

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION
Tuesday, January 24, 2012 Meeting
9:30 AM
OPEN SESSION**

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:30 a.m. by Chairman Erick F. Weiland.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, Harold “Hal” Epperson, LeRoy Brady, Susan Kliman, Douglas Folk, Robert Stanley, Douglas T. Whitneybell, and Jason K. Madison. Absent was John Willett. Staff: Ronald Dalrymple, Melissa Cornelius, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin.
3. **CALL TO THE PUBLIC** – Tina Littral, Executive Director of AIA Arizona, asked to have the topic of “Continuing Education” put back on the Board agenda. David Shane, Land Surveyor with APLS also requested “Continuing Education” be put back on the agenda.
4. **ADOPTION OF MINUTES** – Mr. Stanley moved to approve the December 20, 2011 minutes. Mr. Epperson seconded. After Dr. Kliman and Mr. Folk requested minor corrections, motion carried.
5. **ENFORCEMENT MATTERS**
 - A. Proposed Dismissals
 1. M11-058, Courtney M. Arviso, P.E. (Civil) #30255 – Mr. Whitneybell moved to dismiss complaint against Mr. Arviso. Mr. Folk seconded. After discussion, motion carried.
 2. M11-082, Michael E. Hook, P.E. (Civil) #23990 – Mr. Sampieri was present to address the Board on behalf of the Owners, Ms. Oremus and Mr. Lindauer. Mr. Epperson moved to dismiss complaint against Mr. Hook. Mr. Folk seconded. After discussion, motion carried.
 - B. Proposed Letters of Concern
 1. M12-023, Bryan L. Campbell, Land Surveyor #40622 – Mr. Epperson moved that the complaint against Mr. Campbell was substantiated, and directed a Letter of Concern be sent to him for failing to record a survey within the required time. Mr. Stanley seconded. After discussion, motion carried.
 2. M12-024, Kirk J. Pangus, Land Surveyor #19344 – Mr. Pangus was present and addressed the Board. Mr. Folk recused himself citing conflict of interest. Mr. Epperson moved that the complaint against Mr. Pangus was substantiated, and directed a Letter of Concern be sent to him for failing to record a survey within the required time. Mr. Brady seconded. After discussion, motion carried.

C. Proposed Consent Agreements

1. M11-064, William Thomas Dodge, Nonregistrant – Mr. Weiland moved to accept Mr. Dodge’s signed consent agreement encompassing the following Order: Assurance of Discontinuance; pay a civil penalty in the amount of \$1,000.00; and pay the cost of investigation in the amount of \$140.00. Mr. Madison seconded. After discussion, motion carried. Additionally, Mr. Weiland moved to notify the Attorney General’s Office of Consumer Fraud and Securities Division. Mr. Madison seconded. After discussion, motion carried.

6. HOME INSPECTOR MATTERS

A. Evaluation of Applications / Requests for Possible Granting of Certification:

1. Corey L. Kenyon, Applicant #111007 – Mr. Kenyon was present and addressed the Board. Mr. Epperson moved to grant certification as a Home Inspector to the applicant. Mr. Madison seconded. After some discussion, motion carried with dissenting votes from Mr. Folk and Mr. Weiland.

B. Review, Consideration and Possible Vote on the following:

1. Home Inspector Rules and Standards Committee Appointment.

At the November 30, 2011 Home Inspector Rules and Standards Committee Meeting it was recommended that the Board re-appoint Peter Leeds, Certified Home Inspector #38044, to the Home Inspector Rules and Standards Committee. Mr. Whitneybell moved to re-appoint Mr. Leeds, Certified Home Inspector #38044, to the Home Inspector Rules and Standards Committee. Mr. Stanley seconded. After discussion, motion carried.

- C. Pool and Spa Inspection Standards review and possible adoption – The item was tabled by the Board.

7. DRUG LABORATORY ENFORCEMENT MATTERS

A. Environmental Remediation Rules and Standards Committee member appointment:

1. Reappointment of Mr. Chet Pearson – a registered engineer who is experienced in environmental remediation. Mr. Weiland moved to reappoint Mr. Pearson to the Environmental Remediation Rules and Standards Committee (“ERRSC”). Dr. Kliman seconded. After discussion, motion carried.
2. Appointment of Mr. Jeff Kary – experienced in operation of a drug laboratory remediation firm. Mr. Weiland moved to appoint Mr. Kary to the (“ERRSC”). Mr. Epperson seconded. After discussion, motion carried.

3. Appointment of Ms. Dawn Bolstad-Johnson – an industrial hygienist who is experienced in sampling and monitoring indoor air quality issues. Mr. Weiland moved to appoint Ms. Bolstad-Johnson to the (“ERRSC”). Dr. Kliman seconded. After discussion, motion carried.

B. Substantive Policy Statement regarding direct supervision as it applies to the sampling and testing during a drug laboratory remediation. Mr. Weiland moved to adopt the substantive policy statement. Mr. Folk seconded. After discussion motion carried.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Request for Exemption from PE

1. Duan, Jennifer, Civil Engineer Application #110951- Ms. Duan was present and addressed the Board. Mr. Stanley moved to deny exemption to the PE exam requirement. Dr. Kliman seconded. After discussion, motion carried.

Request for Review of Evaluator’s Recommendation

2. Schmidt, Jena, Electrical Engineer Application #110755 – Ms. Schmidt was present and addressed the Board. Mr. Madison moved to pend Ms. Schmidt’s application for Electrical Engineer for a period of seventeen months so that she might gain the additional experience required for registration. Dr. Kliman seconded. After discussion, motion carried.

3. Tate Wyly, Civil Engineer Application #110727 – Mr. Wyly was present and addressed the Board. Mr. Epperson moved to pend Mr. Wyly’s application for Civil Engineer so that he might gain the additional experience required for registration. Mr. Stanley seconded. After discussion, motion carried.

Request for Exemption from IDP

4. Reindersma, Monique, Architect Application #110612 – Mr. Madison recused himself, citing conflict of interest. Dr. Kliman moved to table the application for a month to allow the Ms. Reindersma to submit evidence of work experience. Mr. Folk seconded. After discussion, motion carried.

5. Korkut, Maid, Architect Application #110500 – Dr. Kliman moved to grant Exemption from IDP (Individual Development Program) and to grant registration as an Architect to applicant. Mr. Whitneybell seconded. After discussion, motion carried.

- Huang, Alvin, Architect Application #110805 – Dr. Kliman moved to send the application back to Staff, and to require documentation of experience. Mr. Folk seconded. After discussion, motion carried.

Request for Extension to take ARE

- Sheridan, Sean, Architect Application #040832 – Mr. Sheridan addressed the Board telephonically. Dr. Kliman moved to grant Mr. Sheridan an extension of five years to take and pass the ARE, and to exempt him from IDP. Mr. Whitneybell seconded. After discussion, motion carried.

Misdemeanor Convictions

- Stefureac, Derek, Electrical Engineer Application #111195 – Mr. Stefureac addressed The Board telephonically. Mr. Madison moved to grant registration as an Electrical Engineer. Mr. Stanley seconded. After discussion motion carried.
- Blanchard, David, Landscape Architect Application #111086 – Mr. Blanchard was present and addressed the Board. Mr. Brady moved to grant registration as a Landscape Architect. Mr. Whitneybell seconded. After discussion, motion carried.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff Recommendations for the following (Lists of names available at the Board's office for public review):

- Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
- Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
- Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01, and § 32-123;
- Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Epperson moved that the applicants listed in 9.1 be granted professional registration, certification, or In-Training designation; that the applicants listed in 9.2 be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9.3 be granted professional registration; and that the applications listed in 9.4 be administratively closed due to applicants' failure to meet the requirements of the Board. Dr. Kliman seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

- A. Whether to open a docket and begin the rule making process to amend A.A.C. R4-30-247, Home Inspector Certification, and create A.A.C. R4-30-301.02, for inspections of pools and spas.

Mr. Weiland moved to table the review of the Proposed Amendments. Mr. Brady seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three (3) years and recommended to be cancelled.
(List of names available at the Board's office for public review.)
- B. Certifications that have been expired for one (1) year and recommended to be cancelled.
(List of names available at the Board's office for public review.)

Mr. Epperson made the motion to cancel Registrations that have expired for three years, and cancel Certifications that have been expired for one year. Mr. Whitneybell seconded. After discussion, motion carried.

- 12. **DIRECTOR'S REPORT** – Executive Director, Mr. Ronald Dalrymple presented a written report to the Board and advised that if any of the members had any questions, he would be available to answer them after the meeting.

- 13. **BOARD CHAIR'S REPORT** – Mr. Weiland had nothing to report.

14. STANDING COMMITTEE REPORTS

- 1. Legislation and Rules Committee – Mr. Folk announced that at the meeting of the L&R Committee, there was discussion of the definition of “Good Moral Character”. The Committee requested an opinion from the Assistant Attorney General's office on whether the Board could determine “Good Moral Character”. Additional topics discussed included: a Substantive Policy Statement as applied to sampling and testing during drug lab remediation; and Geospatial Photogrammetry.
- 2. Budget Committee - Mr. Dalrymple stated that an assessment of the report will be completed in early February.
- 3. Home Inspector Rules and Standards Committee – There was no report given.
- 4. Environmental Remediation Rules and Standards Committee – There was no report given.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – There was no report given.
2. National Council of Architectural Registration Boards (“NCARB”) – Dr. Kliman reported the Council had begun revising the Bylaws. The two Primary topics of discussion were: How to discipline applicants for cheating on exams, as there are at present no State rules of action; How to discipline Supervisors who falsify information reported on Experience Forms? There will be a (“WCARB”) regional meeting March 8-10, 2012.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – The next meeting will be held in Florida in February.
4. National Association of State Boards of Geology (“ASBOG”) – There was no report given.
5. Public Member News/Information – There was no report given.

16. FUTURE BOARD MEETINGS

Tuesday, February 28, 2012 at 9:30 AM.

17. **SUGGESTED TOPICS FOR FUTURE AGENDAS** - A discussion of whether to give credit for work hours earned while attending school; and Continuing Education to be added to the agenda.

18. **ADJOURNMENT** – Meeting adjourned at 12:03 pm.

Erick Fred Weiland, Chairman

Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION
Tuesday, February 28, 2012 Meeting
9:30 AM
OPEN SESSION**

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:30 a.m. by Chairman Erick F. Weiland.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, Harold “Hal” Epperson, LeRoy Brady, Susan Kliman (Telephonic), Douglas Folk, Robert Stanley, Douglas T. Whitneybell, John Willett, and Jason K. Madison. Staff: Ronald Dalrymple, Melissa Cornelius, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – Mr. Brady moved to approve the January 24, 2012 minutes. Mr. Epperson seconded. After Dr. Kliman and Mr. Folk requested minor corrections, motion carried.
5. **ENFORCEMENT MATTERS**
 - A. Proposed Dismissals
 1. M11-079, Timothy M. O’Neill, P.E. (Civil) #10006 – Mr. Epperson moved to Dismiss. Mr. Brady seconded. Mr. Epperson moved to rescind his previous motion. The Board convened and Executive Session to receive legal advice pursuant to A.R.S. 38-431.03. After receiving legal advice from Mona Baskin, Assistant Attorney General, the Board went back into Open Session. Mr. Epperson moved to administratively close the case pending the completion of civil litigation. Mr. Folk seconded. After discussion motion passed.
 - B. Review and Discussion and Consideration
 1. M08-029, M08-094, M08-099, M09-047, M09-050, M10-002 Architectural Design by Delorme & Associates, LLC – Dr. Kliman moved to close the files. Mr. Epperson seconded. After discussion, motion carried. Dr. Kliman moved to rescind the motion. Mr. Epperson seconded. Motion carried. Dr. Kliman moved to rescind the previous Board vote to proceed to an Administrative hearing and moved, in the alternative, to close the files. Mr. Folk seconded. After discussion, motion carried.

C. Proposed Consent Agreements

1. M10-014, Dietz Design, LLC – Dr. Kliman moved to accept Respondent’s signed Consent Agreement encompassing the following Order: Pay an administrative penalty in the amount of \$500.00 and pay the cost of investigation in the amount of \$75.00. Mr. Epperson seconded. After discussion, motion carried.
2. M11-036, Johnson Walzer Associates – Mr. Stanley moved to accept Respondent’s signed Consent Agreement encompassing the following Order: Pay an administrative penalty in the amount of \$1,000.00 and pay the cost of investigation in the amount of \$75.00. Mr. Willett seconded. After discussion, motion carried.
3. M12-009, Roy Noggle Architects – Mr. Whitneybell recused himself citing conflict of interest. Dr. Kliman moved to Accept Respondent’s signed Consent Agreement encompassing the following Order: Pay an administrative penalty in the amount of \$1,000.00 and pay the cost of investigation in the amount of \$75.00. Mr. Stanley seconded. After discussion, motion carried.

D. Proposed Letters of Concern

1. M10-102, Bradley W. Sargent, Land Surveyor #37513 – Mr. Epperson moved to issue a Letter of Concern to Mr. Sargent. Mr. Stanley seconded. Mr. Epperson moved to Amend his previous motion to include enumeration of Allegations in the letter of concern. Mr. Stanley seconded. After discussion, motion carried.
2. M10-101, Allan R. Marshick, Land Surveyor #17362 – Mr. Epperson moved to issue a Letter of Concern to Mr. Marshick. Mr. Folk seconded. After discussion, motion carried.

6. HOME INSPECTOR MATTERS

A. Review, Consideration and Possible Vote on the following:

1. Home Inspector Rules and Standards Committee Appointment. – Mr. Folk moved to re-appoint David Swartz, Certified Home Inspector #38046, to the Home Inspector Rules and Standards Committee. Mr. Whitneybell seconded. After discussion, motion carried.
2. Samuel K. Parker, CHI #52801, Financial Assurance Mechanism – Mr. Folk moved that the proposed mechanism does not offer adequate protection, and declined to accept it without further assurances in place. Mr. Epperson seconded. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

A. Evaluation of Application / Request for Possible Granting of Certification:

1. Connolly, Ryan, On-Site Worker, Applicant #110978 – Mr. Ryan was present and addressed the Board. Mr. Epperson moved to grant certification as a Drug

Laboratory On-site Worker to Mr. Ryan effective March 5, 2012. Mr. Folk seconded. After discussion, motion carried.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

“Yes” Answer to Question 6-Misdemeanor Convictions

1. Chang, Chuan-Chih, Architect Application #111130 – Mr. Chang addressed the Board telephonically. Dr. Kliman moved to grant registration as an Architect to Mr. Chang. Mr. Epperson seconded. After discussion, motion carried.
2. Cueller, Angel, Geologist Application #120046 – Mr. Weiland moved to approve Applicant to take the Fundamentals of Geology Exam. Mr. Folk seconded. After discussion, motion carried.
3. Guerena, Robert, Civil Engineer Application #111033 – Mr. Guerena was present and addressed the Board. Mr. Stanley moved to grant registration as a Civil Engineer to Mr. Guerena. Mr. Madison seconded. After discussion, motion carried.
4. Handley, Lauren, Geologist Application #111139 – Ms. Handley was present and addressed the Board. Mr. Weiland moved to approve Applicant to take the Practices of Geology Exam and on successful completion grant registration as a Geologist to Ms. Handley. Mr. Brady seconded. After discussion, motion carried.
5. Harding, Verna, LSIT Application #110232 – Mr. Epperson moved to approve Ms. Harding to take the Fundamentals of Land Surveying Exam. Mr. Whitneybell seconded. After discussion, motion carried.
6. King, Adam, Civil Engineer Application #111207 – Mr. Stanley moved to grant registration as a Civil Engineer to Mr. King. Mr. Madison seconded. After discussion motion carried.
7. Leal, Luis, Civil Engineer Application #111183 – Mr. Madison moved to grant registration as a Civil Engineer to Mr. Leal. Mr. Epperson seconded. After discussion motion carried.
8. Lobedan, Derek, Civil Engineer Application #111219 – Mr. Lobedan addressed the Board telephonically. Mr. Madison moved to grant registration as a Civil Engineer to Mr. Lobedan. Mr. Willett seconded. After discussion, motion carried.
9. Marino, James, Civil Engineer Application #111095 – Mr. Marino was present and addressed the Board. Mr. Stanley moved to grant registration as a Civil Engineer to Mr. Marino. Mr. Willet seconded. After discussion, motion carried.

10. Parker, James, Civil Engineer Application #090019 – Mr. Madison moved to grant registration as a Civil Engineer to Mr. Parker. Mr. Whitneybell seconded. After discussion, motion carried.
11. Schulz, Kimberly, Civil Engineer Application #120062 – Mr. Madison moved to grant registration as a Civil Engineer to Ms. Schultz. Mr. Willet seconded. After discussion motion carried.
12. Tarr, Craig, Mechanical Engineer Application #111111- Mr. Tarr addressed the Board Telephonically. Mr. Willet moved to grant registration as a Mechanical Engineer to Mr. Tarr. Mr. Stanley seconded. After discussion, motion carried.
13. Wang, Davin, Mechanical Engineer Application #111099 – Mr. Wang was present and addressed the Board. Mr. Folk moved to grant registration as a Mechanical Engineer to Mr. Wang. Mr. Epperson seconded. After discussion motion carried.

“Yes” Answer to Question 3-Prior Discipline

14. Schutte, Todd, Structural Engineer Application #111271 – Mr. Schutte was present and addressed the Board. Mr. Madison moved to grant registration as a Structural Engineer to Mr. Schutte. Mr. Stanley seconded. After discussion, motion carried.

Request for Exemption to IDP

15. Huang, Alvin, Architect Application #110805 – Mr. Huang addressed the Board Telephonically. Dr. Kliman moved to exempt Mr. Huang from the Intern Development Program and grant registration as an Architect. Mr. Willett seconded. After discussion, motion carried.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff

Recommendations for the following (Lists of names available at the Board’s office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01, and § 32-123;
4. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Epperson moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9(3) be granted professional registration. Mr. Stanley seconded. After discussion, motion carried.

9 (4)

Besignano, Raymond, AIT application #060119 – Mr. Whitneybell moved to grant an extension of 5 years to Mr. Besignano to complete his ARE licensing exams. Mr. Epperson seconded. After discussion, motion carried.

Chamberlin, Nancy, Structural Engineer Application #060503 – Mr. Madison moved to deny Ms. Chamberlin's request for additional time to take an NCEES exam. Mr. Folk seconded. After discussion, motion carried.

Noblet, Steven, Fire Protection Engineer Application #050848 – Mr. Folk moved to extend Mr. Noblet's completion of his NCEES exam to the end of 2013. Mr. Epperson seconded. After discussion, motion carried.

Settles, Tasha, Architectural Application #050147 – Mr. Whitneybell moved to grant an extension of 5 years to Ms. Settles to complete her ARE exam. Mr. Epperson seconded. After discussion, motion carried, with a dissenting vote from Dr. Kliman.

White, Scott, AIT Application #060401- Dr. Kliman moved to keep Mr. White's AIT file open for future testing. Mr. Epperson seconded. After discussion, motion carried.

Woodward, Michael, Architect Application #060313 – Mr. Whitneybell moved to grant an extension of 5 years to Mr. Woodward to complete his ARE exams. Dr. Kliman seconded. After discussion, motion carried.

Mr. Epperson moved to administratively close the balance of professional or in-training applications. Mr. Willett seconded. After discussion, motion carried.

10. **POLICY MATTERS**

Review, Consideration, and Possible Action on the following:

1. Comments on Notice of Proposed Rule Making filed with the Secretary of State in December 2011 and published in the Arizona Register on January 13, 2012. Mr. Folk moved to revise the proposed rules to insert the phrase "retain a drug laboratory site remediation firm" after "the owner may" in Rule R4-30-305(A)(7) and insert the phrase "and demolition" after "A summary of the remediation" in R4-30-305(D)(2)(c). Mr. Brady seconded. After discussion, motion carried.

Mr. Folk made a second motion to change the methamphetamine standard from 0.1ug/100cm² to 1.5ug/100cm². Mr. Whitneybell seconded. Mr. Jeff Kary representative of Kary Environmental Services, addressed the Board in opposition to the change. Mr. Chet Pearson, chairman of the Environmental Remediation Rules and Standards Committee addressed the Board in support of the change. The motion carried with Mr. Folk, Mr. Weiland, Mr. Madison, Dr. Kliman, and Mr. Whitneybell casting a yea vote, and Mr. Stanley, Mr. Epperson, Mr. Brady, and Mr. Willet dissenting.

2. Whether to adopt the Pools and Spas Standards and the Pool and Spa Report Checklist Supplement. Mr. Folk moved to approve the checklist proposed to be effective 02/28/2012. Mr. Whitneybell seconded. After discussion, motion carried.
3. Whether to adopt proposed language for a revision to A.A.C. R4-30-247 giving guidance to home inspectors who inspect pools and spas. Mr. Folk moved to approve the proposed rules as per attachments. Mr. Stanley seconded. After discussion, motion carried.
4. Whether to authorize staff to file a Notice of Rule Making Docket Opening with the Secretary of State's Office – Mr. Willett made the motion to authorize staff to file. Mr. Folk seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three (3) years and recommended to be cancelled. None
- B. Certifications that have been expired for one (1) year and recommended to be cancelled. Mr. Epperson made the motion to cancel certifications that have been expired for one year. Mr. Stanley seconded. After discussion, motion carried.

12. **DIRECTOR'S REPORT** – Executive Director, Mr. Ronald Dalrymple presented a written report to the Board and advised that if any of the members had any questions, he would be available to answer them after the meeting.

13. **BOARD CHAIR'S REPORT** – Mr. Weiland had nothing to report.

14. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Mr. Folk announced that at the meeting of the L&R Committee, "Recognizing Certification" was a topic of ongoing discussion.
2. Budget Committee - Mr. Dalrymple stated that an assessment of the six month report will be completed presently.
3. Home Inspector Rules and Standards Committee – There was no report given.

4. Environmental Remediation Rules and Standards Committee – At the last meeting, there was discussion of the modified rules submitted to the Board and provided to the legislature.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – Mr. Willett reported that the next Western Zone meeting will be held May 17 through 19, 2012 at Jackson Hole, Wyoming. Mr. Madison and Ms. Cornelius will attend.
2. National Council of Architectural Registration Boards (“NCARB”) – Dr. Kliman reported that the next Western Regional meeting will be held in Seattle, WA, Mar 8-10 and will also be attended by Mr. Whitneybell and Ms. Cornelius.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – The meeting was held in Coral Gables, FL, February 22-25, 2012 and was attended by Mr. Brady and Ms. Cornelius.
4. National Association of State Boards of Geology (“ASBOG”) – The next meeting will be a Subject Matter Expert (SME) conference held in Louisville, KY, April 13 and 14, 2012 and attended by Mr. Weiland.
5. Public Member News/Information – There was no report given.

16. FUTURE BOARD MEETINGS

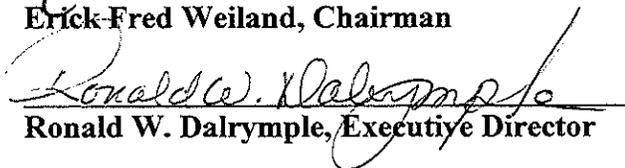
Tuesday, March 27, 2012 at 9:30 AM.

17. **SUGGESTED TOPICS FOR FUTURE AGENDAS** – Discuss Responsible Registrants for Firm and ARS § 32-141 and Rule R4-30-301(20) and clarify Board’s interpretation; Discuss the need for AIT applications and designations; and handling applicants with DUI convictions.

18. **ADJOURNMENT** – Meeting adjourned at 12:56 pm.



Erick-Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION
Tuesday, March 27, 2012 Meeting
9:30 AM
OPEN SESSION**

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:30 a.m. by Chairman Erick F. Weiland.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, Harold “Hal” Epperson, LeRoy Brady, Susan Kliman, Douglas Folk, Robert Stanley, Douglas T. Whitneybell, John Willett, and Jason K. Madison. Staff: Melissa Cornelius, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin. Mr. Whitneybell departed from the meeting at 10:51 am. Absent: Ronald Darlymple.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – (A.) Mr. Willett moved to approve the February 28, 2012 minutes. Mr. Epperson seconded. After discussion, motion carried. (B.) Mr. Whitneybell moved to approve the minutes of the Executive Session. Mr. Brady seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
 - A. Proposed Dismissal
 1. M12-016, Dennis Richards, P.E. (Civil) #21560 – Mr. Willett moved to dismiss. Mr. Stanley seconded. After discussion, motion carried.
 - B. Proposed Letter of Concern
 1. M10-086, Thomas Christopher, Land Surveyor #24514 – Mr. Whitneybell recused himself, citing conflict of interest. Mr. Epperson moved to issue a Letter of Concern. Mr. Folk seconded. After discussion, motion carried.
 2. M12-010, Troy Vincent, Architect #37928 – Dr. Kliman moved to issue a Letter of Concern. Mr. Folk seconded. After discussion, motion carried with one dissenting vote.
 - C. Proposed Consent Agreement
 1. M11-057, Civil Engineering Professionals – Mr. Epperson moved to accept Respondent’s signed Consent Agreement encompassing the Order to pay an administrative penalty in the amount of \$350.00 and pay the cost of investigation in the amount of \$75.00. Mr. Brady seconded. Mr. Epperson rescinded his original motion, and moved to refer case back to Staff. Board recommended a \$2,000.00 administrative penalty and probation for 12 months during which time the administrative penalty to be paid. If the consent agreement is not signed within 30 days, the Board directed the case

be forwarded to a formal administrative hearing. Mr. Folk seconded. After discussion, motion carried.

2. M11-062, Merry Carnell Schlecht, Inc. – Mr. Willett recused himself, citing conflict of interest. Dr. Kliman moved to accept signed consent agreement encompassing a Letter of Reprimand, and Costs of investigation in the amount of \$160.00. Mr. Whitneybell seconded. After discussion, motion carried.

D. Proposed Peer Review Candidate

1. Michael Kolejka, Architect #40516 – Dr. Kliman moved to appoint Mr. Kolejka to the Enforcement Advisory Committee. Mr. Whitneybell seconded. After discussion, motion carried.

6. HOME INSPECTOR MATTERS

A. Evaluation of Applications / Requests for Possible Granting of Certification:

1. Mark W. Johnson, Applicant #120135 – Mr. Johnson was present and addressed the Board. Mr. Whitneybell moved to grant registration as a Home Inspector to Mr. Johnson. Mr. Madison seconded. After discussion, motion carried.

B. Review, Consideration and Possible Vote on the following:

Proposed Consent Agreements

1. HI11-007, Samuel H. Hillman, CHI #39410 – Mr. Hillman was present with his attorney Ms. Skeel, and addressed the Board. Dr. Kliman moved to accept Respondent's signed consent agreement encompassing the following order: a Letter of Reprimand; Pay an Administrative penalty in the amount of \$500.00; Pay restitution to Victoria Platt in the amount of \$360.00; Pay the cost of investigation in the amount of \$200.00; And take and successfully complete an open book test on the Board's Statutes and Rules within 30 days passing with a 100% score within thirty days of Respondents certification being placed into an active status. Mr. Epperson seconded. After discussion, motion carried.
2. HI11-012, Jesse F. Reeves, CHI #38989 – Mr. Epperson moved to accept Respondent's signed consent agreement encompassing the following order: A Letter of Reprimand; Pay an administrative penalty in the amount of \$2,000.00; Probation until restitution is paid to Mike Nikirk in the amount of \$300.00; Take and successfully complete an open book test on the Board's Statutes and Rules within 30 days passing with a 100% score; And pay costs of investigation in the amount of \$194.00. Dr. Kliman seconded. After discussion, motion carried.
3. HI11-015, Thomas L. Reinert, CHI #38632 – Dr. Kliman moved to accept Respondent's signed consent agreement encompassing the following order: A Letter of Reprimand; Pay an administrative penalty in the amount of \$300.00; Probation until restitution is paid to Christopher and Dana von Freeden in the amount of \$300.00; Take and successfully complete an open book test on the Board's Statutes and Rules within 30 days passing with a 100% score; And pay costs of investigation in the amount of \$150.00. Mr. Epperson seconded. After discussion, motion carried.

3. HI11-017, Eric A. Villaverde, CHI #43394 – Mr. Epperson moved to accept Respondent’s signed consent agreement encompassing the following order: A Letter of Reprimand; Pay an administrative penalty in the amount of \$500.00; Probation until restitution is paid to Lance and Florine Southworth in the amount of \$250.00; Take and successfully complete an open book test on the Board’s Statutes and Rules within 30 days passing with a 100% score; And pay costs of investigation in the amount of \$201.00. Dr. Kliman seconded. After discussion, motion carried.
4. HI12-004, Donald B. Huth, CHI #40519 – Mr. Epperson moved to accept Respondent’s signed consent agreement encompassing the following order: A Letter of Reprimand; Pay an administrative penalty in the amount of \$1,500.00; Probation until restitution is paid to Angela Vidales in the amount of \$275.00; Take and successfully complete an open book test on the Board’s Statutes and Rules within 30 days passing with a 100% score; And pay costs of investigation in the amount of \$170.00. Dr. Kliman seconded. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:

There are no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Prior Discipline

1. Jensen, Stephen, Architect Application #120180 – Dr. Kliman moved to grant registration as an architect to Mr. Jensen. Mr. Epperson seconded. After discussion, motion carried.
2. Phelps, Matthew, Civil Engineer Application #120079 – Mr. Phelps appeared telephonically and addressed the Board. Mr. Stanley moved to grant registration as a civil engineer to Mr. Phelps. Mr. Willett seconded. After discussion, motion carried

Criminal History

3. Brown, Peter, Mechanical Engineer Application #120221- Mr. Brown appeared telephonically and addressed the Board. Mr. Willet moved to grant registration as a mechanical engineer to Mr. Brown. Mr. Madison seconded. After discussion, motion carried.
4. Bartee, Lucas, Mechanical Engineer Application #120169 – Mr. Willet moved to grant registration as a mechanical engineer to Mr. Bartee. Mr. Stanley seconded. After discussion, motion carried.

5. Casey, Timothy, Architect Application #120015 – Mr. Casey was present and addressed the Board. Dr. Kliman moved to grant designation as an architect to Mr. Casey. Mr. Epperson seconded. After discussion, motion carried.
 6. Conrad, Byron, Geological Engineer Application #111208 – Mr. Conrad was present and addressed the Board. Mr. Weiland moved to grant designation as a geological engineer to Mr. Conrad. Mr. Epperson seconded. After discussion, motion carried.
 7. Erales, Feliz, Mechanical Engineer Application #120205 – Mr. Erales appeared telephonically and addressed the Board. Mr. Willet moved to grant designation as a mechanical engineer to Mr. Erales. Mr. Stanley seconded. After discussion, motion carried.
 8. Lassen, Thomas, Civil Engineer Application #111244 – Mr. Lassen was present and addressed the Board. Mr. Madison moved to grant registration as a civil engineer to Mr. Lassen. Mr. Stanley seconded. After discussion, motion carried.
 9. Littrell, Keegan, Civil Engineer Application #120020 – Mr. Stanley moved to grant designation as a civil engineer to Mr. Littrell. Mr. Willett seconded. After discussion, motion carried.
 10. Lorenzen, Brett, Electrical Engineer Application #120088 – Mr. Lorenzen was present and addressed the Board. Mr. Willett moved to grant designation as an Electrical Engineer to Mr. Lorenzen. Mr. Stanley seconded. After discussion, motion carried.
 11. Vahling, Marcus, Electrical Engineer Application #120136 – Mr. Vahling appeared telephonically and addressed the Board. Mr. Willett moved to grant designation as an electrical engineer to Mr. Vahling. Mr. Stanley seconded. After discussion, motion carried.
 12. Wadmann, Grant, Chemical Engineer Application #111212 – Mr. Wadmann appeared telephonically and addressed the Board. Mr. Willett moved to grant designation as a chemical engineer to Mr. Wadman. Mr. Stanley seconded.
9. **LICENSING CONSENT AGENDA**
 Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following (Lists of names available at the Board's office for public review):
1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
 2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
 3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01, and § 32-123;

4. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Epperson moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9(3) be granted professional registration; and the applicants listed in 9(4) be administratively closed for failure to meet the requirements of the Board. Dr. Kliman seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

1. Whether the Board should retain the AIT applications and designation. – Dr. Kliman Moved to Table the issue. Mr. Willet seconded. After discussion, motion carried.
2. Whether the Board should approve new registration certificates. – Dr. Kliman moved to adopt a new version of the Board Certificates. Mr. Madison seconded. Mr. Brady, Mr. Epperson, Dr. Kliman, Mr. Madison, and Mr. Willett voted Aye. Mr. Stanley, Mr. Weiland, and Mr. Folk voted Nay. Motion carried.
Dr. Kliman moved to have modifications made to Sample Certificate #1350, and bring the amended certificate back for the April 24, 2012 Board Meeting for final approval. Mr. Epperson seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATON, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three years and recommended to be cancelled: (Lists of names available at the Board’s office for public review):
- B. Certifications that have been expired for one year and recommended to be cancelled: (List of names available at the Board’s office for public review.)

Mr. Epperson moved to cancel registrations that have been expired for three years be cancelled, and Certifications that have been expired for one year be cancelled. Dr. Kliman seconded. After discussion, motion carried.

12. **DIRECTOR’S REPORT** – Deputy Director, Melissa Cornelius summarized budget, legislative rules, and operations issues for the Board and advised that if any of the members had any questions, she would be available to answer them after the meeting.

13. **BOARD CHAIR’S REPORT** – Mr. Weiland had nothing to report.

14. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Mr. Folk announced that at the meeting of the L&R

Committee, "Mandatory Continuing Education" would be a topic of discussion.

2. Budget Committee – No additional information was offered.
3. Home Inspector Rules and Standards Committee – There was no report given.
4. Environmental Remediation Rules and Standards Committee – There was no report given.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying ("NCEES") – Mr. Madison reported that the next Western Zone meeting will be held May 17 through May 19, 2012 at Jackson Hole, Wyoming. Mr. Madison and Ms. Cornelius will attend.
2. National Council of Architectural Registration Boards ("NCARB") – Dr. Kliman reported that she, Mr. Whitneybell, and Ms. Cornelius attended the Western Regional meeting held in Seattle, WA, March 8, through March 10, 2012. During round table discussion, "How Social Media might be useful," was a hot topic. NCARB continues to work toward an agreement with Canada on a cross-border educational program.
3. Council of Landscape Architectural Registration Boards ("CLARB") – No report was given.
4. National Association of State Boards of Geology ("ASBOG") – No report was given.
5. Public Member News/Information – No report was given.

16. FUTURE BOARD MEETINGS

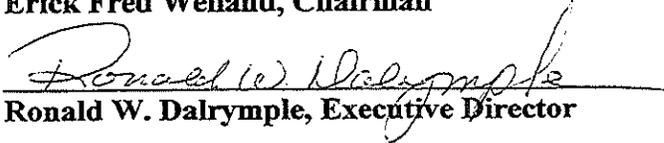
Tuesday, April 24, 2012 at 9:30 AM.

17. SUGGESTED TOPICS FOR FUTURE AGENDAS – A new design for BTR Certificates; and Discussion regarding Responsible Registrants for Firm.

18. ADJOURNMENT – Meeting adjourned at 12:10 pm.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION
Tuesday, April 24, 2012 Meeting
9:30 AM
OPEN SESSION**

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, Harold “Hal” Epperson, LeRoy Brady, Susan Kliman, Douglas Folk, Robert Stanley, Douglas T. Whitneybell, John Willett, and Jason K. Madison. Staff: Melissa Cornelius, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin. Absent: Ronald Darlymple.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – Mr. Willett moved to approve the February 28, 2012 minutes. Mr. Brady seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
 - A. Proposed Dismissal
 1. M11-065, Donald P. Miller, Land Surveyor #15336 – Mr. Epperson moved to dismiss. Mr. Brady seconded. After discussion, motion carried.
 - B. Petition for Lifting Restricted Practice
 1. M04-001, Anthony T. Bowler, P.E. (Civil) #33783 –Mr. Willett moved, in that Respondent has successfully completed all requirements of the consent agreement, the Board lifts the practice restriction. Mr. Madison seconded. After discussion, motion carried.
6. **HOME INSPECTOR MATTERS**

Review, Consideration and Possible Vote on the following:
Proposed Consent Agreements
There were no issues for this Item.
7. **DRUG LABORATORY ENFORCEMENT MATTERS**

Review, Consideration, and Possible Action on the following:

 - A. Review, Discussion and Consideration:
 1. DL10-002 – Biopro, L.L.C., #11695 and Dale Cillian, on-site supervisor, #39655 – Mr. Weiland recused himself, citing conflict of interest. Mr. Cillian was present and addressed the Board. Dr. Kliman moved to issue a Letter of Reprimand; an Order to pay an Administrative penalty in the amount of \$1,000.00 with a payment plan, and pay the Costs of Investigation in

the amount of \$355.00. If unable to obtain a signed consent agreement within fifteen days, then proceed to formal hearing. Mr. Epperson seconded. After discussion, motion carried.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Request for Extension to take the ARE

1. Kristiopher Kjeldsen, Architect Application #061311– Dr. Kliman moved to table item. Mr. Willett seconded. After discussion, motion carried.

Request for Exemption from IDP

2. James Kimmett, Architect Application #120216 – No action was taken.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. §§ 32-122, 32-122.01, and 32-123;
5. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Epperson moved to have Jennifer Donaldson, application #060051 removed from item 9(5). Mr. Willett seconded. After discussion, motion carried. Mr. Folk moved to grant her one year to gain another four months of documented work experience. Dr. Kliman seconded. After discussion, motion carried.

Mr. Epperson moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of

continued eligibility; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed for failure to meet the requirements of the Board. Dr. Kliman seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

1. Whether to place those Applicants that disclosed disciplinary action taken by another jurisdiction that does not rise to the level of suspension or revocation, and/or that disclosed minor criminal history that is not reasonably related to the applicant's proposed area of practice on the CONSENT AGENDA with a recommendation to Grant Registration or Authorization to Test – Dr. Kliman moved to accept Staff's recommendation with the ability to remove particular Applicants from list at the Board's discretion for further examination. Mr. Stanley seconded. After discussion, motion carried.
2. Adopting the proposed new Registration Certificate form – Mr. Epperson moved to accept the new Registration Certificate form. Mr. Stanley seconded. After discussion, motion carried.
3. Selecting a New Pocket Card form – Dr. Kliman moved to reject the Pocket Card options presented and to consider other alternatives at the next Board Meeting. Mr. Brady seconded. After discussion, motion carried.
4. Vote to Approve Notice of Supplemental Rulemaking, which adds necessary language to proposed rule amendments in A.A.C. R4-30-212, A.A.C. R4-30-214, and which adds required source information related to Meth Lab Remediation detailed in A.A.C. R4-30-103, A.A.C. R4-30-271(A), and A.A.C. R4-30-301(13). – Dr. Kliman moved to approve Notice of Supplemental Rulemaking with language modifications proposed by the Board. Mr. Brady seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three years and recommended to be cancelled
- B. Certifications that have been expired for one year and recommended to be cancelled

Mr. Epperson moved that registrations which have been expired for three years be cancelled, and Certifications that have been expired for one year be cancelled. Dr. Kliman seconded. After discussion, motion carried.

12. **DIRECTOR'S REPORT** – Deputy Director, Melissa Cornelius announced the departure of Deputy Director LaVern Douglas at the end of May; summarized budget; described the status of legislative action; operations issues for the Board; and the status of the new computer program.

13. **BOARD CHAIR'S REPORT** – Mr. Weiland had nothing to report.

14. **STANDING COMMITTEE REPORTS**

1. Legislation and Rules Committee – Mr. Folk announced that, “Continuing Education” requirements and “Future Legislative Rules” would be a topic of discussion at the June 14, 2012 meeting of the L&R Committee.
2. Budget Committee – No additional information was offered.
3. Home Inspector Rules and Standards Committee – There was no report given.
4. Environmental Remediation Rules and Standards Committee – The next meeting will be on May 1, 2012.

15. **BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES**

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – Mr. Madison reported that the next Western Zone meeting will be held May 17 through May 19, 2012 at Jackson Hole, Wyoming. Mr. Madison and Ms. Cornelius will attend.
2. National Council of Architectural Registration Boards (“NCARB”) – Dr. Kliman reported that the Advisory Committee discussed academic internships and the future of the profession. Topics ranged from credit for field work and supplementary experience to how Canada is now offering their own proprietary exam and concerns about reciprocity. The next meeting will be the Annual meeting on June 20 through 23 to be held in Minneapolis, MN. Ms. Cornelius and Mr. Whitneybell will be attending with Dr. Kliman.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – No report was given.
4. National Association of State Boards of Geology (“ASBOG”) – Mr. Weiland reported that he had attended the “Council of Examiners Workshop” at Louisville, KY on April 13-14, 2012. Some 50 to 60 attendees from the US and Canada were present to discuss the “Big Issue” of language (English or French). Exams are currently given in English only.
5. Public Member News/Information – No report was given.

16. FUTURE BOARD MEETINGS

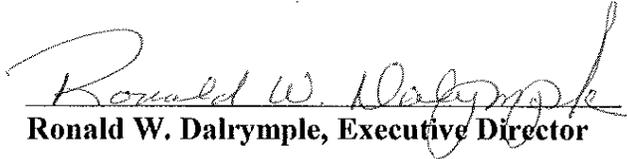
A. Tuesday, May 22, 2012 at 9:30 AM.

B. Suggested topics for future agendas – Pocket Card alternatives and Considering changes to Intern Development Program.

17. ADJOURNMENT – Meeting adjourned at 11:45 am.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL
REGISTRATION Tuesday May 22, 2012 Meeting
9:30 a.m.
OPEN SESSION**

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, Harold “Hal” Epperson, LeRoy Brady, Susan Kliman, Douglas Folk, Robert Stanley, Douglas T. Whitneybell, John Willett, and Jason K. Madison. Staff: Ronald Darlymple, Melissa Cornelius, Kathryn Fuller, Lisa Vardian, Manuel Maltos, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – Dr. Kliman moved to approve the April 24, 2012 minutes with minor changes. Mr. Epperson seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
 - A. Proposed Letter of Concern
 1. M12-054, Stephen J. Shearrow, Land Surveyor #40937 – Mr. Epperson moved to issue a Letter of Concern to Respondent. Dr. Kliman seconded. After discussion, motion carried.
 - B. Proposed Consent Agreements
 1. M11-055, Rodriquez & Associates / Omar Rodriquez, Architect #35431– Dr. Kliman moved to accept Respondent’s signed consent agreement encompassing the following Order: A letter of Reprimand; Probation until payment of \$23,100.00 is made within 12 months to Norton Schmidt Consulting Engineers. If Respondent fails to make payment within 12 months from the effective date of the Consent Agreement, Respondents’ registrations shall be suspended until payment is made; within ten days of the payment, Respondents shall provide the Board with written proof of payment; pay an Administrative penalty of \$500.00; and pay the cost of investigation in the amount of \$245.00. Mr. Willett seconded. After discussion, motion carried.
 2. M11-057, Civil Engineering Professionals – Mr. Roger Becroft was present and addressed the Board. Dr. Kliman moved to accept the Respondent’s counter proposal of Probation; pay an Administrative Penalty of \$1,000.00 in installments of \$100.00 per month; and pay the Cost of Investigation in the amount of \$75.00. Mr. Epperson seconded. After discussion, motion carried.

3. M11-040, Jay E. Turk, Nonregistrant – Dr. Kliman asked to table issue.

C. Discussion, Consideration and Action ***TIME SPECIFIC SCHEDULE FOR 9:30 AM***
(Deem Allegations Admitted and Issue Board Order)

1. 012F-M09107-BTR /M09-107
012F-M09108-BTR /M09-108
012F-M10067-BTR /M10-067

Finman & Assoc. / Laurence S. Finman, P.E. (Mech) #36405 – Mr. Finman and Asst. Attorney General, Mona Baskin were present and addressed the Board. Mr. Epperson moved to deem the allegations admitted. Dr. Kliman seconded. After discussion, Motion carried. Mr. Epperson moved to Adopt the Findings of Fact and Conclusions of Law. Mr. Brady seconded. After discussion, motion carried. Mr. Folk moved to go into Executive Session. Mr. Willet seconded. Motion carried. At 10:06 a.m. Executive Session began, during which the Board consulted with Assistant Attorney General, Christopher Munns of the Solicitor General's Office. At 10:23 a.m. Open Session resumed. Dr. Kliman moved to Revoke Mr. Finman's P.E. (Mechanical) registration; assess an Administrative Penalty of \$2,000.00; and Cost of Investigation of \$2,200.00 plus cost of Administrative Hearing. Mr. Stanley seconded. Motion carried

6. HOME INSPECTOR MATTERS

Review, Consideration and Possible Vote on the following:

A. Evaluation of Applications / Requests for Possible Granting of Certification:

1. Jeffrey L. Gaines, Applicant #120255 – Mr. Gaines was present and addressed the Board. Mr. Folk moved to grant certification as a Home Inspector. Mr. Whitneybell seconded. After discussion, motion carried.
2. John M. White, Applicant #120321– Mr. White was present and addressed the Board. Mr. Folk moved to grant certification as a Home Inspector. Dr. Kliman seconded. After discussion, motion carried.

B. Proposed Financial Assurance Mechanism

1. Samuel K. Parker, CHI #52801 – Mr. Folk moved to reject Respondent's request for alternative Financial Assurance Mechanism, and require that a Standard Mechanism is required. Mr. Willett seconded. After discussion motion carried. Mr. Folk moved to direct the Attorney General's office to provide advice concerning procedures for statutory options. Mr. Brady seconded. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Request for Extension to take the ARE

1. Wilson, Beverly, Landscape Architect Application – Mr. Brady moved to grant a ninety day extension to complete the application process. Dr. Kliman seconded. After discussion, motion carried. Mr. Weiland amended the motion to a one-time-only extension. After discussion, motion carried.

Objection to Evaluation/Request for Full Board Review

2. Hedberg, Thomas, Jr., Mechanical Engineer Application #120022 – Mr. Hedberg was present and addressed the Board. Dr. Kliman moved to grant registration as a Mechanical Engineer, pending that Registrant provided a written sworn statement pursuant to A.A.C. R4-30-201(12); a reference from a registered PE within the state; and a reference from one more supervisor who has observed his work. Mr. Epperson seconded. After discussion, motion carried.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board’s office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant’s proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. §§ 32-122, 32-122.01, and 32-123;
5. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Epperson moved to have Beverly Wilson, application #110649 removed from item 9(5). Dr. Kliman seconded. After discussion, motion carried.

Mr. Epperson moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed for failure to meet the requirements of the Board. Dr. Kliman seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

1. Whether to continue sending pocket cards en masse to registrants, and, if so, determine what form of pocket card shall be issued; whether to send pocket cards to registrants upon request, or to discontinue sending pocket cards to registrants.

Dr. Kliman moved to cease sending pocket cards to all registrants. If there are requests for pocket cards, they should be sent electronically, printed by the Registrant, and laminated by the Registrant if desired. Mr. Epperson seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three years and recommended to be Cancelled:

Mr. Epperson moved that registrations which have been expired for three years be cancelled. Dr. Kliman seconded. After discussion, motion carried.

- B. Certifications that have been expired for one year and recommended to be cancelled:

Mr. Epperson moved that registrations which have been expired for one year be cancelled. Dr. Kliman seconded. After discussion, motion carried.

12. **DIRECTOR'S REPORT** – Director, Ron Dalrymple provided a printed report containing; the status of the new computer program, summarized budget, and description of the status of legislative action including licensing for alarm companies.

13. **BOARD CHAIR'S REPORT** – Mr. Weiland had nothing to report. The Board extended its gratitude to LaVern Douglas for her long tenure as Deputy Director/Licensing Manager, and wished her all the best upon her retirement.

14. **STANDING COMMITTEE REPORTS**

1. Legislation and Rules Committee – Mr. Folk announced that, “Continuing Education” requirements and “Future Legislative Rules” concerning the possible need for future legislative rules concerning Photogrammetry and GIS systems would be topics of discussion at the August 2, 2012 meeting of the L&R Committee.
2. Budget Committee – No additional information was offered.
3. Home Inspector Rules and Standards Committee – There was no report given. The next meeting will be June 6, 2012.
4. Environmental Remediation Rules and Standards Committee (“ERRSC”) – Mr. Weiland reported that the Committee meeting was held on May 1, 2012. The Committee gave recognition to former members, Mr. Hutzler and Mr. Boyles. New members, Ms. Bolstad-Johnson and Mr. Kary were welcomed. The following topics were discussed: research reports and Septic System procedures of other states; discussion of current drug laboratory site remediation standards and practices and procedures for Septic Systems; and discussion of distribution of the Board approved substantive policy statement regarding supervision for sampling and testing.

15. **BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES**

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – Mr. Madison reported that the combined Western and Central Zone meeting was held May 17 through May 19, 2012 at Jackson Hole, Wyoming. Some of the topics of discussion were: licensing made easier by way of Comity; limiting or eliminating of industrial regulation; computer based exams; the 2014 schedule for exams; the 2015 PE exams; FE increase in fees to \$250.00; and how to deal with a deficiency in the Humanities.
2. National Council of Architectural Registration Boards (“NCARB”) – Dr. Kliman reported that the Board of Directors have accepted a recommendation to adopt changes to the internship program which included a couple of mechanisms allowing for an accrual of academic credit and a second allowing up to 930 course hours earned with IDP program while simultaneously attending academic classroom and design or construction related activities under the direct supervision of a person experienced in that activity. The next meeting will be on June 20 – 23, 2012 to be held in Minneapolis, MN. Ms. Cornelius and Mr. Whitneybell will be attending with Dr. Kliman.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – Mr. Brady announced that the next meeting will be September 6 - 8, 2012 in San Francisco, CA.

4. National Association of State Boards of Geology (“ASBOG”) – No report was given.

5. Public Member News/Information – No report was given.

16. FUTURE BOARD MEETINGS

A. Tuesday, July 24, 2012 at 9:30 a.m.

B. Suggested topics for future agendas – Whether the Board can facilitate registration or certification for interested Armed Services Veterans.

C. Mr. Weiland announced that he will be absent for the June 26, 2012 Board meeting and Mr. Folk stated he may not be able to attend.

17. ADJOURNMENT – Meeting adjourned at 12:03 p.m.

Harold N. Jensen ~~#04~~:

~~Erick Fred Weiland, Chairman~~
Vice

Ronald W. Dalrymple
Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL
REGISTRATION Tuesday June 26, 2012 Meeting
9:30 a.m.
OPEN SESSION**

1. **CALL TO ORDER** – Vice-Chairman Harold “Hal” Epperson called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Harold “Hal” Epperson, LeRoy Brady, Susan Kliman, Douglas Folk, Robert Stanley, Douglas T. Whitneybell, John Willett, and Jason K. Madison. Absent was Erick F. Weiland. Staff: Ronald Darlymple, Melissa Cornelius, Kathryn Fuller, Lisa Vardian, Manuel Maltos, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – Dr. Kliman moved to approve the May 22, 2012 minutes with suggested modifications. Mr. Folk seconded. After discussion, motion carried. Mr. Brady moved to approve Executive Session Meeting Minutes. Dr. Kliman seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
 - A. Proposed Letters of Concern
 1. M11-043, Timothy O’Neill, Land Surveyor #17403 – Mr. O’Neill was present and addressed the Board. Dr. Kliman moved to issue a Letter of Concern. Mr. Stanley seconded. After discussion, motion carried.
 - B. Proposed Consent Agreements
 1. M10-106, Rory Calhoun, Nonregistrant – Mr. Stanley moved to accept the Respondent’s signed consent agreement encompassing the following order: Assurance of Discontinuance; Respondent shall pay a civil penalty in the amount of \$1,000.00; and Respondent shall pay the cost of investigation in the amount of \$160.00. Dr. Kliman seconded. After discussion, motion carried.
 - C. Discussion and Consideration and Possible Vote:
 - 1a. M11-052, Will Architects, PLC #16413 / Jeffrey Will, Architect #11038
 - 1b. M11-076, Will Architects, PLC #16413 / Jeffrey Will, Architect #11038
 - 1c. M11-080, Will Architects, PLC #16413 / Jeffrey Will, Architect #11038 – Mr. Will was present and addressed the Board. Mr. Folk recused himself, citing conflict of interest. Dr. Kliman moved to obtain a signed consent agreement within 30 days, encompassing the following order: a letter of reprimand; probation requiring a payment in the amount of \$3,700.00 to collaborating professionals identified in findings of fact within 90 days; provide written proof that payments have been made in

full within 10 days of payments made; pay an administrative penalty in the amount of \$500.00; and pay cost of investigation in the amount of \$315.00. If Respondent fails to sign the offered Consent Agreement within 30 days, forward the case to Formal Hearing. Mr. Stanley seconded. After discussion, motion carried.

- C.2. M10-050, Michael D. Gregory, P.E. (Civil) #29675 – Mr. Mel Slaysman, P.E. (Structural), a member of the Enforcement Advisory Committee (EAC) who reviewed the case, attended the Board meeting. Mr. Slaysman answered questions the Board had regarding the structural engineering on the project. Mr. Stanley moved to obtain a signed consent agreement within 30 days, encompassing the following order: a letter of reprimand; pay an administrative penalty in the amount of \$1,000.00; peer review of Respondent's next three structural projects; and pay the cost of investigation. If Respondent fails to sign the offered Consent Agreement within 30 days, forward the case to Formal Hearing. Mr. Madison seconded. After discussion, motion carried.

6. HOME INSPECTOR MATTERS

Review, Consideration and Possible Vote on the following:

There were no issues for this Item.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Appeal of Evaluator's Recommendation

1. Jeffrey Beran, Industrial Engineer Application #120240 – Mr. Beran was present and addressed the Board. Mr. Willett moved to table a vote on the application and to require Respondent to provide a certificate of experience for the period of June 2007 through March 2008. Dr. Kliman seconded. After discussion, motion carried.
2. Rueybin Chiou, Civil Engineer Application #120220 – Mr. Whitneybell moved to table issue, so that Staff could investigate whether Applicant is licensed in Texas and whether Texas requires its Applicants to re-take the PE if a prior license has been cancelled for 5 years.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. §§ 32-122, 32-122.01, and 32-123;
5. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Dr. Kliman moved to have Kert Anderson, Keith Green, Bobbet LaGuardia, and Teodoro Robledo removed from item 9(5) and granted a 12 month extension to pass the Architectural Registration Examination ("ARE"). Mr. Willett seconded. After discussion, motion carried.

Dr. Kliman moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed for failure to meet the requirements of the Board. Mr. Willett seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

1. American Institute of Architects' ("A.I.A.") request to present Board granted Registration Certificates to new Architect registrants – Ms. Tina Litteral, the Executive Director of A.I.A., was present and addressed the Board. At 10:45 a.m. Executive Session was convened to obtain legal advice. At 10:50 a.m. the Board reconvened regular session. Dr. Kliman moved that the Board not transfer BTR certificates to A.I.A. for distribution to new Architects. Mr. Whitneybell seconded. After discussion, motion carried.

2. Status update on pending Rules – Deputy Director, Melisa Cornelius reported that the next step for the pending Rules was to submit them to the Governor’s Regulatory Review Council, (“GRRRC”) for final approval and publication. She asked whether the Board wanted to review them again before submission. Dr. Kliman moved to allow the Deputy Director to forward them at her discretion. Mr. Willett seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three years and recommended to be cancelled:

There are no issues for this Item.

- B. Certifications that have been expired for one year and recommended to be cancelled:

There are no issues for this Item.

12. **DIRECTOR’S REPORT** – Director, Ron Dalrymple provided a printed report containing; the status of the new computer program, summarized budget, and description of the status of legislative action including licensing for alarm companies.

13. **BOARD CHAIR’S REPORT** – Mr. Epperson had nothing to report.

14. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Mr. Folk announced that the next meeting will be August 2, 2012.
2. Budget Committee – No additional information was offered.
3. Home Inspector Rules and Standards Committee – Mr. Folk announced that the next meeting will be June 27, 2012.
4. Environmental Remediation Rules and Standards Committee (“ERRSC”) – No report was given.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – No report was given.
2. National Council of Architectural Registration Boards (“NCARB”) – Dr. Kliman reported that she, Mr. Whitneybell, and Ms. Cornelius attended the June meeting in Minneapolis, MN. In record time, ten resolutions to the Bylaws were made. These included “the sign of good moral character” and “the removal of Canadian resolutions.”

Dr. Kliman displayed a booklet which she had obtained at the meeting, entitled NCARB by the Numbers, which presents numerous interesting facts and figures concerning trends in Architecture.

Mr. Whitneybell expressed his, and the Board's gratitude for Dr. Kliman's tremendous contribution through her service to the Board. He also expressed his personal sense of loss for her departure and wished her all the best in her new endeavors.

3. Council of Landscape Architectural Registration Boards ("CLARB") – No report was given.
4. National Association of State Boards of Geology ("ASBOG") – No report was given.
5. Public Member News/Information – No report was given.

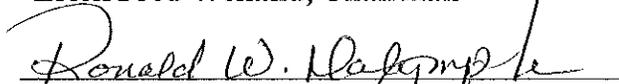
16. FUTURE BOARD MEETINGS

- A. Tuesday, July 24, 2012 at 9:30 a.m.
- B. Suggested topics for future agendas – None

17. ADJOURNMENT – Meeting adjourned at 11:25 a.m.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION
Tuesday July 24, 2012 Meeting
9:30 a.m.
OPEN SESSION**

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, LeRoy Brady, Douglas Folk, Douglas T. Whitneybell, Jason K. Madison, Edward T Marley, Stuart R. Lane, Alejandro Angel. Absent was Robert Stanley. Staff: Melissa Cornelius, Kathryn Fuller, Manuel Maltos, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin. Absent were Ronald Darlymple and Lisa Vardian.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – Mr. Folk moved to approve the June 26, 2012 minutes with modifications suggested by Assistant Attorney General Mona Baskin. Mr. Brady seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
Review, Consideration, and Possible Action on the following:

There were no issues for this Item.
6. **HOME INSPECTOR MATTERS**
Review, Consideration and Possible Vote on the following:
 - A. Proposed Dismissal
 1. HI12-010, Michael Williams, CHI #38045 – Mr. Folk moved to accept the Staff recommendation to dismiss. Mr. Brady seconded. After discussion, motion carried.
 - B. Proposed Letters of Concern
 1. HI12-011, David L. Rolls, CHI #46184 – Mr. Rolls was present and addressed the Board. Mr. Folk moved to issue a Letter of Concern to the Respondent. Mr. Madison seconded. After discussion, motion carried.
 2. HI12-012, Brian D. Plemons, CHI #50423 – Mr. Folk moved to issue a Letter of Concern to the Respondent. Mr. Brady seconded. After discussion, motion carried.

C. Proposed Consent Agreements

1. HI11-011, Bruce S. Hubbard, CHI #38582 – Mr. Folk moved to accept the Respondent’s signed consent agreement encompassing the following order: a Letter of Reprimand; pay an administrative penalty in the amount of \$300.00; and pay cost of investigation in the amount of \$198.00. Mr. Angel seconded. After discussion, motion carried

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Request for Exemption from PE

1. Rueybin Chiou, Civil Engineer Application #120220 – Mr. Madison moved to affirm the April 2012 decision authorize Applicant to take the PE, and allow the Applicant 5 years in which to take and pass the PE to complete his application for registration in Arizona. Mr. Whitneybell seconded. After discussion, motion carried.

Request for Exemption from IDP

2. Charles Hallenbeck, Architect Application #120170 – Mr. Hallenbeck was present and addressed the Board. Mr. Whitneybell moved to approve the Applicant’s request for exemption from IDP and grant him registration as an Architect. Mr. Marley seconded. After discussion, motion carried.

Vote to Rescind Previous Vote to Grant Registration

3. Thomas Hedberg, Jr., Mechanical Engineer Application #120022 – Mr. Hedberg, Jr. was present and addressed the Board. Mr. Lane moved to rescind the May 22, 2012 vote to grant Applicant registration pending receipt of a sworn statement and one additional PE reference with evaluator approval. Mr. Madison seconded. After discussion motion carried.

Mr. Lane moved to approve and credit the additional information Applicant provided in support of his application because it met the Board’s licensing requirements, and grant registration to Applicant as a Mechanical Engineer. Mr. Whitneybell seconded. After discussion, motion carried.

Request for Exemption from FE/Appeal of Evaluator’s Review

4. Heather Hespeler, Civil Engineer Application #090552 – Ms. Hespeler was present and addressed the Board. Mr. Lane moved to require the Applicant to take the FE, and upon the Board’s receipt of proof of her passing it, grant registration. Mr. Folk seconded. After discussion, motion carried.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board’s office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant’s proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. §§ 32-122, 32-122.01, and 32-123;
5. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Folk moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant’s proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed for failure to meet the requirements of the Board. Mr. Lane seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

11. REVIEW, CONSIDERATON, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three years and recommended to be cancelled:

This item was postponed to the August 28, 2012 Board meeting.

- B. Certifications that have been expired for one year and recommended to be cancelled:

Mr. Folk moved that Certifications that have been expired for one year be cancelled.
Mr. Marley seconded. After discussion, motion carried.

- 12. **DIRECTOR'S REPORT** – Deputy Director, Melissa Cornelius welcomed the new Board members. She provided a printed report containing: the status of the new computer program, a summarized budget including a new funding source, and a description of the status of legislative action including the professional licensing of military spouses stationed in Arizona.

- 13. **BOARD CHAIR'S REPORT** – Mr. Weiland welcomed the new Board members and gave them some brief instruction.

14. **STANDING COMMITTEE REPORTS**

- 1. Legislation and Rules Committee (“L&R”) – Mr. Folk announced that the next meeting will be August 2, 2012. He announced that ongoing topics for consideration will be to determine if there is a need for changes to our statutes defining “Land Surveyor” to include photogrammetry and GIS systems.
- 2. Budget Committee – No additional information was offered.
- 3. Home Inspector Rules and Standards Committee (“HIRS”) – Mr. Folk announced that the committee determined that the best way for Home Inspectors to fulfill their obligation to provide proof of financial security is to purchase E&O insurance or a bond. An alternative was suggested to the committee, but after discussion, it was determined that there was no method to accept an alternative.
- 4. Environmental Remediation Rules and Standards Committee (“ERRSC”) – Mr. Weiland encouraged the new members to become active in attending the Board’s Committee meetings.

15. **BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES**

- 1. National Council of Examiners for Engineering and Surveying (“NCEES”) – Deputy Director, Melissa Cornelius, Jason Madison, and Robert Stanley will be attending the next meeting of NCEES to be held August 22 through 25, 2012 in St. Louis, MO.
- 2. National Council of Architectural Registration Boards (“NCARB”) – No report was given.

3. Council of Landscape Architectural Registration Boards ("CLARB") – Deputy Director, Melissa Cornelius and LeRoy Brady will be attending the next meeting of CLARB to be held September 6 through 8, 2012, in San Francisco, CA.
4. National Association of State Boards of Geology ("ASBOG") – Chairman Eric Weiland will be attending the next meeting to be held October 30 through November 3, 2012, in Omaha, NE.
5. Public Member News/Information – Mr. Folk and Mr. Lane described the tremendous progress being made in the development of the GIS system by the Arizona Geological Survey, with the aid of private business as well as State and Federal governments.

16. FUTURE BOARD MEETINGS

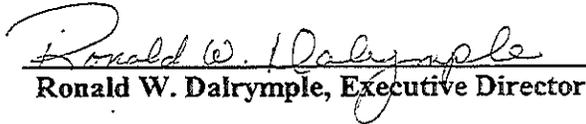
A. Tuesday, August 28, 2012 at 9:30 a.m.

B. Suggested topics for future agendas – Ms. Cornelius suggested that the Board elect a new Vice Chairman. Mr. Folk suggested discussion of how the Board might be able to best assist Military Veterans with registration.

17. ADJOURNMENT – Meeting adjourned at 11:05 a.m.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION
Tuesday August 28, 2012 Meeting
9:30 a.m.
OPEN SESSION**

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, LeRoy Brady, Douglas Folk, Douglas T. Whitneybell, Jason K. Madison, Edward T Marley, Robert Stanley, Alejandro Angel. Absent was Stuart R. Lane. Staff: Ronald Darlymple, Melissa Cornelius, Kathryn Fuller, Manuel Maltos, Lisa Vardian, Patricia Sandino, and John Spencer. Assistant Attorney General: Elizabeth Campbell.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – Mr. Marley moved to approve the July 24, 2012 minutes with minor modifications. Mr. Whitneybell seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
Review, Consideration, and Possible Action on the following:
 - A. Proposed Letters of Concern
 1. M12-021, John P. Murphy, Land Surveyor #13005 – Mr. Murphy and his attorney, David O’Daniel were present and addressed the Board. Mr. Whitneybell moved to dismiss the case. Mr. Madison seconded. After discussion, motion carried.
 - B. Proposed Consent Agreements
 1. M11-037, Scott Richie, Roundabouts and Traffic Engineering – Mr. Richie was present and addressed the Board. Mr. Stanley moved to accept Respondent’s signed consent agreement encompassing the following order: Respondent shall not practice, offer to practice, or by any implication hold himself out as qualified to practice engineering until such time he has been granted registration by the Board, or is in full compliance with the Board’s Statutes and Rules; Pay a civil penalty in the amount of \$2,000.00; and pay a cost of investigation in the amount of \$650.00. Mr. Marley seconded. After discussion, motion carried.
6. **HOME INSPECTOR MATTERS**
Review, Consideration and Possible Vote on the following:
 - A. Evaluation of Applications / Requests for Possible Granting of Certification:
 1. Gregg M. Gant, Applicant #120465 – Mr. Gant was present and addressed the Board. Mr. Folk moved to approve the Applicant for certification as a home inspector. Mr. Madison seconded. After discussion, Mr. Folk moved to amend his motion to include that after all registration fees are paid and required documentation is submitted as required. Mr. Madison seconded. After discussion, motion carried.

B. Review, Consideration and Possible Vote on the following:

1. Petition to terminate Probation, Robert R. Hickerson, CHI #41528 – Mr. Folk moved to remove Registrant from probation. Mr. Whitneybell seconded. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Request for Extension to Test

1. Joseph Tuzyk, Land Surveyor Application #061458 – Mr. Folk moved to grant Mr. Tuzyk extension to pass the remaining examinations required for registration to August, 2013. Mr. Stanley seconded. After discussion, motion carried.

Request to Accept Civil PE in lieu of Geological PE

2. Heather Hespeler, Geological Engineer Application #090552 – Ms. Hespeler was present and addressed the Board. Mr. Weiland moved to accept Ms. Hespeler's Civil PE in lieu of requiring her to take and pass the Geological PE, and grant her registration as a Geological Engineer. Mr. Stanley seconded. After discussion, motion carried.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. §§ 32-122, 32-122.01, and 32-123;

5. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Stanley moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed for failure to meet the requirements of the Board with the exception of Robin Stipe, Architect application #050975. Mr. Folk seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

1. Election of Board Officers.

Mr. Weiland opened nominations for the offices of Chairman, Vice Chairman, and Secretary. Mr. Folk seconded. Mr. Weiland was nominated for Chairman, Mr. Brady was nominated for Vice Chairman, and Mr. Stanley was nominated for Secretary. Mr. Folk moved to close the nominations. Mr. Whitneybell seconded. After discussion motion carried. Mr. Folk moved to approve all nominations and appointment of Mr. Weiland as Chairman, Mr. Brady as Vice Chairman, and Mr. Stanley the Secretary. Mr. Whitneybell seconded. Motion carried.

2. Discussion and Direction to Staff regarding how to Process Applications from Military Personnel and their Spouses who have been relocated to Arizona.

Mr. Folk moved to instruct Staff to expedite processing and approval of military personnel and their spouses who have relocated to Arizona under active duty orders and who have met our prerequisites. Mr. Marley seconded. After discussion, motion carried.

3. Discussion and Delegation of Authority to Grant Alarm Company and Personnel Certifications.

Ms. Marie Malice, president of the Arizona Alarm Association ("AzAA"), was present and addressed the Board. Mr. Folk moved to table the issue. Mr. Stanley seconded. After discussion, motion carried.

4. Discussion and Vote on the Application/Renewal Fees to Charge Alarm Companies and Personnel. Mr. Stanley moved to table this issue. Mr. Folk seconded. After discussion motion carried.

5. Discussion and Vote on the Legislation and Rules Committee Plan to Send a Survey to Registrants regarding Polling Interest in Mandating Continuing Education in Arizona.

Mr. Whitneybell moved to table the issue until after the November L&R meeting. Mr. Stanley seconded. After discussion, motion carried.

6. Review, Discussion and Possible Direction to Staff regarding Assistant Attorney General, Elizabeth Campbell's advice on the Effective Date of the Board's Authority over the Alarm Industry. Ms. Marie Malice, president of the Arizona Alarm Association ("AzAA"), was present and addressed the Board. Mr. Folk moved to go into Executive Session. Mr. Madison seconded. Motion carried. At 11:05 am Executive Session began, during which the Board consulted with Assistant Attorney General, Elizabeth Campbell. At 11:27am Open Session resumed. Mr. Marley moved to hold implementation of HB 2748 (The Alarm Bill) until May 1, 2013. Mr. Stanley seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three years and recommended to be cancelled:

Mr. Stanley moved to cancel registrations which have been expired for three years, with the Exception of Mr. David Foster, Environmental Engineer # 34955 who paid his registration fee on August 20, 2012. Mr. Marley seconded. After discussion, motion carried.

- B. Certifications that have been expired for one year and recommended to be cancelled:

None

12. **DIRECTOR'S REPORT** – Director, Ron Dalrymple provided a printed report containing the status of the new computer program and happily announced the decommission of the AS400; a printed cash flow report which he intends to provide from now on at each monthly meeting, and a report concerning the description of the shape, size, and projected income from the implementation of the Alarm Program.

13. **BOARD CHAIR'S REPORT** – Mr. Weiland welcomed the new assistant attorney general, Elizabeth Campbell. No additional information was offered.

14. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee ("L&R") – Mr. Folk announced that because there was so much material covered at the recent L&R meeting, he would limit his report to just a few items. "The Good Moral Character and Repute" requirement was discussed at the meeting, and Mr. Folk requested additional advice from Assistant Attorney General, Elizabeth Campbell, concerning this matter.

There was discussion considering development of a disciplinary penalty matrix for imposing consistent penalties throughout the Enforcement unit. It was determined that the item was referred back to the Board for additional direction, but no action was taken on this item. The Committee discussed whether the Board can take disciplinary action against registrants listed on the Firm card as a "principal," for violations committed by the firm. It was determined that the Board has discretion to take action against registrants listed on the Firm card.

No action was taken on this item.

The Committee discussed whether registered landscape architects may legally refer to themselves as “professional landscape architects.” It was determined that they may, but at present it is in conflict with the only allowable seal which states “registered landscape architect.” Therefore the committee asked that the Board considers amending the Rule R4-30-303(A) to allow for “professional landscape architect.”

2. Budget Committee – No additional information was offered.
3. Home Inspector Rules and Standards Committee (“HIRS”) – Mr. Maltos announced that the next meeting of HIRS will be on October 3, 2012. No report was given.
4. Environmental Remediation Rules and Standards Committee (“ERRSC”) – No report was given.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

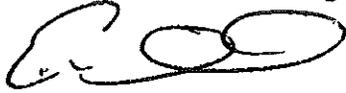
1. National Council of Examiners for Engineering and Surveying (“NCEES”) – Deputy Director, Melissa Cornelius, Jason Madison, and Robert Stanley attended the meeting of NCEES which was held August 22 through 24, 2012 in St. Louis, MO.
The Council is doing very well financially. Most of the work was done on the Bylaws and changes to the Model Law for computer based testing. The changes for computer based testing for the Fundamentals of Engineering and Fundamentals of Surveying will start in January of 2014. All the other branches will start as quickly as they can, although the structural engineers say they’ll be sitting it out for some time until they see how things go. NCEES will offer a software engineering examination in April, 2013.
2. National Council of Architectural Registration Boards (“NCARB”) – Mr. Marley announced that he would be attending the next “Conceptualize Strategize Implement” (“CSI”) convention at ASU on September 12, 2012 and the Western Mountain Region American Institute of Architects (“AIA”) conference at Tuscon on October 11 and 12, 2012. No report was given.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – Mr. Brady announced that Deputy Director, Melissa Cornelius and he will be attending the next meeting of CLARB to be held September 6 through 8, 2012, in San Francisco, CA.
4. National Association of State Boards of Geology (“ASBOG”) – Chairman Eric Weiland will be attending the next meeting to be held October 30 through November 3, 2012, in Omaha, NE.
5. Public Member News/Information – Mr. Folk reported that he had been doing research on what might be done to ease registration for military applicants. He hopes to have a full report for the next Board meeting and include in it how Military experience may be used for reference.

16. FUTURE BOARD MEETINGS

A. Tuesday, September 25, 2012 at 9:30 a.m.

B. Suggested topics for future agendas – None made

17. ADJOURNMENT – Meeting adjourned at 12:38 p.m.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION Tuesday
September 25, 2012 Meeting
9:30 a.m.
OPEN SESSION**

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, LeRoy Brady, Douglas Folk, Douglas T. Whitneybell, Jason K. Madison, Stuart R. Lane, Robert Stanley, Alejandro Angel. Absent was Edward T. Marley. Staff: Ronald Darlymple, Melissa Cornelius, Kathryn Fuller, Manuel Maltos, Lisa Vardian, and John Spencer. Assistant Attorney General: Elizabeth Campbell.
3. **CALL TO THE PUBLIC** – No members of the Public addressed the Board.
4. **ADOPTION OF MINUTES** – Mr. Folk moved to approve the August 28, 2012 minutes with minor modifications. Mr. Whitneybell seconded. Mr. Lane abstained. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
Review, Consideration, and Possible Action on the following:
 - A. Proposed Dismissals
 1. M12-047, Paul H. Masse, Architect #15237 – Mr. Masse was present and addressed the Board. Mr. Whitneybell moved to dismiss the case. Mr. Angel seconded. After discussion, motion carried.
 - B. Proposed Letters of Concern
 1. M12-026, James M. Samer, Land Surveyor #16193 – Mr. Lane moved to issue a Letter of Concern. Mr. Brady seconded. After discussion, motion carried.
 - C. Proposed Consent Agreements
 1. M09-040, John H. Erion, P.E. (Civil) #35478 – Mr. Stanley moved to accept Respondent’s signed consent agreement encompassing the following order: A Letter of Reprimand, pay an administrative penalty of \$1,000.00, and pay the cost of investigation in the amount of \$365.00. Mr. Brady seconded. After discussion, motion carried.
 2. M12-059, Bryce R. Heyse, Firm Registration #17557 – Mr. Lane moved to accept Respondent’s signed consent agreement encompassing the following order: pay an administrative penalty of \$500.00, and pay the cost of investigation in the amount of \$75.00. Mr. Stanley seconded. After discussion, motion carried.
 - D. Discussion and Consideration
 1. Kerry Lee Pickett, P.E. (Mechanical) #36054 – Mr. Folk moved that Mr. Pickett be offered a Consent Order to include probation for the duration of his criminal probation in Ohio. The order shall also require Respondent to provide the necessary consent to allow the Board to receive reports from his probation officer regarding compliance with the Court order. If Respondent

refuses to sign the Order of consent, the renewal shall be denied and then the case will be forwarded to a formal administrative hearing. Mr. Lane seconded. After discussion, motion carried.

2. M12-049, David M. Buot, Architect #40419 – Mr. Stanley moved to refer to Administrative Hearing and pursue Revocation. Mr. Whitneybell seconded. After discussion, motion carried.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration and Possible Vote on the following:

A. Proposed Consent Agreements

1. HI12-008, William B. Reed, CHI #51754 – Ms. Dockins and Mr. Trad were present, but did not address Board. Mr. Whitneybell moved to accept a signed Consent agreement encompassing the following order: A Letter of Reprimand, pay an administrative penalty in the amount of \$2,000.00, probation until the following is met: pay restitution to Michelle Dockins in the amount of \$325.00, take and successfully complete an open book test on the Board's Statutes and Rules within 30 days, passing with a 100% score, and pay cost of investigation in the amount of \$300.00. Mr. Folk seconded. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Appeal of Evaluator's Recommendation

1. Chee, Ronson, Civil Engineer Application #120747 – Mr. Stanley moved to deny Applicant additional credit toward registration. Mr. Lane seconded. Mr. Stanley then moved to retract his first motion, and grant Applicant 96 months credit and grant Applicant registration as a Civil Engineer. Mr. Lane seconded. After discussion, motion carried.
2. Gardner, Eric, Civil Engineer Application #120568 – Mr. Gardner was present and addressed the Board. Mr. Stanley moved to table the application so that he could reevaluate it. Mr. Lane seconded. After discussion, motion carried.

Request for Reinstatement of Registration

3. Bartlett, Joseph, Architect Application #120919 – Mr. Bartlett was present and addressed the Board. Mr. Whitneybell moved to reinstate Mr. Bartlett's license after he pays all required fees. Mr. Brady seconded. After discussion, motion carried.

Request to Grant Registration Pursuant to A.R.S. §§ 32-122.01(E)

4. Sainz, Ray, Civil Engineer Application #120647 – Mr. Stanley moved to grant registration. Mr. Angel seconded. After discussion, motion carried.

Request for Extension to Test

5. Stipe, Robin, Architect Application #050975 – Ms. Stipe was present and addressed the Board. Mr. Folk moved to grant her an extension to 12/31/2013 to take and pass the remaining sections of the Architect Registration Examination (“ARE”) and submit all other documentation required for the Board’s consideration to grant registration. Mr. Whitneybell seconded. After discussion, motion carried.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board’s office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, §§ 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. §§ 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. §§ 32-122.01 and §§ 32-123;
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that has no reasonable relationship to the applicant’s proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. §§ 32-122, §§ 32-122.01, and §§ 32-123;
5. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, §§ 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Stanley moved that the applicants listed in 9(1) be granted professional registration, certification, or In-Training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training authorizations to test to those applicants who disclosed minor criminal history that does not reasonably relate to the applicant’s proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed for failure to meet the requirements of the Board. Mr. Lane seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

1. New NCEES Principles and Practices Examination for Software Engineer, and whether to consider adding it to the branches of engineering currently recognized by the Board. – The Board considered the position paper from the Texas Board, discussed the new NCEES exam, and tabled the matter to consider again at a later date.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

- A. Registrations that have been expired for three years and recommended to be cancelled:

(None)

- B. Certifications that have been expired for one year and recommended to be cancelled:

Vincente Camacho, Home Inspector, #45035 – Mr. Angel moved to cancel Mr. Camacho’s Home Inspector license. Mr. Lane seconded. After discussion, motion carried.

12. **DIRECTOR’S REPORT** – Executive Director, Mr. Ronald Dalrymple presented a written report to the Board and advised that if any of the members had any questions, he would be available to answer them.

13. **BOARD CHAIR’S REPORT** – Mr. Weiland had nothing to report.

14. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee (“L&R”) – No report was given.
2. Budget Committee – Provided in Director’s report. No additional information was offered.
3. Home Inspector Rules and Standards Committee (“HIRS”) – Mr. Folk announced that the next meeting of HIRS will be on November 14, 2012. No report was given.
4. Environmental Remediation Rules and Standards Committee (“ERRSC”) – No report was given.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – No report was given.
2. National Council of Architectural Registration Boards (“NCARB”) – No report was given.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – Mr. Brady announced

that he attended the meeting of CLARB held on September 6 through 8, 2012, in San Francisco, CA. Beginning in December, all examinations will be given using a computer only. Canada is still participating and involved in CLARB, with Mexico also becoming involved. China is now showing some interest in CLARB.

4. National Association of State Boards of Geology (“ASBOG”) – Mr. Weiland will be attending the next meeting to be held October 30 through November 3, 2012, in Omaha, NE.
5. Public Member News/Information – Mr. Folk reported that he has been in contact with Col. Bondurant at Luke AFB, regarding facilitating applications for military personnel.

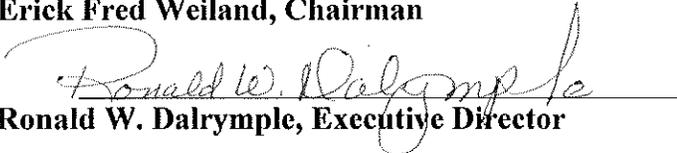
16. FUTURE BOARD MEETINGS

- A. Tuesday, October 23, 2012 at 9:30 a.m.
- B. Suggested topics for future agendas – Selection of an Exam Review committee for the Geological Principles and Practices exam and the “Arizona” specific Land surveyor exam; request to receive legal advice regarding how to manage questions from the public directed to Board members outside the public meeting; discussion regarding how to facilitate applications for military veterans; and discussion of a possible “Temporary License” classification.

17. ADJOURNMENT – Meeting adjourned at 11:12 a.m.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION
Tuesday, October 23, 2012
Meeting
9:30 a.m. OPEN
SESSION**

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, LeRoy Brady, Douglas Folk, Douglas T. Whitneybell, Jason K. Madison, Stuart R. Lane, Robert Stanley, Edward T. Marley. Absent was Alejandro Angel, Ph.D. Staff: Ronald Dalrymple, Melissa Cornelius, Kathryn Fuller, Manuel Maltos, Lisa Vardian, and John Spencer. Assistant Attorney General: Elizabeth Campbell.
3. **CALL TO THE PUBLIC** – Mr. Steven Judge addressed the Board and read part of the Attorney General’s Opinion No. 199-019 (R99-029) regarding designing a golf course by landscape architects. Mr. Judge did not articulate a specific question for the Board to consider at a later meeting. Due to the lack of a specific matter in controversy, the Board did not request that Staff add the item to a future agenda.
4. **ADOPTION OF MINUTES** – Mr. Folk moved to approve the September 25, 2012 minutes with minor modifications. Mr. Lane seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
Review, Consideration, and Possible Action on the following:
 - A. Proposed Dismissals
 1. M11-079, Timothy M. O’Neill, P.E. (Civil) #10006 – Mr. O’Neill and Mr. Timmons were present and addressed the Board. Mr. Folk moved to convene an Executive Session. Mr. Marley seconded. After discussion, motion carried.

Executive Session convened at 11:21 a.m. and adjourned at 11:35 a.m.

Mr. Folk moved that no action would be taken by the Board. Mr. Brady seconded. After discussion, motion carried.
 - B. Proposed Letters of Concern
 1. M11-073, Kenneth P. Converse, Land Surveyor #29259 – Mr. Lane moved to issue a Letter of Concern. Mr. Marley seconded. After discussion, motion carried.
 2. M12-042, David P. Forney, Land Surveyor #27238 – Mr. Forney was present, but chose not to address the Board. Mr. Lane moved to issue a Letter of Concern. Mr. Stanley seconded. After discussion, motion carried.

3. M12-025, Jimmy W. Springer, Land Surveyor #34399 – Mr. Lane moved to issue a Letter of Concern. Mr. Marley seconded. After discussion, motion carried.

C. Proposed Consent Agreements

1. M09-013, Allan Lee Gray, Land Surveyor #31595 – Mr. Lane moved to accept Respondent's signed Consent Agreement encompassing the following requirements: Letter of Reprimand, pay an administrative penalty in the amount of \$1,000.00, Respondent shall prepare a new survey of the Baughman property and record the survey with Coconino County Recorder's Office, and pay the cost of investigation in the amount of \$225.00. Mr. Marley seconded. After discussion, motion carried.

Assistant Attorney General Campbell recommended the Board place agenda items 5.C.2 – 5.C.10 on a consent agenda. Mr. Lane moved to place agenda items 5.C.2 – 5.C.10 on consent agenda and to accept Staff's recommendations. Mr. Marley seconded. After discussion, motion carried. Mr. Lane amended the motion to exclude 5.C.3 and include proposed consent agreements for agenda items 5.C.2, 5.C.4-10. Mr. Marley seconded. After discussion, motion carried.

CONSENT AGENDA

2. (5.C.2) M12-020, George L. Lagorio, P.E. (Civil) #41465 – On consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: Letter of Reprimand, Respondent's practice is restricted from practicing structural engineering until he can demonstrate technical knowledge and skill in this area to the Board, and pay the cost of investigation in the amount of \$80.00. Mr. Marley seconded. After discussion, motion carried.
3. (5.C.4) M12-033, Mohammad Mahpar, P.E. (Civil) #31926 – On consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: Letter of Reprimand, peer review of Respondent's next three (3) engineering projects involving retaining walls, pay an administrative penalty in the amount of \$1,000.00, and pay the cost of investigation in the amount of \$180.00.
4. (5.C.5) M12-034, Ibrahim M. Osman, P.E. (Civil) #39840 – On consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: Letter of Reprimand, take and successfully complete a professional course in structural engineering, peer review of Respondent's next three (3) structural projects, and pay the cost of investigation in the amount of \$295.00.
5. (5.C.6) M12-036, Engineered Fire Solutions – On consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$2,000.00, and pay cost of investigation in the amount of \$75.00.
6. (5.C.7) M12-057, John P. Nebrich, – On consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$500.00, and pay cost of investigation in the amount of \$75.00.

7. (5.C.8) M12-058, Karl Mortensen, – On consent agenda, the Board accepted Respondent’s signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$500.00, and pay cost of investigation in the amount of \$75.00.
8. (5.C.9) M12-061, Continental Survey Land Consultants, Inc. – On consent agenda, the Board accepted Respondent’s signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$1,000.00, and pay cost of investigation in the amount of \$75.00.
9. (5.C.10) M12-070, Environmental Field Services – On consent agenda, the Board accepted Respondent’s signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$500.00, and pay cost of investigation in the amount of \$75.00.

REMOVED FROM CONSENT AGENDA HANDLED SEPARATELY

10. (5.C.3) M12-032, Robert W. Savidge, Land Surveyor #21786 – Mr. Janule was present and addressed the Board. Mr. Lane moved to accept Respondent’s signed Consent Agreement encompassing the following requirements: Letter of Reprimand, Respondent shall prepare an amended survey for review and approval before recording the survey, and pay the cost of investigation in the amount of \$215.00. Mr. Marley seconded. After discussion, motion carried.

D. Discussion and Consideration

1. M10-093, Nesbitt Construction, Inc. – Mr. Sitterley and Mr. Folkers addressed the Board. Mr. Lane moved that the Board make the determination that Nesbitt Contracting, Inc. did practice land surveying as defined by A.R.S. §§ 32-101.27 (a) and (b) and 32-145(1). Mr. Marley seconded. After discussion, motion carried. Mr. Brady moved to convene an Executive Session. Mr. Stanley seconded. After discussion, motion carried.

Executive Session convened at 10:10 a.m. and adjourned at 10:25 a.m.

Mr. Lane retracted his first motion and the Second agreed.

Mr. Lane moved to refer this matter back to staff to determine the appropriate response to a possible violation of A.R.S. §§ 32-101.27 (a) and (b), A.R.S. § 32-145(1), A.R.S. §§ 33-103 (b) and (e). Mr. Marley seconded. After discussion, motion carried.

2. Land Surveying Inquiries/City of Scottsdale

- a. Whether the Registrant who sets street monuments is required to file a Results of Survey – Mr. Folk moved to convene an Executive Session. Mr. Brady seconded. After discussion, motion carried.

Executive Session convened at 10:47 a.m. and adjourned at 11:02 a.m.

Mr. Lane moved that Staff be instructed to open a complaint against Gary Stocker, RLS #17516, for his failure to record a survey as required by Board Statutes and Rules after setting survey monuments. Mr. Folk seconded. After discussion, motion carried. Mr. Marley moved the issue of monument placement be referred to Legislation and Rules Committee (“L&R”)

for possible action as it relates to substantive policy statement number 10. Mr. Brady seconded. After discussion, motion carried.

- b. Whether the land surveyor Registrant who affixes their registration number on the survey monuments is required to record a survey with their seal if another registrant seals the Record of Survey (both registrants are with the same firm) – Mr. Lane moved that no action be taken on this item. Mr. Marley seconded. After discussion, motion carried.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration and Possible Vote on the following:

A. Evaluation of Applications / Requests for Possible Granting of Certification:

1. Miguel Diaz, Applicant #OA120681 – Mr. Lane moved to grant certification as a home inspector upon payment of the registration fee. Mr. Stanley seconded. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Appeal from the Evaluator's Recommendation

1. Gardner, Eric, Civil Engineer Application #120568 – After thorough review of applicant's experience Mr. Stanley moved to table this case for 9 months to allow Applicant to submit the required experience for registration. Mr. Lane seconded. After discussion, motion carried.
2. Hossain, Zahid, Structural Engineer Application #120854 – Mr. Hossain addressed the Board telephonically. Mr. Madison moved to grant registration as a Civil Engineer Applicant may submit another application for Structural Engineering ("SE") registration based on his experience and pursuant to A.R.S. § 32-126 (B)(1). Mr. Stanley seconded. After discussion, motion carried.
3. Jannuzzi, Joe, Civil Engineer Application #100909 – Mr. Jannuzzi was present and addressed the Board. Mr. Madison moved to table the issue until the next Board meeting to give the Board the opportunity to review the additional information applicant submitted at the meeting. Mr. Marley seconded. After discussion, motion carried.

Request for Extension to Complete Testing

4. Soto Lorenzo, Carlos, Structural Engineer Application #110787 – Mr. Soto Lorenzo addressed the Board telephonically. Mr. Stanley moved to grant him registration as a Civil Engineer and informed him that he could apply for Structural Engineering ("SE") registration in the future, pursuant to A.R.S. § 32-126. Mr. Brady seconded. After discussion, motion carried.

Request for Exemption from IDP

5. Rush, Dale, Architect Application #120802 – Mr. Marley moved that applicant had the equivalent to the Arizona requirements for IDP pursuant to current rule R4-30-214 and that the Board grant registration as an Architect. Mr. Brady seconded. After discussion, motion carried.

Request for Exemption from Testing Requirement

6. Brown, Howard, Electrical Engineer Application #120640 – Mr. Brown was present and addressed the Board. Mr. Madison moved to authorize Applicant to take the PE and upon successful completion of the exam, grant him registration as an Electrical Engineer. Mr. Stanley seconded. After discussion motion carried.

9. LICENSING CONSENT AGENDA

- A. Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. § 32-122.01, § 32-123.
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122.
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01 and § 32-123.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that has no reasonable relationship to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. § 32-122, § 32-122.01, and § 32-123.
5. Administratively closing professional or In-Training applications pursuant to A.R.S. § 32-122, § 32-122.01(A); A.A.C. R4-30-204(E).

Mr. Stanley moved that the applicants listed in 9(1) be granted professional registration, certification, or in-training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training designations or authorizations to test for those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed. Mr. Lane seconded. After discussion, motion carried.

10. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

- a. Training and Receipt of Legal Advice from the Board's Assigned Assistant Attorney General regarding Board Member Contact with the Public. Assistant Attorney General Campbell distributed printed materials and gave instructions to the Board concerning "the Law and Communications with the Public." Mr. Marley made a suggestion to post a public warning on our website relating to communications with Board members.
- b. Whether to form a Board committee to review and recommend revisions to the Geological Engineering Principles and Practices Examination and to the Arizona State Specific Land Surveyor Examination. If such committee is formed; appointment of members. Mr. Weiland moved to direct Staff to start the process of evaluating and determining what processes and items need to be in place in order to pursue revisions and to gather potential committee members. Mr. Brady seconded. After discussion, motion carried.

11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:

A. Registrations that have been expired for three years and recommended to be cancelled:

(None)

B. Certifications that have been expired for one year and recommended to be cancelled:

(List available at the Board office.) – Mr. Lane moved to cancel certifications which have been expired for one year. Mr. Marley seconded. After discussion, motion carried.

12. **DIRECTOR'S REPORT** – Director Dalrymple presented a written report to the Board and advised that if any of the members had any questions, he would be available to answer them.

13. **BOARD CHAIR'S REPORT** – Mr. Weiland had nothing to report.

14. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee ("L&R") – Mr. Folk announced that the next meeting is scheduled for November 8, 2012. No report was given.
2. Budget Committee – Director Dalrymple announced that we signed a contract with Central Services Bureau to provide us with a monthly revenue expenditure report. In addition, a new spreadsheet which will show the number of new applicants and other pertinent information will also be available to the Board monthly.
3. Home Inspector Rules and Standards Committee ("HIRS") – Mr. Folk announced that the next meeting of HIRS will be on November 14, 2012. No report was given.
4. Environmental Remediation Rules and Standards Committee ("ERRSC") – No new meetings are scheduled and no report was given.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – No report was given.
2. National Council of Architectural Registration Boards (“NCARB”) – No report was given.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – No report was given.
4. National Association of State Boards of Geology (“ASBOG”) – Mr. Weiland will be attending the next meeting to be held October 30 through November 3, 2012, in Omaha, NE.
5. Public Member News/Information – No report was given.

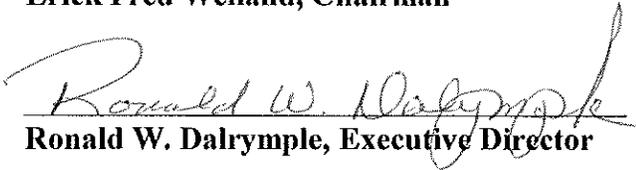
16. FUTURE BOARD MEETINGS

- A. Tuesday, November 20, 2012 at 9:30 a.m.
- B. Suggested topics for future agendas – A discussion of the proper procedure to close cases which are currently in litigation.

17. **ADJOURNMENT** – Meeting adjourned at 1:03 p.m.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION**

Tuesday, November 20, 2012

9:30 a.m.

OPEN SESSION

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, LeRoy Brady, Douglas Folk, Douglas T. Whitneybell, Jason K. Madison, Stuart R. Lane, Robert Stanley, Edward T. Marley, and Alejandro Angel, Ph.D. Staff: Ronald Dalrymple, Melissa Cornelius, Kathryn Fuller, Manuel Maltos, Lisa Vardian, and John Spencer. Assistant Attorney General: Elizabeth Campbell.
3. **CALL TO THE PUBLIC** – Ms. Khorsandi addressed the Board and requested a waiver from the IDP requirement. Staff was directed to add this item to the December agenda.
4. **ADOPTION OF MINUTES** – Mr. Lane moved to approve the October 23, 2012 minutes with minor modifications. Mr. Folk seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
Review, Consideration, and Possible Action on the following:
 - A. Proposed Letters of Concern
 1. M11-044, David S. Klein, Land Surveyor #42137 – Mr. Lane recused himself, citing conflict of interest. Mr. Douglas G. Martin (Mr. Klein's attorney) was present and addressed the Board. Mr. Jerry Webster was also present and addressed the Board. Dr. Angel moved to issue a Letter of Concern. Mr. Madison seconded. Dr. Angel amended the motion to issue a Letter of Concern addressing the issues on the survey that were not in accordance with the Arizona Boundary Survey Minimum Standards. Mr. Madison seconded. After discussion, motion carried.
 2. M11-045, Brett R. Flippo, Land Surveyor #48510 – Mr. Lane and Mr. Folk recused themselves, citing conflict of interest. Mr. Jerry Webster was present and addressed the Board. Dr. Angel moved to issue a Letter of Concern. Mr. Madison seconded. After discussion, motion carried.
 3. M11-046, David S. Klein, Land Surveyor #42137 – Mr. Lane recused himself, citing conflict of interest. Mr. Douglas G. Martin (Mr. Klein's attorney) was present and addressed the Board. Mr. Jerry Webster was also present and addressed the Board.

Mr. Folk moved that the matter be referred back to Staff for further review. Mr. Brady seconded. After discussion, motion carried.

B. Proposed Consent Agreements

Mr. Lane moved to place agenda items 5.B.1, 5.B.3 - 5.B.5 and 5.B.7 on consent agenda and to accept Staff's recommendations. Mr. Stanley seconded. After discussion, motion carried.

CONSENT AGENDA

1. (5.B.1) M10-034, Scott A. Lorentzen, P.E. (Civil) #37306 – on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: Letter of Reprimand, pay an administrative penalty in the amount of \$1,000.00, and pay the cost of investigation in the amount of \$320.00. Mr. Marley seconded. After discussion, motion carried.
2. (5.B.3) M12-008, Hinshaw Associates / Rex T. Hinshaw, Architect #16664 – on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: Letter of Reprimand. Respondents shall be placed on probation until the following requirements are met; pay Systems Design Engineering ("SDE") \$34,375.00 within 24 months from the effective date of the consent agreement. If Respondents fail to pay SDE within 24 month period, Respondents registration shall be suspended until such payment is made. Pay an administrative penalty in the amount of \$500.00, and pay the cost of investigation in the amount of \$160.00.
3. (5.B.4) M12-041, SDC Engineering – on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements; pay an administrative penalty in the amount of \$2,000.00, and pay the cost of investigation in the amount of \$75.00.
4. (5.B.5) M12-053, Two Guys Surveying – on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$500.00, and pay cost of investigation in the amount of \$75.00.
5. (5.B.7) M12-068, R.B. Williams & Associates – on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$500.00, and pay cost of investigation in the amount of \$75.00.

REMOVED FROM CONSENT AGENDA
Handled Separately

6. (5.B.2) M11-042, Randall R. Hager, Land Surveyor #36561 – Mr. Folk recused himself, citing conflict of interest. Mr. Hager was present but did not address the

Board. Mr. Lane moved to accept Respondent's signed Consent Agreement encompassing the following; Letter of Reprimand, pay an administrative penalty in the amount of \$1,000.00, take and complete an ethics course approved by the Board, and pay the cost of investigation in the amount of \$300.00. Mr. Stanley seconded. After discussion, motion carried.

7. (5.B.6) M12-056, David S. Klein, RLS (Firm) – Mr. Klein was present and addressed the Board. Mr. Lane moved to accept Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$500.00, and pay cost of investigation in the amount of \$75.00. Mr. Whitneybell seconded. After discussion, motion carried.

C. Discussion and Consideration

1a. M10-059, T2 Architecture Group, LLC

1b. M10-061, T2 Architecture Group, LLC

Mr. Folk moved to consolidate C.1.a and b and to refer to Staff to for additional information. Mr. Lane seconded. After discussion, motion carried.

2. M12-050, Del Giorgio & Associates – Mr. Weiland tabled the issue until the next Board meeting.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration and Possible Vote on the following:

A. Proposed Consent Agreements

1. HI11-010, Robert J. DeFalco, CHI #38064 – Mr. DeFalco was present and addressed the Board. Mr. Folk moved to accept Respondent's signed Consent Agreement encompassing the following requirements; Letter of Reprimand, pay an administrative penalty in the amount of \$1,000.00, take and successfully complete an open book test on the Board's Statutes and Rules within 30 days passing with a 100% score, and pay cost of investigation in the amount of \$250.00. Mr. Marley seconded. After discussion, motion carried.
2. HI12-005, Dwayne S. Franklin, CHI #39204 – Ms. Moss was present and addressed the Board. Dr. Angel moved to accept Respondent's signed Consent Agreement encompassing the following requirements; Letter of Reprimand, and pay an administrative penalty in the amount of \$500.00. Probation until the following are met; pay restitution to Ms. Moss in the amount of \$180.00, peer review by successfully completing three parallel inspections supervised by a member of the Enforcement Advisory Committee. Take and successfully complete an open book test on the Board's Statutes and Rules within 30 days passing with a 100% score, and pay cost of investigation in the amount of \$200.00. Mr. Lane seconded. After discussion, motion carried.
3. HI12-016, Floyd E. Otwell, CHI #38215 – Mr. Marley moved to accept Respondent's signed Consent Agreement encompassing the following requirements; Letter of Reprimand and pay an administrative penalty in the amount of \$800.00. Probation

until the following is met; pay restitution to Ms. Yanez in the amount of \$220.00. Take and successfully complete an open book test on the Board's Statutes and Rules within 30 days, passing with a 100% score, and pay cost of investigation in the amount of \$270.00. Mr. Lane seconded. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Action on the following:
There were no issues for this Item.

8. LICENSING MATTERS

Review, Consideration, and Possible Action on the following:

Request for Extension to Complete Testing

1. Curiel, Edwin, Architect Application #070847 – Mr. Curiel was present and addressed the Board. Mr. Lane moved to grant him a 30 month extension to take and pass the remaining sections of the ARE. Mr. Whitneybell seconded. After discussion, motion carried.

9. LICENSING CONSENT AGENDA

A. Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. § 32-122.01 § 32-123
2. Granting approval to applicants to sit for the professional or in-training examinations Pursuant to A.R.S. § 32-122
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01 and § 32-123.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that has no reasonable relationship to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. § 32-122, § 32-122.01, and § 32-123.
5. Administratively closing professional or In-Training applications pursuant to A.R.S. § 32-122, § 32-122.01(A); A.A.C. R4-30-204(E).

Ms. Cornelius asked that Mr. Mosallai be removed from list and reviewed separately.

Mr. Stanley moved that the applicants listed in 9(1) be granted professional registration, certification, or in-training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in- training designations or authorizations to test for those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) with the exception of Mr. Mosallai, be administratively closed. Mr. Marley seconded. After discussion, motion carried.

Mosallai, Mojtaba, Civil Engineer Application #110232 – Mr. Stanley moved to close Mr. Mosallai's application. Dr. Angel seconded. Mr. Stanley amended his motion to close the application until Mr. Mosallai completes the requirements from a previous Consent Agreement and provides proof to the Board that it was completed. Dr. Angel seconded. After discussion, motion carried.

10. **POLICY MATTERS**

Review, Consideration, and Possible Action on the following:

- A. Whether to modify the Board's procedure to close complaint cases which are currently in litigation.

Mr. Folk moved to convene Executive Session for the purpose of taking legal advice. Mr. Lane seconded. Executive Session convened at 11:46 a.m. and adjourned at 12:12 p.m.

Mr. Folk moved to issue direction to Director Dalrymple to develop an administrative policy and procedure for cases currently in litigation to be returned to the Board for consideration and adoption by the December meeting. Mr. Lane seconded. After discussion, motion carried.

- B. Review, discussion and vote upon the Legislation and Rules Committee Continuing Education Survey. Mr. Folk moved that the Board direct Staff to correct the draft survey to indicate that it is a non-binding survey, that we add the Board professions of Landscape Architects and Geologists to the list of professions in category #1. The survey is to be conducted by email and be concluded by January 31, 2013. Mr. Marley seconded. After discussion, motion carried.

11. **REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:**

- A. Registrations that have been expired for three years and recommended to be cancelled: (List available at the Board office). Mr. Stanley moved to cancel registrations which have been expired for three years. Mr. Marley seconded. After discussion, motion carried.

- B. Certifications that have been expired for one year and recommended to be cancelled:
(None)

12. **DIRECTOR'S REPORT** –Director Dalrymple presented a written report to the Board and advised that if any of the members had any questions, he would be available to answer them.
13. **BOARD CHAIR'S REPORT** – Mr. Weiland had nothing to report.
14. **STANDING COMMITTEE REPORTS**
 1. Legislation and Rules Committee (“L&R”) – Mr. Folk reported that the November 8th meeting covered not only the survey which has already been discussed, but two other issues of note. There was discussion of possible recommendations for the definitions of “Land Surveyor” and “Land Surveying practice.” The second item was possible changes to Substantive Policy Statement No. 10 “Requirements for Recording Results of Survey Drawings.”
 2. Budget Committee –Director Dalrymple announced that our budget request has been submitted to the budget office for FY2014 which included a request for two additional employees for the alarm program and a request for additional funds for completion of the computer system upgrades. A Flow Chart for FY2013 was also provided and will be available to the Board every month.
 3. Home Inspector Rules and Standards Committee (“HIRS”) – Mr. Folk announced that the next meeting of HIRS will be on December 5, 2012. Mr. Dalrymple announced that Mr. Maltos will be handing the responsibility of HIRS to Ms. Vardian from that point forward.
 4. Environmental Remediation Rules and Standards Committee (“ERRSC”) – The next meeting will be January 8, 2013.

BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – No report was given.
2. National Council of Architectural Registration Boards (“NCARB”) – Mr. Marley reported the next meeting will be held on December 7, 2012.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – No report was given.
4. National Association of State Boards of Geology (“ASBOG”) – Mr. Weiland presented a written report and a detailed Examinations Annual report. He then gave a brief synopsis of both the meeting report, examinations report, and announced that ASBOG is considering developing an Engineering and Geology specialty exam which would be a benefit to us in that we wouldn't have to continue using our own.
5. Public Member News/Information – No report was given.

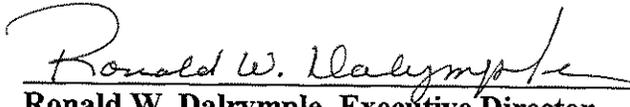
16 FUTURE BOARD MEETINGS

- A. Tuesday, December 18, 2012, at 9:30 a.m. with a Christmas luncheon immediately following.
- B. Suggested topics for future agendas – A discussion of the proper procedure for closing cases which are currently in litigation.

17. ADJOURNMENT – Meeting adjourned at 1:11 p.m.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director

**MINUTES OF THE
ARIZONA STATE BOARD OF TECHNICAL REGISTRATION
Tuesday, December 18, 2012
Meeting
9:30 a.m.
OPEN SESSION**

1. **CALL TO ORDER** – Chairman Erick F. Weiland called the meeting of the Board of Technical Registration to order at 9:30 a.m.
2. **ROLL CALL** – Board Members in Attendance, Erick F. Weiland, LeRoy Brady, Douglas Folk, Douglas T. Whitneybell, Jason K. Madison, Stuart R. Lane, Robert Stanley, Edward T. Marley, and Alejandro Angel, Ph.D. Staff: Ronald Dalrymple, Melissa Cornelius, Kathryn Fuller, Manuel Maltos, Lisa Vardian, and John Spencer. Assistant Attorney General: Elizabeth Campbell.
3. **CALL TO THE PUBLIC** – No member of the public addressed the Board.
4. **ADOPTION OF MINUTES** – Mr. Marley moved to approve the November 20, 2012 minutes as submitted. Mr. Folk seconded. After discussion, motion carried.
5. **ENFORCEMENT MATTERS**
Review, Consideration, and Possible Action on the following:
 - A. Proposed Dismissal
 1. M11-079, Timothy M. O’Neill, P.E. (Civil) #10006 – Respondent was present and addressed the Board. Mr. Folk moved to reopen the case to determine final resolution due to the civil case closure. Mr. Brady seconded. After discussion, motion carried. Mr. Folk moved to accept the assessor’s recommendation and formally dismiss this case as unsubstantiated. Mr. Brady seconded. After discussion, motion carried.
 - B. Proposed Letters of Concern
 1. M12-006, George G. Catone, Architect #33968 – Mr. Jeff Miller, attorney representing Respondent, was present and addressed the Board. Mr. Lane moved that the allegations against Respondent be dismissed. Mr. Marley seconded. After discussion, motion carried.
 2. M12-013, A.J. Wadsworth, Land Surveyor #37936 – Respondent was present to answer any questions from the Board. Mr. Jerry Webster, complainant, was present and addressed the Board. Mr. Lane moved to issue a Letter of Concern to Respondent for failure to comply with the Arizona Boundary Survey Minimum Standards, in violation of A.R.S. § 32-128(C)(4) and A.A.C.R4-301(13). Mr. Marley seconded. After discussion, motion carried with Mr. Folk casting the only nay vote.

C. Proposed Consent Agreements

Mr. Lane moved to place agenda items 5.C.1 and 5.C.3-5.C.4 on the consent agenda and to accept Staff's recommendations. Mr. Marley seconded. After discussion, motion carried.

CONSENT AGENDA

1. (5.C.1) M10-008, Franklin D. Boxberger, P.E. (Civil) #20887 - on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: Letter of Reprimand, pay an administrative penalty in the amount of \$1,000.00, and pay cost of investigation in the amount of \$586.00.
2. (5.C.3) M13-012, Northstar Surveying, Inc. - on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$1,000.00, and pay the cost of investigation in the amount of \$75.00.
3. (5.C.4) M12-050, Del Giorgio & Associates - on consent agenda, the Board accepted Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$500.00, and pay the cost of investigation in the amount of \$75.00.

REMOVED FROM CONSENT AGENDA

Handled separately

4. (5.C.2) M11-069, Adam P. Bronnenkant, P.E. (Civil) #50573 – Camila Alarcon, attorney, appeared on behalf of Respondent, was present and available to answer questions. Mr. Stanley moved to accept Respondent's signed Consent Agreement encompassing the following requirements: pay an administrative penalty in the amount of \$1,000.00, peer review of Respondent's next three (3) structural engineering projects, and pay the cost of investigation in the amount of \$350.00. Mr. Lane seconded. After discussion, motion carried.

D. Proposed Peer Review Candidate

1. M12-034, Ibrahim M. Osman, P.E. (Civil) #39840 – Mr. Madison moved to reject the two Arizona registered engineers Respondent provided for Board approval as his peer review for the next three structural projects due to their lack of applicable structural experience. Mr. Madison also noted that one engineer was not local in Arizona with applicable structural experience to provide adequate review. Mr. Lane seconded. Mr. Madison amended the motion to include a requirement that Respondent provide names, letters of interest and resumes of reviewers who are local in Arizona with applicable structural experience. Mr. Lane withdrew his first second and seconded the amended motion. After discussion, motion carried.

E. Proposed Enforcement Advisory Committee Member

1. Taylor S. Hansen, Land Surveyor #37512 – Mr. Lane moved to approve Mr. Hansen as an Enforcement Advisory Committee (EAC) member. Mr. Marley seconded. After discussion, motion carried.

6. **HOME INSPECTOR ENFORCEMENT MATTERS**

Review, Consideration and Possible Vote on the following:

A. Evaluation of Applications / Requests for Possible Granting of Certification:

1. Roger A. Zimmerman, Applicant #120970 – Applicant was present to answer questions from the Board. Mr. Folk moved to grant Applicant certification as a Home Inspector upon payment of the registration fee. Dr. Angel seconded. After discussion, motion carried.
2. Derek J. Otto, Applicant #121094 – Applicant was present to answer questions from the Board. Mr. Folk moved to grant Applicant certification as a Home Inspector upon payment of the registration fee. Mr. Lane seconded. After discussion, motion carried.

B. Proposed Letters of Concern

1. HI12-018, Allen W. Blaker, CHI #38050 – Mr. Stanley moved to issue Respondent a Letter of Concern for reporting deficiencies that failed to comply with the Arizona Standards of Professional Practice for Home Inspectors. Mr. Madison seconded. After discussion, motion carried.

C. Proposed Consent Agreements

1. HI12-009, Albert J. Silva, CHI #41817 – Mr. Tim Gaffney, complainant, was present but did not address the Board. Mr. Marley moved to accept Respondent's signed Consent Agreement encompassing: Letter of Reprimand and pay an administrative penalty in the amount of \$1,000.00, probation until restitution is paid to Mr. Gaffney in the amount of \$285.00. Take and successfully complete an open book test on the Board's Statutes and Rules within 30 days passing with a 100% score, and pay cost of investigation in the amount of \$270.00. Mr. Lane seconded. After discussion, motion carried.
2. HI12-013, Joseph P. Purtell, CHI #41254 – Dr. Angel moved to accept Respondent's signed Consent Agreement encompassing: Letter of Reprimand, pay an administrative penalty in the amount of \$1,500.00, probation until restitution is paid to Ms. McGrane in the amount of \$230.00. Take and successfully complete and open book test on the board's Statutes and Rules within 30 days passing with a 100% score, and pay cost of investigation in the amount of \$280.00. Mr. Whitneybell seconded. After discussion, motion carried.

D. Proposed Enforcement Advisory Committee Members

1. Max E. McQueen, Home Inspector #38439 – Dr. Angel moved to approve Mr. McQueen as an Enforcement Advisory Committee (EAC) member. Mr. Marley seconded. After discussion, motion carried.

2. Edward P. Fifer, Home Inspector #38566 – Mr. Whitneybell moved to approve Mr. Fifer as an Enforcement Advisory Committee (EAC) member. Mr. Marley seconded. After discussion, motion carried.

7. **DRUG LABORATORY ENFORCEMENT MATTERS**

Review, Consideration, and Possible Action on the following:

- A. Environmental Remediation Rules and Standards Committee Board member appointment. Mr. Weiland nominated and moved to appoint Dr. Angel to the Environmental Remediation Rules and Standards Committee. Mr. Lane seconded. After discussion, Dr. Angel was appointed to the Committee.

8. **LICENSING MATTERS**

Review, Consideration, and Possible Action on the following:

Request for Extension to Complete Testing

1. Gracia, Stephan, Civil Engineer Application #080843 – Applicant was present and addressed the Board. Mr. Stanley moved to grant Applicant an extension until April of 2013 to take and pass the PE. Mr. Whitneybell seconded. After discussion, motion carried.
2. Hsu, Vivian, Architect Application #070520 – Mr. Marley moved to grant Applicant a seven month extension to take and pass the remaining sections of the ARE. Mr. Whitneybell seconded. After discussion, motion carried.
3. Khorsandi, Mehrzad, Architect Application #021077 – Mr. Marley moved to grant Applicant a three year extension until January 31, 2016, to take and pass the ARE. Mr. Whitneybell seconded. After discussion, motion carried.

Appeal from the Evaluator's Recommendation

4. Wilson, Beverly, Landscape Architect Application #110649 – Mr. Weiland recused himself, citing conflict of interest. Applicant was present and addressed the Board. Mr. Lane moved to grant Applicant registration as a landscape architect. Mr. Marley seconded. After discussion, motion carried.

9. **LICENSING CONSENT AGENDA**

A. Review, Consideration, and Action on the Evaluation Committee and Staff recommendations for the following: (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. § 32-122.01 § 32-123
2. Granting approval to applicants to sit for the professional or in-training examinations Pursuant to A.R.S. § 32-122

3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01 and § 32-123.
4. Granting professional registrations, certifications or in-training designations or authorizations to test to those applicants who disclosed minor criminal history that has no reasonable relationship to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions, pursuant to A.R.S. § 32-122, § 32-122.01, and § 32-123.
5. Administratively closing professional or In-Training applications pursuant to A.R.S. § 32-122, § 32-122.01(A); A.A.C. R4-30-204(E).

Mr. Stanley moved that the applicants listed in 9(1) be granted professional registration, certification, or in-training designation; that the applicants listed in 9(2) be approved to sit for the professional or in-training examinations; that the applicants in 9(3) be granted professional registration; that the applicants in 9(4) be granted professional registrations, certifications, or in-training designations or authorizations to test for those applicants who disclosed minor criminal history that does not reasonably relate to the applicant's proposed area of practice or who disclosed disciplinary action taken against their registrations in other jurisdictions; and the applicants listed in 9(5) be administratively closed. Mr. Marley seconded. After discussion, motion carried.

10. **POLICY MATTERS**

Review, Consideration, and Possible Action on the following:

A. Policy and procedure for cases currently in litigation.

Mr. Folk moved to convene Executive Session for the purpose of receiving legal advice. Executive Session convened at 11:43 A.M. and adjourned at 11:49 A.M.

Mr. Folk moved to discontinue the current informal policy and procedure and that the Board consider and act upon all complaints timely, regardless of whether parties are in civil litigation. Mr. Marley seconded. After discussion, motion carried.

B. Review, discussion and vote upon the Continuing Education Survey. The Board reviewed the survey. Mr. Folk moved to amend the web-based survey to add an open comment section at the end and to delete the question requesting registrant's email addresses. Mr. Brady seconded. After discussion, motion carried. The survey should be emailed to registrants at the end of December 2012.

11. **REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:**

A. Registrations that have been expired for three years and recommended to be cancelled: None this month

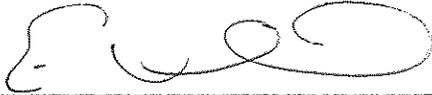
- B. Certifications that have been expired for one year and recommended to be cancelled:
None this month
12. **DIRECTOR'S REPORT** –Director Dalrymple reported the drug lab proposed rule changes were pulled from the rule package to make suggested edits. The Board has until May 2013 to make the revisions and submit the rules in a separate notice of final rulemaking to the Governor's Regulatory Review Counsel (GRRC). The rule package is scheduled for review at the January 8, 2013 GRRC meeting. If it passes GRRC then it will proceed to the Secretary of State's office for publication.
13. **BOARD CHAIR'S REPORT** – Mr. Weiland thanked the members of the Board for their diligence and efforts; thanked the director, deputy director, and assistant attorney general for their expertise and guidance; and to Staff for providing all that is needed to facilitate the Board's appointed mission.
14. **STANDING COMMITTEE REPORTS**
1. Legislation and Rules Committee ("L&R") – No report was given.
 2. Budget Committee –Director Dalrymple provided a written report and announced that our budget request has been submitted to the budget office for FY2014 which included a request for two additional employees for the alarm program and a request for additional funds for completion of the computer system upgrades. The November 2012 Cash Flow report was also provided.
 3. Home Inspector Rules and Standards Committee ("HIRS") – Ms. Vardian reported that Mr. Fifer and Mr. McQueen were both recommended for appointment to the Enforcement Advisory Committee. The Pool and Spa rule package will be submitted to the Governor's Regulatory Review Counsel in early 2013. Pool and Spa complaints cannot be addressed until rules and standards are adopted. The Committee discussed the possibility of producing a videotaped training seminar for Enforcement Advisory Committee members.
 4. Environmental Remediation Rules and Standards Committee ("ERRSC") – The next meeting will be January 8, 2013.
15. **BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES**
1. National Council of Examiners for Engineering and Surveying ("NCEES") – Ms. Cornelius announced that she had been appointed to recruit articles for the NCEES quarterly publication.
 2. National Council of Architectural Registration Boards ("NCARB") – No report was given.
 3. Council of Landscape Architectural Registration Boards ("CLARB") – Mr. Brady reported that the next meeting would be in Scottsdale in February, 2013.

4. National Association of State Boards of Geology (“ASBOG”) – No report was given.
5. Public Member News/Information – No report was given.

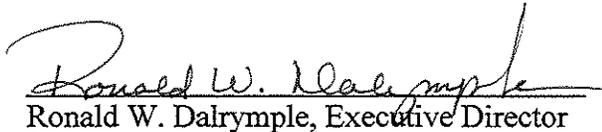
16. **FUTURE BOARD MEETINGS**

- A. Tuesday, January 22, 2013 at 9:30 A.M.
- B. Suggested topics for future agendas – A discussion regarding whether there is or should be professional registrant oversight on Public Works projects. A discussion of Canadian engineer qualifications for registration.

17. **ADJOURNMENT** – Meeting adjourned at 1:11 p.m.



Erick Fred Weiland, Chairman



Ronald W. Dalrymple, Executive Director