

# ARCHITECTURE = ENGINEERING = LAND SURVEYING LANDSCAPE ARCHITECTURE = GEOSCIENCE = INTERIOR DESIGN

#### **BOARD MEMORANDUM**

**FEBRUARY 2, 2018** 

TO:

All Board Members

Christopher Kaisershot, Assistant Attorney General

FROM:

Dennis Martenson, PE, Board Chair

**SUBJECT:** 

**FEBRUARY 2, 2018 BOARD MEETING MINUTES** 

GOLDEN RULE BUILDING, Suite 295 (Second Floor)

9:15 AM

The Board held its regularly scheduled meeting on the above-mentioned date, time and location.

#### 1) QUORUM CALL

Dennis Martenson, PE, Chair

Terry Groshong, Architect, Vice Chair (ABSENT)

Robert Gunderson, LA, Secretary

Nirmal Jain, PE, Treasurer

Dave Blume, PE

Rachel Dwyer, PM

Eric Friske, JD, PM

Darcy Hield, CID

Wayne Hilbert, Architect

David Krech, PE (ABSENT)

William Kuretsky, MME, JD, PM (ABSENT)

Daniel Murphy, PE

Meg Parsons, Architect

Marjorie Pitz, LA

Keith Rapp, PG

Claudia Reichert, CID (ABSENT)

Jody Rooney, PM

David Stenseth, CPA, PM (ABSENT)

Paul Vogel, LS

Robert Whitmyer, PSS

## **Others Attending:**

Doreen Frost, Executive Director Andrea Barker, Assistant Executive Director Key Weiss, Communications Specialist Leama Sather, Board Staff

#### **Guests:**

None

- 2) INTRODUCTIONS
- 3) READING AND APPROVAL OF DECEMBER 7, 2017 BOARD MEETING MINUTES

  MSP: To approve the December 7, 2017 Board meeting minutes.
- 4) COMPLAINT COMMITTEE REPORT (K. Rapp, Committee Chair)
  - A) The Complaint Committee requests a closed session

MSP: To close the meeting to review disciplinary matters.

- 5) CLOSED SESSION
  - A) Disciplinary Matters
    - i) In the matter of Brian T. Hayden, Geologist, License #30230, the Board issued an Order. (ATTACH. 5Ai distributed at meeting)
    - ii) In the matter of Norman Eugene Spires, PE, License #54961, the Board issued a Stipulation and Order. (ATTACH. 5Aii distributed at meeting)
    - iii) In the matter of Richard Mills Graham, PE, License #54960, the Board issued a Stipulation and Order. (ATTACH. 5Aiii distributed at meeting)
  - B) Request to reopen the meeting

MSP: To reopen the meeting.

- 6) RULES COMMITTEE REPORT (D. Hield, Committee Chair)
  - A) No meeting held
- 7) CREDENTIALING COMMITTEE REPORT (D. Krech, Committee Chair)
  - A) No meeting held
- 8) ALACID SECTION REPORT (M. Parsons, Section Chair)
  - A) NCARB Draft Resolutions were discussed
  - B) Board Proactivity in a Deregulatory Climate will now be a standing item on the Section's agenda
  - C) CIDQ Annual Meeting report by Darcy Hield, CID and Cynthia Reichert, CID
  - D) Authorization for Attendance to the 2018 CLARB Annual Meeting
     MP: To authorize 1 Board member to attend the CLARB Annual Meeting.

- E) Authorization for Attendance to the 2018 NCARB Annual Meeting

  MP: To authorize up to three (3) Board members to attend the 2018

  NCARB Annual Meeting.
- 9) ELSGEO SECTION REPORT (P. Vogel, Section Chair)
  - A) ASBOG Annual meeting report by Keith Rapp, PG.
  - B) Demo of online applications by Andrea Barker
  - C) Strategic Plan was discussed
  - D) Report from staff on inquiry to other state administrators' interest to encourage NCEES to consider becoming a member of Federal Association of Regulatory Boards (FARB)
  - E) Authorization for Attendance to the 2018 NCEES Central Zone Meeting

    MP: To authorize up to three (3) Board Members and the Executive

    Director to attend the 2018 NCEES Central Zone Meeting.
  - F) Emeritus Status Request for NCEES: Robin Mathews, LS
     MP: To approve NCEES emeritus status for Robin Mathews, LS.
  - G) Emeritus Status Request for NCEES: Lisa Hanni, LSMP: To approve NCEES emeritus status for Lisa Hanni, LS.
- 10) EXECUTIVE COMMITTEE REPORT (D. Martenson, Chair)
  - A) Recommendations for Modification to Proposed Rules

    MP: To approve the Executive Committee recommended modifications
    to the proposed rules.
  - B) Amendment to M.R. 1800.3505, Subp. 4 (G)

MSP: To amend the rule to read:

<u>Cadastral surveying or Public Land Survey System (PLSS)</u> and section subdivision;

- 11) TREASURER'S REPORT (N. Jain, Treasurer)
  - A) Budget and Revenue Reports discussed
- 12) EXECUTIVE DIRECTOR REPORT (D. Frost, Executive Director)
  - A) The open Board investigator position is in the interview process.
  - B) We expect the online license renewals to open mid-April 2018.
- 13) UNFINISHED BUSINESS
  - A) Strategic Planning Update (ATTACH. 13 A distributed at meeting)
- 14) NEW BUSINESS
  - A) Comments From Rules Hearing
    - i) Education Requirement for Landscape Architect Licensure (1800.1500, Subpart 3)

MSP: To make no changes to the proposed rule.

ii) Experience Requirement for Landscape Architect Licensure (1800.1500, Subpart 4)

MSP: To make no changes to the proposed rule.

iii) Qualifying Experience for Licensure as a Professional Engineer(1800.2805)

MSP: To make the following changes:

Subpart 1. Qualifying experience; generally.

A. As used in this part and parts 1800.2500 and 1800.2800, qualifying experience consists of varied, progressive, nonrepetitive, practical experience at engineering work that develops the applicant's ability to apply the knowledge gained during academic training to make sound judgments in solving engineering problems and

<u>prepares the applicant</u> to assume responsible charge of the work involved in the practice of engineering.

#### 1800.1500, Subpart 6:

Subp. 6. Qualifying experience defined. As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience at landscape architectural work, developing that develops the applicant's ability to apply the theoretical knowledge gained during academic training in making to make sound judgments in solving landscape architectural problems and prepares the applicant to assume responsible charge of the work involved in the practice of landscape architecture.

# 1800.3910, Subpart 6A:

A. As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience in the discipline of geoscience in which the applicant is seeking licensure, developing that develops the applicant's ability to apply the theoretical knowledge gained during academic training in making to make sound judgments in completing geoscientific work and prepares the applicant to assume responsible charge of the work involved in the practice of the geoscience discipline in which the applicant is seeking licensure.

iv) Grace Period (for engineering experience rules)

MSP: To make no changes to the proposed rule.

v) Education Requirement for Land Surveying Licensure (1800.3505, Subpart 4)

MSP: To make no additional changes to the proposed rule.

vi) Experience Requirement for Geology Licensure (1800.3910, Subpart 3, item B)

MSP: To make no changes to the proposed rule.

vii) Education Requirement for Geology Licensure (1800.3910, Subpart 5)

MSP: In Subpart 5a(2) to change the word "hours" to "credits."

viii) Certification and Signature 1800.4200, Subpart 1

MSP: To make the following changes:

Subpart 1. Requirement; generally. The certification and signature on plans, drawings, specifications, plats, reports, and other documents that require a signature is mandatory, as provided by Minnesota Statutes, section 326.12, subdivision 3. The certification and signature may be electronic, as defined by Minnesota Statutes, section 325L, paragraph (h), facsimile, or digital. A person in direct supervision of work as referred to in the foregoing subdivision is construed to mean the person whose professional skill and judgment are embodied in the document signed, and who assumes responsibility for the accuracy and adequacy thereof.

ix) Certification and Signature 1800.4200, Subpart 1a(D)

MSP: To make no changes to the proposed rule.

x) Certification and Signature 1800.4200, Subpart 4a

MSP: To remove 1800.4200, Subpart 4a completely as the Statute is clear.

1 opposed

MSP: To reinstate 1800.4200 items D, E, & G to be written as:

Subpart 4a. **Documents requiring signature and certification.** The following documents must be signed and certified:

- A. the certification page of each report;
- B. legal descriptions <u>prepared by a land surveyor</u>;
- C. other documents that require a signature according toMinnesota Statutes, section 326.12, subdivision 3.
- xi) Certification and Signature 1800.4200, Subpart 4b

MSP: To remove 1800.4200, Subpart 4b from the proposed rules as the statute is clear.

1 opposed

xii) Certification and Signature 1800.4200, Subpart 7

MSP: To remove 1800.4200, Subpart 7 from the proposed rules and continue discussion for possible inclusion in a future rules package.

xiii) Certification and Signature 1800.4200, Subpart 7a

MSP: To remove 1800.4200, Subpart 7a from the proposed rules and continue discussion for possible inclusion in a future rules package.

- B) Social Media/eNews Signup –carried over
- C) Letter to Senator Amy Klobuchar from Minnesota Board of Medical

  Practice discussed
- D) Travel Procedure Changes discussed
- E) New Licensee Report

#### MSP: To accept the New Licensee Report.

- F) Outreach Report (All FYI Only)
  - i) January 24, 2018, Marjorie Pitz, LA, gave a presentation to the Landscape Architect Registration Examination (LARE) Review and Networking Session, discussing the Council of Landscape Architect registration Boards (CLARB), Board information, and licensure.
  - December 6, 2017, Dennis Martenson, PE, gave a presentation to 26 students at the University of Minnesota–Duluth (SCIV 231) / Capstone Design course class (Dept. Civil Engineering) on The Path to Licensure.
  - December 6, 2017, Dennis Martenson, PE, gave a presentation to
     students at the University of Minnesota-Duluth (Engr. 118) /
     Minnesota Society of Professional Engineers (MnSPE) Student
     Chapter (UMD) on The Path to Licensure.
  - iv) February 6, 2018, Robert Gunderson, LA, will be presenting to the Professional Practice class at the University of Minnesota on Board information and the licensure process.
  - v) February 15, 2018, Paul Vogel, LS and Doreen Frost, Executive

    Director, will be speaking at Minnesota Society of Professional

    Surveyors (MSPS) on Board updates, rule changes and enforcement.

#### 15) PUBLIC COMMENT

None

16) ADJOURN

MSP: To adjourn 1:20 PM

cc: Professional Societies and Interested Parties

Robert Gunderson, LA, Board Secretary



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#### **BOARD MEMORANDUM**

**JANUARY 8, 2018** 

TO:

**EXECUTIVE COMMITTEE** 

Dennis Martenson, PE, Chair

Terry Groshong, Architect, Vice Chair Robert Gunderson, LA, Secretary Nirmal Jain, PE, Treasurer (ABSENT)

FROM:

Dennis Martenson, PE, Chair

SUBJECT:

**JANUARY 8, 2018 EXECUTIVE COMMITTEE MEETING MINUTES** 

Golden Rule Building, Board Office, Ste. 160

9:00 - 11:09 AM

#### **Others Present:**

Doreen Frost, Board Executive Director Andrea Barker, Assistant Executive Director Kay Weiss, Communications Specialist

- 1) Call to Order
- 2) APPROVAL OF NOVEMBER 29, 2017 EXECUTIVE COMMITTEE MEETING MINUTES MSP: To approve the November 29, 2017 Committee minutes.
- 3) UNFINISHED BUSINESS
  - A) Internal Controls discussed.
  - B) Strategic Planning Continuation of November 29, 2017 Strategic Plan implementation methods.
    - Review of STRATEGY-Increase understanding and utilization of the enforcement program by licensees and the public.
    - ii) New discussion, on items 1 through 3, of STRATEGY-Increase Board proactivity and preparedness through education, technology, and diversity efforts.

#### 4) NEW BUSINESS

A) Lifting of Suspended License

Motion to vacate suspension of Mr. Brian Hayden due to satisfying audit requirements.

MSP: To vacate suspension of Mr. Brian Hayden due to satisfying audit requirements.

- B) Rules Report Discussion of Comments Received for Rule Package R-04374
  - M.R. 1800.0400 & 1800.0850, Subpart 1b-Failure to complete application
     MSP: To approve proposed changes to language, for recommendation to the full Board on February 2, 2018.
  - ii) M.R. 1800.0500, Subpart 2-Required qualifications
    - MSP: To approve current language as written, for recommendation to the full Board on February 2, 2018.
  - iii) M.R. 1800.3505, Subpart 4-Education requirement for licensure as land surveyor

MSP: To approve current language as written, for recommendation to the full Board on February 2, 2018.

- iv) M.R. 1800.4200, Subpart 3-Electronic signatures
  - MSP: To approve language change shown in part B, for recommendation to the full Board on February 2, 2018.
- v) M.R. 1800.0400, Subparts 1-4-Consistent language

  Motion to approve language changes, as shown in subparts 1-4.
  - MSP: To approve language changes, as shown in subparts 1-4, for recommendation to the full Board on February 2, 2018.
- vi) Comment regarding large organizations needing additional lead time to implement Board rules
  - Committee discussed issue.

vii) Comment regarding Construction Change Directives (CCDs), and legal effect of non-certified change orders.

Committee discussed issue.

- C) AELSLAGID Docket Report Annual Submission of Docket and Record Report (FYI)
- D) Decoupled P.E. Jurisdictions -discussed.
- E) Travel Procedure Changes discussed.
- F) Board Investigator Position the position has been posted.
- 5) ADJOURN

MSP: To adjourn, 11:09 a.m.

Next Meeting: February 9, 2018



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#### **BOARD MEMORANDUM**

**DECEMBER 7, 2017** 

TO: CREDENTIALING COMMITTEE

David Krech, PE, Chair Dave Blume, PE Rachel Dwyer, PM Eric Friske, JD, PM (ABSENT)

Wayne Hilbert, Architect
Claudia Reichert, CID

Paul Vogel, LS

Robert Whitmyer, PSS

**RULES COMMITTEE** 

Darcy Hield, CID, Chair Terry Groshong, Architect Bill Kuretsky, MME, JD, PM Dennis Martenson, PE

Dan Murphy, PE Marjorie Pitz, LA Jody Rooney, PM

David Stenseth, CPA, PM

**FROM:** Dave Blume, PE, Acting Chair

Darcy Hield, CID, Chair

SUBJECT: DECEMBER 7, 2017 JOINT CREDENTIALING AND RULES COMMITTEE

**MEETING MINUTES** 

Golden Rule Building, Ste: 295

8:00 - 9:00 A.M.

#### Others Present:

Doreen Frost, Executive Director

Andrea Barker, Assistant Executive Director

Leama Sather, Board Staff

Keith Rapp, PG, Board Member

Meg Parsons, Architect, Board Member

Nirmal Jain, PE, Board Member

- 1) CALL TO ORDER
- 2) APPROVAL OF MINUTES

- A) APPROVAL OF THE OCTOBER 12, 2017 RULES COMMITTEE MEETING MINUTES
  - i) MSP: To approve the October 12, 2017 Rules Committee meeting minutes.
- B) APPROVAL OF OCTOBER 12, 2017 CREDENTIALING COMMITTEE MEETING MINUTES
  - i) MSP: To approve the October 12, 2017 Credentialing Committee meeting minutes.
- 3) UNFINISHED BUSINESS
  - A) Rules of Professional Conduct (carried over)
  - B) Rules Comments reviewed and discussed.

MSP: To recommend to the Board the following modifications to the proposed rules:

#### 1800.4200 CERTIFICATION AND SIGNATURE.

Subpart 1. **Requirement; generally.** The certification and signature on plans, drawings, specifications, plats, reports, and other documents that require a signature is mandatory, as provided by Minnesota Statutes, section 326.12, subdivision 3. The certification and signature may be electronic, facsimile, or digital. A person in direct supervision of work as referred to in the foregoing subdivision is construed to mean the person whose professional skill and judgment are embodied in the document signed, and who assumes responsibility for the accuracy and adequacy thereof.

#### Subp. 1a. Licensee or certificate holder duties.

A. A licensee or certificate holder shall sign and certify only those documents and surveys that safeguard the health, safety, and welfare of the public.

C) Update on current Rules package – **discussed.** 

#### 4) NEW BUSINESS

- A) Obsolete rules (FYI) -discussed.
- B) Outreach Report (FYI)
  - i) The Board has an opportunity to speak at the Minnesota Structural Engineers
    Association meeting April 10, 2018 in St. Louis Park, MN; Andrea Barker,
    Emily Grimm, and a Board member to be announced will give presentations
    on rules, licensure, and the complaint process
- 5) ADJOURN



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#### **BOARD MEMORANDUM**

**FEBRUARY 2, 2018** 

TO: ARCHITECT/LANDSCAPE ARCHITECT/CERTIFIED INTERIOR DESIGNER

SECTION

Meg Parsons, Architect, Chair

Rachel Dwyer, PM

Eric Friske, JD, PM

Terry Groshong, Architect (ABSENT)

Bob Gunderson, LA

Darcy Hield, CID

Wayne Hilbert, Architect

Marjorie Pitz, LA

Claudia Reichert, CID (ABSENT)

David Stenseth, CPA, PM (ABSENT)

FROM:

Meg Parsons, Architect, Chair

**SUBJECT:** 

**FEBRUARY 2, 2018 ALACID SECTION MEETING MINUTES** 

Golden Rule Building, Board Office, Suite: 160

8:00 AM - 9:00 AM

## **Others Present:**

Doreen Frost, Executive Director

- 1) CALL TO ORDER
- 2) APPROVAL OF DECEMBER 7, 2017 SECTION MEETING MINUTES

MSP: To approve the December 7, 2017 ALACID meeting minutes.

- 3) UNFINISHED BUSINESS
  - A) NCARB Draft Resolutions Discussed
  - B) Board Proactivity in a Deregulatory Climate discussed, will be an ongoing line item
  - C) CIDQ Annual Meeting report (D. Hield, C. Reichert) discussed.
- 4) NEW BUSINESS
  - A) Authorization for Attendance to the 2018 CLARB Annual Meeting,

Toronto, ON, Canada, September 27-29, 2018

Estimated cost per Attendee: \$3,530.00

# MSP: To recommend to the full Board one Board member to attend the 2018 CLARB Annual Meeting.

- B) Letter from Terry Allers, NCARB, AIA, announcing candidacy for First Vice President of the NCARB Board of Directors - discussed
- C) Authorization for Attendance to the 2018 NCARB Annual Meeting
  MSP: To recommend to the full Board to authorize up to three (3) Board members to attend the 2018 NCARB Annual Meeting.
- D) Strategic Planning handout and discussion, will now be an ongoing line item

  (ATTACH. 4D Distributed at meeting)
- 5) ADJOURN



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#### **BOARD MEMORANDUM**

**FEBRUARY 2, 2018** 

TO: ENGINEER/LAND SURVEYOR/GEOSCIENCE SECTION

Paul Vogel, LS, Chair Dennis Martenson, PE

Dave Blume, PE Dan Murphy, PE
Nirmal Jain, PE Keith Rapp, PG
David Krech, PE Jody Rooney, PM

Bill Kuretsky, MME, JD, PM (ABSENT)

**FROM:** Paul Vogel, LS, Chair

SUBJECT: FEBRUARY 2, 2018 ELSGEO SECTION MEETING MINUTES

Golden Rule Building, Suite 295 (2nd floor)

8:00 AM - 9:00 AM

#### **Others Present:**

Andrea Barker, Assistant Executive Director Leama Sather, Board Staff

- 1) CALL TO ORDER
- 2) APPROVAL OF DECEMBER 7, 2017 SECTION MEETING MINUTES

  MSP: To approve the December 7, 2017 Section meeting minutes.
- 3) UNFINISHED BUSINESS
  - A) ASBOG Annual meeting report (K. Rapp) discussed
  - B) Demo of online applications
  - C) Strategic Plan: Charges from Executive Committee Discussion held, will be an ongoing line item on the agenda (ATTCH. 3C distributed at meeting)
  - Report from staff on inquiry to other state administrators' interest to encourage
     NCEES to consider becoming a member of Federal Association of Regulatory
     Boards (FARB) discussed

#### 4) NEW BUSINESS

A) Authorization for Attendance to the 2018 NCEES Central Zone Meeting Rapid City, SD, May 3-5, 2018

Estimated cost per attendee: \$1,139.31

MSP: To recommend to the full Board to authorize up to three (3) Board members and the Executive Director to attend the 2018 NCEES Central Zone Meeting.

B) Emeritus Status Request for NCEES: Robin Mathews, LS
 MSP: To recommend NCEES emeritus status to the full Board for Robin
 Mathews, LS.

C) Emeritus Status Request for NCEES: Lisa Hanni, LSMSP: To recommend NCEES emeritus status to the full Board for Lisa Hanni, LS.

5) ADJOURN