

THE COMMUNICATOR

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LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE & INTERIOR DESIGN

2009 VOLUME 14, NUMBER 2



Letter from the Chair

KRISTINE KUBES, JD, PUBLIC MEMBER

Greetings to all licensees from the State of Minnesota: I am honored to address you not only as a Public Member, but as your Board Chair. For the first time in its history, dating back to 1921, the Board has elected a public member to serve as Chair. I thank you for your confidence in me and pledge you my very best efforts. I offer you my skills as analyst and leader – as an attorney who represents design professionals and understands the obligations of the various professions on the Board. I also offer you my skills as listener and learner.

My latest revelation derives from participating in national meetings of both NCEES (August 2008) and NCARB (June 2009). I was inspired by their mission to protect the public health, safety, and welfare by safeguarding the quality of the license; all of the national councils are standard-bearers, regulators of licensure. At both meetings, I participated with our state delegates in the dialogue on the assembly floor and the vote on resolutions, where delegates of 54 jurisdictions came together peacefully, acknowledging their commonality despite their many differences. They engaged in civil, thoughtful, candid dialogue about issues that affect thousands of licensees and emerging professionals nationwide. As dialogue concluded, and as each delegate signaled the vote for its jurisdiction in that silent hall, I was struck by the awesome privilege we each have of living, working, and serving in the United States of America, a nation where we have not only the privilege to obtain professional licensure, but also the freedom to guide and guard the professions we serve.

In that spirit of gratitude for our opportunities, and the obligations that accompany them, I invite you to join me in thanking the outgoing Board members who have given generously during their terms of service: Duane Blanck (PE), Mary Ives (PM), Diane Johnson, CPA (PM), Patrick Parsley, CBO (PM), Jerome Ritter (Arch.), and Rachelle Schoessler Lynn (CID). I also thank Doreen Frost, Executive Director, for her invaluable help during this transition. I welcome the coming year and the opportunity to work for you and with you.

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BOARD MEMBERS (TERM ENDS)

Kristine Kubes, JD, Public Member (2013)
BOARD CHAIR

Gary Demele, Architect (2011)
VICE CHAIR

Doug Cooley, PE (2010)
SECRETARY

David Landecker, LS (2012)
TREASURER

William Arockiasamy, PE (2012)
Lyn Berglund, CID (2012)
Mary Deeg, CID (2013)
David Fisher, CBO, Public Member (2013)
James Grube, PE (2013)
Thomas Grue, PE (2011)
Lisa Hanni, LS (2011)
Harvey Harvala, PE (2010)
Bruce Johnson, PG (2011)
Billie Lawton, Public Member (2011)
Paul May, Architect (2012)
Micki Miller, Public Member (2013)
Carl Peterson, CPA, Public Member (2013)
Robert Seeger, Architect (2013)
Doris Preisendorf Sullivan, FASLA (2010)
John Uban, LA (2012)
Mary West, PSS (2013)

BOARD STAFF

Doreen Frost
EXECUTIVE DIRECTOR

Lynette DuFresne
INVESTIGATOR

Andrea Barker
RULES COORDINATOR/CONTINUING EDUCATION

Christine Shaw
LICENSING: ARCHITECT/LS

Geri Britton
LICENSING: FE/PE

Sheri Lindemann
LICENSING: PE / CERTIFICATION: CID

Holly Salmela
LICENSING: FG/PG/FSS/PSS/LA

Members Appointed

On May 11, 2009, Governor Pawlenty appointed six new members to the Board for four-year terms expiring in 2013. Please see page ten for short biographies and photographs of our new members.

Architect: Robert Seeger
Professional Engineer: James Grube
Certified Interior Designer: Mary Deeg
Public Member: David Fisher, CBO
Public Member: Micki Miller, GRI, CRS
Public Member: Carl Peterson, CPA

The Governor also reappointed two members to the Board to serve a second four-year term:

Professional Soil Scientist: Mary West
Public Member: Kristine Kubes, JD

Each Board member serves on one committee: Rules, Credentialing or Complaint, and one section: Architect/Landscape Architect/Certified Interior Design or Engineering/Land Surveying/Geoscience. The Committees and Sections meet prior to the full Board meeting on alternate months, except the Complaint Committee which meets every month on its own date.

Although the Board members' technical expertise is heavily relied upon in Board work, all twenty-one (21) Board members vote on motions brought forward at the full Board meeting regardless of the profession they represent. Public Members of the Board have the same voting rights as any other member.

Farewell

Architect: Jerome Ritter
Professional Engineer: Duane Blanck
Certified Interior Designer: Rachele Schoessler Lynn
Public Member: Patrick Parsley, CBO
Public Member: Mary Ives
Public Member: Diane Johnson, CPA

The success of the Board is due in large part to the dedication of its members. Thank you all for your commitment and contributions to the Board. You will be missed!

Positions Open

The Board will have three openings in January 2010: two Professional Engineers and one Landscape Architect. If you, or someone you know, is interested in applying to serve on the Board, please contact the Board office for an application.

Code Official C O R N E R

COMPLAINTS AGAINST DESIGN PROFESSIONALS

By Patrick Parsley
Certified Building Official,
International Code Council
Board of Directors



Many code officials have faced the problem of receiving unsigned or improperly signed construction documents submitted for review. This is a reoccurring problem for jurisdictions in Minnesota. Professional ethics and state statutes require a certain standard of care for the submittal of construction documents, and code officials in their review and regulatory capacity are an integral part of the enforcement of the statute.

Design professional rules in Minnesota are promulgated and enforced through the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (AELSLAGID). The licensure statute gives the Board its scope and authority. Under these rules, the design professional is to achieve and maintain licensure through education, testing and experience. The statute further regulates when the involvement of a design professional is required for construction in Minnesota. All Minnesota code officials should be familiar with MN Rule 1800.5900; the exemption table for professional design, and the statutory exemptions for professional design in MN Statutes §§ 326.02 and 326.03.

Because the local building official is required to review all plans for code compliance, he is uniquely positioned to see the evidence of plan submittals that may not comply with the statutes and rules regulating the design professional. In the past, code officials regularly reported submittal deficiencies to the Board for investigation. Recent issues surrounding the responsibility of the code official and “related” rule enforcement have caused local jurisdictions to rethink their role in enforcing the Board rules.

Local leaders and administrators are reluctant to pursue complaints against design professionals for submittal infractions but instead are satisfied with simply rejecting the questionable plans. This action fulfills the local responsibility of not accepting plans that do not comply with the Board statutes while at the same time keeps the jurisdiction clear of involvement in further enforcement against a designer. This avoids the perception of an over zealous public safety department that enforces rules other than the building code. Local leaders reason

it is not the job of the code official or local government jurisdiction to enforce the rules of the Board.

This is a permissible position for a community except that it may not adequately serve the public need for safe buildings. Submittal infractions may constitute a fraudulent act that the Board should prosecute in order to maintain a credible licensure program which ultimately assures the competency of professional designers practicing in Minnesota. If the Board fails to maintain the licensure program, the quality of designers and designs will be compromised thus compromising safety in the built environment. With this in mind, public safety would be better served if the code official assists the Board in its enforcement by forwarding the evidence to the Board for review and enforcement action.

Code officials, local administrators, and the Board of AELSLAGID share an ethical responsibility to appropriately address all laws in the State of Minnesota even if not responsible for their specific enforcement. Regarding construction regulations, code officials have a professional responsibility to work cooperatively with the design professionals to assist them in maintaining their licensure statutes, and design professionals have an ethical and professional responsibility to cooperate with code officials in design compliance to the construction codes. Finally, it is incumbent upon local administrations to understand and promote this cooperative enforcement effort. In this manner public safety is assured through the professional design and construction oversight of the buildings in which we live, work and play.

New Leadership

On May 7, 2009, the Board held elections for the Executive Committee. In the eighty-eight year history of the Board, this is the first time a public member has been elected to the position of Board Chair. Several past public members have served on the Executive Committee, but never as Board Chair. The election of Ms. Kristine Kubes, JD is a testament to her leadership skills and diverse knowledge of all the professions under the Board’s jurisdiction.

Congratulations to the newly elected!

Board Chair: Kristine Kubes, JD
Vice Chair: Gary Demele, Architect
Secretary: Doug Cooley, PE
Treasurer: David Landecker, LS

Thank you to the Board members rotating off of the Executive Committee for your hard work and dedication to the mission of the Board: Duane Blanck, PE, William Arockiasamy, PE and Jerome Ritter, Architect.

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 office. 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 webpage at www.aelslagid.state.mn.us.

Disciplinary Actions:

In the Matter of Bruce Bissonette, Architect License #23532

On May 7, 2009, the Board issued a Stipulation and Order based on the following facts. Respondent was first licensed to practice Architecture in the State of Minnesota on September 19, 1994. On June 9, 2008, Respondent renewed his license to practice Architecture in the State of Minnesota on-line. On June 9, 2008, Respondent affirmed twenty four (24) Professional Development Hours (PDHs) earned from 07/01/2006 thru 06/30/2008. Respondent affirmed twelve (12) carry over hours for the period of 07/01/2004 thru 06/30/2006. In order to continue the on-line renewal process, it asks the licensee, "I swear or affirm that I have read the foregoing renewal application and continuing education reporting screens and that the statements are true and complete." The next step to complete is a box to click that states, "I accept." Additionally it states, "(You must check this box to continue)." Respondent clicked on the box to continue as his renewal application was processed on June 10, 2008.

In a letter dated September 19, 2008, Respondent admits that "At the time I sent in my renewal on 6/9/08 I was still nine credit hours short. It was my intention to complete the remaining nine hours before the deadline. I did not finish the required hours by June 30th." In the same letter, Respondent states that he purchased eighteen (18) PDHs on 1/29/08. A true and correct copy of the September 19, 2008 letter is on file in the Board office.

Respondent provided confirmation of the courses completed in September 2008 to remedy the nine (9) PDHs he was short. Of the eighteen (18) hours Respondent purchased on 1/29/08, fifteen (15) hours were completed in September 2008. A true and correct confirmation copy of each course completed in September 2008 is on file in the Board office.

In a letter dated December 30, 2008, Respondent admits "I renewed online in early June with the intention of completing the credits before the June 30th deadline. As I stated in my 9/19 letter, I did not make it." A true and correct copy

of the December 30, 2008 letter is on file in the Board office.

Disciplinary Action: Respondent is reprimanded for the foregoing conduct and Respondent shall pay to the Board a civil penalty of \$1,100.00.

In the Matter of Rafic Chehouri, Expired Professional Engineer License #20485

On May 7, 2009, the Board issued a Findings of Fact, Conclusions, and Order.

Findings of Fact: Respondent voluntarily agreed to enter into and execute the Stipulation and Order, dated January 13, 2006. One of the conditions contained in Paragraph 4(b) of the January 13, 2006 Stipulation and Order was the requirement that Respondent must successfully complete a course in professional ethics approved in advance by the Complaint Committee within one year of the date of the Stipulation and Order. On June 30, 2006, Respondent's Professional Engineering license expired and Respondent has not renewed his license. Respondent has not, as of the date of this Order for Additional Discipline, supplied any information, documentation, or evidence to the Board indicating that he has successfully completed the approved course in professional ethics referred to above.

Because of the Respondent's failure to timely comply with all the conditions contained in the January 13, 2006 Stipulation and Order, the Complaint Committee has recommended to the Board that Respondent successfully complete a professional ethics course approved in advance by the Complaint Committee and submit documentation thereof to the Board within 90 days of the attached Board Order, and pay a civil penalty in the amount of \$1,500.00 to the Board after which he may then apply to reinstate his Professional Engineering license after providing to the Board satisfactory documentation of successful completion of the required professional development hours due from July 1, 2004 though the date when he applies for reinstatement and paying the outstanding reinstatement fees owed to the Board.

Conclusions: In Paragraph 5(b) of the January 13, 2006 Stipulation and Order, Respondent waived any right to a hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearing or civil trials regarding the imposition of additional disciplinary action based on a violation of that Stipulation and Order, and agreed to the process and procedures used by the Board in this matter. Respondent's failure to timely successfully complete a course in professional ethics approved in advance by the Complaint Committee, as required by the January 13, 2006

Stipulation and Order, is a violation of the Stipulation and Order and a violation of Minn. Stat. § 326.111, subd. 4(a)(1).

In accordance with the provisions contained in Paragraph 5(c) of the January 13, 2006 Stipulation and Order, the Board may impose additional discipline. The Complaint Committee's recommendation that Respondent must pay a civil penalty in the amount of \$1,500.00 and successfully complete a professional ethics course approved in advance by the Complaint Committee before he may apply for reinstatement of his Professional Engineering license is supported by the record, is appropriate, and is not excessive. This order is in the public interest.

Order: Respondent shall pay a civil penalty in the amount of \$1500.00 to the Board. Before he may apply for reinstatement of his Professional Engineering license, or otherwise apply for any other license or certificate issued by the Board, Respondent must (1) pay the civil penalty imposed by this Order, and (2) submit satisfactory documentation to the Board that he has successfully completed a professional ethics course approved in advance by the Complaint Committee as required by the January 13, 2006 Stipulation and Order. Completion of this professional ethics course shall not count toward any continuing education requirements pursuant to Minn. Stat. § 326.107. Upon compliance with this Order and the January 13, 2006 Stipulation and Order, Respondent may apply for reinstatement of his Professional Engineering license after providing to the Board satisfactory documentation of successful completion of the required professional development hours due from July 1, 2004 through the date when he applies for reinstatement and paying the outstanding reinstatement fess owed to the Board.

OTHER ORDERS:

In the Matter of Gregory Kipp, Professional Engineer License #26842:

On May 22, 2009, the Board issued an Order for Suspension of License. Facts: On May 20, 2009, the Board received a Notice to Suspend Occupational or Professional License(s) from Hennepin County Child Support, which advised the Board that Respondent is in arrears in court-ordered child support or maintenance payments or both in the amount equal to or greater than three times his total monthly support and maintenance payments.

Action: Pursuant to Minn. Stat. § 214.101 (2008), if the licensing Board receives a notice from a public authority responsible for child support enforcement under Minn. Stat. § 518.551, subd. 12 (2008), requiring the suspension of a license of a person found to be in arrears in child support or maintenance payments, or both, the Board shall suspend the license as directed by the notice. During the period of suspension, Respondent shall not offer to perform or perform any services in this state that require licensure as a pro-

fessional engineer, including holding himself out to the public as a professional engineer. During the period of suspension, Respondent shall remove the designation of being a licensed professional engineer from all Respondent's advertisements, business cards, business forms, and signage. The suspension shall take effect immediately and shall remain in effect until the Board receives notification from the agency that referred the matter to the Board confirming that Respondent is not in arrears in either child support or maintenance payments or confirming that Respondent is in compliance with a written payment plan regarding both current support and arrearages. Pursuant to Minn. Stat. § 214.101 (2008), the suspension shall only be lifted by a subsequent order of the Board which is based upon receipt of this notification.

In the Matter of Joel Rutherford, Professional Engineer License #21843

On May 22, 2009, the Board issued an Order for Suspension of License. Facts: On May 20, 2009, the Board received a Notice to Suspend Occupational or Professional License(s) from Scott County Human Services Child Support Enforcement Unit, which advised the Board that Respondent is in arrears in court-ordered child support or maintenance payments or both in the amount equal to or greater than three times his total monthly support and maintenance payments.

Action: Pursuant to Minn. Stat. § 214.101 (2008), if the licensing Board receives a notice from a public authority responsible for child support enforcement under Minn. Stat. § 518.551, subd. 12 (2008), requiring the suspension of a license of a person found to be in arrears in child support or maintenance payments, or both, the Board shall suspend the license as directed by the notice. During the period of suspension, Respondent shall not offer to perform or perform any services in this state that require licensure as a professional engineer, including holding himself out to the public as a professional engineer. During the period of suspension, Respondent shall remove the designation of being a licensed professional engineer from all Respondent's advertisements, business cards, business forms, and signage. The suspension shall take effect immediately and shall remain in effect until the Board receives notification from the agency that referred the matter to the Board confirming that Respondent is not in arrears in either child support or maintenance payments or confirming that Respondent is in compliance with a written payment plan regarding both current support and arrearages. Pursuant to Minn. Stat. § 214.101 (2008), the suspension shall only be lifted by a subsequent order of the Board which is based upon receipt of this notification.

NCEES Sustainable Building

Task Force

By Doug Cooley, PE

Not a day goes by without hearing news about green building design or sustainability issues. There is definitely a growing trend towards sustainable building design in the architectural and engineering profession and one of the more popular nationally recognized methods of rating buildings has been produced by the United States Green Building Council (USGBC) with a certification program called Leadership in Energy and Environmental Design (LEED). This LEED certification process has become so popular with building owners and design professionals that it seems to have become a permanent part of our industry. The LEED certification criteria rate new and remodeled projects in the area of energy efficiency, water efficiency, sustainable materials, site selection and indoor environment. The goal of green design and sustainable design is to create a high performance building. LEED has taken the energy efficiency concerns of the 70's and "sick building syndrome" of the 80's and combined them with the past two decades of advancement in water and energy conservation, healthful living, and recycling to create a very popular and highly successful certification process. The total number of registered LEED projects in Minnesota is currently at 225 including the 36 projects that have actually obtained their certification.

Recently NCEES has formed a Sustainable Building Design Task Force to study the criteria used in the LEED certification program to determine whether it calls on unlicensed individuals to express opinions on engineering matters that require services of a professional engineer. This task force was also asked to consider ways NCEES could work with USGBC and similar organizations in developing standards consistent with state licensure requirements.

The task force did find areas in which licensed engineers need to contribute in a significant way during the design process of the buildings that would be classified as a LEED certified building. For each LEED prerequisite and each certification point there is a standard form that is required to be signed off by a "responsible individual;" however, USGBC does not define responsible individual and/or call out if a professional engineer (PE) is required to sign it. It is important that the design professionals recognize that the design team is still responsible to comply with state licensure rules and regulations. It is equally important that the engineering community be aware of their need to remain active in this process of ensuring that the professional engineers are still providing services where the health, safety and welfare of the public are at risk.

From a state board perspective, it is possible that unlicensed

practice in some areas of the green building certification process could be an enforceable offense. If an individual were to participate in one of the current building recognition programs, such as the LEED certification program, and if this individual were unlicensed and provided services that were not only outside of their area of expertise, but also unlawful to do so, then these unlicensed individuals would be subject to some level of action that would be enforceable by state boards. The absence of a professional engineer, without appropriate expertise, puts the public in a vulnerable position if the absence goes unchecked. Furthermore, it was the conclusion of this NCEES task force that it is not the mission of NCEES to assist organizations such as USGBC in developing appropriate standards related to sustainable building design; however, this task force will be in contact with USGBC to communicate these findings.

RULES ADOPTED

The Board has adopted new rules! The Notice of Adoption was published in the State Register on June 15, 2009 and the rules became effective June 22, 2009. Visit the Board's website for the specific language.

SUMMARY

Graduates of a degree program accredited by the National Architectural Accrediting Board (NAAB) may now apply to take the Architect Registration Exam (ARE) prior to completion of the Intern Development Program (IDP).

Applicants for the Fundamentals of Engineering (FE), Principles and Practice of Engineering (PE), Fundamentals of Surveying (FS), Principles and Practice of Surveying (PS), and Minnesota Local Surveying Examination (MNLS) must submit an application to sit for the examination to the Board seventy-five (75) days prior to the exam date.

New Rulemaking

The Board is in the beginning stages of writing rules governing architecture, engineering, land surveying, landscape architecture, geoscience and certified interior design, specifically adding a cooperation clause, language regarding cheating, changes to licensure for landscape architects, and changes to certification for interior designers. Proposed language will be posted on the Board's website when it becomes available.

To add your name to this rulemaking mailing list and to receive updates such as the Request for Comments and the Notice of Adoption, contact Andrea Barker, Rules Coordinator, at 651-757-1511 or e-mail your name and request to andrea.barker@state.mn.us.

CONTINUING EDUCATION - AN ONGOING PROCESS WITH MULTIPLE OPPORTUNITIES

As the ten-year anniversary for the adoption of the continuing education requirement for licensees and certificate holders under the jurisdiction of this Board approaches, it may be a good time to review the requirements spelled out in MN Statute § 326.107 on what constitutes continuing education activity as well as the requirements for supporting documentation.

Continuing education (CE) must consist of learning experiences which enhance and expand the skills, knowledge and abilities of practicing professionals, as well as benefit the health, safety and welfare of the public. CE may involve technical, nontechnical, regulatory, ethical, or business practice topics. The statute goes on to identify multiple CE activities, although not a limiting list of CE activities, which satisfy the professional development requirement.

There is a broad range of CE activities that are inexpensive and may be overlooked or not considered when licensees or certificate holders are tallying their Professional Development Hours (PDH) or requesting an exemption for CE, including:

- Self-sponsored/in-house educational programs that can be conducted over lunchtime, involve minimal expense or "extra" time, and can be focused on a topic specific to your work or the company's work;
- Providing professional service to the public which draws upon the professional expertise of the licensee or certificate holder; and
- Participation in self-study activities presented by correspondence, Internet, video, audio, etc., with a verification process.

In addition to providing alternatives to the "traditional" CE courses and seminars, these activities offer multiple opportunities for individuals who may have limited financial resources, accessibility to group CE activities, or special needs.

Continuing Education courses and activities must meet five basic criteria, including:

1. Clear purpose and objective of the activity to maintain, improve or develop new and relevant skills and knowledge;
2. Content of the activity is well organized and presented in a sequential manner;
3. Activity has been pre-planned and includes an opportunity for input by the target group or person attending;

"CE" Continued on page 9

A BRIEF HISTORY OF THE ELEVATION OF ENVIRONMENTAL GEOLOGY

BY BRUCE JOHNSON, PG

Geology has been long-associated with mining, petroleum exploration, seismology and hydrogeology. However, in the mid 1970's, the study of environmental geology and hydrogeology began to rise to the forefront of the profession in the United States.

This movement was initiated by the formation of the U.S. Environmental Protection Agency (USEPA) in December 1970 and the passage of the Safe Drinking Water Act (SDWA) in 1974 to protect public health by regulating the nation's public drinking water supply. The SDWA was amended in 1986 and 1996 and required many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and groundwater wells. The SDWA authorized the USEPA to set national health-based standards for both naturally-occurring and man-made contaminants found in the drinking water supply. The original focus of the SDWA was primarily on treatment as the means of providing safe drinking water at the tap. The 1996 amendments greatly enhanced the existing law by recognizing source water protection, operator training, funding for water system improvements, and public information as important components of safe drinking water.

The passage of the Resource Conservation and Recovery Act (RCRA) of 1976 required federal agencies to assess the impact that debris, debris removal, hazardous wastes, and hazardous waste clean-up projects had on air and water quality and take actions to prevent degradation. RCRA gave EPA the authority to control hazardous waste from the "cradle-to-grave" to facilities that generate hazardous materials and sets forth a framework for the management of non-hazardous waste (42 USC, 6901). In addition to the generation component, the Act included transportation, treatment, storage, and disposal of hazardous waste. RCRA focuses only on active and future facilities.

In December 1980, Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health, welfare or the environment. This Act provided more authority to EPA for enforcement (Ruckelshaus, EPA Journal March 1988; Lewis, EPA Journal March 1988).

Congress added Subtitle I to RCRA in 1984 responding to the increasing threat to groundwater posed by leaking

"Geology" Continued on page 9

Board Members Tour New Twins' Stadium

TIPS FOR A SUCCESSFUL CONTINUING EDUCATION AUDIT

The Board conducts random audits for proof of completion of the continuing education requirements. Important information to remember:

You **MUST** be in compliance with the continuing education requirement **BEFORE** you renew.

Renewals and continuing education are due by midnight on June 30 of even-numbered years.

DON'T check the box stating you have completed continuing education if you do not have at least 24 hours accumulated.

You **MUST** have supporting documentation of all of your continuing education activities showing the date and times of attendance.

For more information regarding continuing education, visit the Board's website at www.aelslagid.state.mn.us/conted.html.

2008-2009 AUDIT STATISTICS

Number of Individuals Audited: 319
Percentage of EACH profession: 2%

As a result of the continuing education audit, the Board opened several complaints for reasons such as: lack of response to requests for documentation, lack of documentation and noncompliance with the continuing education requirements.



George Fantauzza of Populous (formerly HOK), Field Architect for the stadium project, invited Board members and staff on a tour of the construction of Target Field in March. The project has elements from every profession the Board licenses and certifies and is a magnificent example of all the the professions working together on a very large scale.

Mr. Fantauzza led the group through every level of the stadium, including the basement, suites, stands, restaurant and plaza. One highlight was viewing a large piece of machinery, that has only been used one other time, lift a large beam using vacuum suction.

Additionally, the group was able to view the underlying structure of the stadium and to learn about the designs and features making it modern and unique.



“CE” Continued from page 7

4. Activity is presented by a person who is well-qualified by education or experience; and
5. Activity and participation is documented for recordkeeping and reporting.

Continuing education activities MUST have supporting documentation that you can present to the Board if you are audited. The Board conducts audits of a percentage of its licensees and certificate holders and requires those audited to submit documentation of at least 24 professional development hours of activity over the previous two years. If you used carryover from a previous biennium to meet the minimum requirement of 24 PDH, you will be asked to provide documentation of the carryover hours as well. Documentation must include what is required by the statute including: a description of the activity, the date held, and the starting and ending times.

It's never too early to begin planning for your next 24 PDHs and make continuing education an ongoing process in your professional practice.

E-LICENSING SURCHARGE

The Minnesota Office of Enterprise Technology (OET) recently sponsored and the Minnesota Legislature passed legislation requiring a 10% surcharge of no less than \$5 and no more than \$150 on each business, commercial, professional or occupational license. The funding from this surcharge will go to OET, which will establish a state-wide electronic licensing system.

The surcharge will be applied to all licenses renewed and new licenses issued on or after July 1, 2009 and will be in place through June 30, 2015.

The Board's license fee is \$120. With the 10% surcharge of \$12 per license, the fee for new licenses and on-time renewals will be \$132.

See Laws of Minnesota 2009, Chapter 101, Article 2, Section 59.

“Geology” Continued from page 7

underground storage tanks (USTs). This legislation required that a comprehensive regulatory program be developed for USTs storing petroleum or other hazardous substances to protect the public health, welfare or the environment. EPA published regulations requiring owners and operators of new and existing USTs to prevent, detect, and clean up releases. Subtitle I banned the installation of unprotected steel tanks and piping beginning in 1985 and provided a schedule for upgrading existing tanks to meet the established standards. In 1986, RCRA Subtitle I was amended to create the Leaking Underground Storage Tank (LUST) Trust Fund.

The LUST Trust Fund was proposed with two purposes: First, it provided money for overseeing and enforcing corrective action taken by a responsible party, defined as the owner or operator of the leaking UST; second, the Trust Fund provided money for cleanups at UST sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action.

To receive money from the Trust Fund, a state must enter into a cooperative agreement with the federal government to spend the money for its intended purpose. Trust Fund money is divided among EPA regional offices based on a formula that uses state data. The 1986 Subtitle I amendments also established financial responsibility requirements. EPA was directed to publish regulations that would require UST owners and operators to demonstrate they are financially capable of cleaning up releases and compensating third parties for resulting damages (EPA Overview of the Federal UST Program).

These acts provided the incentive for companies to start complying with the stringent new regulations and the regulatory community, and were the beginning of the environmental geology profession. The new rules and regulations included the requirement for responsible and potentially responsible parties to conduct site investigations to assess the effects of either the potential or actual releases of hazardous chemicals on the human health and welfare and the environment. These projects were perfect for the skill set of the geoscientist who collects and interprets subsurface data, identifies the presence of contaminants and evaluates the potential migration of the contaminants (through the soil to the groundwater) based on the observed and interpreted subsurface features. The subsurface impacts were modeled and the risk to human health and welfare was predicted and remedial measures could be determined. These regulations fueled a large growth in both private environmental consulting companies and state regulatory agencies throughout the United States and thus increased the role and presence of the environmental geologist/hydrogeologist in evaluating, assessing, and predicting the impacts associated with releases of hazardous and petroleum chemicals to the local and regional human health and welfare.

The State of Minnesota established the Professional Geoscientist (PG) rules during 1996 and 1997; the rule went into effect on August 4, 1997. Under the grandparenting rules the first license in Minnesota was issued on June 5, 1998. Minnesota established the National Association of State Board of Geologist (ASBOG) as the testing mechanism for the rule and the first exam was offered in 1997. Based on the lack of examinees in 1997, the first exams were administered in September 1999. As a result, several state agencies associated with environmental and groundwater fields require reports to be reviewed and submitted by a professional geologist or soil scientist.

Meet the New Board Members

Robert F. Seeger Architect

Mr. Seeger has been a licensed Architect since 1973 and a member of the American Institute of Architects since 1978. He is also NCARB and NCIDQ certified.



After graduating from the University of Nebraska, Bob was, for eleven years, a Project Architect and Director of Interior Architecture for BWBR Architects in St. Paul.

In 1980 he joined Northwestern National Bank in Minneapolis to start up a Corporate Architecture department. In 1983 he was instrumental in helping the bank recover from the disastrous Thanksgiving Day fire. In 1998 he was named Senior Vice President and Chief Architect of Wells Fargo & Company.

As Chief Architect, he has managed the design and construction of many Wells Fargo facilities including the Wells Fargo Center in Minneapolis and the Shoreview Operations and Data Center campus.

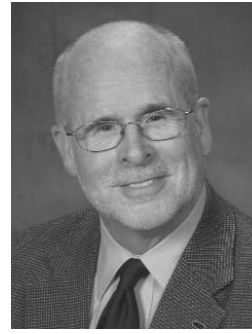
Bob spends his free time between his two passions, golf and his three grandchildren. He and his wife, Karen, a retired high school chemistry teacher, live in Minnetonka. Bob has been a staff volunteer for the United States Golf Association having worked at the last 18 U.S. Opens.



Jim Grube Professional Engineer

Mr. Grube has worked in the public works field since 1977, working for local government the entire time. He began his public service career in Fairmont in 1977. In 1980 he was hired by Brooklyn Center where he worked until 1985. St. Louis Park hired him as its public works director/city engineer in 1985, a position he held until he was hired by Hennepin County in 1994. Jim has served as the county's transportation department director since 1994 and its county engineer since 2004.

Jim has been involved in a number of professional organizations over the years, including the Minnesota Society of Professional Engineers, American Public Works Association – Minnesota Chapter, City Engineers Association of Minnesota and Minnesota County Engineers Association.



Carl Peterson, CPA Public Member

Mr. Peterson is a licensed CPA in public practice since 1980, a member of the Minnesota Society of CPAs (MNCPA) and the American Institute of CPAs (AICPA). He has served as a Chair of the MN Society of CPAs, is currently on the AICPA governing council. He also serves on the steering committee of the Minnesota Business Ethics Award and is co-chair for the 2010 awards. He has also been active in his community including serving on a school district diversity task force. He is a partner in the local CPA firm, Peterson, Peterson & Associates, PLC with emphasis in the real estate and services industries. He has experience both as a professional providing service to businesses active in real estate and spent three years in-house for a real estate development company.



David Fisher, CBO Public Member

Mr. Fisher has worked in the building inspections field since 1987. He is a Minnesota Certified Building Official and certified as a building inspector by the International Code Council (ICC). In addition, he 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 Brooklyn Park, Champlin, Brooklyn Center, Maplewood and Hennepin County. David has been a member of both the North Star and Lake Country chapters of the International Code and Building Official (ICBO) professional building official organization, and upon their merging became the first president of the newly formed 10,000 Lakes Chapter ICC. Currently he is the Treasurer/Secretary of the Association of Minnesota Building Officials (AMBO) ICC, East side rep for the Minnesota Educational Advisory Committee and a member of the Minnesota Fire Chiefs Code Change Committee.

David still plays hockey and loves to fish and golf. He lives in Maple Grove with his wife, three children and two dogs.

Board Member Achievements

Doug Cooley, Professional Engineer, has been appointed to serve on the National Council of Examiners for Engineering and Surveying (NCEES) Sustainable Building Design Task Force. See page 6 for an update on this Task Force. Mr. Cooley has served on the Minnesota Board since 2006 and is currently the Board's Secretary.

Gary Demele, Architect, was elected Regional Chair, Region IV, Mid-Central States, of NCARB. Additionally, he was reappointed to serve on the NCARB Intern Development Program Committee as Chair of the IDP Program Development Task Force for 2009-10. Mr. Demele has served on the Minnesota Board since 2007 and is currently the Board's Vice Chair.

Lisa Hanni, Land Surveyor, has been appointed to serve on the National Council of Examiners for Engineering and Surveying (NCEES) Examination for Professional Surveyors Committee. Ms. Hanni has served on the Minnesota Board since 2007.

Paul May, Architect, has been appointed to serve on the National Council of Architect Registration Boards (NCARB) Architectural Registration Exam (ARE) Subcommittee for Programming, Planning & Practice. Mr. May has served on the Minnesota Board since 2008.

Mary West, Professional Soil Scientist, has been appointed to serve on the Council of Soil Science Examiners (CSSE) for a three year term. The Council meets yearly to review the national soil science examination questions to ensure the exam content is relevant for someone practicing soil science. Ms. West has served on the Minnesota Board since 2005.

Mary Deeg, IIDA, Certified Interior Designer



Ms. Deeg is Director of Interiors and a Senior Associate at RSP Architects headquarters in Minneapolis, Minnesota. RSP Architects is a 200+ person firm practicing architecture and interiors among three national locations of Minneapolis, MN, Phoenix, AZ and Rochester, MN. She provides active leadership of the Interior Design efforts of marketing, client services, project management, mentoring interiors staff and deeply encouraging collaboration on all interior architecture projects.

Twenty four years of professional design experience within Corporate, Financial, Higher Education, Manufacturing, Hi-Tech, and Medical Interiors has allowed Mary the opportunity to serve multiple clients including Wells Fargo Home Mortgage, American Express, UnitedHealth Group, Northwest Airlines, Anderson Corporation, Mayo Clinic, University of Minnesota, Coloplast, ev3, HealthEast, Buffalo Wild Wings, Red Wing Shoe Company and many others.

Mary earned her Bachelor of Science Degree in Interior Design from the University of Minnesota and is a nationally registered professional Interior Designer and certified in the State of Minnesota. She is a professional member of the Minnesota Chapter of International Interior Design Association, Minnesota Chapter of National Association of Industrial and Office Properties and International Facilities Management Association. Currently, Mary is an active advisory board member for the College of Design at the University of Minnesota and has served, in the past, on the advisory board of Brown College.

In her free time Mary trains and competes in local Triathlons all the while keeping active with her 13 year old daughter and 11 year old twin sons.



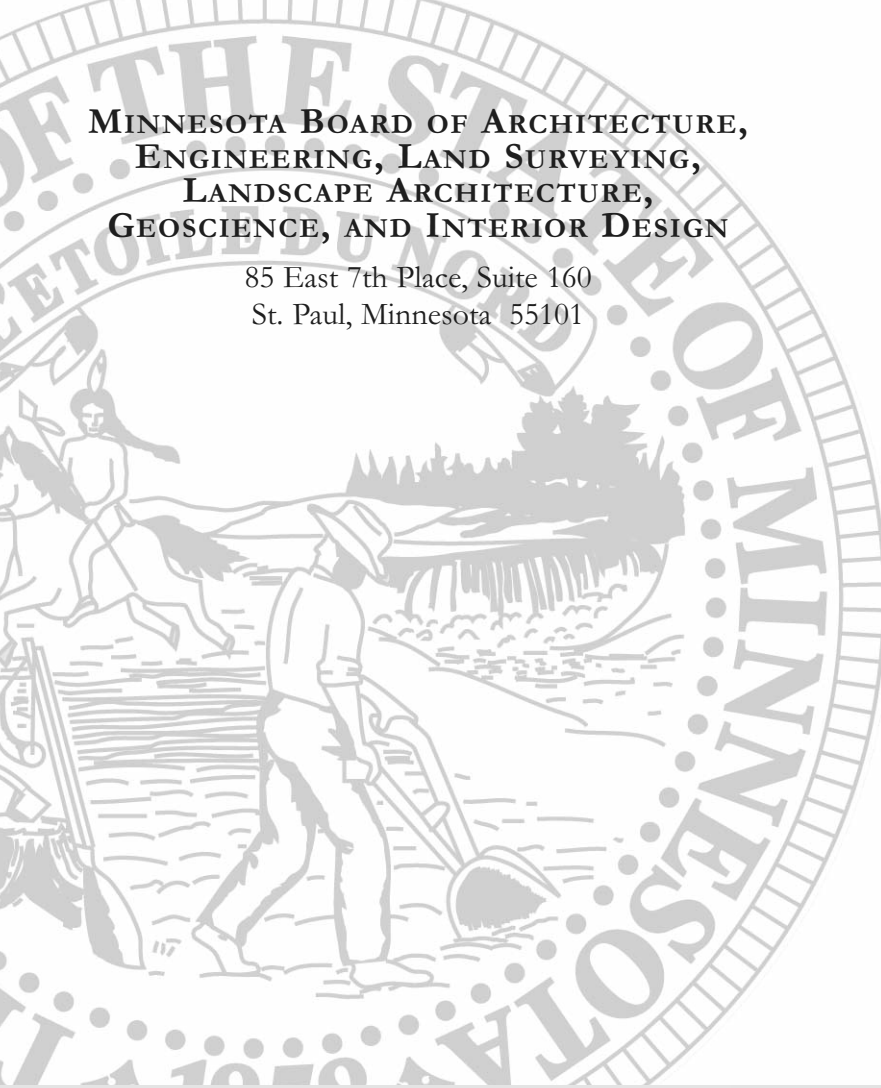
Micki Miller Public Member

Ms. Miller is a REALTOR® in the Rochester office of Edina Realty. She maintains CRS (Certified Residential Specialist), GRI (Graduate REALTOR® Institute) and CNHS (Certified New Home Specialist) designations, is past president of the Southeast Minnesota Association of REALTORS® and the recipient of its 2007 Rochester Area Distinguished Service Award. Prior to becoming a REALTOR®, Miller was a staff registered nurse and nurse manager with St. Mary's/Mayo Clinic in Rochester. She earned her Master of Science degree in nursing from the University of Minnesota.

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

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*Upcoming
Events*

JULY	16	8:00AM - 10:00AM	CREDENTIALING COMMITTEE (SUITE 160)
		8:00AM - 10:00AM	RULES COMMITTEE (SUITE 295)
		10:00AM - 12:00PM	BOARD MEETING (SUITE 295)
		12:00PM	EXECUTIVE COMMITTEE (SUITE 160)
	22	12:30PM	COMPLAINT COMMITTEE (SUITE 160)
AUGUST	19	12:30PM	COMPLAINT COMMITTEE (SUITE 160)
FULL BOARD AND COMMITTEE MEETINGS WILL NOT BE HELD THIS MONTH.			
SEPTEMBER	16	12:30PM	COMPLAINT COMMITTEE (SUITE 160)
	18	8:00AM - 10:00AM	ALACID SECTION MEETING (SUITE 160)
		8:00AM - 10:00AM	ELSGEO SECTION MEETING (SUITE 295)
		10:00AM - 12:00PM	BOARD MEETING (SUITE 295)
		12:00PM	EXECUTIVE COMMITTEE (SUITE 160)
OCTOBER	TBD	12:30PM	COMPLAINT COMMITTEE (SUITE 160)
	16	8:00AM - 10:00AM	CREDENTIALING COMMITTEE (SUITE 160)
		8:00AM - 10:00AM	RULES COMMITTEE (SUITE 295)
		10:00AM - 12:00PM	BOARD MEETING (SUITE 295)
		12:00PM	EXECUTIVE COMMITTEE (SUITE 160)
NOVEMBER	TBD	12:30PM	COMPLAINT COMMITTEE (SUITE 160)
	FULL BOARD AND COMMITTEE MEETINGS WILL NOT BE HELD THIS MONTH.		
DECEMBER	TBD	12:30PM	COMPLAINT COMMITTEE (SUITE 160)
	11	8:00AM - 10:00AM	ALACID SECTION MEETING (SUITE 160)
		8:00AM - 10:00AM	ELSGEO SECTION MEETING (SUITE 295)
		10:00AM - 12:00PM	BOARD MEETING (SUITE 295)
		12:00PM	EXECUTIVE COMMITTEE (SUITE 160)