

Administrative Hearing Minutes
South Dakota Board of Technical Professions
Clock Tower Plaza, Conference Room, 2525 W. Main St. Suite 211
May 19, 2023, 9:00 a.m. MDT

The South Dakota Board of Technical Professions convened at 9:00 a.m. on Friday, May 19, 2023, via zoom conference call.

The purpose of the administrative hearing was to hear the matter of Duane F. Buthe, Jr., case no. 21-08.

Members Present: Catherine Dekkenga, Ryan Callaghan, Jared Carda, Colby Flynn, and Steve Peters.

Others Present: Cory Biegler; J.D.; Kim Grabinski; Tyler Harnish; Nancy Hoines, ACEC of SD/SDES/DPC; Brian Jenner, SDES; Rebecca Urban; Jon Collins; Sherrie Dyer, Executive Director; Carrie Kerr, Program Assistant; Kimberly Haibeck, Senior Secretary; Jerry McCabe, Legal Counsel; Amber Mulder, Special Assistant Attorney General.

Not in Attendance: Duane F. Buthe, Jr.

Chair Dekkenga began the hearing in the matter of Duane F. Buthe, Jr., professional engineer license (9397), business license (C-6573), case file no. 21-08.

Chair Dekkenga noted all board members present are part of the board for purposes of deciding this case.

Chair Dekkenga swore in witness Sherrie Dyer.

Sr. Staff Attorney McCabe waived the making of any opening statement on behalf of the Board office.

Board office offered pre-marked exhibits 101 to 107, all of which were received as marked and entered into evidence.

Sr. Staff Attorney McCabe presented the Board office's case. Sherrie Dyer testified as a witness for the Board office.

Sr. Staff Attorney McCabe made a closing statement and offered a proposed findings of fact, conclusions of law and decision for the Board to consider during their deliberations, which was received by Chair Dekkenga.

The Board closed the record of the hearing at 9:22 a.m.

Callaghan made a motion to enter executive session for the purpose of deliberation and to confer with Special Assistant Attorney General Mulder. Peters

seconded the motion. **MOTION PASSED.**

The Board came out of executive session at 9:32 a.m.

Callaghan made a motion to adopt the proposed findings of fact, conclusions of law, and decision as presented from the Board office. Carda seconded the motion. **MOTION PASSED.**

The hearing concluded at 9:33 a.m.

Respectfully submitted,

Catherine Dekkenga, Chair
South Dakota Board of Technical Professions

Date

DRAFT