



State of Arizona
BOARD OF TECHNICAL REGISTRATION

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- 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

MINUTES FOR REGULAR SESSION MEETING

1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007

Tuesday, August 22, 2023 –9:00am

1. **CALL TO ORDER** –The meeting convened at 9:00 am, adjourned for a break at 10:30 am, reconvened at 10:45 am and adjourned at 12:43 pm.

2. **ROLL CALL**

PRESENT

Jack Gilmore
Michael Kolejka
Scott Sayles
Hayley Bohall
Keith Smith
William “Bill” Nesgood
Jennifer Hobik, Esq.

VIRTUAL

Dr. Clinton Campbell
Stacey Skankey, Esq.
Dana Klett
Kileen Lindgren-left at 9:55 am and rejoined at 10:37 am

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.

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 25, 2023 Board meeting minutes.

Mr. Sayles moved and Mr. Nesgood seconded to approve the regular and executive session minutes as written; motion carried 11-0.

B. Approve, modify and/or reject, July 25, 2023 Executive Session 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
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

Mr. Kolejka moved and Mr. Sayles seconded to approve all items under agenda item 5(A) except for item 4(a)(3); motion carried 11-0.

Mr. Kolejka moved and Mr. Smith seconded to approve item 4(a)(3) under agenda item 5(A); motion carried 11-0.

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

Independent Advisor AAG Diane DeDea and AAG Scott Donald appeared before the Board.

Mr. Smith moved and Mr. Kolejka seconded to accept Respondent's signed Consent Agreement in lieu of a formal hearing; motion carried 11-0.

Mr. Smith moved and Mr. Kolejka seconded to vacate the scheduled hearing for cases #HI22-011 and #HI22-019; motion carried 11-0.

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)

Mr. Sayles moved and Dr. Campbell seconded to dismiss cases #HI23-033, #UK24-003, #UK24-004 and #AL23-001; motion carried 11-0.

2. UK24-002, Arizona Department of Transportation (ADOT) and Federal Highway Administrations (FHWA), Non-Registrants

Investigator Daniel Carthel and Stacey Guillen, Law and Policy Director for the Arizona Department of Transportation, appeared before the Board.

Mr. Kolejka moved and Ms. Klett seconded to dismiss case #UK24-002; motion carried 10-0. Mr. Sayles recused himself from the vote.

3. UK24-003, James Steyskal, Non-Registrant and Steyskal Appraisal, LLC, Non-Registrant Firm

See 7(A)(1).

4. UK24-004, Jacob Dobbins, Non-Registrant and National Life Group, Non-Registrant Firm

See 7(A)(1).

5. AL23-001, Brad Johns, Non-Registrant and Casa Linda Security, #18401 (Expired) (*Related Case AL23-002*)

See 7(A)(1).

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*)

Mr. Sayles moved and Mr. Nesgood seconded to accept Respondent's signed Consent Agreements for cases #HI23-032 and #P23-063; motion carried 11-0.

2. P23-063, Jeremiah Patton, Non-Registrant and Resdraft, LLC, #24601

See 7(B)(1).

3. HI23-006, Robert Jeglum, C.H.I. #42690

Investigator Brandon Eaden and Alleger, Teresa Smith, appeared before the Board. The Board discussed the investigation.

Mr. Kolejka moved and Ms. Skankey seconded to accept Respondent's signed Consent Agreement; motion carried 11-0.

4. AL23-002, Kim Johns, C.P. #56803 (Expired), A.A. #61074 (Cancelled) and Casa Linda Security, #18401 (Expired) (*Related Case AL23-002*)

The Board discussed the investigation.

Mr. Sayles moved and Mr. Nesgood seconded to accept Respondent's signed Consent Agreement; motion carried 11-0.

Mr. Kolejka moved and Dr. Campbell seconded to direct staff to open an investigation into Victoria Lopez, Controlling Person #78380; motion carried 9-2. Ms. Lindgren and Ms. Skankey voted nay.

5. P23-049, Jerry Heath, R.L.S. #45835

Investigator Brandon Eaden appeared before the Board.

Ms. Klett moved and Mr. Sayles seconded to accept Respondent's signed Consent Agreement; motion carried 10-0. Mr. Gilmore recused himself from the vote.

C. Complaints Proposed for to Offer Consent Agreement:

1. P23-012, Kathryn Mills, P.E. (Civil) #31118

Investigator Daniel Carthel and Alleger, Jennifer Scott appeared before the Board.

Mr. Sayles moved and Mr. Smith seconded to accept Respondent's signed Consent Agreement; motion carried 9-0. Mr. Gilmore recused himself from the vote.

2. P23-081, Christopher Tarango, Non-Registrant

Respondent, Alleger, Richard Segar and Investigator Kaitlyn Crawford appeared before the Board. The Board discussed the investigation.

Mr. Sayles moved and Mr. Kolejka seconded to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion carried 10-0.

3. P23-055, James Elson, R.A. #11005 and James Elson, Architect, #24905

Investigator Kaitlyn Crawford appeared before the Board.

Mr. Kolejka moved and Ms. Bohall seconded to accept Respondent's signed Consent Agreement; motion carried 10-0.

D. Board Guidance for Compliance and Monitoring:

1. P21-055, Joseph Zeimet, R.L.S. #45086 and East Valley Surveying and Mapping, LLC, #16100

Investigator Daniel Carthel appeared before the Board. The Board discussed the investigation.

Mr. Kolejka moved and Dr. Campbell seconded to offer Respondent a new Consent Agreement requesting voluntary surrender of license, and if not signed within 30 days, proceed to a formal hearing; motion carried 10-0.

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

AAG Scott Donald reported that there was not anything new to report.

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

Certified Home Inspectors, Dylan Bucknavich, James “Jim” Brown, Bryck Guibor and John Elson appeared before the Board.

Mr. Smith moved and Mr. Kolejka seconded to appoint John Elson to serve as a Home Inspector member on the Home Inspector Rule and Standards Committee; motion carried 10-1. Ms. Lindgren voted nay.

C) Review of Sunset Audit Response

The Board discussed the draft of the Sunset Audit Response prepared by Board staff.

D) Review of proposed budget submittal for FY25

Ms. Stapley reported that the FY25 budget submittal is due on September 1 and that Board staff have made multiple attempts to schedule a meeting with Central Services Bureau (CSB) to complete the budget submission.

E) Educating Registrants on Firm Registration Requirements

The Board discussed firm registration requirements and recent enforcement trends regarding firm registration.

F) Board Scholarship Fund Language

Ms. Stapley reported that statutory language drafted by Board staff regarding the possible development of a Board Scholarship Fund has been shared with the Board’s policy advisor and Board-related national associations for review and feedback.

G) ADOT Letter of Support – Advanced Digital Construction Management Systems

The Board discussed supporting the Arizona Department of Transportation’s pursuit in obtaining federal funding for its Digital Delivery Program through the Advanced Digital Construction Management Systems Grant program.

H) Board to review and discuss exam allegations received from National Council of Architectural Registration Boards (NCARB)

Mr. Kolejka moved and Mr. Sayles seconded to enter Executive Session to receive legal advice; motion carried 11-0.

The Board entered Executive Session at 11:45 am and returned to open session at 12:15 pm.

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

Ms. Stapley reported on the Board's online translation, Board staff, a recent meeting between Board staff and the Arizona Department of Transportation, a request made by the Schools Facilities Board and licensing and enforcement numbers.

10. BOARD CHAIR'S REPORT –Nothing was discussed.

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

AAG Scott Donald reported on the Board's jurisdiction in investigations.

12. STANDING COMMITTEE REPORTS

A. Legislation and Rules Committee – October 10, 2023

Mr. Winter reported that the next Legislation and Rules Committee meeting is scheduled for October 10, 2023.

B. Home Inspector Rules and Standards Committee –September 6, 2023

Mr. Winter reported that the next Home Inspector Rules and Standards Committee meeting is scheduled for September 6, 2023 and that the committee will review public comments regarding the proposed rulemaking.

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

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

Mr. Nesgood reported on ASBOG's upcoming conference that will take place in October, that he and Ms. Stapley will attend, and ASBOG's new 8-hour preparation course for the Fundamentals of Geology examination.

B. Council of Landscape Architectural Registration Boards (CLARB)

Mr. Gilmore reported on CLARB's upcoming conference that will take place in September that he, Mr. Kolejka, Ms. Stapley and Ms. Pham will attend, CLARB's new testing format that will debut in December, and CLARB's efforts to encourage states to adopt their standard uniform language for Landscape Architecture registration.

C. National Council of Architectural Registration Boards (NCARB)

Nothing was discussed.

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

Mr. Sayles reported on NCEES's annual meeting that he, Mr. Kolejka, Ms. Stapley, Ms. Loera and Mr. Donald attended this month, NCEES's transition to computer-based testing, and other new changes to NCEES's testing process.

Ms. Klett reported on NCEES's development of multi-divisional Land Surveyor examinations.

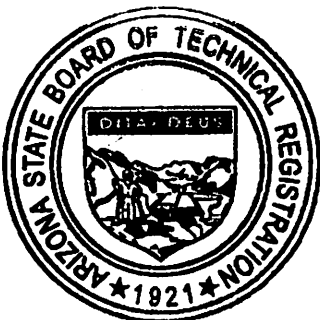
14. **FUTURE BOARD MEETINGS** – September 26, 2023

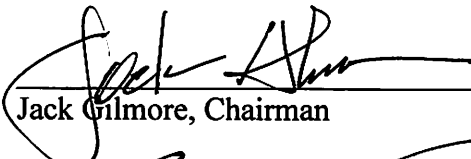
15. **SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.**

The Board would like a discussion on the state-specific Land Surveyor exam and possible changes to Land Surveyor registration due to the development of multi-divisional examinations.

16. **MEETING ADJOURNMENT**

Signed this 24 of September, 2023





Jack Gilmore, Chairman



Judith Stapley, Executive Director