

ACTION MINUTES

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS BOARD MEETING

900 SW JACKSON, STE 507, TOPEKA KS 66612

Friday, December 11, 2015

The meeting was called to order at 10:07 a.m. by Chair Brosemer.

Members present were:

George Barbee, Public Member

Maurice Bowersox, P.E.

Steve Brosemer, P.S.

Forrest Erickson, P.E.

Larry Graham, P.E., P.S.

Richard Hayter, Ph.D., P.E.

Robert Henthorne, P.G.

David Hoffman, Architect

Carisa McMullen, Landscape Architect

Vincent Mancini, Architect

Wendy Ornelas, Architect

Eric Wimmer, Architect, Public Member

Members absent were:

Timothy R. Sloan, P.S.

Others present were:

Roger Luedke, Attorney for Mr. Bennett's office

Mary Leigh Dyck, Executive Director

Melissa Graham, Assistant Director

I. MINUTES

By motion of Mr. Graham, seconded by Mr. Barbee, the Board voted to approve the minutes of the October 2, 2015 meeting.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

It was requested that the "Occupational licensure at risk" document be added to the agenda for discussion. This will be discussed under New Business.

III. REVIEW AND APPROVAL OF CONSENT AGENDA

- A. Possible review of items removed from consent agenda.

By request of Ms. Ornelas an addition was made to the Consent Agenda Section V, Letter D to include approval of attendance for Board Members in addition to the Executive Director.

By motion of Mr. Bowersox, seconded by Ms. Ornelas, the Board voted to approve the Consent Agenda with the addition to Section V.

IV. PUBLIC COMMENTS AND PUBLIC CORRESPONDENCE

- A. Mr. Owsley – comments scheduled 10:15-10:25 a.m.

There were no members of the public present to make public comment. Mr. Stuart Owsley provided written correspondence.

V. EXECUTIVE SESSION

A. By motion of Mr. Graham, seconded by Mr. Bowersox, the Board voted at 10:20 a.m. to go into Executive Session for approximately 15 minutes regarding privileged attorney-client communication in accordance with K.S.A. 75-4319(b)(2). Mr. Luedke, Ms. Dyck and Ms. Graham were asked to stay. The meeting resumed at 10:35 a.m.

By motion of Mr. Erickson, seconded by Mr. Mancini, the Board voted to have Ms. Andaya review the public comment correspondence submitted and respond as appropriate.

B. By motion of Dr. Hayter, seconded by Mr. Erickson, the Board voted at 10:30 a.m. to go into Executive Session for approximately 15 minutes to discuss personnel matters in accordance with K.S.A. 75-4319(b)(1). Mr. Luedke and Ms. Dyck were asked to stay. The meeting resumed at 10:50 a.m.

By motion of Dr. Hayter the Executive Session was extended for 10 minutes. The meeting reconvened into open session at 11:00 a.m.

VI. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS

- A. Complaint Files – Report from Complaint Committee – Chair Mancini

Mr. Mancini reported on Case Files with final action taken by the Complaint Committee. The Committee dealt with all of the existing cases according to the Rules and Regulations.

- B. Receipt of Complaint Committee Report

By motion of Ms. Ornelas, seconded by Mr. Bowersox, the Board voted to receive and file the Complaint Committee Report.

- C. Legal Matters/Correspondence

By motion of Mr. Graham, seconded by Mr. Wimmer, the Board voted to approve the SACO for Southwest Environmental Engineering, Case File 15-16.

By motion of Mr. Henthorne, seconded by Mr. Graham, the Board voted to approve the SACO for Mr. Randolph S. Piersall, Case File 15-31.

By motion of Mr. Graham, seconded by Mr. Henthorne, the Board voted to approve the SACO for Vertex Consulting, Case File 16-02.

D. Assign hearing panels as needed

1. Case File 15-12

Mr. Hoffman and Ms. McMullen were appointed as the hearing panel for Case File 15-12.

VII. COMMITTEE AND EXECUTIVE DIRECTOR REPORTS

A. ARCH/LA/PG Committee – Committee Chair Ornelas

1. Report of Committee Actions

Ms. Ornelas reported on the actions of the Committee.

2. Discussion of Committee Items

Ms. Ornelas reported on the actions of the Committee including an application which was reviewed, updates on regulation revisions, and NCARB and ASBOG updates.

By motion of Mr. Graham, seconded by Mr. Bowersox, the Board voted to approve the draft changes to K.A.R. 66-9-7, K.A.R. 66-10-1, and K.A.R. 66-10-3.

3. Receipt of Committee Report

By motion of Ms. Ornelas, the Board voted to receive and file the Committee's report. (See minutes of ARCH/LA/PG Committee.)

B. PE/PS Committee – Committee Member Erickson

1. Report of Committee Actions

Mr. Erickson reported on the actions of the Committee.

2. Discussion of Committee Items

Mr. Erickson reported on the actions of the Committee including the applications reviewed and NCEES updates.

3. Receipt of Committee Report

By motion of Mr. Erickson, the Board voted to receive and file the Committee's report. (See minutes of PE/PS Committee.)

C. Other Committee Reports

1. Building Officials Brochure (BOB) Committee – Chair Hoffman

Mr. Hoffman reported on the final changes to be made before publication. Ms. McMullen provided insight on a possible addition to address questions regarding the Landscape Architect profession.

2. Seals & Signatures Committee – Update

Mr. Erickson updated the Board regarding the revision of K.A.R. 66-6-1 Seals and Signatures. The regulation is currently awaiting approval by the Kansas Attorney General's office. No appointment for the review of the revisions has been set. The process may then proceed to the Public Hearing phase.

D. Executive Director Report

1. Administrative updates

The Board Members were presented with the option of using electronic signatures to sign certificates for licensees and business entities. A sample was provided for review.

By motion of Mr. Bowersox, seconded by Mr. Graham, the Board voted to allow the use of electronic signatures on certificates at the discretion of the Board Members who are currently responsible for signing the certificates.

The Executive Director updated the Board regarding budget issues and administrative issues within the office. The Executive Director expressed sincere appreciation for the opportunities this Board has provided for the past ten years.

Chair Brosemer and the Board Members thanked the Executive Director for her many years of work with the Board and acknowledged her even greater commitment in her role as Executive Director.

VIII. CORRESPONDENCE

There was none.

IX. UNFINISHED BUSINESS

There was none.

X. NEW BUSINESS

A. An order for apparel for Board members was discussed.

The Board discussed KSBTP shirts to wear when representing the Board at national meetings.

B. “Occupational licensure at risk” article by Jerry Carter

The Board discussed the contents of the article. They discussed being prepared for questions from the legislature regarding the purpose of the agency and regulation of the five professions.

C. Review of Board Designated Operating Reserve Document – DRAFT

Board members discussed a document drafted for use in the budgeting process regarding fee sweeps and an operating reserve statement.

By motion of Mr. Graham, seconded by Mr. Wimmer, the Board voted to raise renewal fees by \$10 for individuals starting with licensees renewing in 2016 for the two year cycle.

D. Upcoming board meeting dates:

1. February 18 and 19, 2016 – Licensure Ceremony – Topeka KS
2. April 28 and 29, 2016 – Topeka KS (*NCARB visit*)
3. July 14 and 15, 2016 – Licensure Ceremony – Topeka KS

XI. ADJOURN

The meeting adjourned at 1:25 p.m.

Prepared by:

Attest by:

Submitted by:

Mary Leigh Dyck
Executive Director

Maurice Bowersox
Secretary for the Board

Melissa Graham
Assistant Director