

Kansas Technical Professions



(785) 296-3053 • 900 S.W. Jackson Street, Suite 507 • Topeka, Kansas 66612-1257 • <http://www.kansas.gov/ksbtp/>

Volume 17 No. 3

July, August, September 2012

Last Printed Kansas Technical Professions Newsletter

This will be the last printed edition of the Kansas Technical Professions newsletter. Due to the changing nature of mass communication and other factors, the Board and the Arthur L. Davis Publishing Agency have decided to end publication of this newsletter.

The Kansas State Board of Technical Professions began publication of its newsletter in April, 1997 and has published quarterly editions since that time. The original purpose of the publication, to better inform licensees, applicants, students and the public concerning Board activities and changes in laws and regulations, has remained the focus for the past 15 years. This focus on communication will continue in a new format.

Beginning in October, 2012 the Board newsletter will be in electronic format. You will find many of the same features that you have come to rely on over the

years including disciplinary actions taken by the Board, proposed and/or newly revised statutes and regulations, lists of newly licensed individuals, as well as updates on national happenings and Board activities.

Each licensee will receive an email notice with a direct link to the newsletter which will be posted on our website. We will also post a notice on our Facebook page. You will also be able to find the latest edition by going directly to our website. All newsletters will continue to be archived on the website.

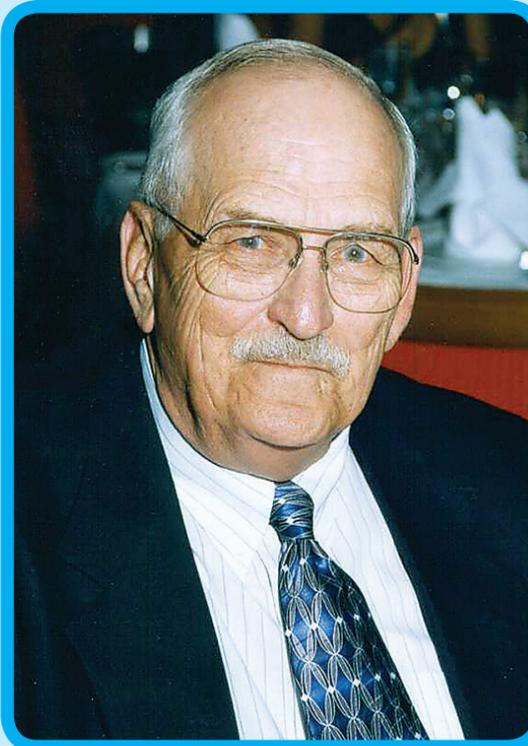
Be sure that you are prepared to receive the notice of newsletter publication. As you renew your license, always check your email address for accuracy. If, at other times, you need to update your email address you may either go to the "Online Change of Address" link on our webpage, or send your new address to us at ksbtp2@ink.org.

It is important that you keep your email address in your Board record current so that you do not miss important news from the Board.

Licensure Recognition Ceremony July 13, 2012

The Board of Technical Professions is pleased to announce the 8th licensure recognition ceremony to be held on July 13, 2012 at 3:00 p.m. The ceremony is a partnership between the Board, the Kansas Society of Professional Engineers, the Kansas Society of Land Surveyors, the Association of Environmental and Engineering Geologists, the American Institute of Architects in Kansas, and the Prairie Gateway Chapter of the American Society of Landscape Architects. The ceremony is to honor those individuals who have passed their licensing exams between January 2012 and June 2012. The ceremony will be held in the Auditorium of Memorial Hall, 10th and Jackson in Downtown Topeka. New licensees will receive an invitation. Family members, supervisors, mentors and members of their firms are invited to help celebrate this step in their career.

F. Glenn Phinney, P.E. Retires as Webmaster



F. Glenn Phinney, P.E., former Board Member, has announced his retirement as Webmaster for the Board's website. Mr. Phinney, along with Betty Rose, former Executive Director, designed and launched the Kansas State Board of Technical Professions' website in January 1997 to offer convenience and service to licensees, applicants and the public. Mr. Phinney has continued to serve the Board as Webmaster for more than 15 years. Through his efforts the website has allowed users to locate much needed up-to-date information, application forms, renewal processes, search for licensee information and much, much more.

The Board wishes to express their gratitude to Mr. Phinney for his many years of dedication to the Board and to the website. Our thanks and best wishes to Mr. Phinney.

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AGENCY MISSION

To provide maximum protection of the health, safety and welfare of the people of Kansas by assuring that the practice of engineering, architecture, land surveying, landscape architecture and geology in the state is carried out only by those persons who are proven to be qualified as prescribed by the statutes and rules and regulations of the Board of Technical Professions.

Programs Established To Assist With Agency Mission

Licensing, monitoring and regulating of technical professions:

- Examine and certify Intern Engineers, Surveyors and Geologists
- License, monitor and discipline Engineers
- License, monitor and discipline Architects
- License, monitor and discipline Land Surveyors
- License, monitor and discipline Landscape Architects
- License, monitor and discipline Geologists
- Licensing of Business Entities

BOARD STAFF

Routing your calls to the numbers below will allow our staff to better assist you by answering questions about the areas they handle. You may also leave a message on our voice mail if we are unavailable. We will return your call promptly.

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Marilyn
(785)-296-4400
marilynn@ksbtp.ks.gov

Mary Leigh
(785)-296-4800
maryd@ksbtp.ks.gov

Vicky
(785)-296-3052
vickyg@ksbtp.ks.gov

Carol
(785)-296-8612
carols@ksbtp.ks.gov

For Information On:
General information questions,
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License renewals, reinstatements,
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Business Entities, Certificate
of Authorization

Application status, licensure
qualifications and foreign degree
evaluations

Examinations, Verifications
Continuing Education

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Kansas Board of Technical Professions
900 Jackson St. Suite 507
Topeka, KS 66612-1257
(785) 296-3053
www.kansas.gov/ksbtp

Office Hours

8 a.m.–4:30 p.m.

Please leave a message on our voice mail system at other times.

Office Closings

Our office will be closed on the following dates:

Independence Day Wednesday, July 4, 2012
Labor Day Monday, September 3, 2012
Veterans Day Monday, November 12, 2012
Thanksgiving Day Thursday, November 22, 2012
. Friday, November 23, 2012
Christmas Eve Day Monday, December 24, 2012
Christmas Day Tuesday, December 25, 2012
New Year's Day Tuesday, January 1, 2013

Upcoming Meetings

Check our web site for updated information on Board meetings.

Disclaimer

Kansas Technical Professions is published quarterly by the Kansas Board of Technical Professions. The news articles contained in this publication should be treated as official communications from the Kansas Board of Technical Professions. The providers are responsible for offering quality programs under the criteria as established by the Board. Complaints regarding continuing education programs may be reported directly to the Kansas Board of Technical Professions. For information on these educational offerings, contact the sponsor, not the Board.

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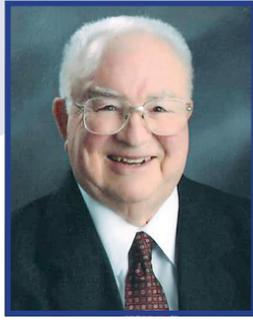
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**ALLEGED VIOLATION
REPORT FORM
available at
www.kansas.gov/ksbtp**

Disciplinary Action Taken by the Board

Disclaimer: Every effort has been made to ensure that the following enforcement information is correct; however, this information should not be relied upon without verification from the Kansas board office. It should be noted that the names of business entities and individuals listed may be similar to the names of parties who have not had enforcement actions taken against them. Disciplinary orders are public information and copies may be obtained by contacting the board office.



Mark L. Bennett Jr.

IN THE MATTER OF GREG GRANT, L. S.

Summary: As was reported in the April-June, 2011, Newsletter, Greg Grant, a Kansas Licensed Land Surveyor was disciplined following a hearing in which it was determined that Mr. Grant had deviated from generally accepted land surveying practices in his performance of the two surveys at issue. As a result of that determination, the hearing panel imposed a \$10,000 fine and Mr. Grant's license was conditioned for a period of two years during which time he was required to submit to the Kansas State Board of Technical Professions copies of all boundary surveys performed by him and evidence that all corner reports had been timely filed with the Kansas State Historical Society.

Mr. Grant then appealed that determination to the District Court of Shawnee County, Kansas, and Judge David E. Bruns affirmed the hearing panel's decision. Following Judge Bruns' affirmation of the hearing panel decision, Mr. Grant then appealed that decision to the Kansas Court of Appeals.

On February 3, 2012, the Kansas Court of Appeals affirmed Judge Bruns' decision. In doing so, it noted in part as follows:

"We agree that land surveying is a very technical profession and involves the exercise of professional judgment. The Legislature established the Board to regulate these technical professionals, land surveyors, through statutes and its rules and regulations (Minimum Standards).

"It is important to understand that while the underpinnings of this case involve boundary disputes and failures to file mandated reports, the major issue is the Board's control and discipline of those who are licensed and engage in this very technical profession."

The appellate court then quoted with approval the determination by District Judge Bruns in which he stated:

"The Court agrees with [Grant's] contention that no professional is infallible and no professional will never make a mistake. However, professionals must account for mistakes that result in violations of statutes, rules and/or regulations. In this action, the Hearing Examiners weighed the evidence presented by the parties, including that presented by expert witnesses, and applied it to the applicable statutes, rules and/or regulations governing land surveyors licensed in the State of Kansas. In turn the Hearing Examiners reached reasonable conclusions. Thus, this Court has no basis to substitute its own conclusions for that of the well-qualified Hearing Examiners."

In approving Judge Bruns' decision in the District Court, the Court of Appeals noted that:

"It is clear that Grant is requesting this Court reject the Board's decision, along with the expert opinions of Schmitz and Brosemer and find that he complied with the Minimum Standards in preparing his surveys. Our standard of review simply does not permit such a result in this case. On the contrary, there is substantial competent evidence in support of the Board's decision."

The Court of Appeals also noted that:

"Grant argues that the Board should not have disciplined him for failing to file his section corner reports within thirty days. He claims that even though the reports were belatedly filed, there were no complaints or incidents and this technical violation did not warrant the punishment imposed by the Board."

The Court of appeals disagreed with Mr. Grant's argument stating:

"Grant argues that K.S.A. 58-2011(d) does not specify the consequences for a belated filing and thus, a surveyor would be uncertain as to those consequences. Without any discussion or interpretation of the cases, Grant contends that he should be granted relief."

The Court then went on to note that Mr. Grant's reliance on the cases he cited in his brief was "misguided" and the cases cited by him did not provide support for his case.

The Appellate Court then went on to note that:

"It is undisputed that Grant did not timely file the corner reports pursuant to K.S.A. 58-2011 for four of the surveys. Grant's excuse is that he failed to read the statute, and he belatedly filed the reports with no complaints by or damage to the public. K.S.A. 58-2011 clearly authorizes the Board to suspend or revoke Grant's surveyor's license for failing to comply with the filing requirements. Grant pleads ignorance. Be that as it may, Grant's livelihood depends on his knowledge of the statutes and minimum standards for land surveyors, including the possibility of suspension or revocation of his license if he failed to comply with the requirements."

The Appellate Court also addressed the reasonableness or lack thereof of the punishment imposed. In doing so, it noted:

"Finally, Grant argues that the Board's punishment was unduly harsh and did not fit the violations in light of... his lack of prior violations and the lack of any complaint regarding his technical violations of the reporting requirements. Grant 'throws himself to the mercy of this Court' begging for imposition of only a public reprimand."

Mr. Grant's argument in this regard was not persuasive, and the Appellate Court indicated that the fines levied against Mr. Grant were authorized by the provisions of K.S.A. 74-7039(b). In doing so, it noted that:

"With respect to any willfulness of the violations, the multiple submissions of improper surveys certainly suggest that if his errors were not willful, the surveys were at least prepared with great indifference to the minimum standards. Grant's cavalier attitude with regard to the filing requirements with the KSHS is evident from the independent investigation by Brosemer. This was also evidenced by Grant's failure to immediately file section corner reports after being made aware of the mandatory filing requirement."

Then the Court noted at the conclusion of its opinion that:

"Considering the record before us, there is no evidence to even suggest that the Board acted arbitrarily, unreasonably or capriciously in ordering Grant's fine and licensing restrictions."

Status: *On March 12, 2012, Mr. Grant paid the \$10,000 fine imposed by the Board; however, to date, he has not complied with the balance of the Board's Order which required that he submit copies of all boundary surveys performed by him and evidence that all corner reports had been filed timely with the Kansas State Historical Society.*

IN THE MATTER OF CONFEDERATED BUILDERS, UNLICENSED

Summary: In October, 2010, the Kansas State Board of Technical Professions received a report of alleged violation from a building official for the City of El Dorado, Kansas, indicating that a contractor had submitted a drawing to the City of El Dorado for the purpose of obtaining permits for a renovation and change of occupancy of space on the second floor of the building. The report went on to indicate that the contractor was aware that professional design was required for the project but that the plan did not include any design firm information or architect's seal.

Board Action: Following the completion of an investigation and a determination by the Board's investigator that Confederated Builders had prepared the design of the second floor of the building at issue for the purpose of submitting the same and obtaining a building permit, the Complaint Committee of the Board directed that a complaint be filed against Confederated Builders alleging the unlicensed practice of architecture in the State of Kansas. Following the filing of the complaint a formal hearing was held before a two member panel of the Kansas State Board of Technical Professions at which time both the Board and Confederated Builders presented evidence in support of their positions.

Thereafter, on February 20, 2012, the hearing panel entered its final order in the matter in which it determined that Confederated Builders had engaged in the practice of architecture without being licensed to do so or holding a certificate of authorization allowing it to do so when it submitted a schematic design to the City of El Dorado for the purpose of obtaining a building permit. As a result of that determination, Confederated Builders were ordered to pay a \$500 fine and the Board's fees and expenses incurred in the prosecution of the matter in the amount of \$3,697.79 for a total fine and expenses of \$4,197.79.

Status: *At the request of Confederated Builders, the Board agreed to allow the fine and costs to be paid in installments at the rate of \$500 per month. To date, two \$500 payments have been received by the Board.*

IN THE MATTER OF EARLE'S ENGINEERING AND RICHARD LANGLEY, L.S.

Summary: In November, 2010, the Complaint Committee of the Kansas State Board of Technical Professions received an inquiry regarding Richard Langley, L.S. and his employer Earle's Engineering regarding Mr. Langley's surveying practice and work with regard to a survey that he had performed in Saline County, Kansas. The concerns voiced with regard to the respondents were that they had deviated from accepted land surveying standards and/or the minimum standards for boundary surveys in the performance of the survey that had been performed in Saline County, the result of which were numerous deviations from the results of a survey previously performed in the same area by the Saline County Surveyor's Office.

Board Action: Following the completion of an investigation by one of the Board's licensed professionals, it was determined that Richard Langley and Earle's Engineering had deviated from generally accepted land surveying practices and/or the minimum standards for boundary survey in performing the survey in question in the following respects:

1. Failure to search thoroughly for necessary controlling monuments and other physical evidence.
2. Failure to investigate possible parcel evidence supporting the positions of obliterated control monuments and taking necessary oaths.
3. Failure to take necessary measurements to analyze and evaluate found evidence.
4. Failure, where relevant, to locate lines of possession.
5. Failure to evaluate the evidence and apply the proper theory of location in accordance with statutes and/or precedents in calculating the position of all corners to be established or re-established.
6. Failure to indicate on the plat or certificate of survey the following:
 - A. All pertinent monuments found or set with a notation indicating which were found and which were set and identified as to size and type.
 - B. All found or established monuments and evidence of possession beyond the surveyed premises on which establishment of the corners of the surveyed premises are dependent.
 - C. Where possession affects the survey, the character of observed evidence of possession and the location of such evidence in relationship to the surveyed boundary lines.
 - D. Sufficient data to clearly indicate the theory of location applied in finalizing the locations of the corners and any data at variance with the theory of location and sufficient data to allow the facile retracement of all pertinent lines and points shown on the plat.

Following the completion of the investigation and a determination by the Board's investigator that Richard Langley and Earle's Engineering had deviated from generally accepted land surveying practices in the State of Kansas, the respondents entered into a settlement agreement and consent order with the Board which included the following provisions:

1. The Respondents Richard Langley and Earle's Engineering shall immediately conform their land surveying practices to generally accepted land surveying practices in the State of Kansas and to the minimum standards for boundary surveys as adopted by the Kansas State Board of Technical Professions in K.A.R. 66-12-1.
2. Respondents shall perform a resurvey of the referenced survey in question which conforms with the previous survey of the property performed by the Saline County Surveyor's Office and said Respondents shall adhere to the County Surveyor's requirements in that regard with said resurvey to be conducted and completed by the Respondents on or before October 15, 2011, and then submitted to the Complaint Committee of the Board for its review no later than October 30, 2011.

April 2012 Board Meeting



2011-2012 Board Members left to right: Phil Meyer, L.A.; Forrest Erickson, P.E.; Steve Brosemer, L.S.; David Hoffman, Architect; Wendy Ornelas, Architect; Robert Henthorne, Geologist; Thomas Mulinazzi, P.E., L.S., Ph.D.; George Barbee, Public Member; George Dean, P.E.; Tim Sloan, L.S.; Murray Rhodes, L.S., Public Member; Vince Mancini, Architect; Richard Hayter, P.E. Ph.D.



Tim Sloan, L.S., receives an appreciation award from Board Chair Phil Meyer for 8 years of service as a member of the Board.



Thomas Mulinazzi, P.E., L.S., Ph.D., receives an appreciation award from Board Chair Phil Meyer for his dedication and service to the Board. Dr. Mulinazzi has served 12 years as a member of the Board and his term ends June 30, 2012.



The Kansas Board was pleased to have guests from the NCARB office at their April 27, 2012 meeting. Pictured are left to right: Mark Bennett, Jr., Board Attorney; Phil Meyer, L.A.; Steve Brosemer, L.S.; Forrest Erickson, P.E.; Wendy Ornelas, Architect; David Hoffman, Architect; Thomas Mulinazzi, P.E., L.S., Ph.D.; Robert Henthorne, Geologist; Michael Armstrong, Chief Executive Officer of NCARB; George Barbee, Public Member; Jean Boline, KSBTP Executive Director; Tim Sloan, L.S.; Kathy Hillegas, Director, Executive Office, NCARB; Murray Rhodes, L.S., Public Member; Vince Mancini, Architect; Richard Hayter, P.E. Ph.D.; and George Dean, P.E.

April 2012 Board Meeting



George Dean, P.E., receives an appreciation award from Board Chair Phil Meyer for 8 years of service as a member of the Board.



Wendy Ornelas, Architect, receives an appreciation award from Board Chair Phil Meyer for 4 years of service as a member of the Board.



Robert Henthorne, Geologist, receives an appreciation award from Board Chair Phil Meyer for filling the one year unexpired term of Richard Moberly.



George Barbee, Public Member, receives an appreciation award from Board Chair Phil Meyer for 8 years of service as a member of the Board.



Murray Rhodes, L.S., Public Member, receives an appreciation award from Board Chair Phil Meyer for 4 years of service as a public member on the Board.



Steve Brosemer, L.S., receives an appreciation award from Board Chair Phil Meyer for 4 years of service as a member of the Board.

Check Out This Information on the Web Page at:
www.kansas.gov/ksbtp

- BOARD STAFF AND CONTACT INFORMATION to e-mail or call the Board office.
- LICENSURE SEARCH FOR INDIVIDUAL OR BUSINESS links to a page to search for licensees by name, profession, location.
- ONLINE CHANGE OF ADDRESS FOR BUSINESS (CERTIFICATE OF AUTHORIZATION)
- ONLINE CHANGE OF ADDRESS FOR INDIVIDUALS
- CONTINUING EDUCATION INFORMATION:
 - REPORTING SCHEDULE
 - COMPUTATION OF CREDIT
 - MENTORING REPORT FORM
- EXAM DATES, LOCATIONS and DEADLINES for professional exams.
- RENEWAL INFORMATION and FEE SCHEDULE for licenses.
- ALLEGED VIOLATION REPORT FORM for reporting violations.
- NEWSLETTER ARCHIVES for digital copies of previous newsletters.

Disciplinary Action continued from page 3

3. Respondents shall file the required reference report with the Kansas State Historical Society on or before October 1, 2011 and shall provide written proof of said filings to the Kansas State Board of Technical Professions on or before October 1, 2011.
4. Respondents shall file the required referenced reports concerning said survey with the Kansas State Historical Society for the corners used in said survey.
5. Respondents shall pay all expenses of the Board including attorney and investigative fees incurred in the investigation and prosecution of this matter in the amount of \$2,099.50 and a fine in the amount of \$2,000 for a total fine and costs of \$4,099.50.

Status: Respondents have paid the fine and costs in full. They have not yet complied with the other terms of settlement which require a resurvey of the referenced survey and filing of the required reference reports with the Kansas State Historical Society thus the case is still open.

IN THE MATTER OF CONEXUS ENERGY SERVICES, L.L.C.

Summary: In March 2011, the Board's Complaint Committee received an inquiry from a Kansas licensed engineer in which a concern was expressed that Conexus Energy Services may be engaged in the practice of engineering and/or land surveying in the State of Kansas without benefit of licensure. As a result of that letter, the Kansas State Board of Technical Professions had the matter investigated by one of its licensed engineering investigators.

Board Action: Following the completion of the investigation, it was determined that Conexus Energy Services was not licensed to practice engineering or land surveying in the State of Kansas nor did it hold a certificate of authorization to do so. It was further determined that during that period of time between February 20 and June 3, 2011, its website indicated that the company could provide both engineering and pipeline surveying services and the representation did not indicate that the respondent would provide such services through partnering companies although that was its intention.

Upon receipt of the notice of violation from the Kansas State Board of Technical Professions, respondent promptly revised its website and promotional materials to provide clarification of the representations on its website. Thereafter, on July 26, 2011, respondent eliminated all references to the provision of engineering and survey services on its website and promotional materials.

As a result of the foregoing determination, the Kansas State Board of Technical Professions and Conexus Energy Services entered into a settlement agreement and consent order which included the following:

1. Conexus Energy Services, L.L.C. agreed and admitted that during that period of time from February 20 to June 3, 2011, its website failed to clearly specify that the engineering and land surveying services referenced on the website were provided through partnering companies since it did not hold a license or certificate of authorization to practice either engineering or land surveying in the State of Kansas.
2. Conexus will pay a fine in the amount of \$500 plus the Board's investigative expenses and attorney fees in the amount of \$879.24 for a total fine and costs of \$1,379.24.
3. That on July 26, 2011, the respondent revised its website and promotional materials and deleted therefrom any references to the provisions of engineering and surveying services for pipelines and further agreed that its website will not include references to the provision of engineering and/or surveying services for pipelines until such time as respondent employs a Kansas licensed engineer and/or surveyor in the appropriate capacity.

Status: On January 24, 2012, Conexus Energy Services, L.L.C. paid the fine and costs in full, and the Board's file has been closed.

IN THE MATTER OF DENNIS L. HANDKE, L.S.

Summary: In March of 2010, the Kansas State Board of Technical Professions received information that Dennis Handke had deviated from generally accepted land surveying standards and the minimum standards for boundary surveys when he performed a mortgage title inspection on or about May 7, 2008.

Board Action: Following the completion of an investigation, the Board's Complaint Committee determined that Mr. Handke had deviated from accepted land surveying standards in the performance of a mortgage title inspection in the following respects:

1. Respondent only showed two dimensions from the structure on the property to the property lines.
2. No level of certainty for dimensions is shown on the mortgage title inspection, and;

3. The deviations set out in the preceding paragraphs constitute violations of the Kansas State Board of Technical Professions Rules and Regulations, Article 66-6-4 and 66-12-1.

As a result of the foregoing determination, the Kansas State Board of Technical Professions and Mr. Handke entered into a settlement agreement and consent order which included the following:

1. Mr. Handke admitted that he has deviated from acceptable land surveying practices and from the minimum standards for mortgage title inspections as adopted by the Kansas State Board of Technical Professions.
2. Mr. Handke shall correct the subject mortgage title inspection in order to meet the requirements of the minimum standards for mortgage title inspections.
3. Respondent shall correct the subject mortgage title inspection so that it will depict a minimum of three distance ties to the structure and also include the level of certainty under MTI Standards.
4. Respondent will pay a fine in the amount of \$500 and all expenses of the Board including attorney fees and investigation fees incurred in this investigation and prosecution in the amount of \$1,208 for a total fine and costs of \$1,708, with said fine and costs to be paid to the Board on or before September 15, 2011.

Status: Dennis Handke has fully complied with all of the terms and conditions of the settlement agreement and consent order in this matter, and the case file has been closed.

IN THE MATTER OF NORTH AMERICAN BUILDINGS, INC.

Summary: In March, 2010, the Kansas State Board of Technical Professions received information that North American Buildings, Inc. had engaged in the unlicensed practice of architecture in the State of Kansas by advertising on its website services which appeared to be engineering or architecture. As a result of receiving the report of alleged violation form, the Board directed one of its investigators to conduct an investigation of the allegation.

Board Action: Following the completion of an investigation, the Board's Complaint Committee determined that North American Buildings had practiced, offered to practice or held itself out as authorized to practice engineering and/or architecture in the State of Kansas without being licensed to do so and without holding a certificate of authorization allowing it to do so. As a result of that determination, the Kansas State Board of Technical Professions and North American Buildings, Inc. entered into a settlement agreement and consent order which included the following recitation of facts, to-wit:

1. Respondent is not now nor has it at any time relevant to this proceeding been licensed to practice engineering or architecture in the State of Kansas nor has it at any time held a certificate of authorization to practice engineering or architecture in the State of Kansas.
2. It is alleged by the complainant that respondent held itself out as entitled to practice, offered to practice or practiced in the State of Kansas the technical professions of architecture and/or engineering as a result of the following:
 - A. The use of a website in the name of North American Buildings, Inc., the home page of which includes information that North American Buildings, Inc. is practicing and offering to practice architecture.
 - B. Preparation of engineering and architectural plans for a design build project in Wichita, Kansas, to-wit: Res Care at 5112 E. 36th Street, North, Wichita, Kansas.
 - C. Preparation of engineering and architectural plans for a design build project in Wichita, Kansas, to-wit: Thomas Office Park at 9139 E. 37th Street, Wichita, Kansas.
 - D. Preparation of engineering and architectural plans for a design build project in Wichita, Kansas, to-wit: White Eagle Credit Union at 300 West Broadway, Newton, Kansas when it was not licensed to practice architecture or engineering in violation of the provisions of K.S.A. 74-7001 and K.S.A. 74-7029.

3. While the respondent disputes the allegations set out above in paragraph 2, it has agreed to not contest said allegations and in order to avoid the cost of litigation has agreed to enter into a settlement agreement and consent order for the purpose of resolving all the allegations and disputes set forth herein between the parties.

4. The settlement agreement and consent order also included the following terms of settlement, to-wit:

- A. While the respondent disputes the allegations set out in paragraph A of the "Recitation of Facts", it has agreed to not contest those allegations in order to avoid the costs of litigation and for the purposes of resolving all the allegations and disputes between the complainant and respondent as set forth in the Complaint herein.
- B. Respondent further agrees to the following:
 1. The respondent shall immediately cease and desist from offering or providing pre-engineered buildings in the State of Kansas, the plans for which have not been prepared by Kansas licensed engineers and/or architects.
 2. Respondent shall pay a fine of \$500 in this matter plus all expenses of the Board including attorney fees and investigative fees incurred by the Board in the prosecution of this matter in the amount of \$4,276.51 for a total of \$4,776.51. The said fine and expenses shall be received by the Kansas State Board of Technical Professions on or before February 10, 2012.
 3. Respondent shall forthwith modify its website and remove any indication that the Respondent, which does not hold a certificate of authorization to practice engineering or architecture in the State of Kansas, does or will provide engineering or architectural design services until such time as it applies for and obtains a certificate of authorization authorizing it to provide such services.

Status: North American Buildings, Inc. has paid the fine and costs imposed in full and has complied with all of the terms of settlement set forth in the settlement agreement and consent order. The Board's file has been closed.

IN THE MATTER OF TERI ANDREAS FARHA, UNLICENSED

Summary: In October of 2009, Teri A. Farha applied to the Kansas State Board of Technical Professions for licensure as a landscape architect. During its consideration of Ms. Farha's application, it appeared from the documents submitted along with the application that Ms. Farha had been engaged in the unlicensed practice of landscape architecture in the State of Kansas prior to submitting her application for licensure.

Board Action: Following the completion of an investigation by one of the Board's licensed professionals, it was determined that Ms. Farha had engaged in the unlicensed practice of landscape architecture prior to her licensure in Kansas. As a result thereof, the Kansas State Board of Technical Professions and Ms. Farha entered into a Settlement Agreement and Consent Order which included the following provisions:

1. The Respondent, Teri Farha, admits that prior to her being licensed as a landscape architect in the State of Kansas, she practiced, offered to practice or held herself out as authorized to practice the technical profession of landscape architecture in the State of Kansas when she offered to provide landscape architecture services and provided such services with regard to four projects referred to in the Settlement Agreement and Consent Order.
2. Respondent further admits that at no time during the projects referenced was she licensed to practice landscape architecture in the State of Kansas.
3. The Kansas State Board of Technical Professions and the Respondent acknowledge and recognize that the Respondent has now applied for and obtained a license to practice landscape architecture in the State of Kansas.
4. Respondent shall pay all expenses of the Board including attorney and investigation fees incurred in the investigation and prosecution in this matter in the amount of \$4,778.48 and a fine in the amount of \$221.52 for a total payment of \$5,000. Said fine and expenses are to be paid at the time Respondent signs and submits the settlement agreement and consent order to the Board's attorney no later than September 1, 2011.

Status: Subsequent to the execution of the Settlement Agreement and Consent Order, the Board and Ms. Farha reached an agreement which allowed her to pay the fine and the costs at the rate of \$500 per month. To date, Ms. Farha paid a total of \$2,000 of the costs and fine assessed. There is presently a balance due and owing of \$3,000.

CONGRATULATIONS!

THE KANSAS STATE BOARD OF TECHNICAL PROFESSIONS is pleased to announce that the following individuals have successfully passed the **March 2012 Practice of Geology Examination** and are now licensed.

NAME	HOME CITY	STATE
KATHLEEN S. BLEACH	TOPEKA	KS
KYLE J. HALVERSON	TOPEKA	KS
EDWARD C. REBOULET	LAWRENCE	KS

CONGRATULATIONS!

The Kansas State Board of Technical Professions is pleased to announce the following individuals have successfully passed all parts of the examination and are now licensed.

Landscape Architect Registration Examination

NAME	CITY	STATE
KURT M. HUIRAS	WICHITA	KS
JAYME K. MERKLEIN	PRAIRIE VILLAGE	KS
SEAN A. RAY	KANSAS CITY	MO

CONGRATULATIONS!

THE KANSAS STATE BOARD OF TECHNICAL PROFESSIONS is pleased to announce that the following individuals have successfully passed all sections of the **APRIL 2012 Professional Surveying Examination** and are now licensed.

NAME	CITY	STATE
CHRISTOPHER R. BYER	PLAINVILLE	KS
JOHN L. HIXON	ATCHISON	KS
KARL M. PETERSON	HUTCHINSON	KS

CONGRATULATIONS!

THE KANSAS STATE BOARD OF TECHNICAL PROFESSIONS is pleased to announce that the following individuals have successfully passed the **March 2012 Fundamentals of Geology Examination**.

NAME	HOME CITY	STATE
JASON KOLB	KANSAS CITY	MO
DALE A. LAWRENCE	ELK FALLS	KS
BRIAN ORTEGA	TOPEKA	KS
RICHARD ROCKEL	GARDNER	KS

CONGRATULATIONS!

The Kansas State Board of Technical Professions is pleased to announce the following individuals have successfully passed all parts of the Examination and are now licensed.

Architect Registration Examination

NAME	CITY	STATE
SUZANNE BERKEY	OVERLAND PARK	KS
GEOFFREY COX	PHOENIX	AZ
JUSTIN R. CRATTY	LONDON	UK
AARON R. GODFREY	MISSION	KS
CRISTINE L. HENDERSON	OVERLAND PARK	KS
BRENNON J. RANDA	KANSAS CITY	MO
SHAUNA SCHULTZ	PARK CITY	KS
PETER TODD	EL DORADO	KS

CONGRATULATIONS!

THE KANSAS STATE BOARD OF TECHNICAL PROFESSIONS is pleased to announce that the following individual has successfully passed the **April 2012 Fundamentals of Surveying Examination**.

NAME	CITY	STATE
JEFFREY E. OSBORNE	OVERLAND PARK	KS

New KSBTP Certificates of Authorization

From February 11, 2012 to May 14, 2012

Architecture

Steele & Associates Architecture LLC	A-870
Gresham Smith & Partners	A-871
MJM Architects LLC	A-872
DBL Architecture Inc.	A-873
Mobius Architects LLC	A-874
Parkhill Smith & Cooper Inc.	A-875
Hanbury Evans Wright Vlattas + Company	A-876
Norberto Rosenstein Architect, Inc.	A-877
Case Lowe & Hart Inc.	A-878
Exp US Services Inc.	A-879
Nelson Forensic Architects PLLC	A-880
Nielsen Mayne Architecture Inc.	A-881
Skidmore Owings & Merrill LLP	A-882
The National Architect Corporation	A-883
Health Facilities Group LLC	A-884
Excel Engineering Inc	A-885
AArchitects LLC	A-886
Studium LLC	A-887
Clark Huesemann LC	A-888
I & S Group Inc.	A-889

Professional Engineering

Case Lowe & Hart Inc.	E-2051
Madison Industries Inc of Georgia	E-2052
Facility Engineering Services PA	E-2053
Gresham Smith and Partners	E-2054
Mettemeyer Engineering	E-2055
John Thomas Engineering LLC	E-2056
Daryel Ann LLC DBA DH Glabe & Associates	E-2057
IMETCO Incorporated	E-2058
Consulting Structural Associates LLC	E-2059
ANDYGILMOREAE COM LLC	E-2060
Raths Raths & Johnson Inc.	E-2061
Tourgee & Associates Inc.	E-2062
E Construct USA LLC	E-2063
Gary K Munkelt & Assoc LLC	E-2064
Stutzki Engineering Inc.	E-2065
V.E. Alvarez & Partners LLC	E-2066
MK Engineering Inc.	E-2067
Studio 8.18 Engineering PC	E-2068
Creative Power Inc.	E-2069
Newcomb & Boyd	E-2070
Vertical Solutions Inc.	E-2071
Exp US Services Inc.	E-2072
Timec Company Inc.	E-2073
Weihe Engineers Inc.	E-2074
GFAC Engineering Inc.	E-2075
Bayless Professional Engineers LC	E-2076

Kramer Consulting LLC	E-2077
LTH Ltd	E-2078
Hart Gaugler & Associates Inc.	E-2079
IC Design Services LLC	E-2080
Farris Engineering	E-2081
Orion Engineering Co. Inc.	E-2082
MKK Consulting Engineers, Inc.	E-2083
John Labib Structural Engineers LLP	E-2084
The Louis Berger Group (Domestic) Inc.	E-2085
Michael Baker Jr. Inc.	E-2086
High Energy Inc.	E-2087
I & S Group Inc.	E-2088
Harris Kocher Engineering Group Inc.	E-2089
Envirogroup Limited	E-2090
Myers Engineering Consulting Engineers Inc.	E-2091
Engineering Compliance & Construction Inc.	E-2092
Bruns Pak MEP LLC	E-2093
Matrix Technologies Inc.	E-2094
Nohr Engineering Company LLC	E-2095
JLR Design Consultants Inc.	E-2096
CRA Engineering Group Inc.	E-2097

Land Surveying

Stock & Associates Consulting Engineers Inc.	LS-256
Kramer Consulting LLC	LS-257
HMG Engineering LTD	LS-258
UELS LLC	LS-259
IPS Engineering LLC	LS-260

Landscape Architecture

Gresham Smith & Partners	LA-91
Rosehill Gardens Inc.	LA-92

Geology

APEX Companies LLC	G-118
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Certificate of Authorization Name Changes

Babcock Eagleton Inc.	E-1031
TO Eagleton Engineering LLC	
BIS Frucon Engineering Inc.	E-710 & A-642
TO BIS Engineering Inc	
WINK Engineering LLC	E-1800
TO Willbros Engineers LLC	
Berger Devine Yaeger, Inc.	A-193
TO Yaeger Architecture Inc.	

Reinstatement

Webster Design Inc.	A-734
BWBR Architects, Inc.	A-321
Wind Consultants LLC	E-1443

Announcing Changes to the Kansas State-Specific Surveyor Exam

The Kansas State Board of Technical Professions has determined that, beginning with the October 2012 exam, the state-specific surveyor exam will be split into two parts. Passing this exam is required of each applicant for an initial surveying license and those applying for a Kansas surveying license by reciprocity.

Part I (General) will include items on the Kansas Minimum Standards for Land Surveying, Kansas Statutes and Rules, Kansas Plane Coordinates, and Kansas Riparian Boundaries.

Part II (Public Land Survey System) will include items on Original GLO procedures and methods, the GLO system applied to Kansas, GLO section protraction, numerical calculation problems applied to USPLSS for Kansas, and resurveys on the USPLSS for Kansas.

Part I and Part II of the exam will each be a separate one-hour exam. Both parts of the exam will remain open-book.

Each examinee will be required to achieve an acceptable score on each part before receiving a pass for the Kansas State-Specific Exam. Applicants will be allowed to retake the part or parts that they fail. In accordance with K.A.R. 66-8-6, each examinee will be allowed three attempts at each part of the exam before having to meet the requirements of K.A.R. 66-8-6 (b) for that part.

Questions concerning this new exam format should be directed to the Board office at 785-296-8612.

WATCH FOR NEW WEBSITE

For better navigation, convenience and the newest technology, the Kansas State Board of Technical Professions is designing a new website. We hope to launch the new site by September 2012.

Watch our current homepage, www.kansas.gov/ksbtp, for announcement of the launch.





In Memoriam

The Board and staff wish to extend our sympathies to the families and friends of these individuals who have honored their professions:

ENGINEERS

Leslie K. Baxter	#2807	Wichita, KS
Paul Eric Craven	#13703	DeSoto, KS
Isan Fan	#12527	Littleton, CO
Robert Faught	#5165	Topeka, KS
Joe Richard Gray	#10537	Coffeyville, KS
Francis Henderson	#6037	Overland Park, KS
Timothy W. Hindman	#13131	Ithaca, NE
Earl D. Honigs	#5354	Topeka, KS
Robert D. Hutton	#4140	Shawnee Mission, KS
Paul A. Johnson	#1792	Concordia, KS
Donald Eugene Kruse	#9755	Bonner Springs, KS

ARCHITECTS

James A. Hatcher	#2476	Lakewood, CO
Robert G. Jones Jr.	#2616	Overland Park, KS

LANDSCAPE ARCHITECT

Robert B. Faught	#148	Topeka, KS
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LAND SURVEYOR

Earl D. Honigs	#318	Topeka, KS
Paul A. Johnson	#481	Concordia, KS

Cancelled Landscape Architect Licenses

The following Landscape Architect licenses have been cancelled on December 31, 2011 by the Kansas State Board of Technical Professions due to non-renewal of the license.

Name	License Number
Brian Downing McMillan	520
Scott A. Milne	534
Elizabeth J. Mitts	575
Douglas J. Pratte	762
Michael E. Spackman	448
Cecil Dwayne Wilkerson	777
Keith R. Zwick	80

KSBTP BUSINESS ENTITIES - Cancelled for Non-renewal 12/31/2011

NAME OF BUSINESS ENTITY LIC #

ARCHITECTURE BUSINESS ENTITIES

RAUSCHENBACH, MARVELLI, BECKER & ASSOCIATES	A-306
TEVIS ARCHITECTURAL GROUP PA	A-377
PB ARCHITECTURE INC	A-681
WOLFGANG TROST ARCHITECTS LLC	A-762
MENEMSHA DESIGN LLC	A-832

ENGINEERING BUSINESS ENTITIES

REISS AND GOODNESS, INC.	E-56
W-T ENGINEERING, INC	E-618
SIMPLEXGRINNELL LP	E-753
SHAFFER & STEVENS PC	E-862
MALCOLM PIRNIE INC	E-874
MATRIX ARCHITECTS ENGINEERS PLANNERS INC	E-982
METROPOLITAN ENGINEER COMPANY DBA MET ENG & SURVEY	E-1115
PE GROUP INC	E-1283
TELVENT FARRADYNE ENGINEERING P.C.	E-1345
WIND CONSULTANTS LLC	E-1443
S&C ELECTRIC COMPANY	E-1479
ROBERT M. STAFFORD, INC. DBA STAFFORD CONSULTING	E-1507
VERTEX DESIGN GROUP, LLC	E-1564
TAPPANA STRUCTURAL CONSULTANTS DBA TAPPANA ONDRICK	E-1626
WESTERN ENGINEERING CONSULTANTS, INC.	E-1676
TRIVIS INC	E-1742
STRUCTURE SIGHT LLC	E-1803
SHAFFER BAUCOM ENGINEERING & CONSULTING	E-1878
STAND STRUCTURAL ENGINEERING INC	E-1897

LANDSCAPE ARCHITECTURE BUSINESS ENTITIES

RICHARD W LEE LANDSCAPE ARCHITECT INC	LA-83
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LAND SURVEYOR BUSINESS ENTITIES

SMITH & WOOLEY LAND SURVEYING INC	LS-200
MARK DEAL AND ASSOCIATES, P.C.	LS-210

GEOLOGY BUSINESS ENTITIES

(No GEOLOGY Business Entities were cancelled for 12/31/2011)

NCARB Joint Regional Meeting Report March 22nd-24th, 2012

by Vince Mancini

In preparation for the upcoming Annual NCARB meeting in June, Dave Hoffman FAIA, and Vince Mancini AIA, Architect Members of the Board and Jean Boline, Executive Director, attended the NCARB regional meeting in Nashville, Tennessee this past March.

Drafts of resolutions to be acted upon at the Annual NCARB meeting in June were presented and discussed. Scott Veazey AIA, NCARB President, gave an update on goals associated with the NCARB strategic plan. He also reported on the financial health of NCARB (income ahead of budget and expenses below budget). During the meeting we participated in an exercise with other board members from NCARB Regions 1, 2, 4 and 5, to suggest future (Blue Sky) ideas to push the limits on several topics: the pathway to licensure, education and accreditation, internship/experience, examination, continuing education, international relationships, governance, NCARB services, collaboration/agility and licensure specialization. Some of the more interesting suggestions to emerge from this exercise included:

1. NCARB to lead in education—merge with NAAB
2. National license
3. NCARB—in charge of continuing education
4. Add ethics component to continuing education
5. Tier licensing (specialization)
6. Better integration of IDP w/education or a part of education
7. NCARB to promote education standardization
8. NCARB testing improvements
9. Reduce NCARB operation cost
10. Move NCARB out of D.C.
11. Improve education evaluation (30% of educators not licensed)
12. Rethink IDP—competency based experience rather than time

The regions held separate meetings to handle regional business and to discuss the proposed resolutions to be voted on at the annual meeting. The resolutions appear to be non-controversial this year, and information on each proposed resolution will be reported after the NCARB annual meeting in June.

Past year Region 5 Director Rick Engebretson gave a report of NCARB activities at the Board of Directors level for the past year. Rick noted that he has seen improvement in NCARB operations and transparency since the new CEO, Michael Armstrong, has come onboard.

Following his report, election for Region 5 officers were held. Elected officers for the year are:

- Region 5 Director Dave Hoffman, Kansas
- Chair—Bayliss Ward, Montana
- Vice Chair—Frank Chitwood, Oklahoma
- Secretary/Treasurer—Vince Mancini, Kansas