

ACTION MINUTES

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS BOARD MEETING

900 SW JACKSON, STE 507, TOPEKA KS 66612

Friday, July 10, 2015

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

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.

Robert Henthorne, P.G.

David Hoffman, 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.

Phil Meyer, L.A.

Others present were:

Mark Bennett, Attorney

Mary Leigh Dyck, Executive Director

Melissa Graham, Assistant Director

I. MINUTES

Approval of minutes of the (previously distributed)

By motion of Mr. Barbee, seconded by Mr. Graham, the Board voted to approve the minutes of the April 17, 2015 and May 12, 2015 meetings.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

There were none.

III. REVIEW AND APPROVAL OF CONSENT AGENDA

A. Approval of Consent Agenda.

By motion of Mr. Bowersox, seconded by Mr. Erickson, the Board voted to approve the Consent Agenda.

IV. LAPSED LICENSE BALLOT

A. Ballot 15-176 Lapsed Professional Surveyors (M-Z)

By motion of Mr. Brosemer, seconded by Mr. Graham, the Board voted to approve Ballot 15-176 Lapsed Professional Surveyors.

V. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS

A. Athena Andaya, Deputy Attorney General - Discussion

By motion of Mr. Bowersox, seconded by Mr. Graham, the Board voted at 10:08 a.m. to go into Executive Session for approximately 10 minutes to discuss matters with the Board's attorneys which would be deemed privileged in the attorney-client relationship in accordance with K.S.A. 75-4319(b)(2). Mr. Bennett, Ms. Andaya, Ms. Dyck and Ms. Graham were asked to stay. The meeting reconvened into open session at 10:18 a.m.

By motion of Mr. Bowersox the Executive Session was extended for 10 minutes. The meeting reconvened into open session at 10:28 a.m.

By motion of Mr. Graham, seconded by Mr. Brosemer the Board voted to have the Executive Director send Mr. Wiseman a letter outlining the applicable statutes. Ms. Andaya will assist in the drafting of the letter. A copy of the letter will be sent to each Board Member.

B. Complaint Files – Report from Complaint Committee – Chair Erickson

Report of Case Files with final action taken by the committee.

Mr. Erickson 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.

C. Receipt of Complaint Committee Report

By motion of Mr. Henthorne, seconded by Mr. Graham, the Board voted to receive and file the Complaint Committee Report.

D. Legal Matters/Correspondence

There were none.

E. Assign hearing panels as needed.

1. Case File 14-39

Mr. Graham and Mr. Henthorne were appointed as the hearing panel for Case File 14-39.

2. Case File 15-15

Mr. Graham and Mr. Henthorne were appointed as the hearing panel for Case File 15-15.

VI. COMMITTEE AND EXECUTIVE DIRECTOR REPORTS

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

1. Report of Committee Actions

Mr. Wimmer reported on the actions of the Committee.

3. Discussion of Committee Items

Mr. Wimmer reported on the actions of the Committee including revisions to NCARB document references contained within K.A.R. 66-9-7, K.A.R. 66-10-1 and K.A.R. 66-10-3. He also announced Mr. Hoffman's election as NCARB Treasurer.

3. Receipt of Committee Report

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

B. PE/PS Committee – Committee Chair Bowersox

1. Report of Committee Actions

Mr. Bowersox reported on the actions of the Committee.

2. Discussion of Committee Items

Mr. Sloan reported on the Surveyor Task Force implementation plan to administer the Kansas State Specific Exam.

By motion of Mr. Sloan, seconded by Mr. Bowersox the Board voted to approve the plan.

3. Receipt of Committee Report

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

C. Continuing Education Committee – Committee Chair Bowersox

1. Continuing Education Summary Report

The Continuing Education Summary Report was presented by Mr. Bowersox. By motion of Mr. Graham, the Board voted to receive and file the report.

D. Statute Revision Committee – Hoffman

1. 2015 Statute Revisions Update

Mr. Hoffman reported that the statute revisions are complete. He thanked the Board Members for their work and recognized the societies for their input. By motion of Mr. Graham, the Board voted to receive and file the report.

E. Other Committee Reports

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

Mr. Hoffman presented the revised version of the Building Officials Brochure. After discussion a review by the professional societies, the Heart of America Building Officials Group and the State Fire Marshall's office was suggested.

By motion of Mr. Graham, seconded by Mr. Bowersox, the Board voted to receive and file the Committee's report and to move forward with the project.

2. Seals & Signatures Committee – Committee Chair Erickson

a. K.A.R. 66-6-1 UPDATE

Mr. Erickson presented the most recent version of K.A.R. 66-6-1 and thanked the Committee for their efforts. He asked the Board Members for further input.

By motion of Mr. Erickson, seconded by Mr. Graham, the Board voted to approve the proposed revisions to K.A.R. 66-6-1 provided by the Committee and to move forward with the process for proposed revisions to regulations. Kansas Department of Transportation and the Professional Societies will receive copies of the revised regulation.

3. Legal Contract Committee – Committee Chair Hoffman

a. Report of Legal Services Contract Award

Mr. Hoffman reported to the Board that Mr. Mark Bennett's firm was awarded the contract.

By motion of Mr. Bowersox, seconded by Mr. Graham, the Board voted at 11:26 a.m. to go into Executive Session for approximately 10 minutes to discuss personnel matters. The meeting reconvened into open session at 11:36 a.m.

b. FARB (Federation of Associations of Regulatory Boards) – Regulatory Law Seminar - Mr. Bennett

Mr. Bennett requested permission from the Board for his new staff attorney, Roger Luedke, to attend the FARB conference in Denver, Colorado in October 2015 as part of training on Kansas Board of Technical Professions matters. He asked the Board to cover expenses for this trip.

By motion of Mr. Barbee, seconded by Mr. Sloan, the Board voted to allow Mr. Bennett's new staff attorney to attend FARB. The Board will cover expenses for hotel, registration, and travel.

Mr. Brosemer amended the motion that expenses be paid out of the budgeted amount for attorney expenses.

4. Strategic Plan Committee – Committee Chair Barbee; Ms. Ornelas, Member

The Committee presented a Strategic Plan Executive Summary document and the draft of an internal tracking document for Strategic Planning goals regarding improvements to the disciplinary process. Mr. Mancini suggested language be added to the Executive Summary document.

By motion of Mr. Brosemer, seconded by Mr. Barbee, the Board voted to approve the Strategic Plan Executive Summary with Mr. Mancini's additional language added.

F. Executive Director Report

1. Introduction of New Staff

Director Dyck introduced Ms. Tammy Matchett and Ms. Angeline Gleason to the Board.

2. Administrative updates

Director Dyck announced she has been appointed to the Member Board Executive Committee for CLARB and the Member Board Administrator Committee for NCEES.

By motion of Mr. Barbee, seconded by Mr. Bowersox, the Board voted that Mr. Graham represent the Board on the ABET accreditation team at the University of Kansas.

3. Budget update

Director Dyck updated the Board of a request to the State Finance Council. The request was approved for increased spending authority due to MLO Database hosting costs.

VII. CORRESPONDENCE

There was none.

VIII. UNFINISHED BUSINESS

There was none.

IX. NEW BUSINESS

A. Election of 2015-2016 Officers: Chair, Vice-Chair, Secretary and Election of Committee Chairs

1. By motion of Mr. Erickson, seconded by Mr. Henthorne, Mr. Brosemer was nominated for the office of Chair of the Board for the coming year.
2. By motion of Mr. Brosemer, seconded by Mr. Erickson, Mr. Henthorne was nominated for the office of Vice-Chair of the Board for the coming year.
3. By motion of Mr. Henthorne, seconded by Mr. Sloan, Mr. Bowersox was nominated for the office of Secretary of the Board for the coming year.
4. By motion of Mr. Bowersox, seconded by Mr. Brosemer, Ms. Ornelas was nominated for the office of Chair of the Arch/LA/PG Committee for the coming year.
5. By motion of Ms. Ornelas, seconded by Mr. Graham, Mr. Sloan was nominated for the office of Chair of the PE/PS Committee for the coming year.

The Board voted and approved the slate of nominated members.

Mr. Mancini then passed control of the meeting to the newly elected Chair of the Board, Mr. Brosemer.

B. Comments from newly elected Chair

Chair Brosemer expressed his interest in creating Frequently Asked Questions documents to be available on the KSBTP website and provided in the newsletter to be of assistance to licensees. He tasked each of the Committees to work on these at the committee level.

Chair Brosemer appointed the following Committees:

1. Building Office Brochure Committee: Mr. Hoffman, Chairperson, Mr. Graham, Mr. Wimmer, Mr. Henthorne and Mr. Erickson.
2. Legislative Committee: Mr. Hoffman, Chairperson.
3. Complaint Committee: Mr. Mancini, Chairperson, Mr. Brosemer, Mr. Sloan, Ms. Ornelas, and Mr. Bowersox
4. Seals and Signatures Committee: Mr. Erickson, Chairperson, Mr. Brosemer, Mr. Henthorne, Mr. Bowersox and Mr. Mancini
5. Strategic Planning Committee: Ms. Ornelas, Chairperson.

C. Appreciation Award – Mr. Brosemer

1. Vince Mancini, Architect, Board Chair (7/1/2014 – 7/10/2015)

Chair Brosemer thanked Mr. Mancini for his leadership of the board during this past year and presented him with an appreciation award.

D. Upcoming board meeting dates:

1. THIS MEETING: July 10, 2015 - Topeka KS
Board Elections
Licensure Ceremony – 3:00 p.m. – Kansas State Historical Society
2. October 2, 2015 – Topeka KS
3. December 11, 2015 – Emporia KS
4. February 19, 2016 – Licensure Ceremony – Topeka KS
5. April 29, 2016 – Topeka KS
6. July 15, 2016 – Licensure Ceremony – Topeka KS

X. ADJOURN

The meeting adjourned at 1:45 p.m. in order to attend the Licensure Ceremony at the Kansas Historical Society at 3:00 p.m.

Prepared by:

Attest by:

Mary Leigh Dyck
Executive Director

Robert Henthorne
Secretary for the Board