

ACTION MINUTES

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS BOARD MEETING

900 SW JACKSON, STE 507, TOPEKA KS 66612

Friday, February 19, 2016

The meeting was called to order at 10:05 a.m. by Chair Brosemer.

Members present were:

George Barbee, Public Member (by phone)

Maurice Bowersox, P.E.

Steve Brosemer, P.S.

Forrest Erickson, P.E.

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

Robert Henthorne, P.G.

David Hoffman, Architect

Carisa McMullen, Landscape Architect

Vincent Mancini, Architect

Wendy Ornelas, Architect

Timothy R. Sloan, P.S.

Eric Wimmer, Architect, Public Member

Members absent were:

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

Others present were:

Mark Bennett, Attorney for the Board

Roger Luedke, Attorney for Mr. Bennett's office

Shelby Lopez, Executive Director

Mary Leigh Dyck, Previous Executive Director

Melissa Graham, Assistant Director

I. MINUTES

By motion of Mr. Graham, seconded by Mr. Erickson, the Board voted to approve the minutes of the December 11, 2015 meeting.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

Chair Brosemer added the following items to the agenda to be discussed under New Business.

- A. Request for approval for Chair Brosemer and Mr. Erickson to travel to conference to discuss K.A.R. 66-6-1.

- B. Discussion of the number of times an applicant can request approval from the Board to retake an exam.
- C. Discussion of decoupling for Comity applicants.
- D. Discussion of HB2677 – Athena Andaya, Deputy Attorney General.

III. REVIEW AND APPROVAL OF CONSENT AGENDA

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

By motion of Mr. Graham, seconded by Mr. Sloan, the Board voted to approve the Consent Agenda.

IV. PUBLIC COMMENTS

There were none.

V. DISCUSSION OF HB 2677

Ms. Athena Andaya, Deputy Attorney General, presented House Bill 2677 to members of the Board. Ms. Andaya explained the bill's current status in the legislative process and how the language of the document could affect the KSBTP processes if passed.

VI. EXECUTIVE SESSION

- A. Discussion of Personnel.

I move that the Board recess into executive session to discuss personnel matters of non-elected personnel in order to protect the privacy of the parties involved. We require Mary Leigh Dyck and Shelby Lopez be admitted to the executive session, when requested, to aid the Board in their discussions. The Board will reconvene the open meeting in this same location in 15 minutes at 11:15 a.m.

Beginning Time of Recess: 11:00 a.m.

Motion Made By: Mr. Larry Graham

Motion Seconded by: Mr. Tim Sloan

Motion Carried/Defeated: Carried

By motion of Mr. Hoffman the Executive Session was extended for 5 minutes. The meeting reconvened into open session at 11:20 a.m.

By motion of Ms. Ornelas, seconded by Mr. Sloan the Board voted to hire Ms. Shelby Lopez as the Executive Director of the Kansas Board of Technical Professions.

VII. PROPOSED REVISIONS FOR REGULATIONS

A. Proposed Revisions for Rules and Regulations

1. K.A.R. 66-6-1. Requirements.

CERTIFIED ROLL CALL VOTE: By motion of Mr. Hoffman, seconded by Mr. Bowersox, the Board voted to adopt K.A.R. 66-6-1 as approved by the Department of Administration and the Attorney's General's Office. This Regulation will be scheduled for review by the Joint Committee on Administrative Rules and Regulations. A roll call vote was taken as follows:

Mr. Barbee – Yea
Mr. Bowersox - Yea
Mr. Brosemer – Yea
Mr. Erickson – Yea
Mr. Graham – Yea
Dr. Hayter – Absent
Mr. Henthorne – Abstained
Mr. Hoffman – Yea
Mr. Mancini – Yea
Ms. McMullen – Yea
Ms. Ornelas – Yea
Mr. Sloan – Yea
Mr. Wimmer – Yea

After voting: 11 in favor; 0 opposed; 1 absent; 1 abstention.

This revised Regulation passes by a vote of the members present.

VIII. 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 Mr. Mancini the Board voted to receive and file the Complaint Committee Report.

C. Legal Matters/Correspondence

There were none.

D. Assign hearing panels as needed

There were none.

IX. COMMITTEE AND ADMINISTRATIVE 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 applications reviewed, updates on regulation revisions, and NCARB, CLARB and ASBOG updates.

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 Chair Sloan

1. Report of Committee Actions

Mr. Sloan reported on the actions of the Committee.

2. Discussion of Committee Items

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

The Committee addressed the topic of Decoupling and asked how other professions approached this issue. The Architect and Landscape Architect professions have found this option to be successful and has reduced the time it takes to obtain a license. After Board discussion Chair Brosemer appointed a subcommittee to further discuss this topic, to determine if Model Law could be incorporated for this purpose, and to bring drafted regulation language to the Board for review. Chair Brosemer assigned the following Board Members to the Committee: Mr. Graham as Chair, Mr. Hoffman, Ms. McMullen, and Mr. Henthorne.

3. Receipt of Committee Report

By motion of Mr. Sloan, 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 that feedback from Landscape Architects has been received and updates are being made to the current draft.

2. Legislative Committee – Chair Hoffman

Mr. Hoffman reported that there are two holdover bills being monitored from last session.

3. Executive Director Search Committee – Chair Brosemer

No further report on this topic.

D. Administrative Report

Office staff reported on the current status of renewals for business entities, Landscape Architects and Professional Surveyors. The Kansas State Specific Exam will be offered in the Board Office for the first time on Monday, February 22, 2016, with 6 people signed up for attendance. The most current number of licensees attending the Certificate Ceremony was provided. Ms. Dyck, Previous Executive Director of the Board reported on a CLARB Task Force she was invited to participate in, as well as an award she received.

X. CORRESPONDENCE

There was none.

XI. UNFINISHED BUSINESS

There was none.

XII. NEW BUSINESS

A. Upcoming board meeting dates:

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

B. Approve of Travel – K.A.R. 66-6-1

By motion of Mr. Graham, seconded by Mr. Bowersox the Board voted to approve the travel of Mr. Erickson and Mr. Brosemer to discuss K.A.R. 66-6-1.

- C. Discussion of the number of times an applicant can request approval from the Board to retake an exam.

Members of the PE/PS Committee outlined why they were bringing this issue to the full Board for discussion, they continue to see a number of applicant requests to re-take exams multiple times and they would like feedback from the Board as to how other professions deal with this issue or if it needs to be addressed. Discussion was had regarding what kind of additional education or review they might require and after how many attempts would the Board feel this was necessary. After Board discussion it was determined the PE/PS Committee would continue discussions within their committee and report back to the full Board at a later date.

- D. Discussion of Future Updates to K.A.R. 66-12-1

Mr. Graham updates the Board on important dates that will require changes to K.A.R. 66-12-1. There is discussion that it would be prudent to make both changes at one time. This item will be added to the April 29, 2016 PE/PS agenda for discussion as changes cannot be made until the October meeting at the earliest.

XIII. ADJOURN

The meeting adjourned at 1:27 p.m. to attend the Certificate Ceremony at the Kansas State Historical Society.

Prepared by:

Attest by:

Submitted by:

Shelby Lopez
Executive Director

Maurice Bowersox
Secretary for the Board

Melissa Graham
Assistant Director