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ENGINEERING, LAND SURVEYING,
LANDSCAPE ARCHITECTURE,
GEOSCIENCE & INTERIOR DESIGN
THE COMMUNICATOR

2013 VOLUME 18, NUMBER 1



Letter from the Chair

LISA HANNI, LAND SURVEYOR

Happy Spring to everyone! I would like to take this opportunity to thank our out-going members for their service on the Board: public members Kristine Kubes, JD, and Micki Miller and Architect Bob Seeger. Their dedication and insight have been invaluable over the years and we wish them success in their future ventures.

We look forward to the continued service of our re-appointed members Carl Peterson and David Fisher (public members), along with licensees James Grube (PE), Peter Miller (PSS), and Mary Deeg (CID). In addition, we welcome the three new members: Architect Wayne Hilbert, and public members Tanya Digiovanni and John Swanson. Once again, the Board is well represented and prepared to proceed with the ongoing efforts to protect the public's health, safety, and welfare through professional licensure and certifications.

This next year will be another active year as the Board continues the legislative and rule change efforts. As technology and mobility improve, we need to update our statutes and administrative rules to account for these changes. It is important to stay engaged in these legislative and rule change processes. For those who wish to become licensed, the timing and the way you take examinations may change. For the licensees and certificate holders, the continuing education requirements may change which will affect how we *remain* licensed and certified.

For prospective Architects, please be aware of the ARE® examination blackout period beginning July 1, 2013. For prospective Surveyors and Engineers taking the Fundamentals tests, please be aware of the Computer-Based Testing procedures starting in November 2013 in preparation for the January 2014 changes. For prospective Certified Interior Designers, please be aware of the changes to the two examination sections moving to Computer-Based Testing in 2013. The Board's website www.aelslagid.state.mn.us should be bookmarked in all your web browsers. Please visit the site and stay engaged with Board changes, National Council activities, enforcement, and searching for active licensee/CID members among other important information listed there.

Have a safe and productive summer!

IMPORTANT EXAM CHANGES!

Help spread the word!

NCARB ARE® Blackout

Begins July 1, 2013

NCEES FE and FS Exams

Computer-Based Testing

NCIDQ Exam

Computer-Based Testing

For details see pages 2-3.

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Mary Deeg, CID (2017)

Tanya Digiovanni, Public Member (2017)

David Fisher, CBO, Public Member (2017)

Terry Groshong, Architect (2015)

James Grube, PE (2017)

Robert Gunderson, LA (2016)

Wayne Hilbert, Architect (2017)

Bruce Johnson, PG (2015)

David Krech, PE (2014)

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David Landecker, LS (2016)

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Important Changes to NCEES Exams

Professional Engineer Exam Changes (April 2013):

- The PE Software Engineering exam will be offered for the first time.
- The PE Industrial exam will have new specifications and move to a spring administration schedule.
- The PE Civil exam will have revised design standards for the Construction, Civil Structural, and Transportation modules.

Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) Exam Changes (January 2014)

NCEES is scheduled to complete the transition of the FE and FS exams to computer-based testing (CBT) on January 1, 2014. The transition to CBT involves significant changes to the format of the exams and the procedures for administering them. The following is provided for your information and dissemination as appropriate:

- The October 2013 exam administration will be the last administration of the FE and FS exam in pencil-and-paper format. Effective January 1, 2014, the FE and FS exam will only be offered via CBT.
- Computer-based FE and FS exams will be administered only at approved Pearson VUE testing centers.
- **Applicants to the Minnesota Board should NOT register for an exam at Pearson VUE before obtaining Board approval.**
- Exam registration will open Monday, November 4, 2013. The first available seating at a Pearson VUE testing center will be Tuesday, January 2, 2014.
- There will be four testing windows for the FE and FS exams annually. Each of these windows will last two months, with a month between them. Exam appointments will be available in January and February, with none offered in March; exam appointments will be available in April and May, with none offered in June, etc.
- Candidates for a CBT exam may take the exam only one time per testing window and no more than three times in a 12-month period. **If you fail the exam, you must submit a new application to the Minnesota Board for approval before registering to take the exam again through Pearson VUE.**
- The FE and FS exams will be six hours in length, which will include a tutorial, breaks, the exam, and a brief survey at the conclusion of the exam.
- The FE and FS exams will continue to be closed book. Supplied reference material for the exams will be electronic and will be available on the NCEES website.
- Examinees will be allowed to bring and use NCEES-approved calculators on CBT exams.
- Sample exams for the computer-based FE and FS will be available for purchase through NCEES after the October 2013 exam administration.

Additional information and updates on CBT may be found on the Board's website or ncees.org/cbt.

NCARB - ARE® Blackout

NCARB is changing vendors to Alpine Testing Solutions, Inc. for ARE® exam content and candidate management. Prometric will continue to be the exam site vendor. However, in order to facilitate the migration of data, there will be an estimated eight-week blackout for candidates.

What does this mean?

- No exam appointments may be scheduled for July 1, 2013 or after until the blackout ends in late-August 2013.
- There will be no exams administered beginning July 1, 2013 until the blackout ends.
- The last day to take an exam before the blackout will be June 30, 2013.
- The last batch of exams taken on or before June 30, 2013 will be scored by Prometric prior to the data migration to the new consultant.
- Board staff will not have access to the candidate database during the blackout so we will not be able to enter or create exam eligibilities or update your name and address information during this time.
- You can still submit your application for examination to the Board during the blackout. You will not be able to obtain authorization to test until the blackout ends.

There will be no changes to exam content post-blackout. However, the process to schedule an exam appointment and receive score reports will be different.

ARE® Rolling Clock Extension

For all candidates, NCARB will grant an automatic **12-week extension** to the rolling clock dates that expired *during or after the blackout*.

For more information and answers to Frequently Asked Questions, please visit: www.ncarb.org/ARE/ARE-Portal.aspx.

Congratulations

Caren Martin, Ph.D., CID, FASID, IDEC received the National Council for Interior Design Qualification (NCIDQ) Louis S. Tregre Award for Service. The award recognizes an individual for outstanding service at the grassroots level in support of NCIDQ's mission to protect the health, life safety and welfare of the public by establishing standards of competence in the practice of interior design. The NCIDQ Board noted that Dr. Martin has been a champion for the public's health, safety and welfare for decades - as a practitioner, educator, researcher, author and licensing advocate. Dr. Martin served on the Minnesota Board as a Certified Interior Design member from 2000-2008.

NCIDQ Exam Changes

The two multiple-choice sections of the NCIDQ Examination are undergoing changes and will be computer-based beginning this year. There will be a transition period through the end of 2013 for those taking the multiple-choice sections in the paper-and-pencil format to complete. The Section 3 Practicum exam is not changing and will continue to be administered in a paper-and-pencil format.

What are the new examinations?

- IDFX: Interior Design Fundamentals Exam - available to those who meet NCIDQ's education requirements, regardless of years of experience.
- IDPX: Interior Design Professional Exam - available to those who meet both the education and experience requirements.
- The content of these new exams will remain the same as it was in the Section 1 and Section 2 paper-and-pencil exams; the exams will just be organized differently.

When can I start taking the computer-based examination?

- Registration is now open. Visit www.ncidq.org for registration information.
- Note: To receive the NCIDQ Certificate, you have two options. Complete BOTH the IDFX or IDPX or complete BOTH Section 1 and Section 2 of the paper-and-pencil exam. You cannot mix and match paper-and-pencil with computer-based. In either case, you must also pass the Section 3 Practicum in paper-and-pencil format.

What if I have already passed Section 1 or Section 2 of the paper-and-pencil exam?

- You will need to pass BOTH Section 1 and Section 2 by the end of 2013 or you will lose credit for the Section you have already passed and be required to take BOTH the IDFX and IDPX.
- The multiple-choice exams will only be administered in a paper-and-pencil format through 2013. After the fall 2013 administration, the multiple-choice sections will be delivered exclusively via computer.

For more information and answers to Frequently Asked Questions, please visit www.ncidq.org/Exam.aspx.

Disciplinary Actions

*Disclaimer: Every effort has been made to ensure that the following enforcement information is correct; however, this information should not be relied upon without verification from the Board of-
fice. It should be noted that the names of companies and individuals listed may be similar to the names of parties who have not had enforcement actions taken against them. Disciplinary orders are public data and copies may be obtained by contacting the Board office or by viewing the order on the web page at www.ael-slagid.state.mn.us.*

Please note that the following are summaries of the facts and disciplinary actions taken since the last newsletter. Full orders can be found on the Board's website.

Disciplinary Actions:

In the Matter of Ryan Freese Architect License #41365

Mr. Freese was first licensed as an Architect in Minnesota on August 7, 200, and his license expired on July 1, 2010. On February 29, 2012, he reinstated his license. During the time his license was expired, Mr. Freese practiced architecture and held himself out as an architect without a Minnesota license. He practiced architecture on two projects located in the City of Minneapolis. Additionally, Mr. Freese used the title of "Architect" and "AIA" on his business card and the company website identified him as "Director of Architecture."

Enforcement Action: On October 26, 2012, the Board issued a Stipulation and Order. Mr. Freese was reprimanded for the foregoing conduct and ordered to pay a civil penalty of \$2,500.

In the Matter of Nestor Popowych Unlicensed

Mr. Popowych was licensed as an Architect in Minnesota on September 8, 2009. He is not currently and never has been licensed as a Professional Engineer in Minnesota. Mr. Popowych practiced professional engineering, as defined in Minnesota Statutes section 326.02, by signing the *Structural Analysis of Antennas Tripod on Roof of 92' Tall Water Tower for Clear Wire* engineering report for a project located in Maplewood, Minnesota. Attached to this report were construction drawings, general requirements plans, water tower specification plans, site plans, tripod water tank mounting plans, and grounding plans. Mr. Popowych attested that he personally designed the major aspects of the project and had direct supervision over the execution of the plans, specifications and documents pertaining to it.

Enforcement Action: On October 26, 2012, the Board is-

sued a Settlement Agreement and Cease and Desist Order. Mr. Popowych was ordered to cease and desist from the practice of professional engineering in Minnesota until such time as he becomes a licensed PE in Minnesota and to pay a civil penalty of \$5,000.

In the Matter of Cory Bandelin Unlicensed

Mr. Bandelin was first licensed as an Architect in Minnesota on October 16, 1989. His license expired on July 1, 2002 and, as of the date of this Order, he has not reinstated his license. Mr. Bandelin used the title of "AIA" on his business cards from the time of expiration of his license until 2007. Additionally, on the website *LinkedIn*, he used the title of "Project Architect" as his position at Perkins + Will. Mr. Bandelin changed his title to "Project Administrator" as of May 2012.

Enforcement Action: On December 7, 2012, the Board issued a Settlement Agreement and Cease and Desist Order. Mr. Bandelin was ordered to cease and desist from holding himself out as an architect and/or practicing architecture in Minnesota until such time as he becomes licensed as an architect in Minnesota.

In the Matter of Steven Eldon Williams Unlicensed

Mr. Williams was first licensed as a Professional Engineer in Minnesota on October 29, 2002. His license expired on June 30, 2012, and, as of the date of this Order, he has not reinstated his license. Mr. Williams provided the Board with copies of drawings for thirteen (13) Minnesota projects that he certified as a PE from July 1, 2012 to September 13, 2012. These projects were for Sprint and were various types of towers.

Enforcement Action: On December 7, 2012, the Board issued a Settlement Agreement and Cease and Desist Order. Mr. Williams was ordered to cease and desist from practicing as a Professional Engineer in Minnesota until such time as he becomes licensed as a PE in Minnesota and to pay a civil penalty of \$2,500.

In the Matter of Martin Bonnell Professional Engineer License #14010

Mr. Bonnell was first licensed as a Professional Engineer in Minnesota on August 29, 1979. His license is current with an expiration of June 30, 2014. Respondent admitted to assisting a client of Vieau Associates in changing the date on a competitive bid for cleanup on a Minnesota Pollution Control Agency (MPCA) Leak site. Mr. Bonnell stated that the

Responsible Party (the owner or operator of a tank with a spill/leak) signed the Vieau Associates bid [to investigate and clean up the spill/leak] before receiving a competitive bid. Mr. Bonnell assisted the Responsible Party in backdating the competitive bid so the Client would not be assessed a penalty when the Client was reimbursed by the MPCA's Petrofund.

Enforcement Action: On February 11, 2013, the Board issued a Stipulation and Order. Mr. Bonnell was reprimanded for the forgoing conduct and ordered to pay a civil penalty of \$3,000. Additionally, he was ordered to successfully complete an eight-hour course in professional ethics approved in advance by the Board's Complaint Committee.

In the Matter of Mark Deady Professional Engineer License #21375

Mr. Deady was first licensed as a Professional Engineer in Minnesota on June 3, 1991. His license expired on July 1, 2000. The Board notified Mr. Deady in a letter dated September 24, 2001 that his license was not current. Mr. Deady, a principal in an engineering firm located in Minnesota, did not disclose the lapse/expiration of his license to the firm until May 2011. He reinstated his license on June 6, 2011.

When Mr. Deady reinstated his license, he submitted an *Affidavit for Reinstatement*, signed June 1, 2011, stating that during the time his license was lapsed/expired, he did not represent himself as a Professional Engineer and that he did not offer to perform professional engineering services in Minnesota. On August 9, 2011, Mr. Deady, accompanied by his legal counsel, self-disclosed in person to the Board's Investigator that he may have held himself out as a professional engineer by using the title of "PE" during the lapse of his license. Additionally, he self-disclosed that he may have practiced as a Professional Engineer in Minnesota during the lapse of his license. He spoke of the types of projects he worked on and documents and correspondence he signed as a Professional Engineer during the lapse/expiration of his license and placed these projects in various categories such as Administrative, Work Scope, Transmittal Letters, Critique/Review Others Work, Expert Reports, and Engineering Study.

In a letter dated October 21, 2011, Mr. Deady provided a list of all the projects on which he worked from July 2000 to June 6, 2011 and the number of hours he spent on each project. He provided copies of his business cards for that time period. The title "P.E." appeared in conjunction with his name on all of the business cards.

Enforcement Action: On February 11, 2013, the Board issued a Stipulation and Order. Mr. Deady's Professional Engineer license in Minnesota was REVOKED for a period of four years from the date of the Order. During the period of revocation, Mr. Deady may not hold himself out as a Professional Engineer or P.E., nor practice professional engineering in Minnesota. Mr. Deady was ordered to pay a civil penalty of \$40,000 and to successfully complete sixteen (16)

hours of coursework in professional ethics approved in advance by the Board's Complaint Committee. Conditions for reinstatement of his license after the four year revocation were spelled out in the Order.

Other Actions:

In the matter of Sharon A. Kosmalski Professional Engineer License #46361

Ms. Kosmalski's license was suspended by the Board on April 5, 2012, upon the Board's receipt of notification from the Minnesota Department of Revenue ("Department") that Respondent had an overdue liability. On November 19, 2012, the Board received a clearance certificate from the Department.

Order: On November 19, 2012, the Board issued an Order to Rescind Suspension of Engineering License #46361.

PRIORITY APPLICATION PROCESSING FOR MILITARY FAMILIES

In cooperation with the Minnesota Office of the Lieutenant Governor, the Board has instituted a policy for priority processing of licensure applications for military families. The goal is to speed up the licensure process for these individuals when moving to a new state.

Active duty or recently retired service members and their spouses can now check a box on the Board's examination and licensure applications to indicate that they are an active member of the U.S. military. Their application will be moved to the front of the line for processing.

Verifications of Licensure or Exam for FE, PE, FS and PS

Do you need your Professional Engineer or Land Surveyor license, or your exam scores for any of the NCEES exams taken in Minnesota, verified by Minnesota for another state board or for NCEES? Verifications for these two professions and their exams are now electronic. Go to <https://verify.ncees.org> and select the Board to which you would like your verification sent. Then, select Minnesota for the state in which you are currently licensed or took your exam. Complete the questions and Minnesota will receive your request for verification electronically, will complete the verification and submit it electronically to the state board you requested. **All** individuals requiring license or exam verification for these two professions should follow this procedure, **even if you do not have an NCEES Council Record**. See the Board's website for more information.

Meet the New Board Members



Tanya Digiovanni, Public Member
Breezy Point, MN

Ms. Digiovanni has worked in land- and real estate-related industries for over 13 years. Her professional experience includes over 10 years as an administrative, executive, and surveying assistant with a private land surveying, civil engineering, and planning firm; three years in the land division at Close-Converse, a Potlatch Preferred Broker, where she is currently employed; as well as several years as a seasonal intern for the Cass County (MN) Recorder. Tanya holds designation as a Certified Administrative Professional-Organizational Management through the International Association of Administrative Professionals (IAAP); the CAP-OM designation is internationally recognized as the highest ranking in the profession and is a distinction held by a small percentage of professionals in the state of Minnesota. As a career-minded professional, Tanya has been actively involved in IAAP for five years and has served as president of the Brainerd chapter for the year 2010-2011; is current or past chair or member of the membership, nominations, bylaws and standing rules, audit/financial review, public relations, webmaster, and certification committees for the Brainerd chapter; is currently a member of the scholarship committee for the MN-ND-SD division; and was one of 19 recipients internationally awarded an inaugural scholarship offered to first-time attendees by the IAAP Research & Education Foundation (now known as The Foundation of IAAP) to attend the 2012 International Educational Forum and Annual Meeting. Ms. Digiovanni graduated summa cum laude from The College of St. Scholastica with a Bachelor of Arts degree in English and Secondary Education.



Wayne Hilbert, Architect
Minneapolis, MN

Mr. Hilbert is the President of CNH Architects. Being an Owner and Principal Architect of an architectural firm for the last 25 years, he has designed and managed building projects for both private and public clients. His work includes the first new buildings in Minnesota to earn Green Globe rating as certified by the Green Building Initiative.

Mr. Hilbert attended the University of Minnesota where he received a Bachelor of Architecture degree. After his architectural internship, he became licensed as an Architect in Minnesota. Soon after licensure, he went back to the University of Minnesota and attended the Carlson School of Management's evening program where he earned his Masters of Business Administration.

First licensed as an Architect in 1985, Mr. Hilbert currently holds architectural licenses in Wisconsin, Iowa, South Carolina, North Dakota, Missouri and Minnesota. Mr. Hilbert is a member of the American Institute of Architects, Construction Specifications Institute, and US Green Building Council. He holds certifications as a Certified Construction Specifier, National Council of Architectural Registration Boards, LEED AP and Green Globe Professional.

A longtime resident of Minneapolis, Mr. Hilbert is involved in several community base organizations and was part of the steering committee that brought the AIA's Sustainable Design Assessment Team to Apple Valley, MN.



John R. Swanson, Public Member
Lakeville, MN

Mr. Swanson has worked in the fire service since 2001 and has over 10 years experience as a Fire Marshal at both the state and city level. He holds a BA in History with a concentration in Business Administration from the University of Sioux Falls, Sioux Falls, SD. John started as a Firefighter with the City of Lakeville and joined the Minnesota State Fire Marshal Division in 2002. He is currently a Deputy State Fire Marshal – School Inspector & Plan Reviewer with the Minnesota State Fire Marshal Division. In this position he is responsible for conducting fire inspections for public school buildings, primarily in the Twin Cities metro area. He is also the School Plan Reviewer for the entire state of Minnesota. In this position he works with design professionals from across the state to ensure school buildings comply with building and fire code requirements.

In 2007, John started Fire & Life Safety Consulting, LLC to assist code officials with plan reviews, inspections, and fire code consulting services. John's certifications include Fire Inspector III and Plans Examiner with the Minnesota Fire Service Certification Board. He represents the State Fire Marshal Division on the Minnesota State Fire Chiefs Code Committee, the NFPA 10 (Portable Fire Extinguishers) committee, and NFPA 72 (National Fire Alarm and Signaling Code) committee. He is also a Fire Inspector Instructor at Century College in White Bear Lake, MN. He is an active member in professional societies such as the Fire Marshals Association of Minnesota (FMAM) and the Minnesota State Fire Chiefs Association (MSFCA).

John enjoys spending his free time with his wife and three children, David, Benjamin, and Micah and golfing when time permits. He and his wife Teresa, a Social Worker with Fairview Health Services, live in Lakeville.

Board Member Re-appointments

Congratulations to the following Board members appointed on April 7, 2013 by Governor Dayton to a second four-year term.



**Peter Miller, Professional Soil Scientist
Maple Grove, MN**

Mr. Miller has actively participated in the modification of the Board's licensing rules for soil science. He has served on the Board's Credentialing Committee and ELSGEO Section.

Mr. Miller is a Director with Wenck Associates, Inc., an environmental engineering firm headquartered in the western Minneapolis metro area. His practice area focuses on soil and wetland science as well as managing Environmental Impact Statement projects. He lives with his wife and three children in Maple Grove. In his free time he enjoys playing golf and spending time on Minnesota's lakes.

**Carl Peterson, Public Member
Rosemount, MN**



Over the past four years, Mr. Peterson has served on the Board's Credentialing Committee, as Chair of the Rules Committee, and on the ALACID Section. He has also served as Board Secretary and is currently serving as Board Vice Chair. He has been a very active member of the Board's Legislative Action Team.

Mr. Peterson also serves as a Commissioner and Treasurer of the City of Rosemount MN Port Authority, is the current Chair of the MNCPA Political Action Committee, is a member of the AICPA Accounting and Review Services Committee and is an active member on a few MNCPA committees. He is married to another CPA and has three daughters, one of whom just passed the CPA exam.



**James Grube, Professional Engineer
Plymouth, MN**

Mr. Grube has served on the Rules Committee and as the Chair of the ELSGEO Section. In the last four years, he has spent a significant amount of time on Board rule modifications and on the Board's Legislative Action Team.

"It has been a privilege to serve the public in both city and county engineering since 1977. I've always maintained that serving the public is more than a job; it's a calling. I am deeply appreciative of Governor Dayton's confidence in me as I continue to serve the public on the Board of Registration."



**Mary Deeg, Certified Interior Designer
Minneapolis, MN**

In the last four years, Ms. Deeg has served on the ALACID Section and the Complaint Committee. She is currently serving as Chair of the Credentialing Committee.

"I am excited to be reappointed to the AELSLAGID Board for another four-year term. I continue to be involved with the National Council for Interior Design Qualification (NCIDQ) to ensure the highest testing standards for the Interior Design profession. As Director of Interiors at RSP Architects and 28 years in commercial design, I am excited to see the Interior Design profession grow and the quality talent of emerging professionals in the State of Minnesota."

**David Fisher, Public Member
Maple Grove, MN**



"It has been my honor to be appointed by Governor Dayton and to serve as a public member of the Board." Over the past four years, Mr. Fisher has served on the ELSGEO Section, the Credentialing Committee and as Chair of the Rules Committee. He has worked in the building inspections field since 1987, is a Minnesota Certified Building Official, and is certified as a building inspector by the International Code Council. In addition, Mr. Fisher has a two-year degree in Building Technology from North Hennepin Community College and a Bachelor of Arts Degree from Concordia University. He has worked in the building inspection and code enforcement area for the cities of Maplewood, Brooklyn Center, Brooklyn Park, Champlin and Hennepin County. Currently, he is the Past Chair of the Association of Minnesota Building Officials (AMBO) ICC.

David loves the theater, fishing and golf. He lives in Maple Grove with his wife, Anne, and their three children: Austen, Meghan and Alec.

BOARD MEMBER OPENINGS

The terms of three of our Board members (2 PEs and 1 LA) are expiring in January 2014. If you are interested in applying for a position, please download the application from the Minnesota Secretary of State website at www.sos.state.mn.us or contact the Board office at 651-296-2388.

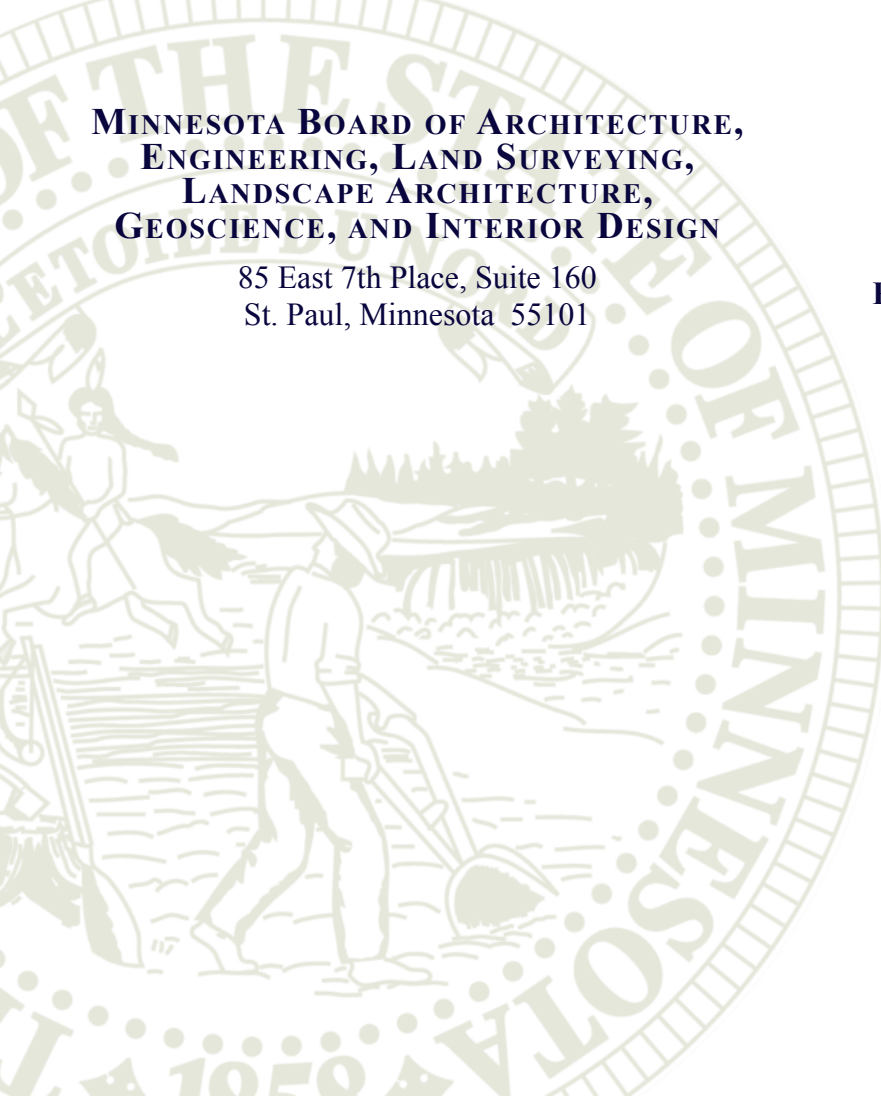
Applications are accepted at any time.

**MINNESOTA BOARD OF ARCHITECTURE,
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Upcoming Events

| | | |
|------------------|--------------------|---|
| June | 13 TBD 19-22 | Board and Committee Meetings Complaint Committee Meeting NCARB Annual Meeting |
| July | TBD | No Board or Committee Meetings Complaint Committee Meeting |
| August | TBD 21-24 27 | Complaint Committee Meeting NCEES Annual Meeting Board and Committee Meetings |
| September | TBD 25-28 | No Board or Committee Meetings Complaint Committee Meeting CLARB Annual Meeting |

Thank You!

With the appointment of new members, we have to say good-bye to the former members. Thank you for your years of service to the State of Minnesota! The work of the Board could not be done without the hard work and dedication of our volunteer Board members.

Kristine Kubes, JD, Public Member - 8 years
Micki Miller, Public Member - 4 years
Robert Seeger, Architect - 4 years

Best wishes in all your future endeavors. You will be missed.