



BOARD OF TECHNICAL PROFESSIONS

2525 W. Main St., Suite 211 | Rapid City, SD 57702

Tel: 605.394.2510 | Fax: 605.394.2509 | sdbtp@state.sd.us

dlr.sd.gov/btp

1.0 Opening of the Meeting

2.0 Action Items

Meeting Minutes
SOUTH DAKOTA BOARD OF TECHNICAL PROFESSIONS
Clock Tower Plaza, Conference Room, 2525 W. Main St. Suite 211
Zoom and Conference Call
Tuesday, October 31, 2023, 3:00 p.m. MDT

Chair Ryan Callaghan called the meeting to order at 3:01 p.m. Chair Callaghan called the roll. A quorum was present.

Members Present electronically: Ryan Callaghan, Catherine Dekkenga, and Colby Flynn

Members Present in-person: Mike Albertson and Jared Carda

Members Absent: Steve Peters and Steve Thingelstad

Others Present electronically: Cory Biegler, Randy Heying, Neil Schlimgen, and Jerry McCabe, Legal Counsel

Others Present in-person: Nancy Hoines, American Council of Engineering Companies of South Dakota/South Dakota Engineering Society/ South Dakota Society of Professional Land Surveyors, Sherrie Dyer, Executive Director; Carrie Kerr, Program Assistant; and Kimberly Haibeck, Senior Secretary

Dekkenga made a motion to approve the October 31, 2023, meeting agenda. Carda seconded the motion. **MOTION PASSED.**

The chair opened the floor for public comments:

Nancy Hoines, ACEC of SD/SDES/SDSPLS shared appreciation for Executive Director Dyer attending and presenting at the SDES Conference. She issued an invitation for the SDSPLS meeting in Deadwood, SD on January 10-12, 2024. She also raised concerns about the testing facility at SDSMT with regards to staffing and space issues.

Dekkenga made a motion to approve the July 21, 2023, minutes. Flynn seconded the motion. **MOTION PASSED.**

Carda made a motion to approve the financial statements through September 2023. Dekkenga seconded the motion. **MOTION PASSED.**

Executive Director Dyer provided information from regarding approvals issued since the last meeting.

The board reviewed the activities report ending September 2023.

Unfinished business action items are ongoing and in process. Executive Director Dyer will provide information on a 100-year anniversary book at the next meeting. Additional information and discussion are needed on current university endowments.j

There was no new business.

PDH Audits are on hold and are scheduled to resume in the spring after the new licensing software is in place.

Dekkenga made a motion to adjourn the meeting at 3:26 p.m. Flynn seconded the motion. **MOTION PASSED.**

STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 10/31/2023AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1035 BOARD OF TECHNICAL PROFESSIONS - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	103500061808	1140000	783,464.09	DR	BOARD OF TECHNICAL PROFESSIONS
COMPANY/SOURCE TOTAL 6503 618			783,464.09	DR *	
COMP/BUDG UNIT TOTAL 6503 1035			783,464.09	DR **	
BUDGET UNIT TOTAL 1035			783,464.09	DR ***	

STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 10/31/2023

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1035 BOARD OF TECHNICAL PROFESSIONS - INFO
CENTER-5 10350 BOARD OF TECHNICAL PROFESSIONS

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
COMPANY NO		6503				
COMPANY NAME		PROFESSIONAL & LICENSING BOARDS				
103500061808	6503	51010100	F-T EMP SAL & WAGES	6,928.26	56,850.71	
103500061808	6503	51010300	BOARD & COMM MBRS FEES	.00	2,520.00	
ACCT: 5101		EMPLOYEE SALARIES		6,928.26	59,370.71	*
103500061808	6503	51020100	OASI-EMPLOYER'S SHARE	506.68	4,357.02	
103500061808	6503	51020200	RETIREMENT-ER SHARE	415.71	3,411.07	
103500061808	6503	51020600	HEALTH/LIFE INS.-ER SHARE	1,512.45	11,987.56	
103500061808	6503	51020800	WORKER'S COMPENSATION	12.48	102.39	
103500061808	6503	51020900	UNEMPLOYMENT COMPENSATION	1.81	14.83	
ACCT: 5102		EMPLOYEE BENEFITS		2,449.13	19,872.87	*
ACCT: 51		PERSONAL SERVICES		9,377.39	79,243.58	**
103500061808	6503	52030100	AUTO-STATE OWNED-IN STATE	.00	155.20	
103500061808	6503	52030200	AUTO PRIV (IN-ST.) L/RTE	.00	15.12	
103500061808	6503	52031000	LODGING/IN-STATE	.00	77.00	
103500061808	6503	52031500	NON-TAXABLE MEALS/IN-ST	.00	54.00	
103500061808	6503	52032600	AIR-COMM-OUT-OF-STATE	.00	1,010.73	
103500061808	6503	52032800	OTHER-PUBLIC-OUT-OF-STATE	53.56	53.56	
103500061808	6503	52033000	LODGING/OUT-OF-STATE	787.64	787.64	
103500061808	6503	52033200	INCIDENTALS-OUT-OF-STATE	54.00	124.00	
103500061808	6503	52033500	NON-TAXABLE MEALS/OUT-ST	188.00	188.00	
ACCT: 5203		TRAVEL		1,083.20	2,465.25	*
103500061808	6503	52040200	DUES & MEMBERSHIP FEES	7,400.00	12,600.00	
103500061808	6503	52040500	COMPUTER CONSULTANT	.00	42.50	
103500061808	6503	52041300	OTHER CONSULTING	.00	172,980.00	
103500061808	6503	52041600	WORKSHOP REGISTRATION FEE	810.00	810.00	
103500061808	6503	52041800	COMPUTER SERVICES-STATE	629.95	1,889.85	
103500061808	6503	52041810	BIT DEVELOPMENT COSTS	34.30	814.63	
103500061808	6503	52042000	CENTRAL SERVICES	529.94	4,536.64	
103500061808	6503	52042200	EQUIPMENT SERV & MAINT	80.67	325.06	
103500061808	6503	52042300	JANITORIAL & MAINT SERV	.00	1,350.00	
103500061808	6503	52043300	COMPUTER SOFTWARE LEASE	.00	432.94	
103500061808	6503	52045210	REVENUE BOND LEASE PYMTS	.00	624.96	
103500061808	6503	52045250	REVENUE BOND LEASE PYMTS	2,472.00	9,888.00	
103500061808	6503	52045300	TELECOMMUNICATIONS SRVCS	192.46	1,276.10	
103500061808	6503	52047400	BANK FEES AND CHARGES	1,005.41	3,948.13	
103500061808	6503	52049600	OTHER CONTRACTUAL SERVICE	8.00	8.00	
ACCT: 5204		CONTRACTUAL SERVICES		13,162.73	211,526.81	*
103500061808	6503	52050200	OFFICE SUPPLIES	1,089.42	3,158.09	
103500061808	6503	52053100	PRINTING-STATE	.00	89.25	
103500061808	6503	52053500	POSTAGE	192.17	192.17	
ACCT: 5205		SUPPLIES & MATERIALS		1,281.59	3,439.51	*
103500061808	6503	5228000	OPER TRANS OUT -NON BUDGT	1,424.79	3,318.64	

STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 10/31/2023

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1035 BOARD OF TECHNICAL PROFESSIONS - INFO
CENTER-5 10350 BOARD OF TECHNICAL PROFESSIONS

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
ACCT:	5228		NONOP EXP/NONBGTD OP TR	1,424.79	3,318.64	*
ACCT:	52		OPERATING EXPENSES	16,952.31	220,750.21	**
COMP:	6503		PROFESSIONAL & LICENSING BOARDS	26,329.70	299,993.79	***
CENTER:	103500061808			26,329.70	299,993.79	****
B UNIT:	1035			26,329.70	299,993.79	*****

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 10/31/2023

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1035 BOARD OF TECHNICAL PROFESSIONS - INFO

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
COMPANY NO 6503						
COMPANY NAME PROFESSIONAL & LICENSING BOARDS						
103500061808	6503	4293947	EXAM FEE-ENG/ARCH	100.00	300.00	
103500061808	6503	4293948	RENEWAL CERT-ENG/ARCH	18,580.00	88,345.00	
103500061808	6503	4293949	APPLICATION FEE-ENG/AR	5,700.00	33,200.00	
103500061808	6503	4293950	OTHER ENGINEERING FEE	200.00	475.00	
ACCT:	4293	BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)		24,580.00	122,320.00	*
ACCT:	42	LICENSES, PERMITS & FEES		24,580.00	122,320.00	**
103500061808	6503	4391902	LATE FEE - ENG/ARCH	2,000.00	12,000.00	
ACCT:	4391	FINES (NON-GOVERNMENTAL)		2,000.00	12,000.00	*
ACCT:	43	FINES, FORFEITS & PENALTIES		2,000.00	12,000.00	**
103500061808	6503	4920045	NONOPERATING REVENUES	.00	18,251.94	
ACCT:	4920	NONOPERATING REVENUE		.00	18,251.94	*
ACCT:	49	OTHER REVENUE		.00	18,251.94	**
CNTR:	103500061808			26,580.00	152,571.94	***
COMP:	6503			26,580.00	152,571.94	****
B UNIT:	1035			26,580.00	152,571.94	*****

3.0 Information

3.1 Approvals Issued

3.1.1 Intern Certificates Issued

Meeting Date: November 28, 2023

Engineering Interns

Name	Certificate #
Hosseini, Shawn	E-13453
Jennings, Cody James	E-13450
Kennington, Blake Robert	E-13449
Merrival, Dakota	E-13448
Ng, Jun Yi	E-13451
Severson, Derek Robert	E-13452

Surveying Interns

Name	Certificate #

3.1.2 Licenses Issued by Exam

Meeting Date: November 28, 2023

Principles and Practice of Engineering Exam

Name	License
Donahue, Cole	16779
Hann, James	16778
James, Kristofer	16776
Kampa, Bryce Allen	16782
Klein, Austin Daniel	16777
Siebdrath, Westley Erik	16781

Principles and Practice of Surveying Exam

Name	License

Architecture by Exam

Name	License

Landscape Architect by Exam

Name	License

Petroleum Release by Exam

Name	License

3.1.3 Licenses Issued by Comity

Meeting Date: November 28, 2023

Architects

Name	License #
Chapman, Thomas	16765
De La Rosa, Rolando	16766
Koster, Daniel	16743
Liewer, Choas	16744
Lingle, Carl	16745
Maldonado, Daniel	16767
Peadon, Donald	16731
Standchina, Vincent	16746
Sudman, Jeffrey	16768
Usbeck, Matthew	16747
Veldhouse, Kyle	16742

Landscape Architects

Name	License #

Engineers

Name	License #
Aparicio, Cristan	16732
Blasey, Richard	16736
Burns, Darren	16769
Chesnut, Blane	16770
Clifton, Nathan	16733
Conver, Jacob	16749
Ferguson, Chad	16758
Festa, James	16759
Graham, Ian	16771
Hales, Ryan	16750
Harris, Robert	16772
Hattan, Brian	16760
Howell, Justin	16751
Johnson, Andrew	16737

3.1.3 Licenses Issued by Comity

Meeting Date: November 28, 2023

Keaton, Gary	16752
Kowalski, James	16761
Kvasnicka, Joshua	16734
Long, Nicholas	16738
Martin, Benjamin	16753
Maurer, Joshua	16773
Nelson, Derek	16739
Netterlund, Josh	16740
Petross, Keven	16741
Piriak, Robert	16754
Sanders, Mark	16755
Shaner, Deborah	16735
Sullivan, Mary	16762
Tilbury, Nea	16763
Tolman, Jaren	16764
True, Thomas	16774
Valdez, David	16756
Vedvei, Scott	16757
Williams, Mark	16775

Surveyors

Name	License #
Phillips, Eric	16748

3.1.4 Business Licenses Issued

Meeting Date: November 28, 2023

Business Name	License #
Daniel E Koster Architect	C 8900
Fabcon Precast, LLC	C 8903
Hales Engineering, LLC	C 8901
L.A.Gates Company	C 8902
McFarland-Johnson, Inc.	C 8904
Midwest Steel Works, Inc.	C 8906
Peadon Finein Architecture, PLLC.	C 8897
SGDesign, Inc	C 8905
Shaner Life Safety	C 8898
Veldhouse Architecture	C 8899

3.1.5 Approved to Schedule Exam

Meeting Date: November 28, 2023

Fundamentals of Engineering Exam

Last Name	First Name
Adrian	Trevor
Al Zawad	Nesrin
Al Zawad	Zahra
Carolan	Mitchell
Clark	Andrew
Crumb	Alexis
Dean	Shawn
Drum	Seth
Gonzalez	Luis
Green	Michael
Heiserman	Parker
Humphreys	Alyssa
Jensen	Cameron
Johannsen	Jayden
Klein	Mason
Knutson	Ava
McCalmont	Emma
Moon	Nathan
Moore	Nicholas
Naik	Yash
Nguyen	Daniel
Oien	Chase
Purkett	Danner
Ruud	Jace
Shaner	Eli
Si	Kae Sen
Thomas	Ethan
Tillman	Jocelyn
Trout	Tucker
Tuohy	Gage
Van Hill	Stevie
Vojta	Logan
Ward	Andrew

3.1.5 Approved to Schedule Exam

Meeting Date: November 28, 2023

Fundamentals of Surveying Exam

Last Name	First Name

Principles and Practice of Engineering Exam

Last Name	First Name
Campbell	Mason
Kidd	Brian

Principles and Practice of Surveying Exam

Last Name	First Name
Kor	Eric

MEMO**DATE:** November 15, 2023**TO:** Member Board Administrators**FROM:** Jason J. Gamble, P.E., Chief Officer of Examinations**RE:** Notice of Future Changes to NCEES Exams and Supporting Materials

This provides Member Boards the 1-year notice required by the NCEES *Manual of Policy and Position Statements*, Exam Development Policy (EDP) 7.

Fall 2024 Exam Changes

- **PE Metallurgical and Materials** — The PE Metallurgical and Materials exam will be administered with new specifications in October 2024. The specifications will be posted on the NCEES website in April 2024.

As a reminder, the following changes are in place for the Spring 2024 exam administration.

Spring 2024 Exam Changes

- **PE Structural** — The PE Structural exam administration for the Vertical and Lateral Forces breadth sections will begin on **April 1, 2024**. **The April administration will be a two-day event for the depth sections with the Vertical Forces exam offered on Tuesday, April 16, 2024, and the Lateral Forces exam offered on Wednesday, April 17, 2024.** Examinees may reserve their seat at a Pearson VUE test center once they are registered with NCEES and approved by their board. **Member Boards who manually approve candidates are encouraged to approve candidates as they register to allow them to reserve their seat for the two-day depth section event as early as possible.**
- **PE Civil** — The PE Civil exam will be administered with new specifications and design standards starting in April 2024. The specifications are posted on the NCEES website.
- **PE Control Systems** — The PE Control Systems exam will shift its Linear Fixed Form (LFF) administration to the Spring. The test date is **Wednesday, April 17, 2024**. Registration with NCEES for this exam opened on **November 1, 2023**. Examinees may reserve their seat at a Pearson VUE test center once they are registered with NCEES and approved by their board. **Member Boards who manually approve candidates are encouraged to approve candidates as they register to allow them to reserve their seat for this single-day event as early as possible.**
- **PE Electrical and Computer: Electronics, Controls, and Communications** — The PE Electrical and Computer: Electronics, Controls, and Communications exam will shift its Linear Fixed Form (LFF) administration to the Spring. The test date is **Wednesday, April 17, 2024**. Registration with NCEES for this exam opened on **November 1, 2023**. Examinees may reserve their seat at a Pearson VUE test center once they are registered with NCEES and approved by their board. **Member Boards who manually approve**

candidates are encouraged to approve candidates as they register to allow them to reserve their seat for this single-day event as early as possible.

- **PE Fire Protection** – The PE Fire Protection exam will shift its Linear Fixed Form (LFF) administration to the Spring. The test date is **Tuesday, April 16, 2024**. Registration with NCEES for this exam opened on **November 1, 2023**. Examinees may reserve their seat at a Pearson VUE test center once they are registered with NCEES and approved by their board. **Member Boards who manually approve candidates are encouraged to approve candidates as they register to allow them to reserve their seat for this single-day event as early as possible.**

If you have any questions about these changes or require additional information, please contact me at jgamble@ncees.org

C: NCEES Board of Directors
David Cox, Chief Executive Officer
Davy McDowell, P.E., Chief Operating Officer
Steven Matthews, Chief Technology Officer
Stefani Goodenow, Chief Officer of Member Services
Bob Whorton, P.E., Manager of Compliance and Security
Jessica Martin, Manager of Exam Publications

4.0 Activities Report

ACTIVITIES REPORT FOR THE YEAR 2023

[illegible][illegible][illegible]

		JAN	FEB	MAR	APR	MAY	JUNE
Business		2586	2586	2608	2608	2628	2636
Active		6580	6580	6595	6595	6623	6661
Inactive		295	295	291	291	296	296
Retired		227	215	216	216	218	218
TOTAL		9688	9676	9710	9710	9765	9811

		JULY	AUG	SEPT	OCT	NOV	DEC
Business		2597	2641	2669	2676		
Active		6602	6702	6763	6764		
Inactive		279	279	279	277		
Retired		211	211	211	210		
TOTAL		9689	9833	9922	9927		

5.0 Investigation Reports

**STATE OF SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION
BOARD OF TECHNICAL PROFESSIONS**

In the Matter of:

AGREED SETTLEMENT

Michael Bruckner,
Licensee.

Case No. 20-03

License No. 13123

In consideration of the above-captioned matter, and as the full and final resolution of this matter, the undersigned parties do hereby consent and agree to the following:

1. The South Dakota Department of Labor and Regulation, Board of Technical Professions (Board) has jurisdiction over this matter pursuant to SDCL Chapter 36-18A.
2. The Board may take disciplinary action against a licensee on any of the grounds listed in SDCL 36-18A-56.
3. Michael Bruckner (BRUCKNER) is licensed by the Board as an engineer and has been so licensed since November 18, 2016. BRUCKNER's license number is 13123.
4. On April 3, 2020, a written complaint was filed against BRUCKNER with the Board alleging various deficiencies in BRUCKNER's work on a project for the South Dakota Department of Transportation.
5. On March 27, 2023, the Board office filed a Formal Complaint against BRUCKNER based on allegations in the initial written complaint and investigation.

6. BRUCKNER responded to the Formal Complaint, denying the allegations, and providing support for his position to the Board.
7. Pursuant to SDCL 1-26-20, BRUCKNER and the Board agree that this Agreed Settlement shall serve as the full and final resolution of this matter, including any appeal.
8. Upon execution of this document, the Board agrees that this matter shall be dismissed. The dismissal shall involve a cautionary statement letter being sent to BRUCKNER with a copy of the August 19, 2021, third-party reviewer's report from the investigative file.
9. BRUCKNER voluntarily agrees that SDDOT, his client on the project, may also be copied on the dismissal letter in addition to the complainant.
10. The parties agree that this Agreed Settlement makes no finding or determination of unprofessional conduct by BRUCKNER and no discipline is imposed upon BRUCKNER. BRUCKNER makes no admission of fault in agreeing to this Agreed Settlement but agrees to the Agreed Settlement to avoid further proceedings related to these issues.
11. The parties agree that this matter will be recorded as "dismissed."
12. BRUCKNER is aware of and understands the nature of this matter. BRUCKNER acknowledges that he has been informed of various rights he has in this matter. These rights include, but are not limited to, the right to:
 - a. be represented by a lawyer in this matter;
 - b. receive notice of any hearing in this matter;

- c. have a contested case hearing, as defined in SDCL 1-26-1(2). A contested case hearing includes the right of the licensee to be present at the hearing, be represented by legal counsel, introduce evidence, present testimony, call witnesses to testify, cross-examine all witnesses present, and submit argument on his own behalf; and
- d. appeal any decision based on the contested case hearing to circuit court and the South Dakota Supreme Court, as provided by law.

BRUCKNER agrees that, by signing this Agreed Settlement, and specifically conditioned upon the Board approving this Agreed Settlement as drafted and signed by BRUCKNER, he will voluntarily waive all of these rights, procedures, and proceedings before the Board. BRUCKNER further waives any other rights to which he may be entitled under state or federal law as applicable to this matter.

- 13. BRUCKNER is represented by an attorney in this matter, Gregory H. Wheeler of Boyce Law Firm, LLP.
- 14. BRUCKNER understands and agrees that the terms of this Agreed Settlement shall be public, although the cautionary letter and report reference in paragraph 8 above will not be publicly issued.
- 15. BRUCKNER consents, agrees, and acknowledges that this Agreed Settlement must be submitted to the Board at a public meeting for acceptance or rejection. If the Board rejects this Agreed Settlement, BRUCKNER will retain all rights referenced in Paragraph 11 above, and any

other rights he may have under applicable law. Further, if the Board rejects this Agreed Settlement, BRUCKNER waives any right to claim prejudice or to request recusal of any Board member by reason of the effort to resolve this matter by Agreed Settlement rather than by formal proceeding.

16. BRUCKNER understands that nothing in this Agreed Settlement will be deemed to restrict the Board from raising facts in reference to BRUCKNER outside of those set forth in this Agreed Settlement in determining whether or not to approve this Agreed Settlement, if there are other material facts related to the matters under investigation that have not been set forth or disclosed herein.
17. Each party agrees to be responsible for their own attorney's fees and costs in this matter.
18. BRUCKNER has read, understands, and agrees to this Agreed Settlement and is freely and voluntarily signing it. This Agreed Settlement contains the entire agreement between the parties relating to the matters referenced in the Agreed Settlement. BRUCKNER is not relying on any other representations of any kind, verbal or otherwise.
19. If the Board approves this Agreed Settlement as signed by BRUCKNER, BRUCKNER agrees to waive any rights and procedures afforded him under SDCL Chapters 1-26, 36-18A, 36-1C, and ARSD Article 20:38.

20. If this Agreed Settlement is approved by the Board, a copy of the executed Agreed Settlement will be served upon BRUCKNER through his attorney by email.
21. This Agreed Settlement shall be effective on the date it is signed by the Board Chair.


Dated this ____ day of _____ 2023.
(month)

Ryan Callaghan
Board Chair

CONSENT AND ACKNOWLEDGMENT

By signing below, I accept and agree to the terms of this Agreed Settlement. I agree that I have read and understand the terms of this Agreed Settlement and I understand that I am, to the extent provided in the Agreed Settlement, waiving my due process rights and my right to a hearing. I am freely and voluntarily entering into this agreement.

Dated this 31 day of OCTOBER 2023.
(month)



Michael Bruckner
Licensee

**STATE OF SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION
BOARD OF TECHNICAL PROFESSIONS**

IN THE MATTER OF:

NOTICE OF HEARING

Conrad Moulton,

Licensee.

Case No. 22-04

License Nos. 11127, C-7720

TO: CONRAD MOULTON, via email and U.S. mail at Radical Engineering, 1023 160th Avenue, Pipestone, MN 56164 and radicalforensics@gmail.com.

PLEASE TAKE NOTICE that an administrative hearing in the above-captioned matter will be held before the South Dakota Department of Labor and Regulation, Board of Technical Professions (Board) on **November 28, 2023**, at **10:00 A.M. C.S.T.**, or as soon thereafter as the matter can be heard. The hearing will be held via **Microsoft Teams video conference** using the login information below:

Direct link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTEzNTE3ZTEtMjkyYS00YTlmLWEzZTUtM2M5MjgwNzdkZmNI%40thread.v2/0?context=%7b%22Tid%22%3a%2270af547c-69ab-416d-b4a6-543b5ce52b99%22%2c%22Oid%22%3a%225e67a48f-3581-4ddf-bd3d-869c8e9b1172%22%7d

Login with a passcode:

<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 289 929 068 348

Passcode: EQ6UAe

All parties and witnesses must be personally present on the Microsoft Teams video conference for the hearing unless otherwise authorized by the Board.

This hearing is being held pursuant to the legal authority and jurisdiction granted to the Board under South Dakota Codified Laws (SDCL) Chapters 1-26, 36-1C, and 36-18A.

The purpose of this hearing will be to determine whether Conrad R. Moulton (Licensee) committed the following licensure violations related to his professional engineer license with the Board:

1. Violated ARSD 20:38:36:01(10) by being disciplined by the Colorado Board of Licensure for Architects, Professional Engineers, and Professional Land Surveyors.

2. Violated SDCL 36-18A-56(6) by having his license revoked in Colorado.
3. Violated ARSD 20:38:36:01(10) by being disciplined by the Ohio Board of Registration for Professional Engineers and Surveyors.
4. Violated SDCL 36-18A-56(6) by having his license revoked in Ohio.
5. Violated ARSD 20:38:36:01(33) by failing to timely notify the Board of his discipline in Colorado.
6. Violated ARSD 20:38:36:01(33) by failing to timely notify the Board of his discipline in Ohio.
7. Violated ARSD 20:38:35:01 by failing to submit a log of professional development hours (PDH) with his individual license renewal application which was received by the Board on October 16, 2021.
8. Violated SDCL 36-18A-56(7) by failing to submit his PDH log as required for renewal.

Following the hearing, the Board shall issue findings of fact, conclusions of law, and a decision that may take such actions as are authorized by SDCL Chapters 1-26, 36-1C, and 36-18A, which may include, but is not limited to, issuance of an administrative fine, suspension of the license, and/or revocation of the license. Pursuant to SDCL 1-26-29.1, should this proceeding result in discipline of Licensee, the Board may assess all or part of its actual expenses for this proceeding against Licensee.

This hearing is a contested case as that term is defined in SDCL 1-26-1(2). As such, this hearing is an adversarial proceeding. You have the right to be present at the hearing and to be represented by an attorney. These and other due process rights will be forfeited if they are not exercised at the hearing. If you intend to be represented by an attorney, please have your attorney contact the undersigned with their name, address, and contact information.

If you do not appear at the scheduled time of the hearing, the matter may be dismissed, or it may be decided on the basis of evidence presented at the hearing.

If the amount in controversy exceeds \$2,500 or if a property right may be terminated, a party to the contested case may require the Board to use the Office of Hearing Examiners by giving notice of the request to the Board no later than ten days after service of this notice of hearing.

Notice of the Board's decision will be sent to you within 30 days after this matter is fully submitted to the Board, unless such time is extended by the Board pursuant to SDCL 1-26-30.1. The decision based on the hearing may be appealed to the Circuit Court and the South Dakota Supreme Court, as provided by law.

If you or anyone participating in the hearing on your behalf requires accommodations due to a disability, please contact Sherrie Dyer at 605-394-2510, and suitable arrangements will be made.

Statutes and Rules involved in this hearing:

SDCL 36-18A-56(1), (6), and (7). Proof of injury not necessary for board action on certain violations.

SDCL 36-18A-57. Disciplinary remedies available to board.

ARSD 20:38:35:01. Continuing professional development required for license renewal.

ARSD 20:38:36:01(10) and (33). Professional conduct.

Facts that support the alleged violations of South Dakota law or rule:

1. Licensee is a licensed professional engineer with South Dakota Board of Technical Professions (Board). His license number is 11127. Licensee has been licensed by the Board since December 14, 2011. Licensee's license lapsed on December 31, 2021, and he is not presently eligible to practice in South Dakota.
2. Licensee has a certificate of authorization with the Board from November 17, 2017, to the present (expires November 30, 2023). The certificate number is C-7720 and is active.
3. On September 27, 2021, a Notice of Order Issuance was entered by the Colorado Office of Administrative Courts, in a case involving the Colorado Board of Licensure for Architects, Professional Engineers, and Professional Land Surveyors (Colorado Board, as petitioner) and Licensee (respondent) after an administrative law judge issued an initial decision that Licensee's license to practice as a professional engineer in the state of Colorado was revoked.
4. On October 16, 2021, the Board office received an individual license renewal application for Licensee. The application did not include any reference to or mention of discipline in any other jurisdiction. Licensee selected the box which states: "I have met South Dakota's continuing professional development requirements during the previous two years." However, Licensee did not provide his log of professional development hours (PDH) at the time of his renewal application.
5. On November 1, 2021, the Colorado Board, based on the initial decision of the administrative law judge, in case numbers 2019-7783, 2019-7940, and 2020-4726, revoked Licensee's license to practice as a professional engineer.

6. Between October 18, 2021, and January 11, 2022, Board office staff emailed Licensee ten separate times requesting his professional development hours (PDH) log and received no response from Licensee.
7. On December 31, 2021, the Board office sent Licensee a letter requesting his PDH log. No response has been received as of the date of this complaint.
8. On March 22, 2022, the Ohio Board of Registration for Professional Engineers and Surveyors, in case number 22-061, revoked Licensee's professional engineer registration in that state for violations of Ohio Revised Code Sections 4733.20(A)(1), (2), and (5), 4733.22, and Ohio Administrative Code Sections 4733-35-07(D) and 4733-35-08. The revocation order is related to Licensee's failure to report his license revocation in Colorado when renewing his Ohio license in November 2021.
9. On September 7, 2022, Licensee sent an email to the general DLR inquiry requesting why his professional engineer's license is hidden. On September 8, 2022, the inquiry was forwarded to temporary staff for a response. On September 13, 2022, a response was sent explaining that Licensee's application was incomplete due to missing items and non-reported discipline.
10. The discipline orders in Colorado and Ohio, both resulting in license revocation, were discovered on January 16, 2022, when a verification request was received by the Board office from NCEES.
11. A formal complaint was filed against Licensee on October 23, 2023.
12. As of the date of the formal complaint, Licensee had not reported any discipline or revocation to the Board.
13. On October 25, 2023, Licensee responded to the complaint with two separate emails. Included with his emails were certificates documenting completed professional development hours which would have supported his 2021 renewal application.

Dated this 2nd day of November 2023.



Gerald M. McCabe
Senior Staff Attorney
Department of Labor and Regulation
420 S. Roosevelt Street
Aberdeen, SD 57401
605-906-8919

6.0 Executive Session

7.0 Unfinished Business – Action Items

7.0 Action Items

	Initial Date	Action	Decision	Responsible Person(s)	Status
1	05/18/2018	20:38:38 Fire Protection Systems	Rules review for streamlining Fire Protection	Committee formed by Albertson, Dekkenga, Dyer	In process
2	01/18/2019	Marketing and Outreach	Newsletter, Webinars, etc.	Staff	- Attended Career Day at SDSU and SDSMT - Reviewing other board's newsletter formats.
3	03/01/2021	Update Acronyms found in Blue Book	Review Rules for revision/updating	Staff/Legal Counsel	In process
4	05/25/2022	CLARB for adoption of alternative methods to certification for LA	Follow CLARB Regional/Annual meeting for adoption of alternative	Staff/ASLA Section Chair	In process
5	01/28/2022	Strategic Planning	Session to possibly be held on Thursday afternoon before scheduled Board Meetings	Board/Staff	In process
6	01/28/2022	File Director Program	Scanning of all files and Historical Documents	Staff	In process
7	09/30/2022	SD 90	Assess the bill and any possible changes before the effective date arrives	Committee formed of Albertson, Carda, McCabe, and Dyer	In process
8	09/30/2022	Procedures/Policy Overview	Review rules and processes to make sure they align	McCabe and Dyer	In process
9	3/31/2023	Threshold for Board expenses			
10	3/31/2023	Board 100-year Anniversary	Assess feasibility for someone to write history of the board	Dyer	Researching companies
11	3/31/2023	University Endowment Follow up	Request activity update	Dyer	In process

8.0 New Business

9.0 PDH Audits

**PDH AUDIT REPORT
For
BOARD MEETING**

13 audits reviewed at each Board Meeting

Mailed letter to licensee – _____

DEADLINE TO RECEIVE INFORMATION IS _____

Name	Prof	Sent letter - need audit records	Sent email reminder – need audit records	Received audit records

PDH Audits are on currently indefinite hold. Tentative plan to resume in the Spring after new licensing software in place.

10.0 Upcoming Meeting Dates

Upcoming Meetings

Organization	Date	Meeting	Location	Attendees	Funded by:
NCARB	March 1-2, 2024	NCARB Regional Summit	Savannah, GA		NCARB
NCARB	June 13-15, 2024	NCARB Annual Meeting	Chicago, IL		NCARB
NCEES	April 25-27, 2024	NCEES Central Zone Meeting	Des Moines, IA		NCEES
NCEES	August 14-17, 2024	NCEES Annual Meeting	Chicago, IL		NCEES
CLARB	September 19-21, 2024	CLARB Annual Meeting	Buffalo, NY		CLARB/Board of Tech Prof

BOARD FUTURE MEETING DATES (All Times are Mountain Time)

January 26, 2023, 8:30 a.m.

March 29, 2023, 8:30 a.m.

Future Organization Meeting Dates

Organization	Date	Meeting	Location	Attendees	Funded by:
2025 Meetings					
CLARB	September 18-20, 2025	Annual Meeting	TBD <i>Region 2</i>		
NCARB	TBD	NCARB Regional Summit	TBD		NCARB
NCARB	TBD	NCARB Annual Meeting	TBD		NCARB
NCEES	May 15-17, 2025	Joint Central/Western Zone Meeting	Albuquerque, NM		NCEES
NCEES	August 19-22, 2025	Annual Meeting	New Orleans, LA		NCEES
2026 Meetings					
CLARB	September 17-19, 2026	Annual Meeting	TBD <i>Region 3</i>		
NCARB	TBD	NCARB Regional Summit	TBD		NCARB
NCARB	TBD	NCARB Annual Meeting	TBD		NCARB
NCEES	TBD	Central Zone Meeting	TBD		NCEES
NCEES	TBD	Annual Meeting	TBD		NCEES
2027 Meetings					
CLARB	September 23-25, 2027	Annual Meeting	TBD <i>Region 4</i>		
2028 Meetings					
CLARB	September 14-16, 2028	Annual Meeting	TBD <i>Region 5</i>		



NCARB

REGIONAL SUMMIT

November 2023

Dear NCARB Members:

On behalf of the Regional Leadership Committee (RLC), we invite you to save the date for the NCARB Regional Summit being held March 1-2, 2024, in Savannah, Georgia. During this meeting, we will **learn** about emerging challenges of common concern regarding responsible regulation, **connect** with colleagues in your regions and in others to share best practices and trends, and **strengthen** your licensing board's impact through regional involvement.

As the Council's second largest meeting, the Regional Summit provides attendees the opportunity to engage with one another and on a regional level. Additionally, attendees will be provided the opportunity to discuss and provide feedback on draft resolutions to be considered at the Annual Business Meeting in June. Virtual viewing options will be limited, and in-person attendance is strongly encouraged.

To support the work of the regions, NCARB covers the cost of registration, travel, and lodging for up to six participants from each board to attend. Please review the Regional Summit funding categories enclosed below for more information.

The Regional Leadership Committee is excited to share this year's agenda and looks forward to learning, connecting, and strengthening in Savannah. Registration will be open in December. Please do not hesitate to reach out to your regional executive for any travel approval requirements.

Sincerely,

Regional Chair
James Devine

Regional Executive
Stacy Krumwiede

Enc: 2024 Regional Summit Agenda
2024 Regional Summit Funding



NCARB

REGIONAL SUMMIT

2024 REGIONAL SUMMIT AGENDA

All times listed are in Eastern Standard Time

Thursday, February 29

6:30 p.m. Regional Dinners
Transportation, if provided by the Region, will begin departing at 6 p.m. Please contact your Regional Executive for more information.

Friday, March 1

8:00 – 9:00 a.m. Breakfast for attendees
8:00 – 9:00 a.m. Breakfast for First Time Attendees
9:15 a.m. – 12:00 p.m. Regional Meetings
12:00 – 1:00 p.m. Lunch
1:15 – 3:00 p.m. Plenary

- NCARB Update
- Resolutions
- Candidate Forum

3:15 – 4:30 p.m. Workshops

- Incidental Practice
- Multiple Pathways to Licensure

6:00 – 9:00 p.m. Networking Reception: Metal Building at Trustees Garden

Saturday, March 2

8:00 – 9:00 a.m. Breakfast
9:00 – 10:15 a.m. Plenary: Architecture and Artificial Intelligence
10:30 a.m. – 12:00 p.m. Mixed Regional Discussions
12:00 – 1:00 p.m. Lunch
1:15 – 2:45 p.m. Regional meetings
3:15 – 3:45 p.m. Closing Plenary



NCARB

REGIONAL SUMMIT

REGIONAL SUMMIT FUNDING

While each Member Board identifies who is eligible to receive funding, member boards must abide by the funding categories as outlined below. Please note, funding categories are not interchangeable. NCARB will be reaching out to Board Chairs and Executives later this year to ask for the names of their funded attendees. Every Member Board is eligible to receive funding to send representatives as follows:

- Two (2) Member Board Members – This funding is for any design professional on the board
- One (1) Public/Consumer Member
- One (1) Member Board Executive
- One (1) Legal Counsel – There is limited funded available on a first come, first served basis. These attendees must be submitted in advance for approval.
- One (1) New Member Board Member – If you have a new Member Board Member appointed during the current fiscal year (July 1, 2023), limited funding on a first come, first served basis is available to support their participation in NCARB events. These attendees must be submitted in advance for approval.

The region and/or the jurisdiction are welcome to fund additional participants.

What Is Covered Through NCARB Funding?

Funded attendees will receive:

- Complimentary registration to the meeting
- Three (3) night hotel stay, depending on the duration needed to attend the relevant meetings. If participants would like to extend their stay at the hotel past the three nights NCARB will cover, they may be able to secure NCARB's negotiated room rate.
- Roundtrip coach airfare or train fare: NCARB will reimburse you for a 30 - day advance coach ticket. NCARB will not reimburse any additional charges such as choice seating, upgrades, or flight or travelers insurance premiums. Flights over \$600 must be submitted in advance for approval. Please contact Nicole Roames at nroames@ncarb.org.
- Attendees are asked to book ticket the most economical ticket directly to and from the NCARB event, and from the airport closest to their departure. All trips that require additional stops or at least one overnight stay must be approved in advance. Any



NCARB

REGIONAL SUMMIT

special arrangements such as departing from an alternative airport, multi-city or reimbursable tickets, adding stopovers, or extra overnight stays during NCARB travel, must be approved in advance to receive reimbursement. Please contact Nicole Roames at nroames@ncarb.org.

- Ground transportation to and from the airport. Funded attendees are expected to use the most economical ground transportation under the circumstances to provide reasonably convenient, comfortable, and safe transport.
- Breakfast and lunch will be provided for both days (March 1 and 2), dinner will be provided by NCARB on Friday March 1.
- NCARB provides an \$80 per diem for meals not already provided through the complimentary registration.

NCARB will not cover the following expenses:

- Dinner on the night of Regional dinners (Thursday, February 29).
- Items of a personal nature such as laundry and movies.
- Costs associated with an accompanying spouse or other guests, such as registration fees, additional airfare, meals, or increased lodging costs.
- Use of a rental car—charges incurred for rental cars will not be reimbursed.
- Any additional charges such as choice seating, upgrades, or flight or traveler's insurance premiums.
- Meals outside what is covered through the complimentary registration, or beyond the \$80 per diem.



REGIONAL SUMMIT

FREQUENTLY ASKED QUESTIONS

When will registration open for the Summit?

Registration will be launched in December 2023.

Should I make my own hotel reservation?

No, NCARB will make hotel reservations for all in-person attendees.

If I am a funded attendee, when should I book my flight?

If you wish to use NCARB's travel booking, TravelPerk, flights reservations will be available when registration launches.

How do I know if my attendance is funded?

Member Boards typically select their in-person attendees during a board meeting. If you are unsure of your status, please contact your Member Board Executive.

I am a Member Board Executive, when is the MBE Workshop?

As in previous years, the MBE Workshop will immediately proceed the Regional Summit and is scheduled for Thursday, February 29. A Save the Date and agenda will be sent from the MBE Committee in October. MBE Workshop is open to Member Board Executives, member board staff, and legal counsel only.

When should I plan to arrive in Savannah?

For those attending in person, please plan to arrive on the following:

- Member Board Executives: Wednesday, February 28, 2024
- Member Board Members: Thursday, February 29, 2024

NCARB will cover four (4) nights for Member Board Executives and three (3) nights for Member Board Members.

What Hotel will the event take place?

The meeting will take place at the Savannah Riverfront Marriot, 100 General McIntosh Blvd, Savannah, GA 31401.



NCEES

advancing licensure for
engineers and surveyors

200 Verdae Boulevard Greenville, SC 29607 T: 800-250-3196 F: 864-654-6033 [NCEES.ORG](https://www.ncees.org)

MEMO

DATE: October 31, 2023

TO: Member Board Administrators

FROM: David Cox, Chief Executive Officer

RE: Funded Delegate Notification for the NCEES Central Zone Interim Meeting

The 2024 NCEES Central Zone interim meeting will be held April 25–27 in Des Moines, Iowa. A meeting summary, which includes funding details and a draft schedule of events, is attached.

In accordance with NCEES policy, the Council will fund the lodging, travel expenses, and registration fees for the designated member board administrator (MBA) from each member board. The Council will provide the same funding to three eligible delegates.

For the designated attendees to receive this funding, their respective member boards must be in active status as defined in *Bylaws* 10.012. Delegates must attend all business meetings on Friday, April 26 and Saturday, April 27. Additional eligibility requirements for each are described below.

When meeting registration opens in late January, NCEES will send an invitation to each funded attendee via email with meeting information and instructions for registering and making travel arrangements. Please include the person's email address, not an assigned board email address.

Member board administrator

NCEES will automatically invite the current eligible board administrator when registration opens in January, so it is not necessary to provide your name and contact information in the online form. When an MBA represents more than one board, the funding is for the designated MBA only and not for the assistant MBA or other member board staff.

Funded delegates

To qualify to be a funded delegate, the individual must be a current board member or an associate member.

[Click here](#) to access the funded delegate form. Responses must be received by **January 17**. If you need to make changes to the designated funded delegates after January 17, send an email to the Meetings Department at meetings@ncees.org.

For questions regarding funding, contact the Meetings Department at meetings@ncees.org.

Attachment

2024 NCEES Central Zone Interim Meeting—Summary for Funded Attendees

Meeting dates and location	April 25–27, 2024 Hilton Des Moines Downtown 435 Park Street Des Moines, IA 50309
Meeting summary	The NCEES zone interim meetings are held each spring. The primary purpose of the meeting is for representatives from the member licensing boards to hear and discuss reports from the NCEES board of directors, CEO, standing committees, and task forces. The work of the committees and task forces results in motions that will be presented for Council vote at the annual meeting in August. Zone meeting delegates can ask questions and discuss possible annual meeting motions, and they are encouraged to take information back to their boards for further discussion. Additionally, delegates will provide individual board updates and elect a zone vice president and assistant vice president.
Schedule overview	The business meeting will begin at 8:30 a.m. on Friday, April 26 and conclude by 11:45 a.m. on Saturday, April 27. A draft business meeting agenda follows on the next page. A full schedule of events will be posted at ncees.org/zones when registration opens in late January.
Attendance requirements	Plan to arrive on Thursday, April 25 and depart on Saturday, April 27 or Sunday, April 28. Funded attendees must attend all business meetings on Friday and Saturday. Flights must depart after 1:30 p.m. on Saturday.
NCEES funding summary	The Council will fund the following, as applicable, for the member board administrator and three eligible funded delegates from each board: meeting registration, lodging expenses for up to three nights (April 25–27), and travel costs, per the travel policy. NCEES will also pay a one-time stipend to cover incidental expenses accordingly: <ul style="list-style-type: none"> • \$170 plus the approved mileage calculation for those who drive • \$320 for those who fly
Registration details	Meeting registration includes the business meeting; Thursday's reception; Friday's breakfast, lunch, and dinner; and Saturday's breakfast.
Hotel room block rate	\$175/night for standard rooms, plus taxes and fees (currently 15 percent) NCEES will make the hotel reservations for all funded attendees based on information provided during registration and will be direct billed for room, taxes, and fees for up to three nights (April 25–27).
Air travel and ground transportation	NCEES will fund round-trip economy-class airfare to Des Moines. The hotel is located 15 minutes from Des Moines International Airport and provides complimentary airport shuttle. Instructions to book air travel will be available in individual invitations, and ground transportation details will be posted at ncees.org/zones when registration opens.
Hotel parking costs	Self-parking (currently \$25 per night) will be direct billed to NCEES for funded attendees who are approved to drive to the meeting.

NCEES Central Zone Interim Meeting
Des Moines, Iowa
April 25–27, 2024

Schedule of Events (draft October 2023)

Thursday, April 25

5:30–6:00 p.m.	First-time attendee reception
6:00–7:00 p.m.	Welcome reception
7:00 p.m.	Dinner on your own

Friday, April 26

7:00–8:15 a.m.	Breakfast
8:30–11:45 a.m.	Business session 1 <ul style="list-style-type: none">▪ Call to order▪ Pledge of Allegiance▪ Welcome▪ Roll call of member boards▪ Introduction of guests and attendees▪ Review of schedule for the day▪ Call for additional agenda items▪ Appointment of Resolutions Committee▪ Zone business<ul style="list-style-type: none">○ Approval of zone meeting minutes from 2023 annual meeting○ Nominating Committee report (elections on Saturday)<ul style="list-style-type: none">○ Remarks from candidates for zone vice president○ Remarks from candidates for zone assistant vice president○ Leadership Development Committee report○ Awards Committee report▪ NCEES officer and CEO reports<ul style="list-style-type: none">○ Update on NCEES Foundation▪ NCEES committee and task force reports
Noon–1:30 p.m.	Awards luncheon with guest speaker
2:00–5:00 p.m.	Business session 2 <ul style="list-style-type: none">▪ NCEES committee and task force reports (cont.)<ul style="list-style-type: none">○ CPC requirements discussion (related to MBA Committee Charge 2)
Time TBD	Dinner event

Saturday, April 27

7:00–8:15 a.m.

Breakfast

8:30–10:15 a.m.

Breakout forums

- Engineering
- Surveying
- Member board administrators

10:30–11:45 a.m.

Business session 3

- Elections
 - Zone vice president
 - Zone assistant vice president
- Forum reports
 - Engineering
 - Surveying
 - Member board administrators
- Site Selection Committee report
- Update on state activities
- New business
 - Consideration of resolutions
- Other items
- 2024 Central Zone service award recipient recognition
- Resolutions Committee report
- Invitation to 2025 Central/Western Zone joint interim meeting
- Adjourn

11:45 a.m.

Lunch on your own

11.0 Adjournment