



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
 - 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, November 7, 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 November 7, 2023 Board Meeting

Video call link: <https://meet.google.com/vip-dzqb-rhs>

Or dial: (US) +1 402-859-0108 PIN: 799 470 980#

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-C).

- A. Approve, modify and/or reject, September 26, 2023 Board meeting minutes.
- B. Approve, modify and/or reject, September 29, 2023 Board meeting minutes
- C. Approve, modify and/or reject, October 20, 2023 Board 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
 - 1) Baily, Michael – Application for Registration as a Civil Engineer #239707
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Morrison, Brent – Application for Registration as a Chemical Engineer #238669
 - 2) Noone, Richard - Application for Registration as a Civil Engineer #239065
 - 3) Rahman, Md Kalimur – Application for Registration as a Civil Engineer #239589
 - 4) Rosendahl, Paul – Application for Registration as a Mechanical Engineer #239113
 - 5) Schwartz, Andrew – Application for Registration as a Landscape Architect #238611
 - c) Council Records – experience under non-Professionals
 - 1) Brown, Julie – Application for Registration as a Fire Protection Engineer #239790
 - 2) Monahan, Brenden – Application for Registration as a Civil Engineer #239771
 - 3) Rogelstad, Robert – Application for Registration as a Civil Engineer #239754
 - 4) Thai, Charles – Application for Registration as an Electrical Engineer #239887
 - 5) Spencer, Donald – Application for Registration as an Electrical Engineer #238418
 - 6) Zubaidi, Samer – Application for Registration as an Electrical Engineer #239940
 - 7) Alicea, Marian – Application for Registration as an Environmental Engineer #239967
 - 8) Dahl, John – Application for Registration as an Electrical Engineer #239907
 - d) Background Review
 - 1) Cramer, Tyler – Application for Registration as a Civil Engineer #239704

- 2) Jimenez, Ricardo – Application for Certification as a Home Inspector #239215
 - 3) Lee, Sung – Application for Registration as an Architect #239624
 - 4) Mowry, John – Application for Registration as a Civil Engineer #237352
 - 5) Robillard, Jared – Application for Registration as a Mechanical Engineer #238764
 - 6) Washington, Clay – Application for Registration as an Electrical Engineer #239752
 - 7) Brudz, Adrian – Application for Registration as a Civil Engineer #239891
 - 8) Harrmann, Eric – Application for Registration as an Architect #238631
 - 9) Zelibor, Michael – Application for Registration as a Civil Engineer #239970
 - 10) Gularte, Gabe – Application for Certification as a Home Inspector #239432
 - e) Disciplinary Action Review
 - 1) Drake, Richard – Application for Registration as an Architect #239603
 - 2) King, Daniel – Application for Registration as an Electrical Engineer #239795
 - 3) Oroyinyin, Waheed – Application for Registration as an Architect #239550
 - f) Multiple Considerations
 - 1) Hawkins, Darryl – Application for Registration as an Architect #239554
 - i. Background Review
 - ii. Disciplinary Action
3. Grant Universal Applications for Professional Registration/Certification
 - a) Froeschle, Lynn – Application for Registration as an Architect #239055
 - b) Hielema, Eric – Application for Registration as a Civil Engineer #239701
 - c) Pajak, Nicholas – Application for Registration as a Civil Engineer #239115
 4. Grant Renewal Registration Application(s)
 - a) Background Review
Nothing to consider
 - b) Disciplinary Action
 - 1) Delph, Kent – Renewal Application for Civil Engineer Registration #30497
 - 2) Ellsworth, David – Renewal Application for Structural Engineer Registration #24470
 - 3) Gilham, Paul – Renewal Application for Civil Engineer Registration #19407
 - 4) Hice, Jonnae – Renewal Application for Civil Engineer Registration #65013
 - 5) Oatman, Collin – Renewal Application for Civil Engineer Registration #52750
 - 6) Reyes, Juan – Renewal Application for Civil Engineer Registration #52934
 - 7) Tompos, Eric – Renewal Application for Civil Engineer Registration #43672
 - 8) Wygoda, Shlomo – Renewal Application for Architect Registration #71739
 5. Approve Application(s) for Exam Waivers
 - a) Application to waive Fundamental Exam
Nothing to consider
 - b) Application to waive Professional Exam
 - 1) Fagan, Brett – Application to waive PE Civil exam #239933
 - c) Multiple Considerations
 - 1) Yang, Yuhe – Application to waive PE Structural exam #239542
 - i. Council Record – experience under non-Professionals
 - ii. Exam Waiver
 - 2) Klein, Richard – Application to waive PE Civil exam #239417
 - i. Background Review
 - ii. Disciplinary Action
 - ii. Exam Waiver

6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Etcheverry, Farrah – Application for FS exam authorization #239054
7. Approve Application(s) for In-Training Designation
 - a) Background Review
 - 1) Heaton, Daniel – Application for Engineer-in-Training Designation #238507
 - 2) Berkner, Travis – Application for Engineer-in-Training Designation #239502
8. Approve Extension Requests
 - a) Parenteau, John – Application for Registration as a Civil Engineer #239513

6. LICENSING MATTERS

Review, discuss and take possible action on the following:

- A. Grant Applications for Registration/Certification Dependent Upon Consent Agenda Decision
 1. Council Records – experience under non-Professionals
 - a) Yang, Yuhe – Application for Registration as a Structural Engineer #239431
- B. Board Discussion Regarding Multiple Considerations for Registration
 1. Bernhardt, Craig – Application for Registration as a Land Surveyor #238468
 - a) Background Review
 - b) Failure to comply with previous board order
- C. Reconsideration of Administrative Closure
 1. Gonani, Frank – Application to waive PE Civil exam pursuant to A.R.S. § 32-126(B)(1)

7. 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 7(A).

Nothing to Consider

8. 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 8(A-F).

A. Complaints Proposed for Resolution by Dismissal:

1. P23-109, Michael Daily, Non-Registrant and Michael C. Daily Design Consultants, LLC, Non-Registrant Firm
2. UK24-006, Gary Smith, Non-Registrant and Energy Services, LLC, Non-Registrant Firm
3. HI24-008, Chad Casper, C.H.I. #64865 and Pillar to Post Home Inspectors, #20569
4. P24-015, Jacob Vinton, P.E. (Structural) #58976 and P.E. (Civil) #11067
5. P24-017, Amy Heckathorn, P.E. (Structural) #53165

6. P24-011, Katherine Gardner, P.E. (Chemical) #79248
7. P23-091, Al Webb, Non-Registrant
8. UK24-007, Unknown

B. Complaints Proposed for Resolution with Letter of Concern:

1. HI23-022, Dustin Dixon, C.H.I. #64495
2. HI23-027, Ron Dye, C.H.I. #43638
3. HI23-017, Larry Zink, C.H.I. #68671
4. HI23-025, Sean Roberson, C.H.I. #47768

C. Complaints Proposed for Offer Consent Agreement:

1. P23-054, Mark Grim, R.L.S. #51969
2. HI23-037, Michael Nelson, #72994 and Inspections Over Coffee, Chandler, #24865
3. P24-016, Josphe Zeimet, R.L.S. #45086

D. Complaints Proposed for Resolution with Letter of Concern and Offer Consent Agreement:

1. HI23-042, Jovan Cirerol, C.H.I. #73583

E. Cases to be Forwarded for Possible Criminal Prosecution:

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

F. Review and Consideration for EAC Membership:

1. John Christmann, C.H.I. #74140

9. 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 9(A)-(D). 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 9(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. Board to review and discuss exam allegations received from National Council of Architectural Registration Boards (NCARB)
- C. Review of Substantive Policy Statements recommended for reaffirmation or recension based on recommendation from the Legislation and Rules Committee.
- D. Supplemental Rule Package

10. 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

11. ASSISTANT ATTORNEY GENERAL’S REPORT –

12. STANDING COMMITTEE REPORTS

- A. Legislation and Rules Committee – October 10, 2023
- B. Home Inspector Rules and Standards Committee –October 3, 2023 & January 17, 2024

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)
- E. Council on Licensure, Enforcement and Regulation (CLEAR)
- F. The Federation of Associations of Regulatory Boards (FARB)
- G. American Council of Engineering Companies Arizona (ACEC)

14. FUTURE BOARD MEETINGS – December 5, 2023

15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

16. MEETING ADJOURNMENT