2030-14.020; CSR 2030-14.030; and 20 CSR 2030 14.040 but had not yet formulated a draft. At the Board’s November 2016 meeting, Mr. Flowers agreed to contact Dr. Elgin and request that he continue working with the Board to provide his input on this matter in an effort to strengthen the quality of the required surveying course content described in Board Rules 20 CSR 2030-14.020; 20 CSR 2030-14.030 and 20 CSR 2030 14.040.

Mr. Skibiski inquired of the Professional Land Surveying Division if there is a need for the 8 contact hours pursuant to Board Rule 20 CSR 2030-8.020. Mr. Skibiski stated that with the world of modern technology, the Professional Land Surveying Division might want to look at changing this rule in light of the reduction of active Professional Land Surveyor licensees. Mr. Govero stated that he would like to run this suggested change by the Education Committee of MSPS. Mr. Govero stated he would report back to the Board at its April 2017 quarterly meeting.

Please note that Mr. Barr departed the meeting at approximately 9:05 a.m.

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.
Chairman Hartnett, Mike Freeman and Ms. Kempker stated they will be attending the Design Alliance meeting on Wednesday, January 25, 2017. Chairman Hartnett stated that during the Committee of the Chairs of the Board meeting on January 4, 2017, Ms. Kempker reported that she heard this year’s legislature is not looking to increase regulations on licensure. Both Ms. Kempker and Mr. Freeman stated that they were under the impression that the Missouri Society of Professional Surveyors (MSPS) was going forward with its proposed changes to Chapter 327, RSMo, as it relates to increasing the educational requirements for licensure as a Professional Land Surveyor. Mr. Anderson then advised the Board that MSPS’ Education Bill will be pulled after MSPS meets. Ms. Kempker stated that the meeting with the Design Alliance would be a good opportunity to discuss the engineering technology degree issue in order to obtain input from the Missouri Society of Professional Engineers (MSPE) and the American Society of Civil Engineers (ASCE). Chairman Hartnett stated that they will stress to the Design Alliance that they Board does not want any new legislation introduced that would make licensure more restrictive.

Review and discussion of MSPS’ Legislative Report

Mr. Freeman reiterated what Mr. Anderson said earlier that MSPS will be withdrawing their “Education Bill.” He had nothing more to report.

Please note that Mr. Anderson departed the meeting at approximately 9:25 a.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 reported that the Professional Land Surveying Division members reviewed the most current listing of the Board’s “Acceptable Surveying Coursework” for the purpose of making any necessary revisions, however no changes were found to be necessary regarding the “Acceptable Surveying Coursework.”

Discuss email received from Bill Adams, PLS-2285/City Land Surveyor for Columbia, regarding a request for clarification of Board Rule 20 CSR 2030-2.050 Title Block Rule

The Board discussed an email which was received from Columbia City Land Surveyor, Bill Adams, PLS-2285, regarding a request for clarification of Board Rule 20 CSR 2030-2.050 Title Block. Upon discussion, the Board directed Ms. Kempker to send an email response to Mr. Adams advising that the Board has decided to update the Title Block FAQs, which is on the Board’s website, to provide further clarification to Mr. Adams as well as other licensees. Ms. Kempker
is to enclose a copy of the updated version to Mr. Adams for his reference. Ms. Kempker is to also make a request to the Division of Professional Registration’s IT Staff asking that the old version of the Title Block FAQs be replaced with the updated version.

Report from Architectural Division

Mr. Rearden reported that Ms. John and Mr. Popp have been appointed to the Architect Registration Examination® (A.R.E.®) 5.0 Cut Task Force for NCARB. Also, Mr. Rearden reported that Ms. John and Mr. Popp, along with Ms. Kempker will be attending the NCARB Regional meeting in Jersey City, New Jersey on March 9, 10 and 11, 2017. Mr. Rearden stated that all 3 division members, (Messrs. Rearden and Popp and Ms. John) wish to attend NCARB’s annual meeting on June 21, 22, 23 and 24, 2017 in Boston, Massachusetts.

Mr. Rearden stated he made a presentation to Code Officials in St Louis and is scheduled to speak at the Annual Meeting for AIA-Missouri on March 29th on the topic regarding the new rule on seals, which is subject to change.

Report from Professional Engineering Division

Mr. Skibiski reported that Craig Lucas has been selected as the new Audit Chair for the Professional Engineering Division since Ms. Cramm will be resigning from the Board after the August 2017 quarterly meeting.

Mr. Skibiski also reported that Board Chair Bob Hartnett had asked him to attend NCEES Board Presidents’ Assembly in Atlanta, Georgia on February 3 and 4, 2017. He also advised that he along with Messrs. Adewale and Lucas would like to attend the joint meeting of the Central and Western Zones coming up on May 18, 19 and 20, 2017 in Denver, Colorado. Mr. Skibiski stated that he is a member of the Education Committee for NCEES and Mr. Adewale is a member of the Uniform Procedures and Legislative Guidelines committee for NCEES.

Report from Professional Land Surveying Division

Mr. Freeman stated that, at this time, the Professional Land Surveying Division did not have anything to report other than he plans to attend the NCEES Central and Western Zones meeting in May.

Report from Professional Landscape Architectural Division
Mr. Shotts reported that the CLARB Annual Meeting is scheduled for September 13, 14, 15, and 16, 2017 in Boise, Idaho. He stated he would like to attend this meeting along with Messrs. Fehr and Davis. Mr. Shotts announced that the 2019 CLARB Annual Meeting is scheduled to be held in St. Louis, Missouri.

As a side note, Mr. Shotts reported he had been asked by the Illinois Society of Professional Land Surveyors to speak about Missouri Minimum Standards.

**Motion to go back into Closed Session**

At approximately 10:05 a.m. Chairman Hartnett called for a motion to go back into closed session to continue discussing pending litigation and complaint matters as well as any confidential or privileged communication between this agency and its attorney. Mr. Govero made a motion to go back into closed session to continue discussing pending litigation and complaint matters as well as any confidential or privileged communication between this agency and its attorney. Ms. John seconded the motion. A roll call vote was taken unanimously carried. Chairman Hartnett asked that all visitors leave the room. There being none, Chairman Hartnett declared the meeting closed to the general public.

**Return to Open Session**

At 11:30 a.m., the Board reconvened its open meeting for the purpose of continuing its discussion of the remaining Open Agenda Items.

**Executive Director’s Report**

Ms. Kempker presented the most recent information regarding the Board’s Financial Report. She advised the Board that as of January 20, 2017, the financial balances were as follows:

Personal Service Balance was $223,203. Originated with $398,599.

E&E (Expense & Equipment) Balance was $209,916. Originated with $301,397.

The Board’s current Fund Balance is $3,509,808. 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).

The Board requested no changes in our FY 2018 appropriation which is determined by HB 7.
The Board currently has 11 of its 15 members serving in expired terms (Bob Shotts, JC Rearden, Mike Popp, Martha John, Kevin Skibiski, Abe Adewale, Kelley Cramm, Craig Lucas, Mike Freeman, Dan Govero, and Mike Flowers). Ms. Kempker stated she did not know who will be replacing AJ Fox (Director of Boards and Commissions for the Governor’s Office) but Professional Registration’s Division Director, Katie Steele Danner, recently reported in a PR Manager’s meeting that it was her impression that Governor Greitens’ administration would most likely support all Board Member appointments that had been made by Governor Nixon but who had not yet been confirmed. There is a question regarding whether or not those appointments will need to be withdrawn and then reappointed or if they can just remain intact and get confirmed by the Senate within 30 days of the start of session. Since the Board does not have any Board Members who are pending Senate confirmation, this does not affect this Board.

Ms. Kempker announced that the Board’s last newsletter went out the first of November as scheduled. She thanked everyone for timely submitting their articles. The next newsletter is slated to go out around the first part of May; therefore, she asked that all newsletter articles be to her by no later than April 1st.

Next, Ms. Kempker discussed that the Board’s amendments to the Board/Missouri Department of Agriculture (MDA) joint Surveying Standards were filed with the Joint Committee on Administrative Rules (JCAR) and Secretary of State (SOS) before the change in Administration. Proposed Amendments to Rules 20 CSR 2030-19.010 Surveyor’s Real Property Report; 20 CSR 2030-19.020 Required Work Order Form (which is proposed to be withdrawn); and, 20 CSR 2030-20.030 Certification of the Map were filed with SOS, JCAR, and SBRFB on October 31, 2016 and appeared in the Missouri Register on December 1, 2016 with an “End of Comment” date of December 31, 2016. No comments were received so the Final Order of Rulemaking was filed with JCAR on January 3, 2017 and will be filed with SOS on February 2, 2017. All of the other rule changes affecting Chapters 16, 17, 18, 19 and 20 were filed with SOS, JCAR and Small Business Regulatory Fairness Board (SBRFB) on November 18, 2016 and appeared in the January 3, 2017 Missouri Register. The “End of Comment” period is February 2, 2017. Ms. Kempker announced that she received an email from the Division of Professional Registration’s legal counsel stating she just spoke with the deputy counsel in the Governor’s Office regarding rules “already in the rulemaking process.” For those rules, they have requested information that is essentially the same as the Board’s old rule packet which was sent over. They’ve asked for a deadline date of when the Board needs approval and they will meet all deadlines the Board has. The Division’s legal counsel will advise if there are any concerns or problems with any of the rules; otherwise, she will await approval and get them finished off for the Board.

Ms. Kempker advised the Board that all Proposed Amendments/Rules have been returned to the Board Office for review once more to reconsider before moving forward with resubmittal. Most of the Board’s changes were due to SB 809 which
went into effect August 28, 2014 and therefore aren’t increasing the burden of licensure. In fact the Board’s continuing education rule amendment provides a waiver of Professional Development Hours (PDH) for the first year for new PE licensees (Note: the waiver for PLS licensees went into effect for the first time this past renewal cycle and the Architect and Professional Landscape Architect new licensees have always been exempt). Instead of increasing the burden of licensure, all of the Board’s proposed changes are bringing the Board’s rules into compliance with state statute; other than the proposed rule requiring all new licensees to take the online exam. Ms. Kempker thinks this is something that will be viewed as increasing the burden on licensees since it adds an additional step and an additional examination. Ms. Kempker announced that she noticed an article in the area newspaper stating Governor Greitens had put a freeze on all “new” regulations. She stated that she then followed up with Professional Registration’s legal counsel to see if that meant the Board could move forward with its “amendments” and legal counsel said she would check on it and get back with Ms. Kempker. Ms. Kempker stated that she was going to have Mr. Frownfelter do a thorough review of the Board’s proposed changes since many of them were drafted over two years ago. Ms. Kempker stated she thought it would be good to have a new set of “legal” eyes looking at the proposed changes to determine if something had been missed or additional changes may be beneficial. Ms. Kempker stated she recently forwarded, via email, a copy of House Bill (HB) 557 (which is the same as HB 2461 that was filed in 2016). This bill was recently filed and is sponsored by Representative Robert Ross, who has been appointed Chair of the Professional Registration (PR) Legislative Committee and who is also a licensed Professional Land Surveyor. This bill proposes to decrease the burden of licensure by removing the requirement that land surveyors submit letters of reference in order to be licensed, which is what the Board had encouraged and supported last year and which will make the LS section of the law consistent with the other three professions.

Ms. Kempker stated that it was her understanding that MSPS plans to file a bill to increase the educational requirements for licensure as land surveyors. (This item was previously discussed under Item #10.) What MSPS has proposed will result in an increase from 12 semester hours of surveying coursework to 16 hours including an increase in legal principles from two hours to six hours. Ms. Kempker suspects this bill will not pass since this is increasing regulation and making it more difficult, costly, and/or burdensome for individuals to become licensed. Ms. Kempker stated that Representative Bart Korman, PE, PLS, is the sponsor of the bill.

Ms. Kempker stated that the Board’s staff is still using PROMO. PR decided to pull out of the contract on the new system, which was called PRISM, and instead move forward with enhancing PROMO. Ms. Danner reported at the recent PR Manager’s meeting that the new administration is aware of the history of the transition to a new and/or upgraded licensing system and seem to be on board with moving forward with enhancing PROMO.
Ms. Kempker stated that she continues to see licensees take the Board’s online state specific exam covering Chapter 327, RSMo, the Board Rules, and ethics; especially now since the Board is currently in renewal. Ms. Kempker directed Board staff to advise those individuals who come up 3-4 hours short on their audits, that they have options for obtaining free continuing education hours offered by the Board, such as the online exam and newsletters. Ms. Kempker stated she has received positive feedback for doing this. 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. However, as Ms. Kempker stated earlier, she said the Board may want to reconsider moving forward with this Proposed Rule since it would be increasing the requirements for licensure which is not something the current Administration does not seem to support.

Ms. Kempker announced that the Board held its Open Houses for the four Divisions on Monday morning, which was the very first Open House held in Jefferson City in a very long time. Ms. Kempker stated she will continue to schedule future Open Houses in the area of the upcoming Board Meetings until the Board directs her to do otherwise.

Ms. Kempker announced that at a recent PR Manager’s meeting, out-of-state travel was discussed. At this time, the Boards were told that ONLY funded (zero cost) travel is being approved. Ms. Kempker stated she will let the Board know as more information comes available.

Ms. Kempker announced that she along with Ms. John and Mr. Popp have been approved to attend the NCARB Regional Summit meeting in Jersey City, New Jersey in March since all three are being funded by NCARB and it is zero cost to the Board.

Ms. Kempker stated that the NCEES Central/Western Zones Joint Meeting in Denver, Colorado, is coming up in May for which NCEES will fund three delegates. Ms. Kempker stated that Mr. Freeman and Mr. Skibiski have indicated an interest in attending. Since three people will be funded, the Board should be able to send both of them and one more without a problem. However, if more than a total of three wish to attend, someone may very well be denied.

Ms. Kempker announced that Katie Steele Danner continues to serve as the Division Director for Professional Registration and John Huff continues to serve as the Acting Director for the Department until replacements are named. Ms. Danner said all Department and Division heads that had not been terminated on January 10th will all be given at least two weeks’ notice before receiving their “thank you for your service” letters.
Ms. Kempker announced that the Board’s YouTube video link titled “How to create a .PDF document with an authentication process” is back on the Board’s website for viewing by licensees.

Ms. Kempker announced that everyone should have received their notice to file a Personal Financial Disclosure Statement. She asked Board Members to please be sure to do this because every day past the due date of May 1st, they will be assessed a penalty of $10 per day which they will have to pay with their own personal funds.

Ms. Kempker announced that renewals were mailed out the first part of October to every licensee who was originally licensed in an even year. Approximately 92% of the Board's licensees had completed the renewal process and had been approved prior to December 31st. Of those who had renewed, approximately 85% renewed online.

Ms. Kempker stated that the Missouri Association of Counties’ Annual Conference was held in late November at Tan-Tar-A Resort in Osage Beach, Missouri. Ms. Wilde manned the booth for the Board and said it was well attended.

Ms. Kempker announced that the next Design Alliance meeting is set for Wednesday, January 25th in Jefferson City at the office of the Missouri Society of Professional Engineers. Ms. Kempker commented that she felt 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 noon.

Lastly, Ms. Kempker stated that effective January 1, 2017, Mr. Frownfelter started his contract with the Board and effective February 1, 2017, Ms. Kempker will start working in her capacity as a non-benefit eligible employee.

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:

- **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 November 1, 2016 to December 31, 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 November 1, 2016 to
December 31, 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 November 1, 2016 to December 31, 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, relicensures, and denials of Professional Landscape Architects for the period November 1, 2016 to December 31, 2016. The motion was seconded by Mr. Govero and unanimously carried.

Please note that at approximately 11:45 a.m., Nancy Plaster, Karen Payne, Jan Gilliam, Nichole Morris, and Shyra Rutherford joined the meeting.

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

**Date and Location of January/February 2018 Board Meeting**

The Board Members set the January/February 2018 meeting for January 29 and 30, 2018 to be held in Jefferson City, Missouri. The Board directed Ms. Kempker to secure the January 2018 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.

**Board Meets with the Staff**

At approximately 12:00 Noon, the Board met with its staff for the purpose of discussing licensure and policy issues. Members of the staff joining the meeting were: Nancy Plaster, Jan Gilliam, Karen Payne, Nichole Morris, and Shyra Rutherford. The Members of the Board took a moment to thank the staff for their excellent service and for the courtesies that they extend to the Board throughout the year. Also, Chairman Harnett along with the rest of the Board Members extended their congratulations to Ms. Kempker on her upcoming retirement. At this time, Chairman Hartnett presented Ms. Kempker with an engraved clock as a “thank you” for her years of service to the Board, its licensees and the State of Missouri. At approximately 1:05 p.m., Ms. Plaster, Ms. Gilliam, Ms. Payne, Ms. Morris, and Ms. Rutherford departed the meeting.
Additional Agenda Items, if any

**Discuss the Letter of Undertaking with NCARB** – Mr. Rearden provided information to the Board regarding the Letter of Undertaking and explained that it would force the Board to automatically license architectural applicants from New Zealand and Australia. Mr. Rearden further explained that the Architectural Division did not realize this when signing the Letter of Undertaking. Mr. Frownfelter then stated the Letter of Undertaking does seem to bind the Board to allow Architects from Australia and New Zealand with NCARB certificates to practice in Missouri without further qualification. The legislature has established specific criteria authorizing the Board to license people who meet certain criteria. The legislature also specifically allowed reciprocal licensure with NCARB certification for Canada only. Mr. Frownfelter stated it seems to him similar legislative authority would be required to extend the practice to other countries. The Architectural Division has decided that the Board does not have the authority to enter into such an agreement because it would first require a change in the statute and therefore would recommend to the Board that Missouri withdraw from the arrangement and rescind its Letter of Undertaking dated August 9, 2016. Upon discussion, Mr. Rearden made a motion directing Ms. Kempker to draft a letter (for Chairman Hartnett’s signature) to be sent to Mr. Michael J. Armstrong, CEO for the National Council for Architectural Registration Boards, advising that after an in-depth review by the Board’s legal counsel, the Board decided that it cannot enact the undertaking of the Mutual Recognition Arrangement (MRA) without a statutory change. Therefore the Board voted, pursuant to paragraph 8 of the MRA dated February 10, 2016, to withdraw from the Arrangement and to rescind its Letter of Undertaking dated August 9, 2016. The Board is limited to comity agreements by Sections 327.106 and 327.381, RSMo, and the MRA and Letter of Understanding fail to assure that the statutory requirements for comity are met. The motion was seconded by Ms. John and unanimously carried.

**Motion to go back into closed session**

At approximately 1:30 p.m. Chairman Hartnett called for a motion to go back into closed session to continue discussing pending litigation and complaint matters as well as any confidential or privileged communication between this agency and its attorney.
Mr. Govero made a motion to go back into closed session to continue discussing pending litigation and complaint matters as well as any confidential or privileged communication between this agency and its attorney. Mr. Adewale seconded the motion. A roll call vote was taken unanimously carried. Chairman Hartnett asked that all visitors leave the room. There being none, Chairman Hartnett declared the meeting closed to the general public.

**Return to Open Session**

At 4:35 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 4:35 p.m. on Tuesday, January 24, 2017.

ATTEST:

_______________________________  
Executive Director

Approved on: ____________________