

ACTION MINUTES

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS BOARD MEETING

900 SW JACKSON, STE 507, TOPEKA KS 66612

Friday, October 2, 2015

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

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.

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

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:

Robert Henthorne, P.G.

Others present were:

Mark Bennett, Attorney

Mary Leigh Dyck, Executive Director

Melissa Graham, Assistant Director

Chair Brosemer welcomed Ms. Carisa McMullen, Landscape Architect, as a new Board Member.

I. EXECUTIVE SESSION

By motion of Mr. Sloan, seconded by Mr. Erickson, the Board voted at 10:10 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 10:20 a.m.

By motion of Mr. Hoffman the Executive Session was extended for 10 minutes. The meeting reconvened into open session at 10:34 a.m.

By motion of Mr. Graham, seconded by Mr. Bowersox, the Board voted to follow advice of Counsel.

II. MINUTES

Approval of minutes of the July 10, 2015 meeting

By motion of Mr. Graham, seconded by Mr. Sloan, the Board voted to approve the minutes of the July 10, 2015 meeting.

III. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

There were none.

IV. REVIEW AND APPROVAL OF CONSENT AGENDA

A. Possible review of items removed from consent agenda.

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

V. LAPSED LICENSE BALLOTS - APPROVAL

A. Ballot 16-30 Lapsed Professional Engineers (M-Z)

By motion of Dr. Hayter, seconded by Mr. Bowersox, the Board voted to approve the Ballot.

B. Ballot 16-31 Lapsed Architects (M-Z)

By motion of Mr. Hoffman, seconded by Mr. Wimmer, the Board voted to approve the Ballot.

C. Ballot 16-32 Lapsed Professional Geologists (M-Z)

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

(See attached lists.)

VI. 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. Bowersox, the Board voted to receive and file the Complaint Committee Report.

C. Legal Matters/Correspondence

By motion of Mr. Graham, seconded by Mr. Bowersox, the Board voted to approve the SACO for Mr. Frederick A. Schneider, Case File 13-24.

D. Assign hearing panels as needed

1. Case File 15-19

Mr. Graham and Dr. Hayter were appointed as the hearing panel for Case File 15-19.

2. Case File 15-17

Dr. Hayter and Mr. Graham were appointed as the hearing panel for Case File 15-17.

VII. COMMITTEE AND EXECUTIVE DIRECTOR 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 the revision process of K.A.R. 66-9-7 and K.A.R. 66-10-1 and the Committee discussion of the NCARB IDP Experience Portfolio Documentation Method.

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 Committee's request for the KSBTP staff to participate in the KSLS Salina Seminar in January of 2016.

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

Chair Hoffman reported on the progress of the Building or Code Officials brochure. It is close to publication. When published, the document will be posted to the KSBTP homepage.

2. Seals & Signatures Committee – Committee Chair Erickson

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

Chair Erickson reported on the progress of K.A.R. 66-6-1 in the revision process and the results of the meeting with KDOT representatives. The next step will be for this version of the regulation to be formally sent to the Department of Administration.

D. Surveyor Task Force Report – Chair Sloan

The Task Force met on October 1, 2015. Chair Sloan reported on the progress of the Surveyor Task Force regarding revisions to the Minimum Standards as proposed by Kansas Society of Land Surveyors. Chair Brosemer will submit the comments to KSLS.

E. Executive Director Report

1. Introduction of New Staff

Director Dyck introduced Ms. Maribeth Hamilton to the Board.

2. Administrative updates

Director Dyck informed the Board of training with Mr. Bennett's staff scheduled for October 23, 2015 with Ms. Athena Andaya regarding procedures, the Kansas Administrative Procedures Act and Administrative Law. Mr. Bennett reported that Mr. Roger Luedke is now a licensed attorney and is currently attending the Federation of Associations of Regulatory Boards (FARB) meeting in Denver, CO. The Board requested Mr. Luedke attend a future Board meeting and report on information regarding the FARB meeting.

3. Budget update

The Director reported on budget issues. Discussion was held regarding the Fee Fund Transfer of \$200,000 which occurred in August of 2015.

VIII. CORRESPONDENCE

There was none.

IX. UNFINISHED BUSINESS

There was none.

X. NEW BUSINESS

A. Discussion of Fee Fund Transfers by State of Kansas

A discussion regarding appropriate operating reserves for KSBTP was held. There was also discussion regarding the number of cancelled licensees and how this may affect future Board revenues. The Board requested the Director prepare a document regarding operating revenues for the December 11, 2015 Board Meeting.

B. Discussion of Supreme Court Ruling No. 108,607

The Board discussed the State of Kansas Supreme Court decision No. 108,607 in regard to fee fund transfers.

C. Discuss Occupational Licensing: A Framework for Policy Makers

A discussion was held on occupational licensing.

D. Upcoming board meeting dates:

1. December 10 and 11, 2015 – Emporia KS
2. February 18 and 19, 2016 – Licensure Ceremony – Topeka KS
3. April 28 and 29, 2016 – Topeka, KS – (tentative NCARB visit)
4. July 14 and 15, 2016 – Licensure Ceremony – Topeka KS

XI. ADJOURN

The meeting adjourned at 12:35 p.m.

Prepared by:

Attest by:

Submitted by:

Mary Leigh Dyck
Executive Director

Maurice Bowersox
Secretary for the Board

Melissa Graham
Assistant Director