OPEN MINUTES
Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects

“Zoom” Virtual Meeting
Monday, May 4, 2020, 9:00 A.M.

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects met via virtual telephone conference call through “Zoom” and was called to order at 9:00 a.m. on Monday, May 4, 2020. The Board met in both open and closed sessions during the meeting as reflected in the minutes. Chairman Hartnett declared the meeting open for business.

Members Present

Robert N. Hartnett, Board Chair
James C. “JC” Rearden, Chair of the Architectural Division
Michael L. Popp, Member of the Architectural Division
Martha K. John, Member of the Architectural Division
Kevin C. Skibiski, Chair of the Professional Engineering Division
Abiodun “Abe” Adewale, Member of the Professional Engineering Division
Craig M. Lucas, Member of the Professional Engineering Division
David L. Smith, Member of the Professional Engineering Division
Jerrod Hogan, 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
Sherry L. Cooper, Public Member

Others Present

Judy Kempker, Executive Director
Karen Payne, Board Staff
Laurie Koelling, Board Staff
Dawn Wilde, Board Investigator
Curtis F. Thompson, General Counsel
Edwin R. Frownfelter, Legal 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.
Approval of Minutes

A motion was made by Mr. Skibiski to approve the minutes for the January 27, 2020 Open Board Meeting as submitted. The motion was seconded by Mr. Shotts and unanimously carried.

Mr. Rearden made a motion to approve the minutes for the January 27, 2020 Open Architectural Division meeting as submitted. The motion was seconded by Mr. Popp. Voting in favor of the motion were Architectural Division Members J.C. Rearden, Mike Popp, and Martha John. Motion unanimously carried.

Mr. Skibiski made a motion to approve the minutes for the January 27, 2020 Open Professional Engineering Division meeting as submitted. The motion was seconded by Mr. Adewale. Voting in favor of the motion were Professional Engineering Division Members Kevin Skibisiki, Abe Adewale, Craig Lucas, and David Smith. Motion unanimously carried.

Mr. Hogan made a motion to approve the minutes for the January 27, 2020 Open Professional Land Surveying Division meeting as submitted. The motion was seconded by Mr. Govero. Voting in favor of the motion were Professional Land Surveying Division Members Jerrod Hogan and Dan Govero. Motion unanimously carried.

Mr. Shotts made a motion to approve the minutes for the January 27, 2020 Open Professional Landscape Architectural Division meeting as submitted. The motion was seconded by Mr. Davis. Voting in favor of the motion were Bob Shotts, Noel Fehr, and Eric Davis. Motion unanimously carried.

Mr. Skibiski made a motion to approve the minutes of the April 22, 2020 Open Pre-Board Meeting of the Committee of the Chairs and Public Member held via virtual telephone conference call through "Zoom". The motion was seconded by Mr. Shotts and unanimously carried with Bob Hartnett, JC Rearden, Kevin Skibiski, Jerrod Hogan, Bob Shotts, and Sherry Cooper all voting in favor of the motion.

Discussion of the Board's thoughts in general on waiving the CEU, PDH, and PDU requirements for calendar years 2020 and 2021 due to the Covid-19 Pandemic

Emails from Andy Williams, dated March 26, 2020, and Andrew Markiewicz, dated April 3, 2020, asking if the Board is considering waiving the 12 credit limit to online PDUs for land surveyors due to the Covid-19 pandemic

Upon a lengthy discussion among the Board Members and General Counsel, Mr. Hogan made a motion directing Ms. Kempker to send an email to all Professional Land Surveyor licensees holding a status of "Active" and "Non-Active" via Gov Delivery stating that "Due to the Covid-19 Pandemic, the Missouri Board has decided to issue a one-time waiver of the 'contact' hour requirement for all
Professional Land Surveyors licensed in Missouri. However, since there are many opportunities to obtain Professional Development Units (PDUs) via online courses, all Missouri licensed PLSs will still be required to obtain a total of 20 PDUs before their next renewal. This waiver applies to the December 31, 2020 and December 31, 2021 renewal periods.” The motion further directed Ms. Kempker to put this waiver on the Land Surveyor’s continuing education page on the Board’s website and to individually respond to Andy Williams’ email of March 26, 2020 and Andrew Markiewicz’s email of April 3, 2020 in which they were they were both requesting the Board to consider waiving the 12 credit limit to online PDUs for the Professional Land Surveyors due to the Covid-19 pandemic, and advise of the waiver being granted. The motion was seconded by Mr. Govero. A roll call vote was taken and unanimously carried.

*Emails from James Labit, dated March 23, 2020, inquiring if due to the mass cancellation of local and national opportunities to earn PDHs, if this year’s PDH requirement for engineers will be waived and from Derek Lepper, dated May 4, 2020, inquiring if the Board had any discussion about relaxing the PDU requirements for Professional Engineers this year due to the Covid-19 pandemic and if not could the Board recommend online PDH courses*

Mr. Skibiski made a motion directing Ms. Kempker to respond to Mr. Labit’s email dated March 23, 2020 and Mr. Lepper’s email dated May 4, 2020 by stating “the Board discussed their inquiry at the May 4, 2020 Board’s quarterly meeting and decided that since every Missouri licensed Professional Engineer has two full years to get their required professional development hours (PDHs), all of which can be obtained via online courses, no exceptions to the PDH requirement will be made for Professional Engineers due to the Covid-19 Pandemic. Therefore, the Board encourages all licensees who want to avoid personal contact to pursue online options. Ms. Kempker is also to relay to Messrs. Labit and Lepper that they can get 2 free PDHs by taking the Board’s online quiz and that they can also earn 2 additional PDHs per renewal cycle by reading the Board’s newsletters and then completing the required certificate which are provided by the Board at no cost to the licensee.

In addition, “Ms. Kempker is to relay to Messrs. Labit and Lepper that due to the Covid-19 Pandemic, the National Society of Professional Engineers and the National Council of Examiners for Engineering and Surveying are offering more online options for PDUs than ever before so they may want to reach out to them as an additional resource.” The motion was seconded by Mr. Adewale and unanimously carried.
Email from Carole Lechevin, dated April 14, 2020, requesting the Board consider easing the LA Certification for most webinars given the circumstances of the Covid-19 Pandemic

Mr. Shotts made a motion directing Ms. Kempker to respond to Carole Lechevin's email dated April 14, 2020 stating that the Board discussed her inquiry at its quarterly meeting and decided that since every Missouri licensed Professional Landscape Architect has two full years to get their required Continuing Education Units (CEUs), all of which can be obtained via online courses, no exceptions to the CEU requirement will be made for Professional Landscape Architects due to the Covid-19 Pandemic. Therefore, the Board encourages all licensees who want to avoid personal contact to pursue online options and advise that a licensee can get 2 free CEUs by taking the Board’s online quiz and can also earn 2 additional CEUs per renewal cycle by reading the Board’s newsletters and then completing the required certificate at no cost.

Ms. Kempker is to further advise Ms. Lechevin that licensees do not need to attend a certified course in order to earn CEUs; nor, is a quiz required for each CEU earned and direct her to the fact sheet on the Board’s website. In addition, the Board Members stated that, due to the Covid-19 Pandemic, the American Society of Landscape Architects and the Council of Landscape Architectural Registration Boards (CLARB) are offering more online options for CEUs than ever before so she may want to reach out to them as an additional resource. The motion was seconded by Mr. Fehr and unanimously carried.

Discussion regarding the renewal of Curt Thompson’s contract for general counsel services and Edwin Frownfelter’s contract for litigation/legal services.

Upon review of Messrs. Thompson and Frownfelter’s contracts, the Board wanted to discuss their performance in closed session. Therefore, it was decided to defer discussion regarding their contracts to the closed session later in the day.

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 licenses of Architects and well as architectural corporations for the period January 1, 2020 to April 1, 2020. The motion was seconded by Mr. Popp and unanimously carried.

- Professional Engineers and Engineer Interns – Mr. Skibiski made a motion to ratify the licenses of Professional Engineers as well as the
Engineer Interns and engineering corporations for the period January 1, 2020 to April 1, 2020. The motion was seconded by Mr. Adewale and unanimously carried.

- **Professional Land Surveyors and Land Surveyors-in-Training** – Mr. Hogan made a motion to ratify the licenses of Professional Land Surveyors, the enrollments for Land Surveyors-in-Training, and the land surveying corporations for the period January 1, 2020 to April 1, 2020. The motion was seconded by Mr. Govero and unanimously carried.

- **Professional Landscape Architects** – Mr. Shotts made a motion to ratify the licenses of Professional Landscape Architects as well as the Landscape Architects corporations for the period January 1, 2020 to April 1, 2020. The motion was seconded by Mr. Davis and unanimously carried.

**Date and Location of April/May 2021 Board Meeting**

Ms. John made a motion to schedule the April/May 2021 Board meeting for April 19-20, 2021 in the St. Louis area. Mr. Shotts seconded the motion and it unanimously carried.

Prior to going into closed session, Chair Hartnett stated that although these are odd times and circumstances, the Board Members and Board Staff are doing an excellent job and shared that Ms. Kempker had received numerous compliments from applicants regarding the quick turnaround time regarding the processing of applications as well as the quick responses to Board business in general. However, Mr. Hartnett reminded all Board Members to be mindful of the applicant’s eagerness to becoming licensed and therefore urged all Division Members to review pending applications as quickly as possible.

Chair Hartnett also reminded all Board Members that they need to submit their expense accounts and per diems as soon as possible especially since the end of the fiscal year is near.

**Motion to Close**

At approximately 10:00 a.m., Board Chair Hartnett asked 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. Govero 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. Board Chair Hartnett declared the conference call meeting closed to the general public.

Reconvene

At approximately 1:15 p.m., the Board Members reconvened its open session for the purpose of addressing additional information pertaining to the meeting prior to adjourning.

Additional Information

None noted. However due to this meeting being condensed and being held as a virtual “Zoom” meeting in light of the Coronavirus Pandemic, Ms. Kempker emailed a copy of her Executive Director report; statistics from the 2019-2020 Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects continuing education audits; and, the status on pending legislation to all of the Board Members one week in advance of the meeting.

In conclusion, Mr. Govero shared with the other Members of the Board that the Missouri Society of Professional Surveyor’s had voted to reduce the number of years of experience required for a Professional Land Surveyor to obtain licensure from four years to one and wished to voice his opinion that he believes this decision is not protecting the best interest of the surveying profession.

Adjournment

There being no further business, on the motion of Mr. Skibiski seconded by Mr. Shotts and unanimously carried, the meeting was adjourned at approximately 1:15 p.m., on Monday, May 4, 2020.

ATTEST:

[Signature]

Executive Director

Approved on: July 27, 2020