



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/>

- Michael Kolejka, Board Chair, Architect ● Scott Sayles, Board Vice Chair, Civil Engineer
- Bill Nesgood, Board Secretary, Geologist ● Jack Gilmore, Landscape Architect
- Dana Klett, Land Surveyor ● 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

DRAFT NOTICE AND AGENDA FOR REGULAR SESSION MEETING

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

Tuesday, July 23, 2024 –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 July 23, 2024 Board Meeting

Video call link: <https://meet.google.com/zeu-uedn-inj>

Or dial: (US) +1 409-420-6952 PIN: 698 308 347#

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(I), 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 item 4(A-B).

A. Approve, modify and/or reject, June 25, 2024 Board meeting minutes.

B. Approve, modify and/or reject, June 25, 2024 Executive Session 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) Schaff, Monte – Application for Registration as an Electrical Engineer #241960
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Butzine, Pierce – Application for Registration as a Civil Engineer #241620
 - c) Council Records – experience under non-Professionals
 - 1) Poyser, Kent – Application for Registration as a Mechanical Engineer #241852
 - 2) Ragland, Robert – Application for Registration as an Electrical Engineer #241841
 - 3) Schirmer, Thomas – Application for Registration as an Electrical Engineer #241957
 - 4) Heisler, Mark – Application for Registration as an Electrical Engineer #241959
 - 5) Hu, Yuanhong – Application for Registration as an Electrical Engineer #241890
 - d) Background Review
 - 1) Mejia, Oscar – Application for Certification as a Home Inspector #240072
 - e) Disciplinary Action Review
 - 1) Calcaterra, Arthur – Application for Registration as an Architect #241442
3. Grant Universal Applications for Professional Registration/Certification
 - a) Scherer, Glenn – Application for Registration as a Geologist #241909
4. Grant Renewal Registration Application(s)
 - a) Background Review

- 1) Ogborn, Kelli – Renewal Application for Civil Engineer Registration #73509
- b) Disciplinary Action
 - 1) Niedziela, Philip – Renewal Application for Mechanical Engineer Registration #73212
 - 2) LeVasseur, Kelli – Renewal Application for Civil Engineer Registration #53519

5. Approve Application(s) for Exam Authorization

- a) Certificate(s) of Experience from non-Professionals
 - 1) Besancon III, Charles – Application for PS exam authorization #241658
 - 2) Sevillano Granados, Luis – Application for PE Electrical exam authorization #241648
- b) Council Records – experience under non-Professionals
 - 1) Landaverde, Luis – Application for AZ state-specific LS exam authorization #241884

6. Grant Applications for In-Training Designation

- a) Background Review
Nothing to consider.

7. Extension Requests

- a) McClish, Andrew – Application for Registration as a Structural Engineer #240956

6. LICENSING 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 6(A).

A. Approve Application(s) for Exam Waiver

- 1) Application to waive Fundamental Exam
 - a) Li, Dongning – Application to waive FE exam #241414
- 2) Application to waive Professional Exam
 - a) Li, Dongning – Application to waive PE Structural exam #241413
 - b) Alayoub, Imad – Application to waive PE Electrical exam #240539
- 3) Multiple Considerations
 - a) Valencia Gonzalez, Claudio – Application to waive FE exam #241896
 - i. Certificate(s) of Experience from non-Professionals
 - ii. FE exam waiver
 - b) Valencia Gonzalez, Claudio – Application to waive PE Electrical exam #241897
 - i. Certificate(s) of Experience from non-Professionals
 - ii. PE Electrical exam waiver

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).

A. Complaints proposed to Rescind Administrative Hearing and refer to the appropriate prosecutorial agency for possible prosecution:

1. P24-026, Jason Scott, Non-Registrant and Onyx Estimating, LLC, Non-Registrant Firm

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-D).

A. Complaints Proposed for Resolution by Dismissal:

1. UK24-015, Jermaine Miller, Non-Registrant and AZ Fruitful Homes Barrett Real Estate, Non-Registrant Firm
2. HI24-047, Kaleb Woolgar, Non-Registrant
3. P24-095, Brian Joseph, Non-Registrant and Aero Land Surveyors #23737 (*Dissolved*)

B. Complaints Proposed for Resolution with Signed Consent Agreements:

1. P24-044, Debra Weisberg, R.A. #24112 and Weisberg Design Associates Inc, DBA DesignLink Architecture & Planning, #10221(*expired*), current #25222

C. Complaints Proposed for Offer Consent Agreement:

1. P24-002, James Brucci, R.L.S. #29865
2. P23-105, Steven Helfrich, P.E. (Civil) #38408

D. Complaints Requiring Board Guidance:

1. P24-102, Kendall Baxley, Non-Registrant and Baxley Architectural and Consulting, Non-Registrant Firm
2. P23-080, T. Ashby, R.L.S. #19316(*delinquent*)

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-B). 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. NCARB Presentation

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 – No future meeting date at this time

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. International Council on Regulation (ICOR)

14. EXECUTIVE DIRECTOR EVALUATION AND COMPENSATION

Discussion and possible action regarding the Executive Director’s Evaluation and Compensation.
Pursuant to A.R.S. 38-431-03(A)(1) – The Board, during the course of discussion on the agenda item may hold an executive session upon a majority vote of a quorum of the members.

15. FUTURE BOARD MEETINGS – August 27, 2024

16. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

17. MEETING ADJOURNMENT

Board members may join Board staff for light refreshments before the meeting begins. While a quorum of Board members may be present, no Board business will take place.