

**SOUTH DAKOTA
STATE BOARD OF TECHNICAL PROFESSIONS
Board Minutes**

Minutes of the regular meeting Friday, May 21, 2010

The South Dakota State Board of Technical Professions held its regular meeting on Friday, May 21, 2010 in its Board Room, Rushmore Building, Rapid City, South Dakota; Chairman Randy Bacon, presided.

The meeting was called to order at 8:35 a.m.

The following board members were present: Chairman Randy Bacon, Vice Chairman Jeff Hazard, Secretary Drake Olson, Dale Jans, Leonard Neugebauer, Hani Shafai, and David Stafford. Others present were Attorney Edward Carpenter; and staff members Mark Humphreys, Mary Ann Myers, and Kathryn Patterson. Also present was Brian Jenner, Licensure Chair, South Dakota Engineering Society. James Marsh, Department of Labor, Labor and Management, appeared via telephone.

Agenda Items:

- 1) Approval of March 12th 2010 Minutes (Motion)
- 2) Approval of vouchers since last meeting (Motion)
- 3) Activities report ending April 2010, Review of Deposits & Quarterly Report (FYI)
- 4) Investigation reports
- 5) Old Business
- 6) New Business
- 7) Approval of applicant by examination PR (Appendix A, Motion)
- 8) Approval of Comity applications (Appendix B, Motion)
- 9) Approval of Business applications (Appendix C, Motion)
- 10) Review previous applications (Appendix D Motion)
- 11) Annual, zone, committee meeting reports & upcoming meetings
- 12) Correspondence
- 13) Future board meeting schedule
- 14) Adjournment (Motion)

AGENDA ITEM #1 APPROVAL OF MARCH 12, 2010 BOARD MEETING MINUTES (MOTION)

MOTION: By Jans, seconded by Stafford, for approval of Minutes of March 12, 2010.
ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

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

MOTION: By Neugebauer, seconded by Shafai, for approval of the vouchers since last meeting.
ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

AGENDA ITEM #3 ACTIVITES REPORT ENDING APRIL 2010, REVIEW OF DEPOSITS & QUARTERLY REPORT (FYI)

Humphreys discussed the board office check deposit reporting procedure and State Treasure Office draw procedure.

AGENDA ITEM #4 INVESTIGATION REPORTS

Case 09-03 Failure to report Disciplinary Action - Humphreys asked that the Board to go into executive session. Edward Carpenter asked that Humphreys and Neugebauer be excused from the executive session.

MOTION: By Jans, seconded by Stafford, for the Board to go into executive session, and that Humphreys and Neugebauer be excused from the executive session.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: By Jans, seconded by Stafford, for the Board to come out of executive session

ACTION: 6-0 AYE (Bacon, Hazard, Jans, Olson, Shafai, Stafford) Neugebauer excused.

Case 09-06 Competency and Professional Conduct - Shafai discussed the progress of the Investigative Committee. The Board is in the process of informal negotiations.

Case 09-07 Competency and Professional Conduct - Pending.

Case 10-02 Competency and Professional Conduct - Discussion by Humphreys and the Board. After the Board reviewed the Settlement and Consent Order, the Investigative Committee recommended the Board accept and sign the Settlement and Consent Order.

MOTION: By Stafford, seconded by Shafai, for approval of the Settlement and Consent Order.

ACTION: 6-0 AYE (Bacon, Hazard, Jans, Olson, Shafai, Stafford). Neugebauer abstained.

AGENDA ITEM #5 OLD BUSINESS

Drake Olson has been re-appointed to the Board - The Board extended their congratulations to Olson upon his reappointment.

Action Items - reports - Bacon discussed the progress of revising the Land Surveying Take Home Exam. Neugebauer reported that progress is being made on reviewing the other Board action items.

Rules and Statutes - reports - Hazard discussed his progress on drafting Rule and Statute updates and revisions for architects. Hazard will discuss the suggested updates and revisions with the Board at the July 30, 2010 board meeting. Neugebauer discussed the progress made by the land surveyors on drafting Rule and Statute updates and revisions. Neugebauer will discuss the suggested updates and revisions with the Board at the July 30, 2010 board meeting. The Board discussed the information provided by board members.

FTE & Investigator Duties - Discussion by Humphreys.

NCEES Credentials Evaluations Services (formerly CPEES) evaluations of domestic degrees - Discussion by Shafai. Shafai reiterated that the goal of the NCEES Credentials Evaluations Services is to compliment ABET evaluations of colleges and universities for program accreditation, and not to replace ABET accreditations.

AGENDA ITEM #6 NEW BUSINESS

Kathryn Patterson hired as Secretary as of April 12, 2010 - On behalf of the Board, Bacon welcomed and extended congratulations to Kathryn Patterson in being hired as Secretary in the South Dakota State Board of Technical Professions office.

Election of Board Officers - Discussion by Board.

MOTION: By Jans, seconded by Stafford, to nominate Jeff Hazard for Chairman of the Board effective July 1, 2010.

ACTION: 6-0 AYE (Jans, Bacon, Hazard, Neugebauer, Shafai, Stafford, Olson).

MOTION: By Jans, seconded by Stafford, to nominate Drake Olson for Vice Chairman of the Board effective July 1, 2010.

ACTION: 6-0 AYE (Jans, Bacon, Hazard, Neugebauer, Olson, Shafai, Stafford).

MOTION: By Jans, seconded by Stafford, to nominate Hani Shafai for Secretary of the Board effective July 1, 2010.

ACTION: 6-0 AYE (Jans, Bacon, Hazard, Neugebauer, Shafai, Stafford, Olson).

Review of SB104 - Public Meeting Requirements - Humphreys discussed the public meeting requirements to take effect as of July 1, 2010.

Company's request for Licensed P.E. to perform site visits - Discussion by Jans. Jans will check into this request further and will report back to the Board at the next meeting.

Licensee's report of Felony Conviction - Humphreys asked that the Board go into executive session and that staff be allowed to be present during the executive session.

MOTION: By Stafford, seconded by Shafai, for the Board to go into executive session and to allow the staff to be present in the executive session.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: By Stafford, seconded by Olson, for the Board to come out of executive session

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: By Shafai, seconded by Neugebauer, that the Board revoke the professional architect licensure of Craig D. McClatchey, license #7282, due to the felony committed by the licensee during the course of the profession of architecture; and to direct Humphreys to send the licensee, Craig D. McClatchey, license #7282, a letter stating the action of Board.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Correspondence from and to an EIT regarding ARSD 20:38:17:04 - Discussion by Humphreys and the Board.

MOTION: By Stafford, seconded by Olson, to direct Humphreys to send a letter to the applicant stating that the Board requires the applicant to submit a complete new Application for Professional Engineering Examination as required by ARSD 20:38:17:04, and also that the Board may require the applicant to obtain additional education if the applicant desires to apply to take the PE Examination.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer Olson, Shafai, Stafford)

AGENDA ITEM #7 APPROVAL OF APPLICANTS BY EXAMINATION, PETROLEUM REMEDIATOR (MOTION)

MOTION: by Neugebauer, seconded by Jans, to deny Samuel Joseph Jackson licensure by comity exam as a Petroleum Remediator based on having not met the education and experience requirements.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: by Neugebauer, seconded by Jans, for approval of the following Petroleum Remediator by examination.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Date Licensed	Name	City	State	Profession	#
5/21/2010	Wilson, Seth Curtis	Saint Paul	MN	R	10171

AGENDA ITEM #8 APPROVAL OF COMITY APPLICATIONS (MOTION)

MOTION: by Hazard, seconded by Stafford, for approval of the following AR Comity Applications.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Date Licensed	Name	City	State	Profession	#
05/21/2010	Armstrong, Lawrence Robert	Irvine	CA	AR	10172
05/21/2010	Carmichael, Lyle Kent	Garden City	KS	AR	10173
05/21/2010	Carr, Jonathan Martin	Charlotte	NC	AR	10174
05/21/2010	Daubman, Jay Edward	Omaha	NE	AR	10175
05/21/2010	Desmond, Gary Lee	Denver	CO	AR	10176
05/21/2010	Greusel, David Barton	Leawood	KS	AR	10177
05/21/2010	Nelson, Dale Everet	Great Falls	MT	AR	10178
05/21/2010	Powell, Milt	Eden Prairie	MN	AR	10179
05/21/2010	Schlossberg, Larry	Los Angeles	CA	AR	10180
05/21/2010	Spencer, Brian Arthur	Carefree	AZ	AR	10181

Date Licensed	Name	City	State	Profession	#
05/21/2010	Wink, Kenneth Allen	Irvine	CA	AR	10182

MOTION: by Stafford, seconded by Hazard, for approval of the following LA Comity Applications.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Date Licensed	Name	City	State	Profession	#
05/21/2010	Loperfido, Margaret Anna	Louisville	CO	LA	10183
05/21/2010	Mardis, Randall William	Saint Charles	MO	LA	10184

MOTION: by Neugebauer, seconded by Shafai, to deny Phillip R. Hammons licensure by comity as a land surveyor based on having not taken the NCEES Principles & Practice of Land Surveying (PLS) examination.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: by Neugebauer, seconded by Shafai, for approval of the following LS Comity Applications.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Date Licensed	Name	City	State	Profession	#
05/21/2010	Curd, Philip R	Chadron	NE	LS	10185
05/21/2010	Hubbs, Gary H	Salt Lake City	UT	LS	10186
05/21/2010	Zoltek, Michael John	Pittsford	NY	LS	10187

MOTION: by Jans, seconded by Shafai, to deny Zourab Tchomakhidze licensure by comity as a professional engineer based on not meeting the education requirements of an ABET Bachelors of Science Engineering degree.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: by Jans seconded by Shafai, for approval of the following PE Comity Applications.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Date Licensed	Name	City	State	Profession	#
05/21/2010	Arms, Ward Gavin	Saint Paul	MN	PE	10188
05/21/2010	Awwad, Samir George	Melbourne	FL	PE	10189
05/21/2010	Baker, William Frazier	Chicago	IL	PE	10190
05/21/2010	Brock, Steven W	Tulsa	OK	PE	10191
05/21/2010	Carson, Thomas Michael	Omaha	NE	PE	10192
05/21/2010	Clough, Herbert F	Portland	OR	PE	10193
05/21/2010	Cruz, Timothy-Ariel Ibale	Riverside	CA	PE	10194
05/21/2010	Dell'Isola, John Anthony	Rochester	MI	PE	10195
05/21/2010	Denney, Thomas Hoyt	Lawrence	KS	PE	10196
05/21/2010	Dierckman, Roger J.	Dublin	OH	PE	10197
05/21/2010	Engstrom, Kenneth Allen	Salt Lake City	UT	PE	10198
05/21/2010	Everett, John Norman	Sandy	UT	PE	10199
05/21/2010	Gardner, Robert Bradford	Norfolk	VA	PE	10200
05/21/2010	Gomez, Rembert Augusto	Sugar Land	TX	PE	10201
05/21/2010	Hallan, Mark Vernon	Pequot Lakes	MN	PE	10202
05/21/2010	Halter, David Charles	Hopkins	MN	PE	10203
05/21/2010	Hardy, Scott Alan	Salt Lake City	UT	PE	10204
05/21/2010	Hartman, Doug C	Columbus	NE	PE	10205
05/21/2010	Hauser, Tracy J	Omaha	NE	PE	10206
05/21/2010	Holland, James William	Osseo	MN	PE	10207
05/21/2010	Honer, Thomas DuWayne	Dent	MN	PE	10208
05/21/2010	Huffine, Charles William	Denver	CO	PE	10209
05/21/2010	Johnson, Kristopher G	Denver	CO	PE	10210

Date Licensed	Name	City	State	Profession	#
05/21/2010	Johnson, Ruth A.	Lafayette	CO	PE	10211
05/21/2010	Jones, Ronald Dee	Dallas	TX	PE	10212
05/21/2010	Keehn, Rocky John	Gretna	NE	PE	10213
05/21/2010	Knodel, Christopher Charles	Buffalo	WY	PE	10214
05/21/2010	Knutson, Wyatt Michael	Wellington	CO	PE	10215
05/21/2010	Kor, James Roger	Cheyenne	WY	PE	10216
05/21/2010	Lutz, Rick Alan	Golden	CO	PE	10217
05/21/2010	Maki, Otto William	Chisholm	MN	PE	10218
05/21/2010	Marthaler, Peter J	Duluth	MN	PE	10219
05/21/2010	Morgan, Kenneth John	Omaha	NE	PE	10220
05/21/2010	Mrla, Mark Joseph	Slayton	MN	PE	10221
05/21/2010	Muzingo Ewalt, Brian Gregory	Davenport	IA	PE	10222
05/21/2010	Oelke, Nicholas Todd	Minneapolis	MN	PE	10223
05/21/2010	Owens, Daniel Bennett	Omaha	NE	PE	10224
05/21/2010	Perrin, Paul Charles	Cincinnati	OH	PE	10225
05/21/2010	Reese, Brian Robert	Drums	PA	PE	10226
05/21/2010	Riley, Gregory Alan	Dublin	OH	PE	10227
05/21/2010	Schwerzel, George William	Tulsa	OK	PE	10228
05/21/2010	Sherman, Eric G	Omaha	NE	PE	10229
05/21/2010	Skidmore, Kenneth Ray	Aurora	CO	PE	10230
05/21/2010	Smith, Jason	Cornelia	GA	PE	10231
05/21/2010	Sonmor, Christopher Larry	Baxter	MN	PE	10232
05/21/2010	Sowers, Jeff Allen	Lansing	MI	PE	10233
05/21/2010	Taglioli, Brandon Lee	Hill City	SD	PE	10234
05/21/2010	Thompson, Troy D	Stilwell	KS	PE	10235
05/21/2010	Trepp, Ethan Hjalmer	Minneapolis	MN	PE	10236
05/21/2010	Verseman, Steven Mark	Crystal Lake	IL	PE	10237
05/21/2010	VonBargen, Tracey	Alexandria	MN	PE	10238
05/21/2010	Weiskopf, John D	Overland Park	KS	PE	10239
05/21/2010	Whitacre, Kevin James	Denver	CO	PE	10240
05/21/2010	Wiley, Richard William	Lawrence	KS	PE	10241
05/21/2010	Wohnrade, Mary Beth	Barrington	IL	PE	10242

AGENDA ITEM #9 APPROVAL OF BUSINESS APPLICATIONS (MOTION)

MOTION: by Jans seconded by Stafford, for approval of the following Business Applications.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Date Licensed	Company Name	City	State	Profession	#
05/21/2010	Alliance Wood Group Engineering, L.P.	Houston	TX	PE/LS	C-6336
05/21/2010	AR7 Architects, PC	Denver	CO	AR	C-6337
05/21/2010	Ash Creek Associates, Inc.	Portland	OR	PE	C-6338
05/21/2010	AVO Training Institute, Inc.	Dallas	TX	PE	C-6339
05/21/2010	Baxter & Woodman, Inc.	Crystal Lake	IL	PE	C-6340
05/21/2010	Belt Collins Hawaii, Ltd	Boulder	CO	LA	C-6341
05/21/2010	Brian A. Spencer / Architect	Carefree	AZ	AR	C-6342
05/21/2010	David Greusel FAIA	Leawood	KS	AR	C-6343
05/21/2010	Doka USA Ltd.	Little Ferry	NJ	PE	C-6344
05/21/2010	Facility Design, Inc.	Columbus	OH	PE	C-6345
05/21/2010	Geotechnical Design Systems	Salt Lake City	UT	PE	C-6346

Date Licensed	Company Name	City	State	Profession	#
05/21/2010	Gibson, Mancini, Carmichael & Nelson, P.A.	Garden City	KS	AR	C-6347
05/21/2010	Gruen Associates	Los Angeles	CA	AR	C-6348
05/21/2010	Harrell, Saltrick, & Hopper, PC	Charlotte	NC	AR	C-6349
05/21/2010	Hayman Engineering, LLC	Springfield	MO	PE	C-6350
05/21/2010	High Energy Inc.	Denver	CO	PE	C-6351
05/21/2010	J M Smith Engineering LLC	Cornelia	GA	PE	C-6353
05/21/2010	JCAA Consulting Engineers LLC	Golden	CO	PE	C-6352
05/21/2010	Jones Land Surveying, Inc	Cheyenne	WY	LS	C-6354
05/21/2010	Ken Garner Engineering, Inc.	Salt Lake City	UT	PE	C-6355
05/21/2010	Kor Engineering	Cheyenne	WY	PE	C-6356
05/21/2010	Landscape Technologies	Saint Charles	MO	LA	C-6357
05/21/2010	Lingle Design Group	Lena	IL	AR	C-6358
05/21/2010	NEI Electric Power Engineering	Arvada	CO	PE	C-6359
05/21/2010	Nelson Architects LLC	Great Falls	MT	AR	C-6360
05/21/2010	Pictometry International, Corp.	Rochester	NY	LS	C-6361
05/21/2010	Prater Engineering Associates, Inc.	Dublin	OH	PE	C-6362
05/21/2010	ReliaPOLE Inspection Services Co.	Magnolia	TX	PE	C-6363
05/21/2010	Spalding DeDecker Associates, Inc.	Rochester	MI	PE	C-6364
05/21/2010	Specialized Engineering Solutions	Omaha	NE	PE	C-6365
05/21/2010	States West Water Resources Corp.	Cheyenne	WY	PE	C-1556
05/21/2010	The Design Group, Inc.	Hibbing	MN	PE	C-6366
05/21/2010	Ware Malcomb, Inc.	Irvine	CA	AR	C-6367
05/21/2010	Wohnrade Civil Engineers, Inc	Barrington	IL	PE	C-6368
05/21/2010	Xcel Consultants, Inc.	Rock Island	IL	PE/LS	C-6369
05/21/2010	YSM Design, P.C.	Atlanta	GA	AR	C-6370

AGENDA ITEM #10 REVIEW PREVIOUS APPLICATIONS (MOTION)

MOTION: by Stafford, seconded by Jans, to deny Shawn John Leight licensure by comity as a professional engineer based on not meeting the requirements of a substantially equivalent ABET Bachelors of Science Engineering degree as determined by NCEES Credentials Evaluations.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: by Stafford, seconded by Jans, to deny Chad Alan Underwood licensure by comity as a professional engineer based on not meeting the requirements of a substantially equivalent ABET Bachelors of Science Engineering degree as determined by NCEES Credentials Evaluations.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

MOTION: by Neugebauer, seconded by Shafai, for approval of the following LS Comity Application.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

Date Licensed	Name	City	State	Profession	#
05/21/2010	Latzke, Jason Roger	Saint Cloud	MN	LS	10170

AGENDA ITEM #11 ANNUAL, ZONE OR COMMITTEE REPORTS & UPCOMING MEETINGS

PREVIOUS - 03/18/10 to 03/20/10 - NCARB Regional Meeting, Jackson Hole, WY - Stafford, Hazard & Humphreys -
Reports by Stafford, Hazard, and Humphreys. Discussion by the Board.

05/13/10 to 05/15/10 - NCEES Central Zone Meeting, Salt Lake City, UT - Jans, Bacon, Shafai and Humphreys. (NCEES Paid for Jans & Bacon) - Reports by Jans, Bacon, Shafai, and Humphreys. Dale Jans was nominated by the NCEES Central Zone to be President-elect. Discussion by the Board.

UPCOMING - 06/23/10 to 06/26/10 - NCARB Annual Meeting, San Francisco, CA - Stafford, Hazard & Humphreys
(NCARB pays for Stafford & Hazard)

08/18/10 to 08/21/10 - NCEES Annual Meeting, Denver, CO - Jans, Bacon, Neugebauer, Shafai and
Humphreys. (NCEES Pays for Jans & one delegate. Motion to attend and the
Board needs to select delegate.)

MOTION: by Hazard, seconded by Shafai, for Jans, Bacon, and Neugebauer to
attend the upcoming NCEES Annual Meeting, and to select Bacon as a delegate.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

08/26/10 to 08/28/10 - CLARB Annual Meeting, Baltimore MD - Motion to attend and select attendees -

MOTION: by Shafai, seconded by Neugebauer, to attend the upcoming CLARB
Annual Meeting, and to select Stafford to attend such meeting.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

AGENDA ITEM #12 CORRESPONDENCE (FOR REVIEW AND DISCUSSION, IF DESIRED)

Compliments

NCEES Engineering Award Winners

NCARB Recipients of 2010 NCARB Prize

NCEES Continuity Guidelines

NCARB BEA & IDP 2.0 proposed modifications

NCEES - New specifications for exams

WNU - Closed

Retirement of Iowa's Member Board Executive - Discussion by Humphreys.

Financial Pinch Article

MBA discussions. Peer Review - Discussion by Humphreys and the Board.

Other various board correspondence/Email

AGENDA ITEM #13 FUTURE BOARD MEETING SCHEDULE

July 30 2010; September 17, 2010; and November 19, 2010

Discussion by Hazard, Humphreys and the Board to plan to work on proposed Rule changes on July 30, 2010
immediately after the July Board meeting. Hazard asked the Board members to get their information regarding
Rule changes to the appropriate committee well in advance of the Board meeting.

AGENDA ITEM #14 ADJOURNMENT (MOTION)

MOTION: by Stafford, seconded by Olson, that the meeting be adjourned.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

There being no further business, at the hour of 12:48 p.m., the South Dakota State Board of Technical Professions
adjourned.



Mark Humphreys, Executive Director

Submitted by Mary Ann Myers, Senior Secretary, SDBOTP