

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

Minutes of the regular meeting Friday, November 20, 2009

The South Dakota State Board of Technical Professions held its regular meeting on Friday, November 20, 2009 in the Rushmore Building, Board Room, Rapid City, South Dakota; Chairman Randy Bacon, presided.

The meeting was called to order at 8:30 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 Todd Kolden, and staff members Mark Humphreys, and Mary Ann Myers. Staff Attorney Nathan Lukkes attended via telephone.

Agenda Items:

- 1) Approval of September 18th 2009 Minutes (Motion)
- 2) Approval of vouchers since last meeting (Motion)
- 3) Activities report ending October 2009, Review of Deposits and Quarterly Report (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) Annual, zone, committee meeting reports & upcoming meetings
- 11) Correspondence
- 12) Future board meeting schedule
- 13) Adjournment (Motion)

AGENDA ITEM #1 APPROVAL OF SEPTEMBER 18, 2009 BOARD MEETING MINUTES (MOTION)

MOTION: By Neugebauer, seconded by Stafford, for approval of minutes of the September 18, 2009 meeting.
ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)

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

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

AGENDA ITEM #3 ACTIVITES REPORT ENDING OCTOBER 2009. REVIEW OF DEPOSITS AND QUARTERLY REPORT

Jans noted the larger increase in new business licenses compared to new individual licenses on the Activities Report. Quarterly Report discussed by board.

AGENDA ITEM #4 INVESTIGATION REPORTS

Case 09-03 Failure to report Disciplinary Action - Discussion by Humphreys and Staff Attorney Lukkes. Lukkes is in the negotiation process with individual's attorney. Lukkes is looking into the consent order to determine if an agreement can be reached or if a hearing is necessary. Case is pending.

Case 09-06 Competency and Professional Conduct - Discussion by Humphreys. No recommendation at this time. Case is pending.

Case 09-07 Competency and Professional Conduct - Discussion by Humphreys and Staff Attorney Lukkes. Lukkes is in the negotiation process with individual's attorney. Lukkes is looking into the consent order to determine if an agreement can be reached or if a hearing is necessary. Case is pending.

Case 10-01 Land Surveying Issue. Need Board Member assigned - Discussion by Humphreys. Randy Bacon assigned to this case. Case is pending.

AGENDA ITEM #5 OLD BUSINESS

ABET Accreditation visit to SDSU - Report by Neugebauer. Discussion by Neugebauer that accreditation went very well; his participation was a very good experience; and it helped him better understand the ABET accreditation process.

Action Items - Discussion by Humphreys and Board.

Bacon reported progress on updating the Land Surveyor Take Home Exam. A panel of land surveyors is in place to work on reworking and updating the Land Survey Take Home Exam at the South Dakota Land Surveyors Convention in January 2010. Bacon to report the progress at next board meeting. The Board discussed the possibility of proctoring the test at some future time.

Discussion by Humphreys and Board regarding Building Officials Guide.

Board and Humphreys discussed review of seals and guideline document and electronic plans distribution. Neugebauer is working on drafting guidelines and report back to the Board at a future meeting.

Rules and Statues - Discussion by Board, Humphreys, Kolden, and Lukkes. Discussion of SDCL 36:18A-9. Board agreed with wording suggested by Lukkes with the suggestion to change **lie** to **lie(s)**. Board agreed to move the discussion of rules to Strategic Planning Meeting immediately after this Board Meeting.

Board Meeting Dates for Calendar Year 2010 - Discussion by Board and Humphreys.

Travel Matrix - Discussed by Board and Humphreys.

NCARB Option for ARE testing - Discussion by Hazard, Stafford, and Olson regarding NCARB's model law of allowing early testing prior to completion of Intern Development Program (IDP).

MOTION: By Olson, seconded by Stafford, to form a committee to study South Dakota Rules and Statutes as compared to NCARB's Model Law.

ACTION: 7-0 AYE (Bacon, Hazard, Jans, Neugebauer, Olson, Shafai, Stafford)
The committee members appointed are Chairman Hazard, Stafford, and Olson.

FTE & Investigator Duties -

Executive Session - Attorney Lukkes suggested that the Board go into executive session. Humphreys asked that the staff be allowed to be present during the executive session.

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

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

MOTION: By Stafford, seconded by Jans, to come out of executive session.

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

CPEES evaluation of domestic degrees - Discussion by Humphreys. Shafai, as a committee member of the NCEES Credentials Evaluations Advisory Panel Committee, will be attending the December committee meeting and will present a report at the January 2010 Board meeting.

AGENDA ITEM #6 NEW BUSINESS

CLARB LARE Graphics Exam - December 7 and 8, 2009. Discussion by Humphreys. Humphreys to be the proctor for the CLARB LARE Graphics Exam to be conducted in Board Room at the South Dakota Board office.

Ninth Biennial Land Surveying Seminar - December 04, 2009. Humphreys has been asked to speak at seminar.

Engineering Experience Question - Discussion by Humphreys and Board. Board reiterated that qualifying mentored experience must be gained under a licensed professional engineer.

AGENDA ITEM #7 PDH AUDITS (MOTION)

NEW AUDITS: Richard L. Dayton, LS; Stephen L. Dwoskin, AR; Mark H. Heupel, PE; Richard W. Johnson, PE; John R. Marks, Jr., PE; Dennis D. Schwieger, AR; Terry Steen, PE; Stacey P. Titus, PE; and David A. Udkow, AR, were audited.

MOTION: By Hazard, seconded by Olson, for approval of the audits named above.

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

MOTION: By Hazard, seconded by Stafford, that the audit of Arthur C. Lohsen, AR, be tabled for further information.

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

REVIEW PREVIOUS AUDITS Kurt J. Swarts, PE, was audited.

MOTION: By Jans,, seconded by Shafai, for approval of the audit named above.

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

MOTION: By Jans, seconded by Shafai, that the audit of Jonathan D. Bailey, AR, be tabled for further information. Humphreys directed to contact licensee.

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

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/ Discipline	#
11/20/2009	Antunovich, Joseph M.	Chicago	IL	AR	10077
11/20/2009	Coover-Clark, Carol	Denver	CO	AR	10078
11/20/2009	Diel, Douglas Alan	Seattle	WA	AR	10086
11/20/2009	Furnstahl, Stephen G	New York	NY	AR	10079
11/20/2009	Helenske, Craig David	Fargo	ND	AR	10080
11/20/2009	Kangas, Lea Elane	Dayton	MN	AR	10081
11/20/2009	Koenck, David Lloyd	Snowmass	CO	AR	10082
11/20/2009	Maples, Marvin John	Colorado Springs	CO	AR	10083
11/20/2009	Mitzel, Donald C.	Rocheport	MO	AR	10084
11/20/2009	Murphy, David Merle	Kansas City	MO	AR	10085
11/20/2009	Ringdahl, Paul D.	Alexandria	MN	AR	6799
11/20/2009	Sugden, Sean Dennis	Fargo	ND	AR	10087
11/20/2009	Wild, Kent Alan	Horace	ND	AR	10088

MOTION: by Hazard, seconded by Stafford, 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/ Discipline	#
11/20/2009	Benson, Emily Jean	North Sioux City	SD	LA	10076
11/20/2009	Rieck, Jolene Jean	Billings	MT	LA	10075

MOTION: by Neugebauer, seconded by Jans, 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/ Discipline	#
11/20/2009	Evans, Jeffrey Scott	Whitmore Lake	MI	LS	10074

MOTION: by Jans, seconded by Shafai, to deny Phillip W. Carroll licensure by comity as a professional engineer based on his not having an ABET accredited degree.

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/ Discipline	#
11/20/2009	Addison, John David	Atlanta	GA	PE	10089
11/20/2009	Augustine, Mark A	Omaha	NE	PE	10090
11/20/2009	Barrett, Justin Jon	Urbandale	IA	PE	10091
11/20/2009	Belyea, Jeffrey Gordon	Duluth	GA	PE	10092
11/20/2009	Blanksma, Eric Lee	Bozeman	MT	PE	10093
11/20/2009	Boie, Stephen Robert	Bozeman	MT	PE	10094
11/20/2009	Branscum, Iona Julia	Sioux Falls	SD	PE	10095
11/20/2009	Brown, Charles Edward	Lansing	MI	PE	10096
11/20/2009	Burke, Andrew David	Littleton	CO	PE	10097
11/20/2009	Carlson, Michael Dana	Fargo	ND	PE	10098
11/20/2009	Coleman, Travis Lee	Palatine	IL	PE	10099
11/20/2009	DeHaven, Joel David	Wichita	KS	PE	10100
11/20/2009	Dickenson, Daniel Ray	Farmington	MN	PE	10101
11/20/2009	Dupaix, Dan William	Phoenix	AZ	PE	10102
11/20/2009	Erickson, Brian Daniel	Eden Prairie	MN	PE	10103
11/20/2009	Frandina, Frank Philip	Niagra Falls	NY	PE	10104
11/20/2009	Harris, Brent Clayton	Omaha	NE	PE	4177
11/20/2009	Hayko, Michael Stephen	Cape May	NJ	PE	10105
11/20/2009	Hill, Jared Andrew	Beaverton	OR	PE	10106
11/20/2009	Johnson, Bruce William	Belmont	CA	PE	10107
11/20/2009	Johnson, Sean Lee	Cheyenne	WY	PE	10108
11/20/2009	Kenner, Todd James	Rapid City	SD	PE	10109
11/20/2009	Leitch, Kaeko	Mankato	MN	PE	10110
11/20/2009	Liggett, Richard Raymond	Huron	SD	PE	10111
11/20/2009	Lockwood, Dennis Harold	Greenville	SC	PE	10112
11/20/2009	Lucero, Ramon E	El Cajon	CA	PE	10113
11/20/2009	Menuetz, Nathan Joel	Bozeman	MT	PE	10114
11/20/2009	Meyer, John Eric	Lawrence	KS	PE	10115
11/20/2009	Neff, Darren Duane	Fargo	ND	PE	10116
11/20/2009	Nichols, Matthew J	Rogers	AR	PE	10117
11/20/2009	Nopola, Jay Richard	Rochester	MN	PE	10118
11/20/2009	Prescher, John Loren	Chaska	MN	PE	10119
11/29/2009	Schultz, Eric J	Erie	CO	PE	10120
11/20/2009	Siefken, John D.	Seattle	WA	PE	6435
11/20/2009	Soell, Thomas Steven	Boulder	CO	PE	10121
11/20/2009	Stein, Jeffrey Todd	West Des Moines	IA	PE	10122
11/20/2009	Strasser, Timothy David	Flower Mound	TX	PE	10123
11/20/2009	Waddoups, Andrew Lee	Englewood	CO	PE	10124
1/20/2009	Weber, Craig Henry	Oak Park	IL	PE	10125

Date Licensed	Name	City	State	Profession/ Discipline	#
11/20/2009	Yanke, Steven Jay	Scottsdale	AZ	PE	10126
11/20/2009	Zelada-Tumialan, Giuliana A	Waltham	MA	PE	10127
11/20/2009	Zoucha, Leo F.	Omaha	NE	PE	10128

AGENDA ITEM #9 APPROVAL OF BUSINESS APPLICATIONS (MOTION)

MOTION: by Jans, seconded by Shafai, 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	#
11/20/2009	Affiliated Engineers, Inc.	Madison	WI	PE	C-6266
11/20/2009	Antunovich Associates, Inc.	Chicago	IL	AR	C-6267
11/20/2009	Bala Consulting Engineers	King Of Prussia	PA	PE	C-6268
11/20/2009	Brunton Architects, Ltd.	Mankato	MN	AR	C-6269
11/20/2009	Chosen Valley Testing	Rochester	MN	PE	C-6270
11/20/2009	Coover-Clark & Associates, Inc.	Denver	CO	AR	C-6271
11/20/2009	Crawford Architects LLC	Kansas City	MO	AR	C-6272
11/20/2009	DYK Incorporated	El Cajon	CA	PE	C-6273
11/20/2009	EAD Engineering, LLC	Omaha	NE	PE	C-6274
11/20/2009	Electrical Systems Design & Control, Inc.	Azle	TX	PE	C-6275
11/20/2009	Emily J. Benson Landscape Architecture	North Sioux City	SD	LA	C-6276
11/20/2009	GRL Engineers, Inc.	Warrensville Hts.	OH	PE	C-6277
11/20/2009	Hatch Mott MacDonald, LLC	Millburn	NJ	PE	C-6279
11/20/2009	Inside Outside Architecture, Inc.	Dayton	MN	AR	C-6278
11/20/2009	JSSH Architects, Inc.	Minnetonka	MN	AR	C-6280
11/20/2009	JVA, Incorporated	Boulder	CO	PE	C-683
11/20/2009	KDW, PS	Seattle	WA	PE/AR	C-6281
11/20/2009	KYKO Engineering, LLC	Mankato	MN	PE	C-6282
11/20/2009	Matthew J. Nichols, P.E.	Rogers	AR	PE	C-6283
11/20/2009	Metro Consulting Associates, PLLC	Belleville	MI	LS	C-6284
11/20/2009	Mitzel & Associates	Rocheport	MO	AR	C-6285
11/20/2009	NTH Consultants, Ltd	Northville	MI	PE	C-6286
11/20/2009	Peaks to Plains Design, PC	Billings	MT	LA	C-6287
11/20/2009	R & S Tavares Associates, Inc.	San Diego	CA	PE	C-6288
11/20/2009	Rhodes and Associates	Bismarck	ND	AR	C-6289
11/20/2009	Sopris Architecture	Snowmass	CO	AR	C-6290
11/20/2009	Structural Components LLC	Boulder	CO	PE	C-6291
11/20/2009	Taylor RyMar Corporation	Tempe	AZ	PE	C-6292
11/20/2009	Telvent Farradyne Inc.	Rockville	MD	PE	C-6293
11/20/2009	Torix General Contractors LLC	Colorado Springs	CO	AR	C-6294
11/20/2009	Western States Fire Protection	Black Hawk	SD	PE	C-6295
11/20/2009	Wild & Associates, Ltd.	Fargo	ND	AR	C-6296

MOTION: by Shafai, seconded by Neugebauer, to amend the Agenda to include the following:
AGENDA ITEM APPROVAL OF EXAM APPLICATION (MOTION)

Kristin Renae Yates, Petroleum Remediator

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

MOTION: by Hazard, seconded by Stafford, for approval of the Exam Application of Kristin Renae Yates, Petroleum Remediator, and that Ms. Yates have a mandatory audit in two years.

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

AGENDA ITEM #10 ANNUAL, ZONE OR COMMITTEE REPORTS & UPCOMING MEETINGS

PREVIOUS - 11/06/09 to 11/07/09 - NCARB MBE, Washington, DC - Humphreys (NCARB Pays.) Humphreys was not able to attend this meeting due to conflict in Board office work load.

UPCOMING - 02/10/10 - NCEES MBA, Clemson, SC - Humphreys (NCEES Pays, Motion)

MOTION: by Hazard, seconded by Shafai, for Humphreys to attend the 02/10/10 NCEES MBA meeting in Clemson.

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

02/26/10 to 02/27/10 - CLARB Spring Meeting, Dallas, TX - (Attending? Motion)
Board will not be attending this meeting

03/18/10 to 03/20/10 - NCARB Regional Meeting, Jackson Hole, WY -
Stafford, Hazard & Humphreys (Motion)

MOTION: by Hazard, seconded by Shafai, for Stafford, Hazard, and Humphreys to attend the 03/18/10 to 03/20/10 NCARB Regional Meeting in Jackson Hole, WY.

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

AGENDA ITEM #11 CORRESPONDENCE (FOR REVIEW AND DISCUSSION, IF DESIRED)

Compliments

Governor's Holiday Announcement

NCARB - Update on mission & values

Reply to licensee - Discussion by Humphreys.

Easement Exhibit

Other various board correspondence/Email

AGENDA ITEM #12 FUTURE BOARD MEETING SCHEDULE

January 29, 2010; March 12, 2010; May 21, 2010; July 23 2010; September 17, 2010; and November 19, 2010.

AGENDA ITEM #13 ADJOURNMENT (MOTION)

There being no further business, at the hour of 12:55 p.m., the South Dakota State Board of Technical Professions adjourned.



Mark Humphreys, Executive Director

Submitted by Mary Ann Myers, Secretary, SDBOTP