

# SOUTH DAKOTA STATE BOARD OF TECHNICAL PROFESSIONS Board Minutes

Of the regular meeting Friday, March 28, 2014  
In the Rushmore Building at the board office in Rapid City, SD

The South Dakota State Board of Technical Professions held its regular meeting on Friday, March 28, 2014 in its Board Room, Rushmore Building, in Rapid City, South Dakota. Chairman Len Neugebauer presided.

Chairman Neugebauer called the meeting to order at 8:30 a.m.

The following Board members were present: Chairman Leonard Neugebauer, Vice Chairman Jeff Nelson, Secretary Dennis Micko, Hani Shafai, Steve Williams, Randy Bacon, and Drake Olson. Staff Attorney Aaron Arnold attended by telephone. Others present were Brian Jenner, SD Engineering Society and staff members, Mark Humphreys, Kathryn Patterson and Susan Neuf.

Staff Attorney Arnold joined the meeting at 8:30 a.m. and left the meeting at 2:22 p.m.

Brian Jenner left the meeting at 12:05 p.m.

## Agenda Items:

- 1) Approval of January 24, 2014 Minutes (Motion)
- 2) Approval of vouchers since last meeting (Motion)
- 3) Activities report ending February, Review of Deposits & Quarterly report (FYI)
- 4) Investigation reports
- 5) Old Business
- 6) New Business
- 7) PDH Audits (Motion)
- 8) Approval of passing Examinees from January & February (Appendix A, Motion)
- 9) Approval to take the NCEES Examinations as available (Appendix B, Motion)
- 10) Approval of applicants by examination; R (Appendix C, Motion)
- 11) Approval of Comity applications (Appendix D, Motion)
- 12) Approval of Business applications (Appendix E, Motion)
- 13) Annual, zone, committee meeting reports & upcoming meetings
- 14) Correspondence
- 15) Future board meeting schedule
- 16) Adjournment (Motion)

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### AGENDA ITEM #1 APPROVAL OF JANUARY 24, 2014 BOARD MEETING MINUTES (MOTION)

**Motion:** By Olson, seconded by Williams for approval of the January 24, 2014 Regular Board Meeting Minutes.  
**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

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### AGENDA ITEM #2 APPROVAL OF VOUCHERS SINCE LAST MEETING (MOTION)

**Motion:** By Bacon, seconded by Shafai for approval of the vouchers since last meeting.  
**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

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## AGENDA ITEM #3 ACTIVITES REPORT ENDING FEBRUARY 2014, REVIEW OF DEPOSITS & QUARTERLY REPORT (FYI)

The Board briefly discussed the activities report, deposits, and quarterly report. Humphreys commented that DLR is very happy with the way the Board office records and documents transactions.

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## AGENDA ITEM #4 INVESTIGATION REPORTS

### **Case 09-06 Competency and Professional Conduct - Hearing Scheduled for May**

The Board discussed the upcoming hearing dates of May 28-29 and possibly May 30 for Case 09-06. Due to space limitations in the BOTP offices, the scheduled hearing is in the DLR Employment Services Building conference room. Depositions are in process prior to the hearing and everything is proceeding as scheduled. Olson asked if the incoming board members or the outgoing board members would attend the hearing. Staff Attorney Arnold advised that the outgoing Board members who are on the Investigative Committee would attend even though they will not be able to vote. The incoming board members are required to attend. The hearing is open to the public.

### **Case 14-01 Possible Fraud & Perjury - PE. (Hearing starts promptly at 9:00 A.M.)**

Chairman Neugebauer called the scheduled hearing in the matter of Case 14-01 Possible Fraud and Perjury on the part of Torris J. Babbs to order at 9:02 a.m. on March 28, 2014.

The following Board members were present: Chairman Leonard Neugebauer, Vice Chairman Jeff Nelson, Secretary Dennis Micko, Hani Shafai, Steve Williams, Randy Bacon, and Drake Olson. Staff Attorney Aaron Arnold attended via telephone. Others present were guest Brian Jenner, SD Engineering Society and staff members, Mark Humphreys, Kathryn Patterson and Susan Neuf.

Mr. Babbs did not appear at the scheduled time of the hearing and no legal representative attended on his behalf. Mr. Babbs did not send a notice of intent to attend the hearing nor a request to change the date scheduled for the hearing prior to the time that the hearing was scheduled to take place.

After presentation of testimony and exhibits to the Board, Chairman Neugebauer then closed the hearing and there was a motion to go into Executive Session at 9:54 a.m.

**Motion:** By Shafai, seconded by Bacon to enter into executive session.

**Action:** 6-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, and Shafai); Olson recused himself and left the meeting as a member of the Investigative Committee.

Staff Attorney Arnold, Mark Humphreys, Kathryn Patterson, Susan Neuf, Drake Olson and guest Brian Jenner left the room during the Executive Session.

The Board meeting resumed at 10:43 a.m.

Staff Attorney Arnold returned to the meeting via telephone along with all persons who left the room during the Executive Session.

It is the decision of the Board to accept the findings of fact supported by the exhibits presented. The Board also decided to deny Mr. Babbs's application for reinstatement and that he not is eligible for reinstatement for a period of two years from the date of the hearing. The Board also decided to impose an administrative fine of \$2,000 plus any expenses incurred by the Staff Attorney's office or Board office.

**Motion:** By Micko, seconded by Nelson to accept the findings of fact, deny reinstatement, and impose the fine as described above.

**Action:** 6-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, and Shafai); Olson recused from voting.

### **Case 14-02 Failure to report Disciplinary Action - LS.**

The Board discussed Case 14-02. The licensee is not willing to accept the consent agreement upon review of the consent agreement. A tentative hearing date of July 17 at 1 p.m. is scheduled.

**Case 14-04 Failure to report Disciplinary Action - AR.**

Board member Williams accepted appointment to the investigative committee for this case. Licensee has received a consent agreement and responded with a counter offer, which Staff Attorney Arnold is reviewing.

**Case 14-05 Failure to report Disciplinary Action - AR.**

Board member Nelson accepted appointment to the investigative committee for this case. Licensee has not responded to Board staff regarding the complaint.

**Case 14-06 Failure to respond to PDH Audit - PE - Withdrawn**

The Board discussed Case 14-06. The licensee called the Board offices to explain that he had only recently received the communications from the Board. The licensee explained that his staff signed for the letters, but failed to deliver them to him. He only became aware of the audit when he received the complaint form. The licensee immediately called the Board offices and apologized profusely. He also quickly supplied the requested documents for the PDH audit, which the Board has since reviewed and determined that the licensee meets and exceeds the minimum continuing education requirements. Based on the licensee's response and the Board's review of the documentation, the Board came to an agreement that it was no longer necessary to discipline the licensee. The Board also discussed that if any similar situations to this one arise in the future, that the Board staff should call the licensee and talk to them about their failure to respond before filing a complaint. Recommendation of the Chairman is to withdraw this complaint.

**Motion:** By Micko, seconded by Bacon to withdraw this complaint.

**Action:** 6-0 AYE (Bacon, Micko, Nelson, Williams, Olson, and Shafai); Neugebauer recused himself from voting.

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**AGENDA ITEM #5 OLD BUSINESS**

**Action Items - reports**

**Item 1:** Electronic Plans Distribution. The Board is still working on this item.

**Item 2:** Seals; Guideline Document. The Board is still working on this item.

**Item 3:** Discipline Questions on Application Not Clear. Humphreys and Staff Attorney Arnold are working on specific wording for the application form updates. Also discussed adding the four questions located on all other applications to the FE and FS applications to maintain consistency across all applications.

**Item 4:** Clarification of Intent That a Person Can be in Responsible Charge of Only One Office. Statute revision would be necessary for completion of this item. May 31 is the deadline for statute revisions to be in place prior to the next legislative session.

**Item 5:** CoA practice requires a currently licensed individual. This will require a rules revision and is a work in progress. The Board discussed whether or not an Architect on the staff of a business such as a clinic or other healthcare entity, should be required have a CoA to practice or if they are exempt from this rule. The consensus of the Board is that under this scenario the staff Architect should be required to be under a CoA, because government entities and public utilities are the only entities that qualify for an exemption to the CoA rule.

**Item 6:** Cross Practice in Construction Administration. There are two issues concerning this item: 1) Who can provide construction management on a project that has both engineers and architects and then define who the prime professional is; and 2) There is a conflict between the statute and rules on the definition of construction management as it relates to the review of shop drawings. A draft rewrite will be prepared for the 2015 legislative session as this item requires a statute rewrite.

**Item 7:** Fire Protection Engineer Requirement. This item is in progress. A meeting to include the Fire Marshall, fire sprinkler systems installers, and Rapid City Building Officials to discuss this issue and determine if there are, any revisions needed to this requirement will be set up.

**Item 8:** Building Officials Guide. A draft, which would update this document, is in place and under review by the Board for accuracy and completeness prior to offering it to the Building Officials for review.

**Item 9:** Rewrite Petroleum Release Exam. Updates to this exam should be coordinated with experts in the Petroleum assessment and remediation field. The Board has contacted DENR concerning the need for the rewrite of the exam. The Board discussed the need to clarify the experience requirements in our rules for the Petroleum Release Assessor and the Petroleum Release Remediator as they are currently worded the same. The consensus of the Board is to use DENR staff for input and help on the exam rewrite and experience requirements updates.

**Item 10:** Rewrite FS and PS Exam Applications. BPro has final reviews of the applications for update on the website.

**Item 11:** Rewrite FE and PE exam Applications. BPro has final reviews of the applications for update on the website.

**Item 12:** Install Wi-Fi connection in the Boardroom. Staff will complete paperwork for submission at the current price quote of \$1000. The timing of such will be coordinated based on the work of the Site Selection Committee.

The Board discussed the progress made on the above action items. Action Item 8 is complete and ready for review by Building Officials. Action Items 10 and 11 are complete and updated forms are ready for BPro to post on the website. Chairman Neugebauer volunteered to review the PDH Log form and make appropriate revisions needed to make it function better for the website, licensee record keeping, and Board audit purposes. He will submit the revised PDH Log to Board staff for review by April 2.

There were no new updates on the rest of the action items.

#### **Website review and update**

##### **Conversion from classic .asp to .net - BPro**

In progress and should be complete by the end of April.

##### **Review of forms**

Board briefly discussed the progress on "Review of forms"; Staff has completed the forms review. This task is now complete.

#### **SDBOTP; CBT Information**

Board briefly discussed this topic. Out of 118 FE/FS applicants who signed up for the exam as of March 2014, only 13 have tested (12 of which have passed the exam), and 60 are currently scheduled to take the FE or FS exam.

#### **Pearson VUE test site in Rapid City**

Board briefly discussed this topic. The Rapid City Pearson VUE test site might be ready by April 15 if all goes well.

#### **FY13 Audit**

Board reviewed the documents sent by the independent audit agency. The consensus of the Board is that the Audit report results were acceptable.

#### **Board Members up for reappointment are Micko and Nelson; maximum terms served by Bacon and Shafai**

Board congratulated Micko and Nelson on their reappointment to the Board. Humphreys announced the replacements for Bacon and Shafai. Mike Albertson, PE and J. Steve Peters, LS will be replacing Hani Shafai, PE and Randy Bacon, LS and will begin service on the board by the May board meeting.

#### **Office Locations Visited**

Potential locations for a new location of the Board office were under discussion. The Site Selection Committee visited several of the potential locations and gave their input as to suitability of these locations.

#### **Review of Legislation: SB68 and others**

Board briefly discussed SB68 and other legislation that could potentially affect how the Board conducts its business. The Governor signed SB68 and the law might affect the process Land Surveyors use to record their surveys with the Register of Deeds. The Board discussed their concerns with how SB68 defines e-signatures and their use on documents within the professions represented by the Board.

#### **Appropriations Committee Hearing - Pierre**

Board briefly discussed the appropriations committee hearing held in Pierre, SD and attended by Humphreys. There were no questions asked or problems to address.

#### **Company request of temporary posting of hours**

Board briefly discussed this topic. The Board did not approve the posting of hours for this company. The principal of this company has not responded to Board staff in regard to the letter sent notifying them of the denial.

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## **AGENDA ITEM #6 NEW BUSINESS**

#### **Certificate of Authorization Question**

Board discussed whether medical associations, such as Avera, Good Samaritan, and others need to have a CoA or if they may be exempt. The consensus of the Board is that these types of businesses need to have a CoA.

#### **NCARB - Certification Requirement for BoD (Resolution 2014-C)**

Board briefly discussed a proposed NCARB resolution which would require NCARB certification as a prerequisite to serving as a Regional Director on the NCARB Board of Directors, which requirement is proposed to commence in 2017.

#### **NCARB - IDP Proposed Changes - Six Month Rule**

Board discussed the IDP reporting requirement known as the "six-month reporting rule". Adopting the proposed change would enable interns to earn IDP experience credit for qualifying work experience while still preserving the value of the

Six-Month Rule. In addition, this adjustment creates a parallel with the five-year rolling clock for honoring examination results, emphasizing a consistent position that examination results maintain value for a period up to five years.

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#### **AGENDA ITEM #7 PDH AUDITS (MOTION)**

**NEW AUDITS:** George Bornemann, LS; Trent E. Bruce, PE; Evan S. Fleming, AR; Terry L. Forest, PE; Richard Kent Harsh, PE; Jeffrey R. Kreiter, AR; Matthew T. Mokanyk, PE; Gary Ness, LS; Philip A. Nichols, PE; Christopher Ronald Raml, LS; Steven Dean Schelske, PE; Doyle D. Shaff, R; and David A. Van Nieuwenhuyzen, AR.

**Motion:** By Nelson, seconded by Williams to approve the audits of Evan S. Fleming, AR; Jeffrey R. Kreiter, AR; and David A. Van Nieuwenhuyzen, AR.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Bacon, seconded by Williams to approve the audits of George Bornemann, LS; Gary Ness, LS; and Christopher Ronald Raml, LS.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Micko, seconded by Shafai to approve the audits of Richard Kent Harsh, PE; Matthew T. Mokanyk, PE; and Steven Dean Schelske, PE.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Micko, seconded by Shafai to approve the audit of Trent E. Bruce, PE.

**Action:** 6-0 AYE (Bacon, Micko, Nelson, Williams, Olson, and Shafai) Neugebauer recused from voting.

**Motion:** By Micko, seconded by Shafai to not approve the audit of Philip A. Nichols, PE, pending more information.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Micko, seconded by Shafai to not approve the audit of Terry L. Forest, PE, pending receipt of information.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**REVIEW PREVIOUS AUDITS:** Daryl D. Kaseman, LS; Gabriel George Laber, PE; Douglas E. Ohlfest, PE; Steven Duane Schrempp, PE; and David E. Wesemann, PE.

**Motion:** By Bacon, seconded by Micko to approve the audit of Daryl D. Kaseman, LS.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Micko, seconded by Shafai to approve the audit of Gabriel George Laber, PE.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Micko, seconded by Shafai to approve the audit of Steven Duane Schrempp, PE.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Micko, seconded by Shafai to approve the audit of David E. Wesemann, PE, with mandatory audit at next renewal.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

**Motion:** By Micko, seconded by Nelson to approve an extension of 60 days for Douglas E. Ohlfest, PE, to supply audit information. Information is to be received by May 28, 2014 for May Board meeting. The Board will file a complaint upon not receiving any information.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

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#### **AGENDA ITEM #8 APPROVAL OF PASSING EXAMINEES FROM JANUARY & FEBRUARY. (MOTION)**

**Motion:** By Shafai, seconded by Olson for approval of the following FE examinees who passed the Fundamentals of Engineering (FE) exam.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Issue Date	Name	Certificate #	Exam	Exam Date
02/12/2014	Pinkley, Corey Jay	E-11608	FE	02/08/14
02/12/2014	Miles, Tyler Gene	E-11609	FE	02/08/14
02/19/2014	Weber, Donald Thomas	E-11610	FE	02/10/14
02/26/2014	Beck, Joseph	E-11611	FE	02/17/14
02/26/2014	Robison, Andrew	E-11612	FE	02/17/14
02/26/2014	Bakker, Caleb	E-11613	FE	02/17/14
02/26/2014	Meinerts, Evan	E-11614	FE	02/20/14
02/26/2014	Ataiyan, Zach	E-11615	FE	02/17/14
03/18/2014	DeVries, Tim	E-11616	FE	02/27/14
03/18/2014	Maule, Anthony	E-11617	FE	02/27/14
03/18/2014	Uphoff, Nicholas	E-11618	FE	02/27/14
03/18/2014	Wells, Timothy	E-11619	FE	02/27/14

**AGENDA ITEM #9 APPROVALS TO TAKE THE NCEES EXAMINATIONS AS AVAILABLE. (MOTION)**

**Motion:** By Shafai, seconded by Micko for approval of the following FE examinees to take the Fundamentals of Engineering (FE) exam.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Name	Exam
Alammar, Ahmad	FE
Almberg, Evan Reid	FE
Anderson, Scott Allen	FE
Andrews, Nicklaus John	FE
Auch, Matthew Isaac	FE
Bankston, Derek Parker	FE
Biggerstaff, Trenton Jay	FE
Birk, Thomas John	FE
Blackburne, Jennifer Louise	FE
Borchers, Scott William	FE
Braaksma, Alexander Patrick	FE
Bueachler, Trey Daniel	FE
Busch, Kara Marie	FE
Byambadorj, Tsenguun	FE
Carpenter, Andrew William	FE
Dietrich, Nicholas Todd	FE
Dockter, Spencer Darwin	FE
Duxbury, Troy Daniel	FE
Felton, Laton Raymond	FE
Fischer, Derek Matthew	FE
Gilbertson, Selina Anna	FE
Hansen, Gregory Lorren	FE
Hanson, Benjamin Matthew	FE
Harless, Ashleigh Kelley	FE
Hasenbank, Christopher Brian	FE
Hofer, Joshua R.	FE
Hupf, Mathew Randall	FE
Janisch, Casey James	FE

Name	Exam
Johnson, Jesse Bill	FE
Kilburn, Lance Dean	FE
Kintab, Feras Fuad	FE
Kling, Colen Kim	FE
Kroeger, Travis Mitchell	FE
Meister, Brady Matthew	FE
Muhl, Keenan A.	FE
Munson, Eric Sterling	FE
Ngo, Evan C.	FE
Nice, Chase Alexander	FE
Nolz, Lance Daniel	FE
Ponda, Archellus Ian	FE
Rock, Nicholas James	FE
Roemen, Jacob Michael	FE
Sandness, Cole Joseph	FE
Sarac, Samantha Grace	FE
Shields, Joshua Paul	FE
Smith, Sidney Lynn	FE
Spicer, Cody Dale	FE
Stiernagle, Matthew Dwayne	FE
Stowater, McCord James	FE
Vedvei, Stephanie Lynn	FE
Veldkamp, Lee Jordan	FE
Verma, Brahamdeo Prasad	FE
Vo, Anh Hai	FE
Welu, Brady John	FE
Wilkins, Jesse Paul	FE
Zenner, Brian Joseph	FE

**Motion:** By Bacon, seconded by Shafai for approval of the following FS examinee to take the Fundamentals of Surveying (FS) exam for one attempt only in one-year period.

**Action:** 6-0 AYE (Bacon, Nelson, Neugebauer, Williams, Olson, and Shafai) Micko recused from voting.

Name	Exam
Martinson, Chadwick	FS

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**AGENDA ITEM #10 APPROVAL OF APPLICANTS BY EXAMINATION, R. (MOTION)**

**Motion:** By Bacon, seconded by Williams for approval of the following Remediator (R) examinee.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Date Licensed	Name	City	State	Profession	#
03/28/2014	Hirsch, Richard John	Parker	CO	R	8545

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**AGENDA ITEM # 11 APPROVAL OF COMITY APPLICATIONS (MOTION)**

**Motion:** By Nelson, seconded by Williams for approval of the following Architect (AR) Comity Applications.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Date Licensed	Name	City	State	Profession	#
03/28/2014	Daugaard, Jamie Brinton	Big Sky	MT	AR	11993
03/28/2014	Draheim, James Robert	Fairfax Station	VA	AR	11994
03/28/2014	Grimes, Ross Daniel	Waterloo	IA	AR	11995
03/28/2014	Reich, Andrew Michael	West Des Moines	IA	AR	11996
03/28/2014	Selden, Kenneth R.	Orchard Park	NY	AR	11997
03/28/2014	Smith, Ronald Gene	Oklahoma City	OK	AR	11998
03/28/2014	Styer, Eric Lee	Lake Zurich	IL	AR	11999

**Motion:** By Nelson, seconded by Williams for denial of the following Architect (AR) Comity Application based on the lack of demonstrated qualifying experience.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Name	City	State	Profession
Simon, John Paul	Columbia	MO	AR

**Motion:** By Bacon, seconded by Micko for approval of the following Land Surveyor (LS) Comity Applications.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Date Licensed	Name	City	State	Profession	#
03/28/2014	Anderson, Gary D.	Devils Tower	WY	LS	12000
03/28/2014	Heintz, Paul Aldon	Casper	WY	LS	12001
03/28/2014	Homiston, KC Lee	Dickinson	ND	LS	12002
03/28/2014	Leas, Jarrett Mylen	Brainerd	MN	LS	12003
03/28/2014	Pittmann, Jonathan	Clive	IA	LS	12004

**Motion:** By Bacon, seconded by Williams for denial of the following Land Surveyor (LS) Comity Application based on not having taken the NCEES Principles & Practice of Land Surveying (PS) examination.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Name	City	State	Profession
Armenta, Victor Jose	Houston	TX	LS

**Motion:** By Bacon, seconded by Micko for denial of the following Land Surveyor (LS) Comity Application based on not having the required number of licensed professional land surveyor references with the application.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Name	City	State	Profession
Brunkhorst, Juergen	Alexandria	MN	LS



**Motion:** By Bacon, seconded by Williams for denial of the following Land Surveyor (LS) Comity Application based on not having the required amount of qualifying experience under the direct supervision of a licensed professional land surveyor.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Name	City	State	Profession
Lawson, Jeremy Adam	Russellville	AR	LS

**Motion:** By Micko, seconded by Shafai for approval of the following Professional Engineer (PE) Comity Applications.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Date Licensed	Name	City	State	Profession	#
03/28/2014	Andres, Graham Michael	Raleigh	NC	PE	12005
03/28/2014	Beckel, Andrew Phillips	Lakeville	MN	PE	12006
03/28/2014	Bernthal, Douglas R	East Providence	RI	PE	12007
03/28/2014	Bills, Robert Paul	The Woodlands	TX	PE	12008
03/28/2014	Boggess, Brian Michael	Charlotte	NC	PE	12009
03/28/2014	Borrelli, Joseph Vincent	Raleigh	NC	PE	12010
03/28/2014	Castro, Jaime Alfred	Houston	TX	PE	12011
03/28/2014	Clark, Christopher Clyde	Billings	MT	PE	12012
03/28/2014	Crockett, Timothy David	Columbia	MO	PE	12013
03/28/2014	Francis, Jeffrey P	Menomonee Falls	WI	PE	12014
03/28/2014	Gernhart, Scott Lewis	Moville	IA	PE	12015
03/28/2014	Gilmore, Kenneth Andrew	Kansas City	MO	PE	12016
03/28/2014	Harris, Jerry Hendley	Brentwood	TN	PE	12017
03/28/2014	Hasan, Afsar	Arlington	TX	PE	12018
03/28/2014	Homiston, KC Lee	Dickinson	ND	PE	12002
03/28/2014	Hopf, Matthew Gary	Grafton	WI	PE	12019
03/28/2014	Huntington, Daniel J	Rock Island	IL	PE	12020
03/28/2014	Jacobs, Michael Lee	Blaine	WA	PE	8592
03/28/2014	Johnson, Stanley Verdon	Omaha	NE	PE	12021
03/28/2014	Jones, Richard Terrace	Columbus	OH	PE	12022
03/28/2014	Killebrew, Matt Gregory	Dacono	CO	PE	12023
03/28/2014	Kuznicki, Scott Owen	Sioux Falls	SD	PE	12024
03/28/2014	LaRochelle, Paul Raymond	Sioux Falls	SD	PE	12025
03/28/2014	Lemmo, Steven Mark	East Providence	RI	PE	12026
03/28/2014	Lindsey, Kevin Noel	Brentwood	TN	PE	12027
03/28/2014	Lowery, Mark Albert	Jacksonville Beach	FL	PE	12028
03/28/2014	Lozier, Anthony Wayne	Cincinnati	OH	PE	12029
03/28/2014	Messmer, Mitchell M.	Grand Island	NE	PE	12030
03/28/2014	Montag, Thomas E.	Stilwell	KS	PE	12031
03/28/2014	Napier, Brett Anthony	Shawnee Mission	KS	PE	12032
03/28/2014	Nitti, Nicolas A	Albany	NY	PE	12033
03/28/2014	Nolan, Kevin Lyle	Thompsons Station	TN	PE	12034

Date Licensed	Name	City	State	Profession	#
03/28/2014	Pearson, Preston Michael	Cameron	WI	PE	12035
03/28/2014	Peck, Ralph M	East Providence	RI	PE	12036
03/28/2014	Peterson, Jon Lexis	Skokie	IL	PE	12037
03/28/2014	Phelan, Timothy Ryan	Denver	CO	PE	12038
03/28/2014	Phipps, Jack Tilden	Austin	TX	PE	12039
03/28/2014	Prather, Walter M	Acworth	GA	PE	7658
03/28/2014	Pritten, Kenneth Lee	Concord	CA	PE	12040
03/28/2014	Rapoport, Timothy Joseph	Minneapolis	MN	PE	12041
03/28/2014	Schaefer, Scott Henry	Maple Grove	MN	PE	12042
03/28/2014	Schneider, Travis	Eureka	CA	PE	12043
03/28/2014	Slick, Geoffrey Brian	Grand Forks	ND	PE	12044
03/28/2014	Smith, Dean Russell	Hopkins	MN	PE	12045
03/28/2014	Stoabs, Charles Dustin	Oklahoma City	OK	PE	12046
03/28/2014	Sutton, Matthew Jon	Omaha	NE	PE	12047
03/28/2014	Tinsley, John Patrick	Elizabeth	CO	PE	12048
03/28/2014	Van Kauwenberg, Paul Richard	Marshfield	MA	PE	12049
03/28/2014	Walsvik, Matthew D	Fargo	ND	PE	12050
03/28/2014	Warren, Christopher John	Canton	GA	PE	12051
03/28/2014	Weinacht, Daniel Joseph	Richland	WA	PE	12052
03/28/2014	Whisenhunt, Keith	Salem	OR	PE	12053
03/28/2014	Williams, Oliver Warren	High Point	NC	PE	12054
03/28/2014	Zimpel, David Douglas	Denver	NC	PE	12055

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**AGENDA ITEM #12 APPROVAL OF BUSINESS APPLICATIONS (MOTION)**

**Motion:** By Micko, seconded by Shafai for approval of the following Business License Applications.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

Date Licensed	Company Name	City	State	Profession	#
03/28/2014	Acuity Brands Lighting	Granville	OH	PE	C-7052
03/28/2014	Agri-Systems	Billings	MT	PE	C-7053
03/28/2014	AKF Group, LLC	New York	NY	PE	C-7054
03/28/2014	Centre Sky Architecture	Big Sky	MT	AR	C-7055
03/28/2014	Crockett Engineering Consultants	Columbia	MO	PE	C-7056
03/28/2014	Crouch Engineering, P.C.	Brentwood	TN	PE	C-7057
03/28/2014	Design Solutions ... Structural Engineering	Sioux Falls	SD	PE	C-7058
03/28/2014	Destek Engineering, LLC	Kennesaw	GA	PE	C-7059
03/28/2014	DXU, LLC	Lake Zurich	IL	AR	C-7060
03/28/2014	Exp U. S. Services, Inc.	Brampton, Ontario, Canada		PE	C-7061
03/28/2014	Forensic Consulting Group, LLC	Charlotte	NC	PE	C-7063
03/28/2014	Frankfurt-Short-Bruza Associates, P.C.	Oklahoma City	OK	PE	C-7064
03/28/2014	Goldcorp, Inc.	Vancouver, BC, Canada		PE	C-7065

Date Licensed	Company Name	City	State	Profession	#
03/28/2014	GSB, Inc.	Oklahoma City	OK	AR	C-7066
03/28/2014	Infinigy Solutions, LLC	Marietta	GA	PE	C-7067
03/28/2014	JAX Refrigeration, Inc.	Jacksonville Beach	FL	PE	C-7068
03/28/2014	JKC Engineering	Casper	WY	LS	C-7069
03/28/2014	Kenneth R. Selden - Architect	Orchard Park	NY	AR	C-7070
03/28/2014	KGI Wireless	Austin	TX	PE	C-7071
03/28/2014	Killebrew   Killebrew, Inc.	Dacono	CO	PE	C-7072
03/28/2014	kVA Consulting	Elizabeth	CO	PE	C-7073
03/28/2014	Modern Traffic Consultants	Sioux Falls	SD	PE	C-7074
03/28/2014	Mosaic Telecom	Cameron	WI	PE	C-7075
03/28/2014	Napier Engineering, LLC	Shawnee Mission	KS	PE	C-7076
03/28/2014	National Engineering, LTD	Columbus	OH	PE	C-7077
03/28/2014	Old Hickory Buildings	Murfreesboro	TN	PE	C-7078
03/28/2014	Pacific Affiliates	Eureka	CA	PE	C-7079
03/28/2014	PDT Architects, LLC	Cincinnati	OH	PE	C-7080
03/28/2014	Plump Engineering, Inc.	Anaheim	CA	PE	C-7081
03/28/2014	Project Delivery Group	Salem	OR	PE	C-7082
03/28/2014	RTM Engineering Services	Rapid City	SD	PE	C-7083
03/28/2014	Snyder and Staley Engineering	Saginaw	MI	PE	C-7084
03/28/2014	TerraTec Engineering, LLC	Cedarburg	WI	PE	C-7085
03/28/2014	The Dimension Group I, LP	Dallas	TX	PE	C-7086
03/28/2014	Training and Consulting Engineering Solutions, LLC	Box Elder	SD	PE	C-7087
03/28/2014	True Engineering & Land Surveying, LLC	Moville	IA	PE	C-7088
03/28/2014	Warren Williams & Associates	High Point	NC	PE	C-7089

**Motion:** By Olson, seconded by Shafai for approval of the following Business License Application.  
**Action:** 6-0 AYE (Bacon, Micko, Neugebauer, Williams, Olson, and Shafai) Nelson recused from voting

Date Licensed	Company Name	City	State	Profession	#
03/28/2014	Falls Architecture Studio	Sioux Falls	SD	AR	C-7062

**Motion:** By Shafai, seconded by Nelson for denial of the following Business License Application based on the denial of Comity Application.  
**Action:** 7-0 AYE (Bacon, Micko, Neugebauer, Nelson, Williams, Olson, and Shafai)

Company Name	City	State	Profession
Simon Associates, Inc.	Columbia	MO	AR

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## AGENDA ITEM #13 ANNUAL, ZONE, COMMITTEE REPORTS & UPCOMING MEETINGS

**PREVIOUS -** 02/05/14 - NCEES MBA Meeting; Scottsdale, AZ (Mark)  
03/06/14 to 03/08/14 - NCARB Regional Meeting; San Antonio, TX (Jeff, Steve & Mark)

The Board briefly discussed these two meetings. Humphreys is working on receiving information presented, as he was not able to attend the NCEES MBA meeting.

Nelson spoke about the NCARB Regional Meeting and the proposed IDP changes presented at the meeting.

**UPCOMING -** 05/15/14 to 05/17/14 -NCEES Central/Western Zone Joint Interim Meeting; Lincoln, NE  
06/18/14 to 06/21/14-NCARB Annual Meeting - Philadelphia, PA

The Board discussed the NCEES Central/Western Zone Joint Interim Meeting. Neugebauer and Micko are the funded delegates; the Board will pay for Humphreys travel; and if possible, the Board will pay the two new Board members to travel.

The Board discussed the NCARB Annual meeting in Philadelphia. Humphreys and Nelson will be the two funded delegates as Steve Williams will not be able to attend.

**Motion:** By Micko, seconded by Williams to approve Humphreys and Nelson as the two funded delegates for the NCARB Annual meeting.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

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## **AGENDA ITEM #14 CORRESPONDENCE (FOR REVIEW AND DISCUSSION, IF DESIRED)**

### **Compliments**

### **Governor's Good Friday Message**

### **Secretary Hultman - Department Updates / Oversight Transition**

### **Architectural / SDSU Degree Information**

Board staff received an inquiry from an AR student at SDSU with a question on qualifying education requirements for dual license route (architecture/engineering). He is going into the master's program for engineering at SDSU for environmental engineering, but asking if his first professional engineering degree would qualify him for dual licensure. The Board discussed the Architectural Engineering program at SDSU. Neugebauer asked for clarification on the difference between a nonprofessional and a professional architectural degree. Nelson provided the following clarification: A nonprofessional architectural degree would equal a Bachelors of Architecture and a professional degree would equal a Masters of Architecture under NAAB accreditation criteria. Neugebauer expressed concerns about those candidates' in this type of education program being able to get from point A to point B in the licensure process. Nelson assured the Board that NAAB is on top of their accreditation program and that those candidates will have no problems.

### **Licensee Contractual Payments Questions**

### **Independent Contractors / Federal Bill**

### **Survey Question**

Neugebauer consulted with Bacon and personally responded to this individual's inquiry. Neugebauer explained that although the law may not be clear in regards to easements, normally these easement exhibits reference the property boundaries as well as the boundaries of the easement itself and therefore they are regarded as being included in the definition of the practice of land surveying.

### **Complaint Procedures Question by Long-Term Licensee**

### **NSPE - SSEC Question Regarding PE Exam**

Informational only.

### **Former Licensee Letter to Governor's Office**

Board staff refused to renew a former licensee's lapsed license because he still owed the Board for fees incurred during disciplinary proceedings, which the licensee still refuses to pay. The licensee then contacted the Governor's office regarding this matter. Staff Attorney Arnold's office will handle any future contact with this former licensee.

### **Dredging a Harbor**

### **Other various board correspondence/Email**

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**AGENDA ITEM #15 FUTURE BOARD MEETING SCHEDULE**

May 30, July 18, September 19 and November 21

The Board reviewed and approved the following meeting dates for the 2014 Board meeting calendar: May 30, July 18, September 19, and November 21.

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**AGENDA ITEM #16 ADJOURNMENT (MOTION)**

**Motion:** By Nelson, seconded by Olson to adjourn the meeting.

**Action:** 7-0 AYE (Bacon, Micko, Nelson, Neugebauer, Williams, Olson, and Shafai)

There being no further business, at the hour of 2:22 p.m. the Board meeting of the South Dakota Board of Technical Professions adjourned.



Mark Humphreys, Executive Director

Submitted by Susan Neuf, Secretary, SDBTP

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