

State of Arizona BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007 (602) 364-4930 FAX: (602) 364-4931 https://btr.az.gov/

- Jack Gilmore, Board Chair, Landscape Architect
 Michael Kolejka, Board Vice Chair, Architect
 Dana Klett, Land Surveyor
 Scott Sayles, Board Secretary, Civil Engineer
- Bill Nesgood, Geologist •Dr. Clinton Campbell, Public Member Jennifer Hobik, Esq, Public
 - Member

 Kileen Lindgren, Public Member

 Stacy Skankey, Esq, Public Member
 - Keith Smith, Public Member Hayley Bohall, Public Member

NOTICE AND AGENDA FOR REGULAR SESSION MEETING

1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007 **Tuesday, August 22, 2023 –9:00am**

The Arizona Board of Technical Registration will hold a regular meeting, open to the public at the Board's office, located at 1110 W. Washington, Suite 240, Phoenix, AZ 85007.

Please note that the cases on this agenda are categorized with staff recommendations for resolution. The Board has the authority to accept, reject, or modify any recommendation listed on the agenda. These recommendations are merely suggested Board actions; the Board may not adopt them, and may decide cases differently.

The Board may discuss, consider or take action on any item on the agenda, and at the discretion of the Board, agenda items may be taken out of order, except for those items set at a specific time.

The majority or a quorum of the Board may vote to hold an Executive Session to review confidential records exempt by law from public inspection, pursuant to A.R.S. § 38-431.03(A)(2); to obtain legal advice regarding any of the items on the agenda, pursuant to A.R.S. § 38-431.03(A)(3); or to discuss or consult 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 pursuant to A.R.S. § 38-431.03(A)(4). All examination material, transcripts education records, reference forms and applications are confidential pursuant to A.R.S. § 32-129(A), and all investigation files are confidential and not subject to inspection until the matter is final and a hearing notice is issued (A.R.S. § 32-129(B)).

Pursuant to the Americans with Disabilities Act, people with disabilities may request a reasonable accommodation by contacting Kurt Winter at (602) 364-4883. Requests for reasonable accommodations should be made as early as possible to allow time to accommodate the request. The Board may not be able to accommodate requests made less than 36 hours prior to the scheduled meeting.

The public may attend the meeting in person or remotely. The Board utilizes Google Meet for those wishing to attend the meeting remotely.

Google Meet joining info for August 22, 2023 Board Meeting Video call link: https://meet.google.com/dym-xhhv-vwu
Or dial: (US) +1 413-438-3877 PIN: 335 798 560#

Board staff posts meeting agendas on its website, the AZBTR's lobby (suite 240) and the meeting board located in the main entrance of the ADEQ building (1110 W. Washington St. Phoenix AZ 85007) in accordance with A.R.S. § 38-431.02.

Please note that all meetings are recorded and the recordings posted on the Board's website within three working days after the meeting in accordance with A.R.S. § 38-431.01(E).

1. CALL TO ORDER

2. ROLL CALL

3. CALL TO THE PUBLIC

Members of the public may address the Board during this Call to the Public for no more than **3 minutes.** Pursuant to A.R.S. § 38-431.01(H), the Board members are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, members may ask staff to review a matter or may ask that a matter be placed on a future agenda.

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 25, 2023 Board meeting minutes.
- B. Approve, modify and/or reject, July 25, 2023 Executive Session meeting minutes

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

Nothing to consider

- b) Certificate(s) of Experience from non-Professionals
 - 1) Stockwell, Philip Application for Registration as a Land Surveyor #239162
 - 2) Minchk, Laura Application for Registration as a Land Surveyor #239284
- c) Council Records experience under non-Professionals
 - 1) Ajayi, Taiwo Application for Registration as a Chemical Engineer #238816
 - 2) Hu, Yubei Application for Registration as a Landscape Architect #238893
 - 3) Wavering, Lillian Application for Registration as a Civil Engineer #239035
 - 4) Queener, Megan Application for Registration as a Civil Engineer #238242
 - 5) Lou, Zheng Application for Registration as a Civil Engineer #238814
 - 6) Gregorio, Andrew Application for Registration as a Structural Engineer #239034
 - 7) Hare, Michael Application for Registration as a Control Systems Engineer #238852
 - 8) Blomgren, Hans-Erik Application for Registration as a Civil Engineer #238839
 - 9) Warne, Bryan Application for Registration as a Landscape Architect #239257
 - 10) Chowdhury, Ussala Application for Registration as a Civil Engineer #239267
 - 11) Linares Maldonado, Victor Esteban Application for Registration as an Electrical Engineer #239288
- d) Background Review
 - 1) Barragan, Pedro Application for Registration as a Civil Engineer #237766

- 2) Baggenstoss, Justin Application for Registration as a Landscape Architect #239256 e) Disciplinary Action Review
 - 1) Allen, Chad Application for Registration as a Structural Engineer #237424
- f) Multiple Considerations
 - 1) Kuhlman, Mark Application for Registration as an Electrical Engineer #239187
 - i. Background Review
 - ii. Disciplinary Action
 - 2) Churches, Charles Application for Registration as a Structural Engineer #239244
 - i. Disciplinary Action
 - ii. Council Record experience under non-Professionals
 - 3) Gill, Troy Application for Registration as a Civil Engineer #239083
 - i. Background Review
 - ii. Council Record experience under non-Professionals
- 3. Grant Universal Applications for Professional Registration/Certification
 - a) Devore, Daniel Application for Registration as a Civil Engineer #239129
 - b) Wright, Clyde Application for Registration as an Architect #239128
- 4. Grant Renewal Registration Application(s)
 - a) Background Review
 - 1) Garg, Veerender Renewal application for Civil Engineer Registration #51566
 - 2) Stewart, Joshua Renewal application for Civil Engineer Registration #42884
 - 3) Schmitt, Matthew Renewal application for Civil Engineer Registration #64617
 - b) Disciplinary Action
 - 1) Kollin, Michael Renewal application for Architect Registration #52478
 - 2) Steelman, Paul Renewal application for Architect Registration #37986
 - 3) Sutherland, David Renewal application for Land Surveyor Registration #30365
- 5. Approve Application(s) for Exam Waivers
 - a) Application to waive Fundamental Exam
 - 1) Diaz de Valdes, Todd Application to waive FE exam #238426
 - 2) Hughes-Games, Daniel Application to waive FE exam #238097
 - b) Application to waive Professional Exam
 - 1) Graper, Robert Application to waive PE Structural exam #238837
 - 2) Hughes-Games, Daniel Application to waive PE Geological exam #238096
 - 3) Adams, Frank Application to waive PE Structural exam #238811
 - c) Multiple Considerations
 - 1) Khalkhali, Masoumeh Application to waive FE exam #237846
 - i. Certificate(s) of Experience from non-Professionals
 - ii. FE exam waiver
 - 2) Brion, Clodualdo Application to waive FE exam #239097
 - i. Background Review
 - ii. FE exam waiver
 - 3) Goodale, Scotty Application to waive FE exam #239255
 - i. Council Record experience under non-Professionals
 - ii. FE exam waiver
 - 4) Goodale, Scotty Application to waive PE Chemical exam #225266
 - i. Council Record experience under non-Professionals
 - ii. PE Chemical exam waiver
 - 5) Harnanan, Dhaneshwar Application to waive FE exam #238660

- i. Background Review
- ii. FE exam waiver
- 6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Frederick, Robert Application for FE exam authorization #237963
 - 2) Keogh, Shaun Application for FS exam authorization #237653
- 7. Approve Application(s) for In-Training Designation *Nothing to consider*
- 8. Approve Extension Requests
 - a) Wang, Lu Application for Registration as a Civil Engineer #239005

6. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

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 6(A).

- A. Consideration of a Signed Consent Agreement in lieu of a Formal Hearing
 - 1. HI22-011 and HI22-019, Allen Blaker, #61953

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-D).

- A. Complaints Proposed for Resolution by Dismissal:
 - 1. HI23-033, Ryan Peart, C.H.I. #66144 and AIS Management, LLC- DBA Advantage Inspection Service, #23040 (*Related Case HI23-032*)
 - 2. UK24-002, Arizona Department of Transportation (ADOT) and Federal Highway Administrations (FHWA), Non-Registrants
 - 3. UK24-003, James Steyskal, Non-Registrant and Steyskal Appraisal, LLC, Non-Registrant Firm
 - 4. UK24-004, Jacob Dobbins, Non-Registrant and National Life Group, Non-Registrant Firm
 - 5. AL23-001, Brad Johns, Non-Registrant and Casa Linda Security, #18401 (Expired) (*Related Case AL23-002*)
- B. Complaints Proposed for Resolution with Signed Consent Agreements:
 - 1. HI23-032, James Petko, C.H.I. #61676 and Infinity Home Inspections, Non-Registrant Firm (*Related Case HI23-033*)
 - 2. P23-063, Jeremiah Patton, Non-Registrant and Resdraft, LLC, #24601
 - 3. HI23-006, Robert Jeglum, C.H.I. #42690
 - 4. AL23-002, Kim Johns, C.P. #56803 (Expired), A.A. #61074 (Cancelled) and Casa Linda Security, #18401 (Expired) (*Related Case AL23-002*)
 - 5. P23-049, Jerry Heath, R.L.S. #45835

- C. Complaints Proposed for to Offer Consent Agreement:
 - 1. P23-012, Kathryn Mills, P.E. (Civil) #31118
 - 2. P23-081, Christopher Tarango, Non-Registrant
 - 3. P23-055, James Elson, R.A. #11005 and James Elson, Architect, #24905
- D. Board Guidance for Compliance and Monitoring:
 - 1. P21-055, Joseph Zeimet, R.L.S. #45086 and East Valley Surveying and Mapping, LLC, #16100

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)-(H). 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
- B) Appointment of new home inspector for the Home Inspector Rule and Standards Committee
 - 1. Hector Suppici, #65564
 - 2. Dylan Bucknavich, #43777
 - 3. James "Jim" Brown, #62744
 - 4. Bryck Guibor, #38101
 - 5. John Elson, #42312
- C) Review of Sunset Audit Response
- D) Review of proposed budget submittal for FY25
- E) Educating Registrants on Firm Registration Requirements
- F) Board Scholarship Fund Language
- G) ADOT Letter of Support Advanced Digital Construction Management Systems
- H) Board to review and discuss exam allegations received from National Council of Architectural Registration Boards (NCARB)

9. DIRECTOR'S REPORT

- A. Budget Update
- B. Previous Meeting Follow-Up
 - a. Online Transition
 - b. Board Staff Updates
 - c. Board Composition
 - d. Staff meeting with Arizona Department of Transportation
 - e. Schools Facilities Board Request
- C. Licensing Numbers
- D. Enforcement Numbers
- E. List of Newly Granted Applicants

10. BOARD CHAIR'S REPORT

11. ASSISTANT ATTORNEY GENERAL'S REPORT – Board jurisdiction in investigations

12. STANDING COMMITTEE REPORTS

- A. Legislation and Rules Committee October 10, 2023
- B. Home Inspector Rules and Standards Committee –September 6, 2023

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

- A. National Association of State Boards of Geology (ASBOG)
- B. Council of Landscape Architectural Registration Boards (CLARB)
- C. National Council of Architectural Registration Boards (NCARB)
- D. National Council of Examiners for Engineering and Surveying (NCEES)
- 14. FUTURE BOARD MEETINGS September 26, 2023
- 15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.
- 16. MEETING ADJOURNMENT