

March 28, 2008

**REGULAR MEETING OF THE  
SOUTH DAKOTA  
STATE BOARD OF TECHNICAL PROFESSIONS  
March 28, 2008**

**MEETING** The regular meeting of the South Dakota State Board of Technical Professions was held on Friday, March 28, 2008, at 8:00 a.m. in the board office in Rapid City. **Chairman**, David Stafford presided.

**ROLL CALL** Other board members present were Randy Bacon, **Secretary**, Hani Shafai, Jeffery Hazard and Leonard Neugebauer. Dale Jans, **Vice Chairman** and Tom Geraets were absent. Others present were Warren Fisk, investigator; and staff members Mark Humphreys, Wendy Whipple and Mary Ann Myers. Board Attorney Shannon George-Larson attended via telephone.

**MINUTES** On motion by Hazard and seconded by Shafai, minutes of the January 18, 2008 meeting were unanimously approved.

**FISCAL** On motion by Neugebauer and seconded by Bacon, vouchers from the last Board meeting were unanimously approved. The activities report was supplied.

**NEW/OLD BUSINESS** The travel matrix for 1/08 to 6/30/09 was discussed. Stafford suggested submitting a written report to DOL regarding meetings, committees, etc. that board members are involved in. Whipple will follow up with an email to the board members. It was agreed to remove the place, name & paid by for the 5/09 NCEES Central/Western Zone for Banff, Alberta, Canada.

**On motion** by Neugebauer and seconded by Shafai, the travel matrix was unanimously approved to submit to DOL. Humphreys will send to Kolden & Roberts at DOL.

Roger Hartman's work hours log was discussed in review of Peska Construction, Inc. business application. Hazard recommended approval at this time. He further suggested that in the future the board should request evidence of full-time employment, such as a pay stub.

**On motion** by Hazard and seconded by Shafai, Peska Construction, Inc. business application was unanimously approved.

Balraj Lamba's comity application was discussed.

**On motion** by Hazard and seconded by Neugebauer, Balraj Lamba's comity application was unanimously approved.

HB1107 was signed on 3/14/08. This bill concerns requiring all licensure boards to set maximum fees in statute. Stafford asked Humphreys to draft wording for possible revisions to statutes and discuss with board members.

HB1105 was signed on 2/14/08.

NCARB was discussed and it was confirmed that option 2 was selected for A.R.E. exams. Revising rule changes was discussed for Option 1. Humphreys will investigate the process; create potential changes to discuss with board members at future meetings.

Fisk reported on the LS take home exam and that he is almost done with his up-dated suggestions.

**On motion** by Bacon and seconded by Neugebauer, Fisk is approved unanimously to expand the LS take home exam to 80 questions to include emphasis on the public land system to make the changes.

Humphreys reported on a retreat with strategic planning. The retreat/strategic planning meeting is planned for September 19, 2008 afternoon and September 20, 2008 morning. Try to arrange the date around the board meeting date. Kolden & George-Larson are invited and encouraged to attend. George-Larson says she would be able to attend and that it would have to be open to the public and it would have to be posted on the website with an agenda.

SB188 was signed on 3/12/08. This bill concerns sustainable design.

NCEES, Oregon's interpretation of HB1138 was discussed. This bill concerns acceptance of unaccredited degrees. Humphreys is to get further information.

Humphreys discussed advertisement concerns for licensees and businesses.

The Governor's proclamation was framed and sent back to us from NCEES. The proclamation will hang on the walls of the board office.

Whipple discussed a licensee's question about going to retired status on a renewal without meeting the requirement of 10 years consecutive licensing. The board discussed and will leave the requirement as is without change.

Neugebauer discussed the proposal of moving the 5/9/08 board meeting to a different date. After discussion with the board members, Neugebauer withdraws his proposal and will leave the board meeting date as 5/9/08.

Humphreys reported on the issue brought to his attention by Dr. Henry Mott regarding the FE & PE exams. NCEES is responsible to review equivalency of bachelor of science degree. After board discussion, Humphreys is to write Dr. Mott and let him know that the board is working with NCEES on this matter.

For the boards information Whipple reported on hand scoring for NCEES examinations.

Humphreys discussed the office lease which is due to expire 6/30/08. The board authorized Humphreys to check into the cost of renewing the lease with requested improvements compared to the cost of moving to a new Rapid City location. The board decided that the lease should include a date of completion for the improvements.

Shafai would like to nominate Jans as Vice President of the Central Zone for NCEES.

**On motion** by Neugebauer and seconded by Bacon, Jans is nominated and a letter will be mailed to the nominating committee with the possibility of a brochure.

### **INVESTIGATION REPORTS**

**Case 04-08**, George-Larson informs the Board that a memorandum decision has been issued by the hearing examiner suggesting that no sanctions be imposed and the case be dismissed. Once the findings of fact and conclusions of law are entered, the next step is for the Board to file a final decision within thirty days from the date it was submitted to them. If this timeframe is not possible, the Board will need to make an order extending the time for an additional period of time not to exceed an additional sixty days.

**On motion** by Bacon and seconded by Hazard, the board will file an order to extend the time to file a final decision until May 30, 2008. Chairman, David Stafford signed the order. The board will meet on May 8, 2008 to review this case.

**Case 06-02**, George-Larson has received the engineer and architect's report. The investigation committee decided that the motel needed to close until the life, safety issues were resolved. The motel has voluntarily closed until the life safety issues have been met.

**Case 08-07**, pending

**Case 08-08**, George-Larson reports that the investigative committee has a recommended action for the Board. George-Larson asked that the board go into executive session to consult with her regarding the recommended action.

**Case 08-09**, Surveying issue needs board member assigned. Bacon & Fisk are assigned.

**EXECUTIVE SESSION** **On motion** by Hazard and seconded by Bacon, the Board went into Executive Session. **On motion** by Neugebauer and seconded by Shafai, the Board came out of executive session

**Case 08-08** **On motion** by Neugebauer and seconded by Bacon, the case is dismissed.

**AUDITS** Robert E. Day, PE/LS; Eric J. Fuehrer, PE; Steve J. Hudson, PE; James T. Lange, PE; Troy D. Mallow, AR; Lee R. Marlow III, LS; Eric L. Odor, AR; Stephen L. Wampler, R; Ross R. Wamre, LS were audited.

**On motion** by Shafai and seconded by Neugebauer, the Board will accept the audits named and have requested that the audit for David A. Paluck, PE be held for further information. This licensee has 90 days to respond.

**LICENSES**

**On motion** by Shafai and seconded by Hazard, review of conditional licenses issued for license #9461 and business license #C-5959 were unanimously approved.

**On motion** by Bacon and seconded by Neugebauer, Robert W. Jones needs more experience and the application is denied.

**On motion** by Hani and seconded by Neugebauer, the following names have been denied until office gets more information: Michael W. Brandt and Robert W. Jones.

**On motion** by Hani and seconded by Neugebauer, James A. Clancy has been denied base on violations.

**On motion** by Hazard and seconded by Stafford, the following businesses have been denied: James A. Clancy and Maas and Son Company.

**On motion** by Hazard and seconded by Bacon, the following are licensed as architects by comity;

**On motion** by Hazard and seconded by Bacon, the following are licensed as landscape architects;

**On motion** by Bacon and seconded by Neugebauer, the following are licensed as land surveyors by comity;

**On motion** by Shafai and seconded by Neugebauer, the following are licensed by comity as professional engineers:

Professional License				
Name	City	State	Profession	#
Anderson, Robert J	Sioux City	IA	AR	9462
Downey, Mark J	Lake Forest	IL	AR	9463
Herr, Mark Charles	Milwaukee	WI	AR	9464
Hintz, Richard Scott	Minneapolis	MN	AR	9465
Hoch, William	Fond Du Lac	WI	AR	9466
Johnson, Allen W.	Hollister	MO	AR	9467
Paul, Kamal	Ontario	Canada	AR	9468
Schroeder, Paul David	Eden Prairie	MN	LA	9469
Bristow, Edgar Thomas	Boulder	CO	LS	9470
Freeland, James Ralph	Greenville	SC	LS	9471
Gustafson, Jason M.	Hudson	WI	LS	9472
Helmer, Michael John	Aberdeen	SD	LS	9473
Hutton, Jeffrey Richard	Mount Auburn	IA	LS	9474
Jones, Cotton D	Cheyenne	WY	LS	9475
Koos, Fletcher Adlai	Duluth	MN	LS	9476
Schulte, Mike Leon	Westside	IA	LS	9477
Abernathy, Jerry Alan	Dover	MN	PE	9478
Allen, Jr., Hollis R.	Tulsa	OK	PE	9479
Bazis Jr, Mark Duane	Omaha	NE	PE	9480
Boston, Aaron Thomas	Boise	ID	PE	9481
Buhler, Bradley John	Denver	CO	PE	9482
Cavanagh, Terence Jeffrey	Folsom	CA	PE	9483
Dayag, Carlito Malannao	Houston	TX	PE	9484
Detwiler, Rachel Jean	Minneapolis	MN	PE	9485
Dillon, Michael Earl	Long Beach	CA	PE	9486
Dupras, Trevor Owen	Duluth	MN	PE	9487
Epps, Shannon Larry	Travelers Rest	SC	PE	9488

Professional License				
Name	City	State	Profession	#
Fagerness, Aaron James	Sioux Falls	SD	PE	9489
Gabler, Brian T.	Spanish Fork	UT	PE	9490
Ganse, Margaret Ann	Westminster	CO	PE	9491
Halsted, Karley Mitchelle	Rapid City	SD	PE	9492
Heeringa, Roger Leroy	Bellevue	WA	PE	9493
Helal, Adbul Noor	Houston	TX	PE	9494
Henneberg, Mark Andrew	Colwich	KS	PE	9495
Hieb, Mario K.	Salt Lake City	UT	PE	9496
Hill, James John	Anoka	MN	PE	9497
Horner, Dawn Roberta	Sioux Falls	SD	PE	9498
Hotzler, Matthew Allen	Clear Lake	SD	PE	9499
Johnson, Carrie J	Tulsa	OK	PE	9500
Johnson, Kevin Michael	Moorhead	MN	PE	9501
Johnson, Theodore Todd	Rapid City	SD	PE	9502
Kenny, Cody Fredrick	Eugene	OR	PE	9503
Khera, Prem Prakash	Saint Paul	MN	PE	9504
King, Adam Robert	Cheyenne	WY	PE	9505
Lamba, Balraj	Sugar Land	TX	PE	9506
Lee, Kerry Sherwin	Plano	TX	PE	9507
McClain, Jennifer A. S.	Watertown	MA	PE	9461
McFarland, Sean Michael	Spring	TX	PE	9508
Merrick, Michael Blase	Marietta	GA	PE	9509
Murray, Jeffrey J	Eau Claire	WI	PE	9510
Nixon, William Joseph	Littleton	CO	PE	9511
Okdeh, Subhi	Bloomington	IL	PE	9512
Oster, Stuart M.	Sioux Falls	SD	PE	9513
Page, Edward C.	Roanoke	VA	PE	9514
Peake, Steven Ross	Greenville	SC	PE	9515
Petersen, David Lee	Minneapolis	MN	PE	9516
Pierson, Kimberly J	Eden Prairie	MN	PE	9517
Reiners, Stephen Joseph	CULLMAN	AL	PE	9518
Roche, Roderick Maurice	Greeley	CO	PE	9519
Rogers, Michael Joseph	Woodbury	MN	PE	9520
Rowe, Nicholaus James	Estherville	IA	PE	9521
Russell, Scott Alan	Ogden	UT	PE	9522
Schilling, Kevin J.	Casper	WY	PE	9523
Schroeder, Brian Keith	Eau Claire	WI	PE	9524
Servinsky, Mark S	Holland	MI	PE	9525
Shamsie, Michael R.	East Moline	IL	PE	9526
Slack, Michael James	Cincinnati	OH	PE	9527
Slag, Donovan Mitchell	Bismarck	ND	PE	9528
Stockness, Michelle Ann	Saint Paul	MN	PE	9529
Ton, La	Houston	TX	PE	9530
Turner, Ross William	Minneapolis	MN	PE	9531
Urness, Eric Allen	Jamestown	ND	PE	9532
Valerio, Luis A.	Wheaton	IL	PE	9533

<b>Professional License</b>				
<b>Name</b>	<b>City</b>	<b>State</b>	<b>Profession</b>	<b>#</b>
Vickery, Ronald W.	Eden Prairie	MN	PE	9534
Warr, Robert Anthony	Roswell	GA	PE	9535
Westbrook, James P.	Duluth	GA	PE	9536
Westenskow, Mark Geoffrey	Livingston	MT	PE	9537
Wicoff, Joel Donovan	Iola	KS	PE	9538
Yolo, Roger Anthony	Milwaukee	WI	PE	9539

**On motion** by Neugebauer and seconded by Shafai, the following business entities are licensed by comity:

<b>BUSINESS LICENSES</b>				
<b>Company Name</b>	<b>City</b>	<b>State</b>	<b>Profession</b>	<b>#</b>
Architectural Services	Sioux Falls	SD	AR	C-5960
BHE Environmental Inc.	Cincinnati	OH	PE/LA	C-5961
CB&I Inc.	The Woodlands	TX	PE	C-5962
CEville Engineering Associates, Inc.	Saint Paul	MN	PE	C-5963
Clark Western Design, LLC	Roswell	GA	PE	C-5964
Clough Harbour & Associates LLP	Albany	NY	PE	C-5965
CNA Consulting Engineers	Minneapolis	MN	PE	C-5966
Crafton, Tull, Sparks & Associates, Inc.	Little Rock	AR	PE	C-5967
D'Amato Conversano, Inc.	Bellevue	WA	PE	C-5968
Deep Creek Engineering, LLC	Seneca	MO	PE	C-5969
Engineering Design Associates	Casper	WY	PE	C-5970
Evergreen Engineering, Inc.	Eugene	OR	PE	C-5971
Flatirons Surveying & Engineering, Inc.	Boulder	CO	LS	C-5972
Freeland and Associates, Inc.	Greenville	SC	LS	C-5973
General Design, Inc.	Branson	MO	AR	C-5974
Goldberg Downey Architects Inc	Lake Forest	IL	AR	C-5975
Gustafson Geomatics, LLC	Hudson	WI	LS	C-5976
Hill Engineering	Anoka	MN	PE	C-5977
Holabird & Root LLC	Rochester	MN	PE	C-5978
James Westbrook & Associates, LLC	Alpharetta	GA	PE	C-5979
King Engineering LLC	Cheyenne	WY	PE	C-5980
K Paul Architect Inc.	Ontario	Canada	AR	C-5981
Kuehl and Payer, Ltd.	Storm Lake	IA	PE/LS	C-5982
Landmark Engineering Group, Inc.	East Moline	IL	PE	C-5983
LEI Consulting Engineers & Surveyors, Inc.	Spanish Fork	UT	PE	C-5984
Michael Earl Dillon	Long Beach	CA	PE	C-5985
Nelson Architectural Engineers, Inc.	Plano	TX	PE	C-5986
PENTA Engineering Group, Inc.	Atlanta	GA	PE	C-5987
Peska Construction, Inc.	Sioux Falls	SD	AR	C-5988
Plunkett Raysich Architects, LLP	Milwaukee	WI	AR	C-5989
Refrigeration Consultants Inc.	Omaha	NE	PE	C-5990
Richmond SO Engineers Inc.	Watertown	MA	PE	C-5959
S. A. Miro, Inc.	Denver	CO	PE	C-5991
Sean M. McFarland-PE	Spring	TX	PE	C-5992
Servinsky Engineering PLLC	Holland	MI	PE	C-5993

<b>BUSINESS LICENSES</b>				
<b>Company Name</b>	<b>City</b>	<b>State</b>	<b>Profession</b>	<b>#</b>
Shafer, Kline and Warren, Inc.	Shawnee Mission	KS	LS	C-5994
SJ Louis Construcion, Inc.	Rockville	MN	PE	C-5995
TJC and Associates, Inc.	Folsom	CA	PE	C-5996
Vareberg Engineering, Ltd.	Fargo	ND	PE	C-5997
Vickery Engineering & Consulting, LLC	Eden Prairie	MN	PE	C-5998

**EXECUTIVE DIRECTOR** Humphreys discussed signature and stamp on “not for construction” or “preliminary plans”. The board directed Humphreys to research this topic and report back to the Board at future board meeting and discuss at the Retreat/Strategic Planning meeting. Humphreys discussed exam site enforcement based on a situation that happened at the North Dakota exam site and an examinee. The board directed Humphreys to get additional information. The board has received notification that a fiscal year audit will be conducted by Ketel ThorstensonLLP in May 2008.

**CORRESPONDENCE** Information was provided for ARE exam results of 44 candidates; NCARB BOD report; PE license registration; Kruger/Benchmark correspondence; 4 MBA list results and MBE list results.

Other various board correspondence and emails were reviewed and discussed.

**COMMITTEES/MEETINGS** Stafford reported on NCARB sustainable #2 meeting in Santa Monica on January 31, 2008.

NCARB Regions II & V meeting 4/3/08 to 4/5/08 in Omaha has been approved by the State. Stafford, Hazard, Humphreys attending.

NCEES central/western zone meeting 5/15/08 to 5/17/08 in N.D. has already been approved by the board at the 1/18/08 board meeting. Humphreys will submit paperwork to the State for approval next week. Jans, Shafai, Neugebauer, Bacon & Humphreys attending.

**On motion** by Neugebauer and seconded by Shafai, the board approves Stafford, Hazard & Humphreys to attend the NCARB annual meeting 6/25/08 to 6/28/08 in Pittsburg.

**On motion** by Bacon and seconded by Neugebauer, the board approves Jans, Shafai, Neugebauer, Bacon & Humphreys to attend the NCEES annual meeting 8/13/08 to 8/16/08 in Minneapolis. Shafai will be the NCEES funded delegate.

**On motion** by Shafai and seconded by Bacon, the board approves Hazard & Humphreys to attend the CLARB annual meeting 9/4/08 to 9/6/08 in San Diego.

NCARB MBE meeting in 11/08 in Washington, DC will be attended by Humphreys and is paid by NCARB.

**BOARD MEETING SCHEDULE** The next Board meeting is scheduled for **Thursday, May 8, 2008 and Friday, May 9, 2008.**

Scheduled: **July 11, 2008; September 19, 2008; November 14, 2008.**

**ADJOURN** **On motion** by Bacon and seconded by Shafai, the meeting was adjourned at 4:00 pm.



Mark Humphreys, Executive Director