

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

JULY 19, 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 10:08a.m.

Members present were:

Maurice Bowersox, P.E.
Jack Poole, P.E.
William Haverkamp, P.S.
John Lilak, P.S.
Eric Wimmer, ARCH.
Joseph Johnson, ARCH.
Carisa McMullen, L.A.

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:

Larry Graham, P.E., P.S.
Robert Henthorne, P.G.
Wendy Ornelas, ARCH.

I. MINUTES

A. Full Board

1. Approval of minutes of the April 26, 2019 meeting (previously distributed)
2. Publish Minutes

By motion of Mr. Bowersox, the Committee voted to approve and publish the minutes of the April 26, 2019 meeting (previously distributed). Mr. Lilak seconded the motion made by Mr. Bowersox and the motion carried.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

None.

III. REVIEW AND APPROVAL OF CONSENT AGENDA

A. Possible review of items removed from consent agenda

None.

IV. PUBLIC COMMENTS – 10:15 AM

- A. Requests for public comments
 - 1. None

- B. Public Hearing on Proposed KAR 66-7-4

The Public Hearing on Proposed K.A.R. 66-7-4 began at 10:30am. One individual from AIA KS attended the hearing with no comments. Public comments were open through 11:11am at which time Mr. Karns closed the public comments. Mr. Karns then called for a role call vote which all passed unanimously.

V. EXECUTIVE SESSION

By motion of Ms. Andaya, seconded by Mr. Johnson, the Board voted to move into Executive Session at 10:11 am for ten minutes to discuss an individual employee's job assignment. The Board reconvened the open meeting at 10:22 am.

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 15 cases were reviewed with 2 closed with no action, 4 closed with action, 2 open, 2 pending staff investigation, 1 resulting for a post-renewal audit and 4 remain tabled. The Committee met from 2-4pm on July 18, 2019. Mr. Johnson moved to accept the report. Mr. Lilak seconded the motion made by Mr. Johnson and the motion carried.

- B. Attorney Report – Athena Andaya, General Counsel

Ms. Andaya did not have anything to report.

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

Chair Johnson reported that a discussion was held regarding the title for interns. Mr. Wimmer will follow up with Ms. Andaya. Chair Johnson reported that 1 application was reviewed during the interim of April and July and was approved. Mr. Poole moved to accept the report. Ms. McMullen seconded the motion made by Mr. Poole and the motion carried.

- 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 twenty-one applications in total with fourteen being approved. The Committee approved four exam retakes. The Committee received an update regarding the Taskforce on Minimum Standards. Mr. Haverkamp reported the taskforce for K.A.R. 66-10-9 will meet and provide an update for the next meeting. The Committee discussed initial land surveying data provided by Mr. Haverkamp as well as licensing by discipline. The Committee adjourned at 9:58am. Mr. Johnson moved to accept the Committee's report. Mr. Poole seconded the motion made by Mr. Johnson and the motion carried.

- C. Director's Report
 - 1. Review of Administrative Items

Mr. Karns reported that K.A.R. 66-7-4 regarding felony applicants is set for public hearing today at 10:30am. He reported that the regulations adopted at the last meeting became effective June 14, 2019 regarding Architect licensing. Mr. Karns reported that Mr. Johnson, Ms. Ornelas and Mrs. Pierce attended the NCARB Annual Business meeting in Washington in June. Mr. Karns reported that K.S.A. 74-7009 setting max fees has caused a snag for K.A.R. 66-15-1 as all items addresses in the regulation must have a fee. Mr. Poole motioned to charge \$20 for the untimely renewal of licenses as well as the Return to Active Practice application. Mr. Haverkamp seconded the motion made by Mr. Poole and the motion carried. Mr. Karns updated the Board with renewal numbers, applications received and issued. Barb Jordan became a permanent employee of KSBTP in July. Mr. Karns also reported that Ms. Thompson's job duties have been updated. Mrs. Pierce has been asked to cross-train the other employees.

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

VIII. CORRESPONDENCE

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Elections for FY2020

By motion of Ms. McMullen, seconded by Mr. Bowersox, Mr. Graham was nominated for the office of Chair of the Board for the coming year.

By motion of Mr. Johnson, seconded by Mr. Poole, Mrs. McMullen was nominated for the office of Vice-Chair of the Board for the coming year.

By motion of Mr. Wimmer, seconded by Mr. Poole, Ms. Ornelas was nominated for the office of Secretary of the Board for the coming year.

By motion of Mr. Poole, seconded by Mr. Bowersox, Mr. Johnson was nominated for Chair of the ARCH/LA/PG Committee for the coming year.

By motion of Mr. Bowersox, seconded by Mr. Haverkamp, Mr. Poole was nominated for Chair of the PE/PS Committee for the coming year.

Mr. Wimmer then made the following Committee appointments:

Complaint Committee

Eric Wimmer, Arch. – Chair

Jack Poole, P.E.

Joseph Johnson, Arch.

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

Maurice Bowersox, P.E.

Bill Haverkamp, P.E.

The Board voted and approved the nominated members.

B. Discussion Items

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

Mr. Karns reported that the Emeritus Board Member Policy, Professional Conduct Policy and Affirmative Action/Equal Employment Opportunity Policy will be published upon Ms. Andaya's review. Ms. Andaya will review the Continuing Education guidelines and well as guidance documents from the Board. Guidance documents must be numbered, filed and published.

C. Open Board Positions Update

Mr. Karns reported that KSBTP currently has four open Board positions. The Governor's office has informed Mr. Karns that there are currently 3 Professional Engineer applicants. Mr. Lilak motioned to have Mr. Karns contact the Governor's office and instruct them to fill the position following the general goal of the Board to have diversification as well as technical expertise. Mr. Wimmer seconded the motion made by Mr. Lilak and the motion carried. Mr. Bowersox abstained.

D. Approval of Continuing Education Guidelines

Ms. Andaya will review the Continuing Education Guidelines.

E. Open Records Policy Updates & Review/Approval

- o Clerical time will be charged at \$20.00 per hour;
- o Executive Director time will be charged at \$40.00 per hour;
- o Classified staff will be charged at \$20.00 per hour

Mr. Poole moved to accept the above fees and update the Open Records Policy/Brochure. Mr. Lilak seconded the motion made by Mr. Poole and the motion carried.

F. Set 2019 – 2020 Board Meeting Dates

Mr. Karns will verify with Mr. Graham that September 12 -13, 2019 and February 13-14, 2020 are acceptable dates. The remaining Board dates will be scheduled during the September 2019 Board meeting.

G. Fee Issues

1. K.A.R. 66-15-1 Fee Regulation
2. ASBOG Fee Discussion/Review
3. Discontinued Fees

Mr. Karns reported that due to no statutory authority, certain fees were discontinued. The fees included the Intern Engineer application fee, the Fundamentals of Surveying application fee and the Fundamentals of Geology application fee. All ASBOG exam fees now must also be paid directly to ASBOG. Board Staff has updated the respective applications.

H. Review and Modification of Certificate of Authorization Application

Mr. Poole motioned to accept the Certificate of Authorization Application amended to "Consult with your legal counsel." Mr. Bowersox second the motion made by Mr. Poole and the motion carried.

I. Discussion of Advertising Fees for KSBTP Newsletter

Ms. Andaya will review the request.

J. Retreat/Strategic Planning

Mr. Wimmer, Mr. Graham, Ms. McMullen and Mr. Karns will meet to discuss goals of a retreat/strategic planning and present their findings at the September 2019 meeting.

K. Department of Personnel Services – FY20 M.O.U. Approval

Mr. Poole moved to accept the new Memorandum of Understanding and instructed Mr. Karns to sign for the Board. Mr. Lilak seconded the motion made by Mr. Poole and the motion carried.

L. Fire Marshall Training

Mr. Karns will inform all Board Members of the location, date and time of the training.

M. ABET Facility Visits

Mr. Johnson moved to allow Mr. Graham to attend. Mr. Haverkamp seconded the motion made by Mr. Johnson and the motion carried.

N. Budget/Fee Income Review

O. Litigation Account Discussion

Mr. Johnson motioned to request a transfer of up to \$500,000 with no time attached provided the Board has the authority to remove it should it be needed. If the funds are not able to be moved, further discussion will take place at the September 2019 meeting. Mr. Poole seconded the motion made by Mr. Johnson and the motion carried.

XI. APPROVAL FOR ATTENDANCE AT EVENTS

A. CLARB in St. Louis, MO, September 26-28, 2019 for Board Members, Executive Director and Staff

Mr. Johnson motioned to authorize Mr. Karns and Ms. McMullen to attend the CLARB meeting. Mr. Haverkamp seconded the motion made by Mr. Johnson and the motion carried.

B. FARB in St. Louis, MO, October 2019 for Board Members and Board Directors

Mr. Johnson motioned to authorize Mr. Karns and Ms. Weiler to attend the FARB meeting. Mr. Haverkamp seconded the motion made by Mr. Johnson and the motion carried.

C. ASBOG in Minneapolis, MN, November 4-8, 2019 for Board Members and Executive Director

Mr. Johnson motioned to authorize Mr. Karns and Mr. Henthorne (or his predecessor) to attend the ASBOG meeting. Mr. Haverkamp seconded the motion made by Mr. Johnson and the motion carried.

XIII. ADJOURN

By motion of Mr. Johnson, seconded by Mr. Lilak, the Committee adjourned at 1:25 p.m.