

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

Minutes of the regular meeting Friday, March 18, 2011

The South Dakota State Board of Technical Professions held its regular meeting on Friday, March 18, 2011 in its Board Room, Rushmore Building, Rapid City, South Dakota; Chairman Jeff Hazard presided.

The meeting was called to order at 8:30 a.m. by Chairman Hazard.

The following Board members were present: Chairman Jeff Hazard, Vice Chairman Drake Olson, Secretary Hani Shafai, Randy Bacon, Dale Jans, and David Stafford. Others present were staff members Mark Humphreys, Mary Ann Myers and Kathryn Patterson. Also present was Brian Jenner, Licensing Chair, South Dakota Engineering Society (SDS). Staff Attorney Aaron Arnold appeared via telephone. Board member Len Neugebauer was absent.

**Agenda Items:**

- 1) Approval of January 28, 2011 Minutes (Motion)
- 2) Approval of vouchers since last meeting (Motion)
- 3) Activities report ending February 2011 & Review of Deposits (FYI)
- 4) Investigation reports
- 5) Old Business
- 6) New Business
- 7) PDH Audits (Motion)
- 8) Approval of Comity applications (Appendix A, Motion)
- 9) Approval of Business applications (Appendix B, Motion)
- 10) Review previous applications, Reinstate & Exam App (Appendix C Motion)
- 11) Annual, zone, committee meeting reports & upcoming meetings
- 12) Correspondence
- 13) Future board meeting schedule
- 14) Adjournment (Motion)

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**AGENDA ITEM #1 APPROVAL OF JANUARY 28, 2011 BOARD MEETING MINUTES (MOTION)**

MOTION: By Jans, seconded by Shafai, to approve the Minutes.

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

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

MOTION: By Stafford, seconded by Bacon, to approve the Vouchers.

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

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**AGENDA ITEM #3 ACTIVITES REPORT ENDING FEBRUARY 2011 & REVIEW OF DEPOSITS**

Discussions were held on number of licensees for beginning two months of the year. Jans asked if a report of the specific lapsed licensees and a different financial comparison could be given to the Board for review at meetings.

## AGENDA ITEM #4 INVESTIGATION REPORTS

### Case 09-03 Failure to report Disciplinary Action (Review & Motion)

MOTION: By Shafai, seconded by Olson, for the Board to go into Executive Session.

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

MOTION: By Olson, seconded by Stafford, for the Board to come out of Executive Session.

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

MOTION: By Shafai, seconded by Stafford, to amend the previous Order to Revoke License of Nathan T. Hunke that had been prepared to also include the CoA for the business, Coteau Environmental.

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

**Case 09-06 Competency and Professional Conduct (Hearing Dates of April 18<sup>th</sup> & 19<sup>th</sup>)**  
Hearing dates of April 18 & 19, 2011 were set as target dates for this hearing. Board needs to get experts under contract for hearing. Humphreys is to sign contracts with experts on behalf of the Board. Shafai mentioned that a Community Room at the City of Rapid City Offices may be available for use to accommodate this hearing.

**Case 09-07 Competency and Professional Conduct**  
Humphreys noted this case is on hold.

**Case 11-01 Practicing without a Certificate of Authorization (CoA) for Business**  
Staff Attorney Arnold reported that a consent agreement has been sent to the individual but no response has been received as of this date.

**Case 11-02 Engineer cross practicing as a Land Surveyor**  
Humphreys, Bacon and Staff Attorney Arnold are serving on the investigative committee and will need to have a meeting for further review of the case.

**Case 11-03 Possible practice of an unlicensed individual**  
Humphreys, Jans and Staff Attorney Arnold need to have a meeting for further review of the case.

**Case 11-04 Land Surveying issue**  
Humphreys reported case is in investigative stage.

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## AGENDA ITEM #5 OLD BUSINESS

**Action Items - reports** - Discussion held on current items on report and status of each.

**Rules and Statutes - reports** - Hazard noted that this is a work in progress and advances are being made. Revisions will be made and sent out to Board members for review prior to the May Board meeting. Following Board approval changes will be sent for legal review and then sent to Rule Change Committee.

**Budget, FTE & Investigator Duties** - Hazard attended the appropriations meeting in Pierre and noted that a .5 FTE was approved.

**Executive Order 2010-10, Workgroup** - Stafford reported that the Legislative Bill associated with this workgroup was passed and will put an energy code in place for residential building as it has been for commercial.

**Candidate ID numbers** - Staff Attorney Arnold and Humphreys are working on wording for this item.

**SDBOTP Audit - Accomplished in October** - Informational.

**Board Members up for reappointment: Bacon, Jans, Shafai & Stafford** - Informational.

**Legislation; SB94, HB1048 & others** - Informational.

**Appropriations Meeting in Pierre, February 9 at 8:00 A.M.** - Informational.

**NCEES applications review committee** - Informational.

**Transition to new DOL liaison for SDBOTP** - Informational.

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

**Request of SDSM&T for a presentation on benefits of licensure** - Humphreys has been requested to speak to the Civil Engineering Professions Class on March 28, 2011.

**ABET - Data on website regarding accreditation dates and ranges** - Discussion was held on the discrepancies that have been found on the website.

**Construction Administration Services** - Informational.

**Questions of the Board regarding:**

**Professional Conduct** - Chairman Hazard requested Staff Attorney Arnold to draft a letter to be sent to the licensee.

**Industrial Exemption** - Informational

**CoA questions - reference 36-18A-47, 36-18A-48** - Informational

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

**NEW AUDITS:** Paul B. Billings, PE; Rickert C. Henriksen, PE; Nathan Richard Lund, PE; Daniel Joseph Miller, AR; Richard H. Miller, LS; Michael P. Paisano, LS; Rodney C. H. Scheel, PE; David A. Shea III, AR; Patrick H. Wyss, LA; and Michael F. Zimny, LS.

MOTION: By Jans, seconded by Olson, for approval of the following audits: Paul B. Billings, PE; Nathan Richard Lund, PE; Daniel Joseph Miller, AR; Richard H. Miller, LS; Michael P. Paisano, LS; Rodney C. H. Scheel, PE; David A. Shea III, AR; Patrick H. Wyss, LA; and Michael F. Zimny, LS.

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

MOTION: By Jans, seconded by Shafai, that the audit of Rickert C. Henriksen, PE, be held for further information.

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

**REVIEW PREVIOUS AUDITS:** Kevin P. Bauman, PE; Dennis P. Carlisle, LS; Joseph A. Slack, AR; Elizabeth Cotton, AR; and Richard D. Turley, PE.

Following discussion by the Board and review of additional information provided regarding the in-house courses, it was decided that the audit material as submitted by Elizabeth Cotton be approved.

MOTION: By Stafford, seconded by Jans, for approval of the audit of Elizabeth Cotton, AR.

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

Following discussion by the Board and Humphreys regarding the reporting of Red Vector courses on AIA transcripts in the PDH audit of Joseph A. Slack, AR, it was decided that the audit material as submitted be approved.

MOTION: By Stafford, seconded by Jans, for approval of the audit of Joseph A. Slack, AR.

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

The requested additional information has not yet been received from Kevin P. Bauman. The deadline for the Board to receive the required additional information is June 7, 2011.

The requested additional information has not yet been received from Dennis P. Carlisle, LS. The deadline for the Board to receive the required additional information is March 20, 2011.

The requested additional information has not yet been received from Richard D. Turley, PE. The deadline for the Board to receive the required additional information is April 21, 2011.

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**AGENDA ITEM # 8 APPROVAL OF COMITY APPLICATIONS (MOTION)**

MOTION: By Stafford, seconded by Olson, for approval of the following Architects (AR) Comity Applications.

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

Date Licensed	Name	City	State	Profession	#
03/18/2011	Allred, James Lester	Denver	CO	AR	10462
03/18/2011	Coady, Pierce Joseph	Des Moines	IA	AR	10463
03/18/2011	Economides, Dimitrios C	East Lansing	MI	AR	10464
03/18/2011	Edson, James Stuart	Shawnee Mission	KS	AR	10465
03/18/2011	Foss, Steven Magnus	Fargo	ND	AR	5530
03/18/2011	Locati, Jerry Dean	Bozeman	MT	AR	10466
03/18/2011	Mahoney, John Hartley	Tempe	AZ	AR	10467
03/18/2011	Mickey, James Steven	Reno	NV	AR	10468
03/18/2011	Patrick, Gary Curtis	Albertville	MN	AR	10469
03/18/2011	Rome, Jeffrey Lee	Newport Beach	CA	AR	10470
03/18/2011	Sutton, Richard D	Minneapolis	MN	AR	10471

MOTION: By Bacon, seconded by Shafai, for approval of the following Land Surveyors (LS) Comity Applications.

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

Date Licensed	Name	City	State	Profession	#
03/18/2011	Hays, Christopher C.	Osceola	NE	LS	10472
03/18/2011	Herrild, Howard Herbert	Green Bay	WI	LS	10473
03/18/2011	Holm, Steven William	Hawley	MN	LS	10474

MOTION: By Olson, seconded by Jans, Shraddha A. Dharia is denied for comity as a Professional Engineer (PE) based on not meeting the requirements of a substantially equivalent ABET Bachelors of Science Engineering degree as determined by CPEES.  
ACTION: 6-0 AYE (Bacon, Hazard, Jans, Olson, Shafai, Stafford)

MOTION: By Jans, seconded by Shafai, for approval of the following Professional Engineers (PE) Comity Applications.  
ACTION: 6-0 AYE (Bacon, Hazard, Jans, Olson, Shafai, Stafford)

Date Licensed	Name	City	State	Profession	#
03/18/2011	Anderson, Paul Clark	Ogden	UT	PE	10475
03/18/2011	Babbs, Torris Jerome	Carrollton	GA	PE	10476
03/18/2011	Beach, Michael Robert	Olympia	WA	PE	10477
03/18/2011	Benak, Matthew Joseph	Highlands Ranch	CO	PE	10478
03/18/2011	Benson, Ryan Michael	Lakeville	MN	PE	10479
03/18/2011	Boyce, Dale Rodney	Milwaukee	WI	PE	10480
03/18/2011	Braun, Loren Walter	Minneapolis	MN	PE	10481
03/18/2011	Brose, William Merle	Madison	WI	PE	10482
03/18/2011	Burrows, Jonathon M	Salt Lake City	UT	PE	10483
03/18/2011	Conley, Clinton Peter	Denver	CO	PE	10484
03/18/2011	Derichs, Curtis J.	Minneapolis	MN	PE	10485
03/18/2011	Dockhorn, Jonathan Howard	Columbus	NE	PE	10486
03/18/2011	Ebmeier, Ryan James	Glenwood	IA	PE	10487
03/18/2011	Ettmayer, Conrad	Delafield	WI	PE	10488
03/18/2011	Goes, James John	Ankeny	IA	PE	10489
03/18/2011	Kesterson, Eric S	Tulsa	OK	PE	10490
03/18/2011	Kyllo, Michael J	Granite Falls	MN	PE	10491
03/18/2011	Larson, Timothy Jon	Lakeville	MN	PE	10492
03/18/2011	Lex, Robert J	Oconomowoc	WI	PE	10493
03/18/2011	Ligtenberg, Darin Mark	Sioux Falls	SD	PE	10494
03/18/2011	Monfils, Jason Gerard	Brussels	WI	PE	10495
03/18/2011	Muller, Milton Carl	Littleton	CO	PE	10496
03/18/2011	Murphree-Roberts, Michael Scott	Springfield	MO	PE	10497
03/18/2011	Overheul, Rachel D.	Colwich	KS	PE	10498
03/18/2011	Peterson, Todd Allen	Lindstrom	MN	PE	10499
03/18/2011	Reed, Ronald Gene	Tucson	AZ	PE	10500
03/18/2011	Schroeder, Michael Henry	Cincinnati	OH	PE	10501

Date Licensed	Name	City	State	Profession	#
03/18/2011	Sicora, Wayne Thomas	Minneapolis	MN	PE	10502
03/18/2011	Sullivan, John Brian	Albuquerque	NM	PE	10503
03/18/2011	Tyson, Leslie Ann	Denver	CO	PE	10504
03/18/2011	Vander Griend, Samuel	Colwich	KS	PE	10505
03/18/2011	Veydovec, William L.	Lakewood	CO	PE	10506
03/18/2011	Wilke, Samuel James	Bismarck	ND	PE	10507

**AGENDA ITEM #9 APPROVAL OF BUSINESS APPLICATIONS (MOTION)**

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

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

Date Licensed	Company Name	City	State	Profession	#
03/18/2011	A.C. Surveying	Chadron	NE	LS	C-6490
03/18/2011	Ankeny Architects, LLC	Minneapolis	MN	AR	C-6491
03/18/2011	Babbs Engineering Consultants, LLC	Carrollton	GA	PE	C-6492
03/18/2011	Colvin Engineering Associates, Inc.	Salt Lake City	UT	PE	C-6493
03/18/2011	Donan Engineering Co., Inc.	Louisville	KY	PE	C-6494
03/18/2011	Ebmeier Engineering, LLC	Glenwood	IA	PE	C-6495
03/18/2011	Economides Architects, LLC	East Lansing	MI	AR	C-6496
03/18/2011	Foresight Land Surveyors	Brookings	SD	LS	C-6497
03/18/2011	Great Basin Engineering, Inc.	Ogden	UT	PE	C-6498
03/18/2011	Hanlon Engineering & Architecture, Inc.	Tucson	AZ	PE	C-6499
03/18/2011	Harwood Engineering Consultants, Ltd	Milwaukee	WI	PE	C-6500
03/18/2011	Hays Land Surveying, LLC	Osceola	NE	LS	C-6501
03/18/2011	Henneman Engineering, Inc.	Champaign	IL	PE	C-6502
03/18/2011	James A. Brygger, Architect	Sioux City	IA	AR	C-6503
03/18/2011	Jeffrey Rome & Associates	Newport Beach	CA	AR	C-6504
03/18/2011	John Mahoney Architect, LLC	Tempe	AZ	AR	C-6505
03/18/2011	Larson Data Communications, Inc.	Mitchell	SD	PE	C-6506
03/18/2011	Lempka Edson Architects	Shawnee Mission	KS	AR	C-6507
03/18/2011	Locati Architects, PLLP	Bozeman	MT	AR	C-6508

Date Licensed	Company Name	City	State	Profession	#
03/18/2011	LT Engineering, LLC	Denver	CO	PE	C-6509
03/18/2011	Michael Skroch	Bloomfield	NE	LS	C-6510
03/18/2011	Michels Corporation dba Mi-Tech Services, Inc	Green Bay	WI	LS	C-6511
03/18/2011	PACLAND - Olympia, Inc.	Olympia	WA	PE	C-6512
03/18/2011	Project Solutions Inc.	Rapid City	SD	PE/LS	C-6513
03/18/2011	Rock Gap Engineering	Albuquerque	NM	PE	C-6515
03/18/2011	Spectrum Engineers, Inc.	Salt Lake City	UT	PE	C-6516
03/18/2011	StrongPoint Engineering LLC	Hanover	MD	PE	C-6517
03/18/2011	Structural Design Studio, P.C.	Ankeny	IA	PE	C-6518
03/18/2011	TAAG Architects	Denver	CO	AR	C-6519
03/18/2011	TND Engineering	Portsmouth	NH	PE	C-6520
03/18/2011	Worth Group Architects	Reno	NV	AR	C-6521

**AGENDA ITEM #10 REVIEW PREVIOUS APPLICATIONS, REINSTATE & EXAM APP (MOTION)**

MOTION: By Bacon, seconded by Olson, for denial of Marcus F. Hampton Land Surveyor (LS) Comity Application on second review based on the lack of his qualifying experience for land surveying.

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

MOTION: By Bacon, seconded by Olson, for approval of the following Land Surveyor (LS) Comity Applications on second review.

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

Date Licensed	Name	City	State	Profession	#
03/18/2011	Gustafson, Jonathan Ryan	Saint Paul	MN	LS	10458
03/18/2011	Hammons, Phillip Ray	Angleton	TX	LS	10459

MOTION: By Shafai, seconded by Jans, for approval of the following Professional Engineer (PE) Comity Applications on second review.

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

Date Licensed	Name	City	State	Profession	#
03/18/2011	Crow, Megan Lynn	Sheridan	WY	PE	10460
03/18/2011	Goff, Herb	Frankfort	KY	PE	10461

MOTION: By Shafai, seconded by Jans, for approval of the following Business Application on second review.

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

Date Licensed	Company Name	City	State	Profession	#
03/18/2011	MC2 Engineering and Construction, P.C.	Sheridan	WY	PE	C-6522

MOTION: By Stafford, seconded by Shafai, for approval of the following individual License Reinstatement.

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

Date Reinstated	Name	City	State	Profession	#
03/18/2011	Thurston, Jr., R. Fred	Rapid City	SD	AR	2839

Following discussion by the Board and Humphreys the decision was made to postpone second review of the following Professional Engineer (PE) Exam Applications until the May 20, 2011 Board Meeting.

Name	Profession/Discipline
Hartwell, Aaron Joel	CE
Tideman, Blake Michael	CE

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

**PREVIOUS** - 02/11/11 to 02/12/11 - NCEES MBA & BPA Meeting, Atlanta, GA - Humphreys & Neugebauer (NCEES paid).

Neugebauer attended this meeting and submitted a report for information to the Board.

02/25/11 to 02/26/11 - CLARB Spring Meeting, Denver CO - Board voted not to attend at its 11/19/10 meeting. (SDBOTP pays)

03/11/11 to 03/12/11 - NCARB Regional Meeting, Jersey City, NJ - Stafford, Hazard & Humphreys. (SDBOTP pays) Motion.

Stafford reported that he was elected to the Regional Vice Chair position at this meeting.

**UPCOMING** - 05/05/11 to 05/07/11 - NCEES Central Zone Meeting, Detroit, MI - Jans, Shafai, Neugebauer, Bacon & Humphreys. Board assigned Shafai as delegate at 01/28/11 meeting.

06/22/11 to 06/25/11 - NCARB Annual Meeting & Conference, Washington, D.C. - Board will need to assign delegate. (NCARB pays for delegate. SDBOTP pays for others)

MOTION: By Jans, seconded by Bacon to appoint Stafford as the delegate.

ACTION: 5-0 AYE (Bacon, Hazard, Jans, Olson, Shafai) Stafford did not vote.

Discussion was held on including Olson in traveling to meetings also. Attendance for him would be beneficial to the Board and to Olson.

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

Compliments - Informational.



**NCARB Strategic Plan** - Informational.

**NCEES Bylaws** – Bacon, Neugebauer, and Shafai will need to review the new bylaws that have been approved according to Jans.

**NCARB Region 5 Update & Report** - Stafford reported on the meeting. Thomas R. Wood from Montana and Dennis Ward from South Carolina will be running for Secretary position.

**NCEES selection of Pearson VUE for CBT** - Informational that a company has been chosen for the CBT exams.

**NCARB - Retirement of Lenore Lucey, CEO** - Informational.

**Public Meetings info** - Informational.

Other various board correspondence/Email

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### **AGENDA ITEM #13 FUTURE BOARD MEETING SCHEDULE**

May 20, 2011; July 29, 2011; September 23, 2011; November 18, 2011

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In light of Mary Ann Myers' retirement from The South Dakota Board of Technical Professions office on April 23, 2011, prior to adjournment Myers expressed to the Board that she has enjoyed working with them during her 3+ years of employment, and thanked the Board members for all their help.

### **AGENDA ITEM #14 ADJOURNMENT (MOTION)**

MOTION: Bacon, seconded by Stafford, to adjourn.

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

There being no further business, at the hour of 1:18 p.m., the South Dakota Board of Technical Professions adjourned.



Mark Humphreys, Executive Director

Submitted by Kathryn Patterson, Secretary, SDBOTP