



State of Arizona
BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007
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- Jack Gilmore, Board Chair, Landscape Architect • Michael Kolejka, Board Vice Chair, Architect
- Vacant, Land Surveyor • Scott Sayles, Civil Engineer • Bill Nesgood, Geologist
- Dr. Clinton Campbell, Public Member • Jennifer Hobik, Esq, Public Member
- Kileen Lindgren, Public Member • Stacy Skankey, Esq, Public Member
- Kent Wilson, Board Secretary, Public Member • Vacant, Public Member

MINUTES FOR REGULAR SESSION MEETING

1110 W. Washington Street, Conference Room 3175, Phoenix, Arizona 85007

Monday, August 22, 2022 –9:00am

1. **CALL TO ORDER** – The Board meeting convened at 9:02 am and adjourned at 12:47 pm.
2. **ROLL CALL**

PRESENT

Jack Gilmore
Michael Kolejka
Scott Sayles
William “Bill” Nesgood

TELEPHONIC

Dr. Clinton Campbell
Jennifer Hobik, Esq.
Stacey Skankey, Esq. – Left at 12:15 pm
Kileen Lindgren
Lucas “Kent” Wilson

3. **CALL TO THE PUBLIC**

No one appeared before the Board.

4. **ADOPTION OF MINUTES**

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 4(A-B).

- A. Approve, modify and/or reject, July 26, 2022 Board meeting minutes.

Mr. Kolejka moved and Mr. Sayles seconded to approve both regular session and executive minutes as written; motion carried 9-0.

- B. Approve, modify and/or reject, July 26, 2022 Executive Session Board meeting minutes.

See 4(A).

5. **CONSENT AGENDA**

Items listed on the Consent Agenda will be considered by the Board as a single action item unless a Board Member wishes to remove a specific item for review, discussion, and action separately from the other Consent Agenda items.

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 5(A).

A. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

1. Cancel Registrations and Certifications that have been Expired for one Full Renewal Period

2. Grant Applications for Registration/Certification
 - a) Professional Exam unknown
 - 1) Toliver, Ivan – Application for Registration as a Civil Engineer #225323
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Gross, Alexander – Application for Registration as a Mechanical Engineer #224039
 - 2) Bluvstein, Wesley – Application for Registration as a Geologist #224667
 - 3) Davis, Joshua – Application for Registration as a Geologist #224901
 - c) Council Records – experience under non-Professionals
 - 1) Frankenberg, Matthew – Application for Registration as a Fire Protection Engineer #224585
 - 2) Vidmar, Shelly – Application for Registration as a Civil Engineer #225008
 - 3) Mousavi, Mir Emad – Application for Registration as a Civil Engineer #225034
 - 4) Pesta, Kirk – Application for Registration as a Mechanical Engineer #225053
 - 5) Rodriguez Velazquez, Eduardo – Application for Registration as an Electrical Engineer #225007
 - 6) Clark, Jordan – Application for Registration as a Civil Engineer #225159
 - 7) Maxey, Jacob – Application for Registration as an Electrical Engineer #225142
 - 8) Reeves, Joshua – Application for Registration as a Civil Engineer #225036
 - 9) Goslee, Aaron – Application for Registration as a Civil Engineer #225321
 - d) Background Review
 - 1) Gianpetro, Anthony – Application for Registration as a Mechanical Engineer #225101
 - 2) Hallowell, Jason – Application for Registration as a Geological Engineer #225106
 - 3) Laria, Christopher – Application for Registration as a Landscape Architect #224959
 - 4) Karki, Rajeev – Application for Registration as a Civil Engineer #224956
 - 5) McLaughlin, Craig – Application for Engineer-In-Training Designation #224908
 - 6) Voss, Joseph – Application for Registration as an Environmental Engineer #224817
 - 7) Fisher, Clark – Application for Registration as a Land Surveyor #225217
 - 8) Lo, Annie – Application for Registration as an Architect #224142
 - 9) Jupka, Jonathan – Application for Registration as a Civil Engineer #225184
 - 10) Romero, Silvester – Application for Certification as a Home Inspector #224669
 - 11) Waldron, John – Application for Registration as an Electrical Engineer #225050
 - 12) Edmison, Brian – Application for Registration as an Architect #225283
 - e) Disciplinary Action Review
 - 1) Campbell, Daniel – Application for Registration as a Civil Engineer #224631
 - 2) Cox, Bryan – Application for Registration as an Electrical Engineer #225052
 - 3) Doan, Trung – Application for Registration as an Architect #225085
 - f) Multiple Considerations
 - 1) Hoyt, Kyle – Application for Registration as a Civil Engineer #225103
 - i. Background Review
 - ii. Professional Exam unknown

- 2) Hunter, Andrew – Application for Registration as an Electrical Engineer #225049
 - i. Background Review
 - ii. Council Record – experience under non-Professionals
- 3) Poole, Andrew – Application for Registration as a Fire Protection Engineer #224762
 - i. Background Review
 - ii. Disciplinary Action Review
3. Grant Universal Applications for Professional Registration/Certification
 - a) Fick, Paul – Application for Registration as an Architect #225218
 - b) Wesoloski, Michael – Application for Registration as a Civil Engineer #225144
 - c) McGill, Michael – Application for Registration as an Architect #224962
4. Grant Renewal Registration Application(s)
 - a) Background Review
 - 1) Hartmann, Josh – Renewal Application for Civil Engineer Registration #40979
 - b) Disciplinary Action Review
 - 1) Armenta, Brian – Renewal Application for Electrical Engineer Registration #55088
 - 2) Reyes, Jaime – Renewal Application for Civil Engineer Registration #26183
5. Approve Application(s) for Exam Waivers
 - a) Application(s) to waive Fundamental Exam
 - 1) Varkekar, Anant – Application for FE exam waiver #223662
 - b) Application(s) to waive Professional Exam
 - 1) Varkekar, Anant – Application for PE Civil exam waiver #223394
 - 2) Landingham, Gary – Application for SE I exam waiver #225064
 - 3) Brandao, Edgardo – Application for PE Civil exam waiver #224929
6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
Nothing to discuss
7. Approve Extension Requests
 - a) El Gohary, Mohamed – Application for Registration as a Civil Engineer #225107

Mr. Kolejka moved and Ms. Hobik seconded to approve all items under agenda item 5(A); motion carried 9-0.

6. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda item 6. In the event the Board moves to accept a consent agreement or administratively close a file, it will additionally consider whether to vacate any pending court dates.

Nothing to Consider

7. ENFORCEMENT MATTERS

Review, Consideration and Possible Action on the following:

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 7(A-G).

A. Complaints Proposed for Resolution by Dismissal:

1. P22-051, Jo-Anne Quizan, Non-Registrant and 312 Architect and Design, Non-Registrant Firm, (Current firm #23979) (Related Case P22-052)

Respondent appeared telephonically and made a statement before the Board. Investigator Kaitlyn Crawford was present and answered Board member questions. The Board deliberated.

Mr. Sayles moved and Mr. Kolejka seconded to dismiss cases #P22-051, #P22-052, #P23-004 and #P22-056; motion carried 9-0.

Mr. Wilson moved and Ms. Hobik seconded to accept staff recommendation to open a complaint against the owners of 312 Architect and Design; motion carried 7-2. Ms. Lindgren and Ms. Skankey voted nay.

2. P22-052, Julius Marzan, Non-Registrant (Related Case P22-051)

See 7(A)(1).

3. P23-004, Carlos Grijalva, Non-Registrant

See 7(A)(1).

4. P22-056, Joseph Zeimet, R.L.S #45086

See 7(A)(1).

B. Complaints Proposed for Administrative Closure without Prejudice:

1. P22-071, Carlos Padilla, Non-Registrant and AAA Survey Arizona, LLC, Non-Registrant Firm

Investigator Gregory Roehm was present and made a statement before the Board. AAG Scott Donald was present to provide legal advice.

Dr. Campbell moved and Mr. Kolejka seconded to administratively close case P22-071 without prejudice; motion carried 9-0.

C. Complaints Proposed for Resolution by Letters of Concern:

1. HI22-035, Bryck Guibor, C.H.I. #38101

Respondent appeared telephonically, made a statement and asked the Board questions. Alleger, Ms. Ann Brown Punski was present and made a statement before the Board. Investigator Daniel Carthel was present and made a statement before the Board. The Board deliberated.

Mr. Wilson moved and Ms. Lindgren seconded to dismiss case #HI22-035; motion failed 3-6. Dr. Campbell, Mr. Gilmore, Ms. Hobik, Mr. Kolejka, Mr. Nesgood and Mr. Sayles voted nay.

Mr. Kolejka moved and Mr. Nesgood seconded to issue respondent a Letter of Concern; motion

carried 6-3. Ms. Lindgren, Ms. Skankey and Mr. Wilson voted nay.

D. Complaints Proposed for Resolution with Signed Consent Agreements:

1. P22-062, Ken Estrada, Non-Registrant and e6 Services, Inc #22096 (*Expired*)

AAG Scott Donald was present to provide legal advice.

Mr. Kolejka moved and Mr. Sayles seconded to accept resolution with a signed Consent Agreement for cases #P22-062, #P22-080, #HI22-036 and HI23-003; motion carried 9-0.

2. P22-080, Jason Otero, R.A. #75953 and Loma Architecture, LLC, Non-Registrant Firm (*Current Firm #24095*)

See 7(D)(1).

3. HI22-036, Jovan Cirerol, C.H.I. #73583

See 7(D)(1).

E. Complaints Proposed to Offer Consent Agreement:

1. P22-064, Brian Stole, Non-Registrant

Investigator Daniel Carthel was present before the Board. AAG Scott Donald was present to provide legal advice. The Board deliberated.

Mr. Sayles moved and Mr. Nesgood seconded to offer a Consent Agreement to Respondent; motion carried 9-0.

Mr. Sayles moved and Mr. Nesgood seconded to amend the previous vote and offer a Consent Agreement to Respondent, and if not signed within 30 days, move to formal hearing. Additionally, the motion included immediate referral of the matter to the Attorney General's Office for possible criminal prosecution if Consent Agreement is not signed within 30 days; motion carried 9-0.

2. HI23-003, Thomas Denton Jr. C.H.I.#59413 and Zero Scope Home Inspections, Non-Registrant Firm (*Current #24168*)

See 7(D)(1).

F. Complaints Requiring Board Guidance:

1. P22-053, Kathryn Mills, P.E. (Civil) #31118

Investigator Gregory Roehm was present to make a statement and answer Board member questions. AAG Scott Donald was present to provide legal advice. The Board deliberated.

Dr. Campbell moved and Mr. Nesgood seconded to issue Respondent a Letter of Concern; motion carried 6-2. Ms. Lindgren and Mr. Wilson voted nay. Mr. Gilmore recused himself from the vote.

Ms. Skankey left the meeting at 12:15 pm.

G. Review and Consideration for EAC Membership:

1. Thomas G. Haws, P.E. (Civil) #30503

Mr. Kolejka moved and Mr. Wilson seconded to accept EAC membership for Thomas G. Hawks; motion carried 8-0.

2. Ron Taylor, P.E. (Civil) #72726

Mr. Ron Taylor was present and made a statement before the Board.

Mr. Sayles moved and Mr. Nesgood seconded to accept EAC membership for Ron Taylor; motion carried 7-0. Mr. Gilmore recused himself from the vote.

8. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda item 8(A). Additionally, the Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(4) (discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation) on agenda item 8(A).

A. Arizona Supreme Court Docket No. CV-21-0203-PR, 1 CA-CV 20-0510 & CV 2019-013509 – Mills v. Arizona State Board of Technical Registration

The Board's counsel, Mr. Greg Harris, reported on the Supreme Court's opinion and answered questions from the Board.

Mr. Kolejka moved and Mr. Nesgood seconded to move into executive session; motion carried 9-0.

The Board entered Executive Session at 9:11 am. The Board returned to Open Session at 10:43 am.

Mr. Gilmore moved and Mr. Kolejka seconded to direct legal counsel to proceed as discussed in executive session; motion carried 9-0.

B. Presentation on Traffic Engineering by David Schwegel

Mr. David Schwegel of Phelps Engineering Services Inc. spoke before the Board to encourage support for a traffic engineering exam to be offered by NCEES.

9. DIRECTOR'S REPORT

- A. Budget Update
- B. Previous Meeting Follow-Up
 - a. Online Transition
 - b. Board Staff Updates

- c. Board Composition
- C. Licensing Numbers
- D. Enforcement Numbers
- E. List of Newly Granted Applicants

Ms. Stapley reported on the Board's budget, new Board staff, the two Board member vacancies and enforcement numbers.

10. BOARD CHAIR'S REPORT

A. Presentation of Service Plaque for Helmuth Hack

Former Land Surveyor Board member Helmuth Hack was present to accept a plaque of service for his time served on the Board.

11. ASSISTANT ATTORNEY GENERAL'S REPORT

Nothing was discussed.

12. STANDING COMMITTEE REPORTS

A. Legislation and Rules Committee – Next meeting September 2, 2022

Ms. Stapley reported on the Board's next Legislation and Rules Committee meeting regarding discussions on possible legislative changes to Arizona's "Engineer" definition.

B. Home Inspector Rules and Standards Committee –Next meeting September 7, 2022

Ms. Stapley reported that Board staff will contact Home Inspector Rules and Standards Committee member Mr. Roger Skaggs to confirm that recent rule changes have been adopted by ASHI.

13. BOARD MEMBER REPORTS/DISCUSSION ON OUTSIDE NATIONAL COUNCIL ACTIVITIES, NEWS AND MEETINGS

A. National Association of State Boards of Geology (ASBOG)

Ms. Stapley reported on the upcoming Geology licensure exam scheduled on October 7, 2022. This will be the last paper/pencil exam given prior to the conversion to computer based testing (CBT).

B. Council of Landscape Architectural Registration Boards (CLARB)

Mr. Gilmore reported on discussions at CLARB's regional seminar regarding updating licensure qualifications.

C. National Council of Architectural Registration Boards (NCARB)

Ms. Stapley reported on NCARB's recent ratification of a mutual recognition agreement with the United Kingdom that is expected to go into effect in the spring of 2023.

D. National Council of Examiners for Engineering and Surveying (NCEES)

Ms. Stapley reported on NCEES's upcoming conference in Carlsbad that she and Mr. Sayles will both attend.

14. FUTURE BOARD MEETINGS – September 27, 2022

15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

Presentation/discussion regarding construction staking presented by the registered land surveyors. The scheduled presentation from presentation from the Council for Interior Design Qualification (CIDQ) by Thomas Banks and Matthew Barusch. Discussion on regulation regarding use of drones by land surveyors.

16. MEETING ADJOURNMENT

ONLINE COMMENTS MADE DURING BOARD MEETING OPEN SESSION

Bryck Guibor

10:54 AM

So items 7 a through G are in executive session . Is the section 7 C getting heard since the agenda jumped to 8 .

Thankyou

Hayden Weber

10:55 AM

Agenda 8A and was the item in executive session. Enforcement cases will begin shortly.

Bryck Guibor

10:57 AM

ok thanks

Jo-Anne Quizan

11:22 AM

Hi, I was online since 9-10AM but I had to step out for a meeting at 10AM. Was case P22-051 and P22-052 discussed already?

Hayden Weber

11:22 AM

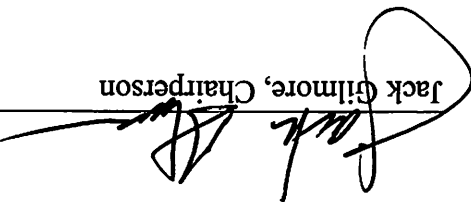
Not yet. We are on agenda item 7C1, HI22-035. This is the first enforcement case heard today so far.

Jo-Anne Quizan

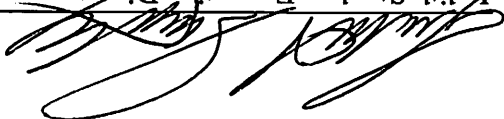
11:23 AM

great thank you

Signed this 27 day, September 2022,



Jack Gilmore, Chairperson



Judith Stapley, Executive Director