



**MINNESOTA BOARD OF**  
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING  
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

**BOARD MEMORANDUM**

**MARCH 22, 2019**

**TO:** All Board Members  
Christopher Kaisershot, Assistant Attorney General

**FROM:** Nirmal Jain, PE, Board Chair

**SUBJECT:** **MARCH 22, 2019 BOARD MEETING MINUTES**  
Golden Rule Building, Suite 295 (Second Floor)  
**10:30 – 12:00 PM**

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

1) QUORUM CALL

Nirmal Jain, PE, Chair

Meg Parsons, Architect, Vice Chair **(Absent)**

Robert Gunderson, LA, Secretary

Paul Vogel, LS, Treasurer **(Absent)**

Dennis Martenson, PE, Immediate Past Chair **(Absent)**

Daniel Baar, LS

Dave Blume, PE **(Absent)**

Rachel Dwyer, PM

Eric Friske, JD, PM

Darcy Hield, CID

Wayne Hilbert, Architect

Denise Kazmierczak, PE

Daniel Murphy, PE

Claudia Reichert, CID

Scott Robinson, LA

David Stenseth, CPA, PM

Robert Whitmyer, PSS

OTHERS ATTENDING:

Christopher Kaisershot, Assistant Attorney General

Doreen Johnson, Executive Director

Andrea Barker, Assistant Executive Director

Matt Kaehler, Investigator

Laurie Nistl, Staff

GUESTS:

David Oxley, Executive Director at American Council of Engineering  
Companies of Minnesota

2) INTRODUCTIONS

3) READING AND APPROVAL OF FEBRUARY 1, 2019 BOARD MEETING MINUTES

**MSP: To approve the February 1, 2019 Board meeting minutes.**

4) COMPLAINT COMMITTEE REPORT (K. Rapp, Committee Chair)

- A) The Complaint Committee requested a closed session.

**MSP: To close the meeting to review disciplinary matters**

5) CLOSED SESSION

- A) Disciplinary Matters

**MSP: To open the meeting.**

- i. In the Matter of Mark Balay, Architect # 20826, the Board issued a Stipulation and Order. **(ATTACH. 4Ai – distributed at meeting.)**
- ii. In the Matter of Gregory Hackett, Architect # 19736, the Board issued a Stipulation and Order. **(ATTACH. 4Aii – distributed at meeting.)**  
**Dan Murphy recused himself from the vote.**
- iii. In the Matter of Dana Hlebichuk, Architect # 44719, the Board issued a Stipulation and Order. **(ATTACH. 4Aiii – distributed at meeting.)**  
**Dan Murphy recused himself from the vote.**
- iv. In the Matter of Terry Haaby, unlicensed, the Board issued a Settlement Agreement and Cease and Desist Order. **(ATTACH. 4Aiv – distributed at meeting.)**
- v. In the Matter of Mingqiao Zhu, PE # 42100, the Board issued a Stipulation and Order. **(ATTACH. 4Av – distributed at meeting.)**
- vi. In the Matter of Keith Knoke, PG # 30277, the Board issued a Stipulation and Order. **(ATTACH. 4Avi – distributed at meeting.)**
- vii. In the Matter of Werner Briske, Architect # 46353, the Board issued a Stipulation and Order. **(ATTACH. 4Avii – distributed at meeting.)**

- B) Request to open the meeting

**MSP: To open the meeting.**

- 6) RULES COMMITTEE REPORT (D. Stenseth, Committee Chair)
- A) Decoupling/Geoscience – Changes were made to the draft language.
  - C) Direct Registration Rules Update – Waiting for final approvals of the rules for the Architectural Registration Exam (ARE) and Fundamentals of Engineering (FE) exam to move to direct registration.
  - D) Rules of Professional Conduct Update – Dual Notice will be published in the State Register April 1, 2019.
  - E) Land Surveying Rules – Carried over to next meeting.

**MSP: To accept the Rules Committee report.**

- 7) CREDENTIALING COMMITTEE REPORT (C. Reichert, Acting Committee Chair)
- A) Continuing Education Statute. Is there a need for Administrative Rule Clarification? - The committee will review a list of rejected continuing education classes.
  - B) Continuing Education Exemption Request – Approved.
  - C) Continuing Education Audit for Amy Steege - Carried over.
  - D) House File 2452 – Climate Change Continuing Education Requirement Legislation.

**MF: To not support the bill.**

The Board will invite the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) to the next meeting to discuss the bill.

**MSP: To accept the Credentialing Committee report.**

- 8) ALACID SECTION REPORT (W. Hilbert, Acting Section Chair)
- A) Authorization for attendance to the 2019 CLARB Annual Meeting. September 26-28, 2019, in St. Louis, MO. Estimated cost per attendee: \$3,828.00.

**MP: To authorize attendance of the funded delegate and one other Board member.**

- B) NCARB Regional Meeting Report by Wayne Hilbert.
- C) CIDQ New Official Definition of Interior Design - Discussed.
- D) Meg Parsons, Architect, was elected NCARB Region 4 Vice Chair.
- E) The CLARB announcement from President Philip Meyer - Discussed.

**MSP: To accept the ALACID Section report.**

9) ELSGEO SECTION REPORT (R. Whitmyer, Section Chair)

- A) Authorization for attendance to the 2019 NCEES Annual Meeting.  
August 14-17, 2019, Washington, D.C.
  - Estimated cost per funded attendee: \$794.00
  - Estimated cost per additional attendee: \$2,033.25

**MSP: To authorize attendance of the qualifying funded delegates, up to three additional Board members, and the Executive Director.**

- B) ASBOG Testing Location (K. Rapp): The Board is exploring the idea of offering the ASBOG exams in two locations (St. Paul and Duluth).
- C) Engineers without Borders - Discussed.
- D) NCEES Board Presidents' Assembly report from Meg Parsons, Architect, Board Vice Chair.
- E) Article: "Oregon Court Case Spawns Attempt to Dismantle PE Licensure" from *PE: The Magazine for Professional Engineers*, March/April, 2019. **(FYI)**
- F) Keith Rapp, PG, was honored by AIPG.
- G) Geology application numbers summary was handed out.

**MSP: To accept the ELSGEO Section report.**

10) LEGISLATIVE ACTION TEAM REPORT (K. Rapp, Chair)

- A) The team did not meet since the last Board meeting. Future meeting discussions will include licensure and certification, discipline and data classification.
- 11) EXECUTIVE COMMITTEE REPORT (N. Jain, Chair)
  - A) The Executive Committee will be meeting on April 5, 2019
- 12) TREASURER'S REPORT
  - A) Budget and Revenue Reports - Reviewed and discussed.

**MSP: To accept the Treasurer's Report.**
- 13) EXECUTIVE DIRECTOR REPORT (D. Johnson, Executive Director)
  - A) House Omnibus Budget Bill – HF 2087 – Discussed.
  - B) Doreen Johnson testified in front of the House State Government Finance Division on March 13, 2019 - discussed.
  - C) Meg Parsons, Paul Vogel and Doreen Johnson met with State Representative Barb Haley on February 28, 2019 – Discussed.
  - D) Open Appointments – Update on the number of Board member applications received.
  - E) *The Communicator* Board newsletter has been sent out. A correction has been made and posted on the Board's website.

**MSP: To accept the Executive Director's Report.**
- 14) UNFINISHED BUSINESS
  - A) NONE
- 15) NEW BUSINESS
  - A) Legislative Audit – The Legislative Auditor is currently auditing the Board financial operations.
  - B) Petition for Variance – reviewed and discussed.

**MSP: To approve the Petition for Variance**

- C) Statute Change: Board Members Required to be Licensed for 10 Years – Discussed and referred to the Legislative Action Team.
- D) Letter to Building Code Officials – The letter and a rule book will be mailed to Minnesota building code officials.
- E) Strategic Planning: Phase 2 – Discussed and referred to the Executive Committee.
- F) Board Elections Process and Board Member Interest Questionnaire – Elections will be held at the May Board meeting.
- G) New Licensee Report

**MSP: To approve the New Licensee Report.**

16) PUBLIC COMMENT

A) NONE

17) ADJOURN

**MSP: To adjourn.**

**Approval:**



Nirmal Jain, PE, Board Chair

cc: Professional Societies and Interested Parties



**MINNESOTA BOARD OF**  
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING  
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

**BOARD MEMORANDUM**

**MARCH 22, 2019**

**TO: RULES COMMITTEE**

David Stenseth, CPA, PM, Chair  
Eric Friske, JD, PM  
Terry Groshong, Architect

Darcy Hield, CID  
Dan Murphy, PE  
Robert Whitmyer, PSS

**FROM:** David Stenseth, PM, Chair

**SUBJECT: MARCH 22, 2019 RULES COMMITTEE MEETING MINUTES**

Golden Rule Building, Suite 295  
**8:00 - 9:00 AM**

1) CALL TO ORDER

Others Present

Keith Rapp, PG  
Andrea Barker, Assistant Executive Director

2) APPROVAL OF THE FEBRUARY 1, 2019 RULES COMMITTEE MEETING MINUTES

**MSP: To approve the February 1, 2019 Rules Committee meeting minutes.**

3) UNFINISHED BUSINESS

A) Decoupling/Geoscience

- i) Decoupling Illustration: Graphic showing how individuals in a decoupled state can get licensed in Minnesota in a shorter time frame than a Minnesota exam candidate.
- ii) Draft Language (**ATTACH. 3Aii – distributed at meeting**): Discussion held and changes made to draft language.

B) Direct Registration Rules Update: Waiting for final approval then will publish the Notice of Adoption in the State Register. Rules will be effective five working days after publication.



- C) Rules of Professional Conduct Update: Dual Notice will be published in the April 1, 2019 State Register triggering the beginning of the 30-day comment period. We will hold a public hearing in June if we receive 25 or more requests for a hearing.
- 4) NEW BUSINESS
  - A) Land Surveying Rules – **carryover to next meeting**
- 5) ADJOURN (9:00 AM)



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**BOARD MEMORANDUM**

**MARCH 22, 2019**

**TO: CREDENTIALING COMMITTEE**

Dave Blume, PE, Chair (Absent)	Meg Parsons, Architect (Absent)
Daniel Baar, LS	Claudia Reichert, CID
Rachel Dwyer, PM	Scott Robinson, LA
Denise Kazmierczak, PE	

**FROM:** Claudia Reichert, CID, Acting Chair

**SUBJECT: MARCH 22, 2019 CREDENTIALING COMMITTEE MEETING MINUTES**

Golden Rule Building, Board Office, Suite 160

**8:00 AM – 9:00 AM**

**1) CALL TO ORDER**

Others present: Doreen Johnson, Executive Director

Matt Kaehler, Investigator

**2) APPROVAL OF FEBRUARY 1, 2019 CREDENTIALING COMMITTEE MEETING MINUTES**

**MSP: To approve the February 1, 2019 Credentialing Committee meeting minutes.**

**3) UNFINISHED BUSINESS**

A) Continuing Education Statute. Is there a need for Administrative Rule

Clarification? - The committee discussed the matter and will review a list of rejected continuing education classes at the next meeting.

**4) NEW BUSINESS**

A) Continuing Education Exemption Request(s):

i) Ross Wamre – **MSP: To approve.**

B) Continuing Education Audits to be Reviewed:

i) Amy Steege – Carried over.

C) Outreach (All FYI Only):

i) Bob Gunderson, LA, presented “The Minnesota Board, Licensure Process and CLARB” to University of Minnesota, Twin Cities, Landscape Architecture students on February 21, 2019.

ii) Dennis Martenson, PE, and Nirmal Jain, PE, presented “The Path to Licensure” to University of Minnesota, Duluth, MSPE Student Chapter on March 4, 2019.

iii) Bob Gunderson, LA, presenting “The Path to Licensure, CLARB and the LARE” to University of Minnesota students and ASLA-MN members on April 23, 2019.

D) Climate Change Bill (House File 2452) – requiring licensed professional engineers to earn professional development hours dedicated to the impact of climate change - Discussed. **(ATTACH. 4D).**

The committee does not support the bill. Would like opportunity to meet with representatives and/or constituents to discuss.

**MSP: To oppose the bill.**

5) ADJOURN



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**March 22, 2019**

**TO: ARCHITECT/LANDSCAPE ARCHITECT/CERTIFIED INTERIOR DESIGNER SECTION**

Meg Parsons, Architect, Chair (Absent)	Wayne Hilbert, Architect
Eric Friske, JD, PM	Claudia Reichert, CID
Terry Groshong, Architect	Scott Robinson, LA
Robert Gunderson, LA	David Stenseth, CPA, PM
Darcy Hield, CID	

**FROM:** Wayne Hilbert, Architect, Acting Chair

**SUBJECT: MARCH 22, 2019 ALACID SECTION MEETING MINUTES**  
Golden Rule Building, Board Office, Suite: 160  
**9:15 AM – 10:15 AM**

1) **CALL TO ORDER**

Others present: Doreen Johnson, Executive Director

2) **APPROVAL OF FEBRUARY 1, 2019 SECTION MEETING MINUTES**

**MSP: To approve the February 1, 2019 Section meeting minutes.**

3) **UNFINISHED BUSINESS**

A) **NONE**

4) **NEW BUSINESS**

A) Authorization for attendance to the 2019 CLARB Annual Meeting.  
September 26-28, 2019, in St. Louis, MO. Estimated cost per attendee:  
\$3,828.00.

**MSP: To authorize attendance of the funded delegate and one other Board member.**

B) NCARB Regional Meeting Report by Wayne Hilbert (includes prior input from Meg Parsons) - Discussed.

- C) CIDQ New Official Definition of Interior Design – Discussed.
  - D) Meg Parsons, Architect, Elected NCARB Region 4 Vice Chair **(FYI)**
  - E) NCARB Licensing Advisors Summit **(FYI)**
  - F) CLARB Announcement from President Philip Meyer **(FYI)**
  - G) Architect Exam Results Summary **(FYI)**
- 5) Trends in the professions represented by this Section that may affect the Board's mission – Discussed.
- 6) ADJOURN
- MSP: To adjourn 10:15 AM.**



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**BOARD MEMORANDUM**

**MARCH 22, 2019**

**TO: ENGINEER/LAND SURVEYOR/GEOSCIENCE SECTION**

Robert Whitmyer, PSS, Chair	Denise Kazmierczak, PE
Daniel Baar, LS	Dennis Martenson, PE <b>(ABSENT)</b>
Dave Blume, PE, <b>(ABSENT)</b>	Dan Murphy, PE
Rachel Dwyer, PM	Keith Rapp, PG
Nirmal Jain, PE	Paul Vogel, LS <b>(ABSENT)</b>

**FROM:** Robert Whitmyer, PSS, Chair

**SUBJECT: MARCH 22, 2019 ELSGEO SECTION MEETING MINUTES**  
Golden Rule Building, Suite 295 (2nd floor)  
**9:15 AM**

1) CALL TO ORDER

Others Present

Andrea Barker, Assistant Executive Director

Matt Kaehler, Investigator

2) APPROVAL OF FEBRUARY 1, 2019 SECTION MEETING MINUTES

**MSP: To approve the February 1, 2019 Section meeting minutes.**

3) UNFINISHED BUSINESS

A) None

4) NEW BUSINESS

A) Authorization for attendance to the 2019 NCEES Annual Meeting.

August 14-17, 2019, Washington, D.C.

- Estimated cost per funded attendee: \$794.00
- Estimated cost per additional attendee: \$2,033.25

**The Section will handle this item at the full Board meeting.**

- B) ASBOG Testing Location (K. Rapp): The Board is exploring the idea of offering the ASBOG exams in two locations (St. Paul and Duluth).
- C) Engineers without Borders: Discussion held regarding experience for exam/licensure gained in tandem with experience at “regular” job. The Section’s consensus is that one calendar year of work equals one year of experience regardless of the number of positions held or hours worked in excess of 40 per week during that year. All experience must meet the requirements in rule to be “qualifying experience.”
- D) NCEES Board Presidents’ Assembly Report (M. Parsons) **(FYI)**
- E) Article: “Oregon Court Case Spawns Attempt to Dismantle PE Licensure” from *PE: The Magazine for Professional Engineers*, March/April, 2019. **(FYI)**
- F) Keith Rapp, PG, Honored by AIPG **(FYI)**
- G) Texas Land Surveying Board **(ATTACH. 4G – distributed at meeting)**: The Texas LS Board is slated to merge with the Texas PE Board. Dan Baar will respond to the questions in the email.
- H) Land Surveyor Exam Writing Workshop **(ATTACH. 4H – distributed at meeting)**: The workshop scheduled for April 2019 has been canceled due to lack of individuals able to participate and will be rescheduled for October 2019.
- I) Geology Application Summary **(ATTACH. 4I – distributed at meeting)(FYI)**
- 5) Trends in the professions represented by this Section that may affect the Board’s mission.
  - A) Professional Titles: Discussion held.
- 6) ADJOURN (10:05 AM)