

**KANSAS STATE BOARD OF TECHNICAL PROFESSIONS
ACTION AGENDA
LARRY GRAHAM, CHAIR**

DECEMBER 13, 2019

10:00 A.M.

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

The meeting was called to order at 10:00a.m.

Members present were:

Kimberly Kramer, P.E.
Doug Louis, P.G.
William Haverkamp, P.S.
John Lilak, P.S.
Eric Wimmer, ARCH.
Wendy Ornelas, ARCH.
Larry Graham, P.E., P.S.
Joseph Johnson, ARCH.

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

Members absent were:

Jack Poole, P.E.
Carisa McMullen, L.A.

Members present by phone were:

Maurice Bowersox, P.E.

I. MINUTES

A. Full Board

1. Approval of minutes of the September 20, 2019 meeting (previously distributed)
2. Publish Minutes

By motion of Mr. Wimmer, the Committee voted to approve and publish the minutes of the September 20, 2019 meeting (previously distributed). Mr. Lilak seconded the motion made by Mr. Wimmer and the motion carried. Mr. Johnson abstained from the vote.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

Mr. Wimmer recommended to remove 4c as well as 4j as both were discussed in the Complaint Committee December 12, 2019.

III. REVIEW AND APPROVAL OF CONSENT AGENDA

A. Possible review of items removed from consent agenda

By motion of Mr. Johnson, the Committee voted to approve the consent agenda. Ms. Ornelas seconded the motion made by Mr. Johnson and the motion carried.

IV. PUBLIC COMMENTS – 10:15 AM

- A. Requests for public comments
 - 1. Norm Bowers – Kansas Minimum Standards Discussion
 - 2. Steve Brosemer – Kansas Minimum Standards

The members of the Board received comments from Mr. Bowers and Mr. Brosemer regarding the Kansas Minimum Standards.

- B. Public Hearing on Proposed K.A.R. 66-15-1

The Public Hearing on Proposed K.A.R. 66-15-1 began at 10:30am. Public comments were open through 12:00pm 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

VI. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS

- A. Complaint Committee Report – Chair Wimmer
 - 1. Report of Case Files with Final Action Taken by the Committee
 - 2. Receipt of Complaint Committee Report

Chair Wimmer reported that 18 cases were reviewed with 7 closed with no action, 4 open, 6 resulting for a post-renewal audit and 1 remain tabled. The Committee met from 2-4pm on December 12, 2019. By motion of Mr. Johnson, seconded by Mr. Haverkamp, the Board voted to accept the report.

- B. Attorney Report – Athena Andaya, General Counsel

Ms. Andaya addressed recent communication received by multiple Board members from KSBTP licensee Stuart Owsley.

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

Mr. Johnson reported that the Committee approved one re-take request. No minutes to approve as the Committee did not hold a meeting in September. By motion of Mr. Wimmer, seconded by Ms. Kramer, the Board voted to accept the report.

- B. PE/PS Committee – Chair Poole
 - 1. Report of Committee Actions
 - 2. Discussion of Committee Items
 - 3. Receipt of Committee Report

In Mr. Poole's absence, Mr. Haverkamp reported that the Committee reviewed nine applications and one exam re-take request. The Committee reviewed updated Professional Surveyor Continuing Education Regulations. The Committee adjourned at 9:18am. Mr. Johnson moved to accept the Committee's report. Mr. Haverkamp seconded the motion made by Mr. Johnson and the motion carried.

C. Director's Report

Mr. Karns reported that K.A.R. 66-15-1 regarding fees is open for public hearing. Taylor Oswald's last day with the Board was November 27, 2019. Mr. Karns is working with the Department of Administration to post the position. Mr. Karns reported that Ms. Pierce attended the NCARB Workgroup in D.C.; Mr. Jordan and Ms. Thompson attended the System Automation conference in Maryland and Mr. Karns attended CLARB/FARB in St. Louis as well as ASBOG in Minnesota. Mr. Karns also reported that the AS400 has been removed from the office. Mr. Karns stated that the budget has been approved by the Division of Budget.

VIII. CORRESPONDENCE

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. K.A.R. 66-6-1 Seals Draft Review

By motion of Mr. Johnson, seconded by Mr. Haverkamp, the Board voted to approve the draft.

B. Open Board Positions Update

Mr. Karns reported that KSBTP currently has two open Board positions. The Board welcomed new member, Doug Louis, Professional Geologist.

By motion of Mr. Johnson, seconded by Mr. Lilak, the Board voted to recess for lunch as 12:00pm returning at 12:30pm. Mr. Graham called the meeting to order at 12:30pm.

C. Review of Continuing Education & Other Proposed Regulations

By motion of Mr. Lilak, seconded by Mr. Haverkamp, the Board voted to update the Continuing Education regulations of K.A.R.'s 66-14-1 through 66-14-14. The updated regulations will be reviewed again in February 2020. Ms. Kramer opposed.

By motion of Mr. Wimmer, seconded by Mr. Johnson, the Board voted to approve the amendments of K.A.R.'s 66-7-1, 66-8-3, 66-8-4, 66-10-4, 66-10-9 and 66-10-12. Ms. Kramer and Mr. Bowersox opposed K.A.R. 66-8-3.

By motion of Mr. Lilak, seconded by Mr. Wimmer, the Board voted to update K.A.R. 66-6-10. The updated regulation will be reviewed again in February 2020.

By motion of Mr. Johnson, seconded by Mr. Wimmer, the Board voted to update K.A.R. 66-10-3. The updated regulation will be reviewed again in February 2020.

D. NCEES Resolution of Cooperation Review

By motion of Mr. Lilak, seconded by Mr. Wimmer, the Board voted to abstain.

E. Statutes and Rules/Regulations Lawbook Discussion/Review

By motion of Ms. Ornelas, seconded by Mr. Johnson, the Board voted to approve the updated lawbook and instructed Ms. Pierce to update the website and printed materials.

F. Review of New PowerPoint

A PowerPoint presentation was presented to the Board for review. The Board recommended Ms. Pierce make the following changes:

1. Delete Additional Bullet
2. Add Disclaimer to FAQ's
3. Add Public Member's to Board Member listing

G. Dr. Elgin Contract Update

Dr. Elgin's Kansas State Specific contract bid for five years will be accepted. Dr. Elgin was the only Professional Surveyor to bid.

H. Review of Brenda Dietrich House Bill

Mr. Karns reported that Ms. Dietrich intends to submit a bill to legislature amending K.S.A. 74-7009. The amendment would require fees be adopted in regulation. The Board agreed that the bill is not necessary; however, the language is not objectionable.

I. Newsletter & Website Unlawful Professional Designation

The Board instructed Ms. Pierce to add the article to the website as well as include in the next newsletter to remind those without a license to be mindful of the professional title.

XI. APPROVAL FOR ATTENDANCE AT EVENTS

A. FARB; January 23-26, 2020: Colorado Springs, CO

Attending: Larry Karns and Athena Andaya

B. NCARB MBE Workshop; March 3-7, 2020: Cambridge, MA

Attending: Larry Karns, Joseph Johnson, Eric Wimmer and Wendy Ornelas

C. NCEES Zone Meeting; April 23-25, 2020: Houston, TX

Attending: Larry Karns, Kimberly Kramer and Maurice Bowersox

D. NCARB Annual Meeting; June 18-20, 2020: Austin, TX

Attending: Larry Karns and Doug Louis

By motion of Mr. Haverkamp, seconded by Mr. Lilak, the Board voted to approve attendance at the above events.

XIII. ADJOURN

By motion of Ms. Ornelas, seconded by Mr. Lilak, the Committee adjourned at 1:11 p.m.

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