

**KANSAS STATE BOARD OF TECHNICAL PROFESSIONS
ACTION AGENDA
ROBERT HENTHORNE, CHAIR**

JULY 14, 2017

The meeting was called to order at 10:08 a.m. by Chair Henthorne.

Members present were:

Maurice Bowersox, P.E.
Steve Brosemer, P.S.
Forrest Erickson, P.E.
Larry Graham, P.E., P.S.
Edward Halloran, Public Member
William Haverkamp, P.S.
Richard Hayter, P.E.
Robert Henthorne, P.G.
David Hoffman, Architect
Carisa McMullen, Landscape Architect
Vincent Mancini, Architect
Eric Wimmer, Architect, Public Member

Members absent were:

Joseph Johnson, Architect

Others present were:

Athena Andaya, Deputy Attorney General assigned to the Board as General Counsel
Mark Bennett, Litigation Counsel for the Board
Shelby Lopez, Executive Director
Sarah Easter, Assistant Director
Jessica Pierce, Public Service Administrator

I. MINUTES

By motion of Brosemer, seconded by Hoffman, the Board voted to approve the minutes of the April 28, 2017 meeting.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

By motion of Brosemer, seconded by Mr. Graham, the Board voted to move the Attorney Report before Executive Session.

III. REVIEW AND APPROVAL OF CONSENT AGENDA

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

IV. PUBLIC COMMENTS – 10:15 AM

There were no requests for public comments.

V. ATTORNEY REPORT

Ms. Andaya reported on two changes:

1. Motion for Executive Session – HB2301 requires any motion to recess for an executive session to include a statement describing the subjects to be discussed and the justification from the list provided in statute for closing the meeting. Ms. Andaya reminded the Board that a violation of the Open Meetings Act is an individual violation that carries a fine of \$500 each.
2. Charging for Attorney General fees – SB149 authorizes the Attorney General’s office to charge and collect for any state agency legal representation charges for legal services provided. Details regarding the amount are unavailable at this time. Ms. Andaya suggests that the Board engage in a contract with the Attorney General’s office.

A general question was posed regarding the discipline of non-licensed individuals. Ms. Andaya reported that she stands behind the memo sent to the Board last year; the Board does have jurisdiction to impose discipline on non-licensed individuals. If either party disagrees with the remedy, they may appeal to district court.

VI. EXECUTIVE SESSION

By motion of Mr. Halloran, seconded by Mr. Wimmer the Board voted to move into executive session for 20 minutes to discuss such individual employee’s performance.

Beginning Time of Recess: 10:17 a.m.

Motion Made By: Mr. Halloran

Motion Seconded By: Mr. Wimmer

Motion Carried Unanimously

The Board reconvened at 10:35 a.m.

VII. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS

A. Complaint Files – Report from Complaint Committee – Chair Brosemer

1. Report of Case Files with final action taken by the committee
2. Receipt of Complaint Committee Report
3. Legal Matters/Correspondence

Mr. Brosemer reported that the Committee closed eighteen cases and accepted \$833.32 in payment of fines and expenses. The Committee dealt with all of the existing cases according to the Rules and Regulations.

VIII. COMMITTEE AND ADMINISTRATIVE REPORTS

A. ARCH/LA/PG Committee – Chair Mancini

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

Mr. Mancini reported that the committee discussed and approved two applications. The committee approved updated revisions to K.A.R. 66-9-7, 66-10-1 and 66-10-3 removing “draft” from the policy cover pages for each. Dave Hoffman was recently elected President-Elect of NCARB. The Committee denied one request for an exemption to the Continuing Education requirement by a Geologist. The Committee directed Ms. Lopez to write a letter informing the licensee that he has 120 days to obtain the required continuing education.

B. PE/PS Committee – Chair Graham

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

Mr. Graham reported that the committee discussed and approved nine applications. Four applications were denied. The committee approved updated revisions to K.A.R. 66-12-1 Minimum Standards For Boundary Surveys and Minimum Standards for Mortgagee Title Inspections Standards of Practice 2017. The revisions will be sent to the Department of Administration for review and approval. Mr. Graham reported that the PE Chemical exam will transition to Computer Based Testing in January and will be offered on a year-round basis. A committee was formed to assist in developing policies and procedures related to the application process and due dates for applicants for the PE Chemical exam. Mr. Erickson and Dr. Hayter will serve on the committee.

C. Other Committee Reports

1. Legislative Committee – Chair Hoffman

No report.

D. Administrative Report

Ms. Lopez provided the administrative report, discussing staffing changes in the Board office and the budget.

IX. CORRESPONDENCE

There was no correspondence.

X. UNFINISHED BUSINESS

There was no unfinished business.

XI. NEW BUSINESS

A. iPad update

B. Elections for FY2018

By motion of Mr. Brosemer, seconded by Mr. Erickson, Mr. Bowersox was nominated for the office of Chair of the Board for the coming year.

By motion of Mr. Mancini, seconded by Mr. Haverkamp, Mr. Wimmer was nominated for the office of Vice-Chair of the Board for the coming year.

By motion of Mr. Hoffman, seconded by Mr. Bowersox, Mr. Graham was nominated for the office of Secretary of the Board for the coming year.

By motion of Mr. Mancini, seconded by Mr. Wimmer, Ms. McMullen was nominated for the office of Chair of the Arch/LA/PG Committee for the coming year.

By motion of Mr. Bowersox, seconded by Mr. Haverkamp, Mr. Erickson 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. Henthorne then passed control of the meeting to the newly elected Chair of the Board, Mr. Bowersox.

C. Comments from newly elected Chair

Mr. Bowersox made a few comments to the Board members and made the following Committee appointments:

Complaint Committee

Robert Henthorne, P.G., Chair

Maurice Bowersox, P.E.

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

Carisa McMullen, L.A.

Forrest Erickson, P.E.

Vincent Mancini, ARCH

Legislative Committee

Steven Brosemer, P.S., Chair

Continuing Education Audit Committee

Maurice Bowersox, P.E.

Steven Brosemer, P.S.

Minimum Standards for Land Surveying

Steven Brosemer, P.S., Chair

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

Bill Haverkamp, P.S.

PE Chemical Transition to CBT

Forrest Erickson, P.E. Chair

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

D. Appreciation Award

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

E. Set 2017/2018 board meeting dates

1. September 21 and 22, 2017 – Wichita, KS
2. December 14 and 15, 2017 – Topeka, KS
3. February 8 and 9, 2018 – Topeka KS (Certificate Ceremony)
4. April 19 and 20, 2018 – Kansas City
5. July 19 and 20, 2018 – Topeka, KS

XII. ADJOURN

3:00 P.M. – Certificate Ceremony, Kansas State Capitol