

**KANSAS STATE BOARD OF TECHNICAL PROFESSIONS
ACTION AGENDA
ERIC WIMMER, CHAIR**

April 26, 2019

10:00 A.M.

Kansas Board of Technical Professions PE PS Committee meetings follow the Kansas Open Meetings Act (KOMA).

The meeting was called to order at 10:10 a.m.

Members present were:

Maurice Bowersox, P.E.
Jack Poole, P.E.
William Haverkamp, P.S.
Larry Graham, P.E., P.S.
John Lilak, P.S.
Eric Wimmer, ARCH.
Wendy Ornelas, ARCH.
Fredrick Laurino, Public Member

Others present were:

Jessica Pierce, Public Service Administrator
Jane Weiler, Assistant Attorney General
Athena Andaya, Deputy Attorney General
Larry Karns, Executive Director
Erin Thompson, Administrative Specialist
Taylor Oswald, Senior Admin. Assistant
Sarah Easter, Deputy Director

Members absent were:

Dick Hayter, P.E.
Robert Henthorne, P.G.
Joseph Johnson, ARCH.
Carisa McMullen, L.A.

I. MINUTES

A. Full Board

1. Approval of minutes of the February 15, 2019 meeting (previously distributed)

By motion of Mr. Poole, the Committee voted to approve the minutes of the February 15, 2019 meeting (previously distributed). Mr. Graham seconded the motion made by Mr. Poole and the motion carried.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

Mr. Haverkamp requested a discussion regarding a Board retreat be added to the agenda.

III. REVIEW AND APPROVAL OF CONSENT AGENDA

- A. Possible review of items removed from consent agenda

By motion of Mr. Bowersox, seconded by Mr. Poole, the Committee voted to approve the consent agenda as submitted.

IV. PUBLIC COMMENTS – 10:15 AM

A. Requests for public comments

1. None

B. Public Hearing on Proposed KAR 66-9-7, KAR 66-10-1 and KAR 66-10-3.

The Public Hearing on Proposed K.A.R. 66-9-7, 66-10-1 and 66-10-3 began at 10:30am. One individual from AIA KS attended the hearing with no comments. Public comments were open through 11:00am at which time Mr. Karns closed the public comments. Mr. Karns then called for a roll call vote which all passed unanimously.

V. EXECUTIVE SESSION

None.

VI. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS

A. Complaint Committee Report – Chair Bowersox

1. Report of Case Files with Final Action Taken by the Committee
2. Receipt of Complaint Committee Report

Chair Bowersox reported that 13 cases were reviewed with 6 closed with no action, 5 closed with action, 1 open and 1 petition and discipline. The Committee met from 2-4pm on April 25, 2019. Mr. Poole moved to accept the report. Mr. Graham seconded the motion made by Mr. Poole and the motion carried.

B. Attorney Report – Athena Andaya, General Counsel

Ms. Andaya reported that her division is now located in Landon in room 151. Ms. Andaya reviewed the Paper Renewal Form and requests the \$5.00 renewal fee for those over 70 be removed as there is no statute that sets this rule. She also pointed out that our current fee statute only sets the maximum fees. Ms. Andaya proposed K.A.R. 66-15-1 to adopt the current fee structure. Mr. Graham voted to have Mr. Karns move forward with the regulation as submitted. Mr. Bowersox seconded the motion and the motion carried.

VII. COMMITTEE AND ADMINISTRATIVE REPORTS

A. ARCH/LA/PG Committee – Chair Johnson

1. Report of Committee Actions
2. Discussion of Committee Items
3. Receipt of Committee Report

In Mr. Johnson's absence, Mr. Wimmer reported the Committee did not have a quorum and therefore did not have a meeting.

B. PE/PS Committee – Chair Haverkamp

1. Report of Committee Actions
2. Discussion of Committee Items
3. Receipt of Committee Report

Mr. Haverkamp reported the PE/PS Committee reviewed six applications in total with four being approved. The Committee approved two exam retakes. The Committee reviewed and denied a KSS exam waiver request. Mr. Graham and Mr. Haverkamp will meet with Mr. Karns and Ms. Weiler to review the Minimum Standards. Mr. Lilak will review upon completion. Mr. Haverkamp reported a waiver for K.A.R. 66-10-9 was also denied. The Committee discussed a retreat as well as NCESS Model Law. The Committee adjourned at 9:57am. Mr. Lilak moved to accept the Committee's report. Mr. Poole seconded the motion made by Mr. Lilak and the motion carried.

C. Administrative Report

1. Review of Administrative Items

Mr. Karns reported that K.A.R's 66-9-7, 66-10-1 and 66-12-1 regarding alternatives to NCARB certifications are set for public hearing today at 10:30am. K.A.R. 66-7-4 has been set for public hearing on July 19, 2019. Mr. Karns reported that Mr. Johnson attended an NCARB meeting in Nashville in March. He attended an ASBOG meeting in April in New Hampshire. Mr. Karns updated the Board with renewal numbers, applications received and issued. Taylor Oswald became a permanent employee of KSBTP in April. Mr. Karns also reported that SharePoint is now being used by staff to ensure safety and retention of electronic files.

Mr. Lilak moved to accept the Committee's report. Mr. Bowersox seconded the motion made by Mr. Lilak and the motion carried.

VIII. CORRESPONDENCE

None.

IX. AGENCY DEMONSTRATION

- A. Renewal Demo

X. UNFINISHED BUSINESS

None.

XI. NEW BUSINESS

- A. Discussion Items

1. Board policies

- a. Potential policies
- b. Established policies
- c. Publishing of Board policies

Ms. Andaya recommends the Emeritus Board Member policy as well as the Kansas State Specific Exam Policy be published to the website. She requested the following changes:

- Professional Conduct Policy: The Statutes only apply to classified employees. Strike statutes.
- Affirmative Action: Change wording to reflect “When requested, reasonable accommodations..”

Re-examination of Computer Based Testing: By motion of Mr. Bowersox, seconded by Mr. Graham, the Board voted to remove from policy.

Mr. Wimmer will work with Ms. Andaya for creation of position descriptions of Board Members to be added to Board Policy.

The Board instructed KSBTP staff to compile policies which need review for the July meeting to include Model Law Engineer/Model Law Surveyors and a policy setting forth an amount in which the reserves should always be kept at.

B. Richard Elgin KSS Contract Approval

By motion of Mr. Haverkamp, seconded by Mr. Bowersox, the Committee voted to extend Dr. Elgin’s contract for one year. A sub-committee was created consisting of Larry Graham, Bill Haverkamp, John Lilak and Larry Karns to review our options regarding KSS testing and exams.

C. Open Board Positions

At the time of the meeting, Mr. Laurino rendered his resignation. Mr. Henthorne’s term will end on June 30, 2019. On the Monday following the Board Meeting, the office was informed that Dr. Hayter will not be returning. KSBTP currently has four open Board positions. Mr. Karns will reach out to the Governor’s office.

D. Proposed KAR 66-7-4 scheduled for public hearing 7/19/2019

E. Discuss revision of Continuing Education Regulations

The Committee would like to move forward with the revisions Mr. Mancini presented at the April 2018 meeting. Mr. Karns will move the regulation forward in the process.

XII. APPROVAL FOR ATTENDANCE AT EVENTS

A. NCARB Centennial Business Meeting in D.C., June 20-22, 2019 for Board members and Board Directors

Attending: Joe Johnson, Rick Laurino, Wendy Ornelas (Voting Delegate) and Jessica Pierce

B. 2019 NCEES Annual Meeting 8/14-8/17 Washington D.C. Application deadline 5/3/2019

Attending: Larry Karns, Larry Graham, Jack Poole (Voting Delegate) and John Lilak

C. 2019 NCARB Licensing Advisors Summit Minneapolis, Minnesota

Attending: Larry Karns and Jessica Pierce

D. NCEES Zone Meeting Portsmouth, New Hampshire

Attending: Larry Graham, Maurice Bowersox (NCEES funded); Bill Haverkamp and Larry Karns

XIII. ADJOURN

By motion of Mr. Graham, seconded by Mr. Lilak, the Committee adjourned at 12:20 p.m.