OPEN MINUTES
Committee of the Chairs and Public Member within the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects

October 24, 2017

A Committee of the Chairs and Public Member within the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects met via telephone conference call and was called to order by Chairman Robert N. Hartnett at 10:00 a.m. on Tuesday, October 24, 2017. A quorum was present. Chairman Hartnett then declared the conference call meeting open for business.

Members Present

Robert N. Hartnett, Board Chair
James C. “JC” Rearden, Chair of the Architectural Division and Member of the Committee
Kevin C. Skibiski, Chair of the Professional Engineering Division and Member of the Committee
Michael C. Freeman, Chair of the Professional Land Surveying Division and Member of the Committee
Robert S. Shotts, Chair of the Professional Landscape Architectural Division and Member of the Committee
Sherry L. Cooper, Public Member

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Processing Technician Supervisor
Curtis Thompson, General Counsel
Edwin Frownfelter, Litigation Counsel

Review of the Board’s November 2 and 3, 2017 Open Session Agenda

The Board Chair, Division Chairs and Public Member reviewed and discussed the Board’s November 2 and 3, 2017 Open Agenda. Chairman Hartnett advised the Division Chairs and Ms. Cooper that the full Board is slated to call to order at 2:00 p.m. on Thursday, November 2nd. He further advised there was no need to rush the Division meetings as their meeting information and decisions are especially important to the full Board’s meeting.
As to Board Open Agenda Item 6, Update on actions of the Boards and Commissions Task Force – The Chairs and Public Member asked Ms. Kempker for an update on the Task Force. Ms. Kempker stated the Task Force decided to leave this Board alone and that she did not have anything else new to report on this issue. Ms. Kempker advised that she will provide a full report to the full Board on Thursday, November 2nd.

Item #7, Update from Ad Hoc Committee Members Craig Lucas (Chair), Martha John, Mike Flowers, Bob Shotts, Abe Adewale, and Dan Govero regarding Technology Degrees – Mr. Shotts, as a member of this committee, reported that Committee Chair Lucas agreed to check with NCEES to determine: 1) if there is a different exam for individuals with technology degrees versus individuals who have engineering degrees; 2) if NCEES has ever performed comparisons on scores of individuals with degrees in engineering versus individuals with degrees in engineering technology; 3) if there is documentation of determine discipline taken against individuals licensed with technology degrees as it relates to competency versus individuals with engineering degrees; and, 4) is it a national trend to license individuals with technology degrees. The Committee also directed Ms. Kempker to send an email through NCEES “List Serve” to each state who previously indicated they were not licensing individuals with Engineering Technology Degrees. Ms. Kempker then reported that she had sent the email to NCEES “List Serve” and provided the information she received on the Board’s November 2 and 3, 2017 agenda. Chairman Hartnett says he sees this as a national trend to go into the direction of licensure of individuals with Technology Degrees and this Board may need to take a closer look at this issue. Chairman Hartnett directed Ms. Kempker to send Mr. Lucas a friendly reminder to be prepared to bring the discussion of engineering technology degrees to a close when discussed at Board’s quarterly meeting on November 2nd.

Item #8, Review and discussion of NCARB’s email dated October 4, 2017 regarding implementation of the Tri-National Mutual Recognition Agreement for International Practice (involving Canada, Mexico, and the United States) as well as the signing of a Letter of Undertaking – Mr. Rearden stated will be ready to discuss this issue.

Item # 23, Open House Session with area Building Code Officials and Fire Protection District Officials – Chairman Hartnett also reminded the Division Chairs that the Board is scheduled to meet with area code officials and fire protection districts at 8:00 a.m. on Friday, November 3rd. Chairman Hartnett asked the Division Chairs to be prepared to take the lead in this portion of the meeting.

Item #26, Felony Disciplinary Hearings – Chairman Hartnett reminded the Division Chairs and Ms. Cooper that the Board will be holding two felony hearings on Tuesday, November 3rd and that each Board Member will be asked whether they have read, at a minimum, the Complaint for Discipline Under 327.442, RSMo, in each case. The Division Chairs stated they will remind the Division Members that they
need to read the Complaints for Discipline Under 327.442, RSMo, before the hearings on Friday morning, November 3rd.

**Open Session Hot Topics**

Chairman Hartnett asked the Division Chairs, Ms. Cooper and Ms. Kempker if they were aware of any “Hot Topics” which might be discussed at the Board’s November 2 and 3, 2017 meeting. No one knew of any “Hot Topics” at this time.

**Review and discussion regarding reimbursement of college tuition of a state/board employee**

Ms. Kempker stated that Board Staff Member Nichole Morris had requested the Board to pay for her college tuition. Ms. Kempker told Ms. Morris that she would have to bring this matter before the Board for approval. Upon discussion, the Chairs and Ms. Cooper directed Ms. Kempker to contact the Ms. Leanne Lorts Personnel Officer and Ms. Sherry Hess, Fiscal and Administrative Manager, to ask the following questions:

- Where in the Department’s policy it says that the reimbursement must come out of the Board’s fund instead of a general state fund?
- How is repayment made if the employee has already received reimbursement for three years and then leaves before completing the additional one year commitment? Is that person then required to write a check to the Board for $15,750 or is a payment plan set up and what happens if the person defaults on the payments?
- Can the one year commitment after graduation be lengthened? It was mentioned that most private companies are set up for a 5 year commitment after graduation because they don’t want to pay for a person’s education only for that person to then turn around and leave them and use the education to benefit a different employer.
- What if the person’s performance fails to meet expectations but yet they are committed to staying at least a year after graduation? Does the Board eat the cost of the tuition since it terminated the employment or is the employee required to pay it back? And,
- How many other boards are currently paying tuition costs for its employees and how often in the past five years has tuition for reimbursement to an employee who requested it been either granted or denied?
Chairman Hartnett then directed Ms. Kempker to place this matter back on the Board’s Open Agenda on November 2, 2017 for further discussion and decision by the full Board.

**Motion to Close**

At 10:38 a.m., Chairman Hartnett called for a motion to close the meeting to the general public 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. Mr. Skibiski made a motion that the meeting be closed to the general public pursuant to the provisions of Sections 610.021(1) and (14), and 324.001.8, RSMo, for the purpose discussing general legal action, causes of action or litigation and any confidential or privileged communication between this agency and its attorney. The motion was seconded by Mr. Shotts. A roll call vote was taken and unanimously carried. Chairman Hartnett asked that all visitors disconnect from the call. There being none, Chairman Hartnett declared the conference call meeting closed to the general public.

**Reconvene**

At 11:15 a.m., the Members of the Committee reconvened its open session for the purpose of adjourning.

**Adjournment**

There being no further business, on motion of Mr. Shotts seconded by Mr. Skibiski and unanimously carried, the meeting was adjourned at 11:15 a.m. on October 24, 2017.

ATTEST:

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Executive Director

Approved on: _____________________