

**ARIZONA STATE BOARD OF TECHNICAL REGISTRATION  
NOTICE AND AGENDA FOR REGULAR SESSION MEETING**

Tuesday, February 23, 2021 beginning at 9:00 a.m.  
1110 W. Washington, Conference Room #240  
Phoenix, AZ 85007

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.

Concerns Relating to Meetings held at the Board and COVID-19

At this time, the Board will proceed with all scheduled public meetings and the public is still welcome to attend in person. However, COVID-19 may prevent those otherwise wishing to attend from doing so. The Board is therefore allowing individuals to attend remotely to ensure the public's right to attend and listen to the Board's deliberations and proceedings per A.R.S. § 38-431.01(A) and A.R.S. § 38-431(4).

In order to maintain a cohesive meeting, the Board asks that those wishing to attend remotely make Board staff aware in advance. The Board utilizes Google Meetups for its remote meetings, which requires the meeting host (the Board) to 'invite' members to participate, hence the need for Board staff to know who wishes to attend in advance.

If you wish to attend a meeting remotely, please contact Kurt Winter via email at:

kurt.winter@azbtr.gov

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 38-431.02. The Board suggests reviewing any meeting agenda before requesting a Google Meetup invitation.

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**

Review, Consideration, and Possible Action on the following:

A. Approve, modify and/or reject, January 26, 2021 Board meeting minutes.

**5. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING**

*Formal Hearings or Related Proceedings will begin at 9:30 a.m.*

Nothing to Discuss

**6. ENFORCEMENT MATTERS**

Review, Consideration and Possible Action on the following:

A. Complaints Proposed for Resolution by Dismissal or Closure:

1. P21-001, Gregory Gentsch, P.E. (Civil) #22188
2. P21-042, Hemant Modi, R.A. #49197 and Modi Architects, LLC, Firm #18191 (expired)
3. P21-038, Jeffrey Stinnett, R.A. # 53373 and Studio Stinnett, Firm #17442
4. P21-037, Richard Hamilton, R.A. #49054 and Hamilton Architecture, PLLC, Firm #17347
5. HI21-009, Michael Meske, C.H.I. #70545
6. P21-033, Michael Stoll, R.L.S. #21791
7. P21-031, James Hart, R.L.S. #57999
8. P21-009, Jennifer Vitale, P.E. (Civil) #37891

B. Complaints Proposed for Resolution by Letters of Concern:

1. P21-010, Adam Huff, P.E. (Civil) #68082

C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. P21-019, Michael York, R.L.S. #19862

D. Complaints Proposed to Offer Consent Agreement:

1. P21-007, Jeffery Garcia, Non-Registrant and Wood River Consulting, LLC, Non-Registrant Firm
2. P21-048, David Klepadlo, P.E. (Environmental) #37639 (Expired 6/20/2020)

E. Compliance and Monitoring Investigations:

1. P20-054, Ahmad Zarifi, P.E. (Civil) #41872

F. Reconsideration of Prior Board Action to Review, Discuss and take possible Action on Registrant's Request for Modification of Consent Agreement and Order of Discipline:

1. HI19-023, Iain Findlay, C.H.I. #43627 and The Inspection People, PLLC, Firm#18012

**7. LICENSING MATTERS**

Discussion, Consideration and Action on the following:

- A. Raman, Aaditya- Universal Application for registration as a Mechanical Engineer #210179
- B. Nuzzo, Robert- Universal Application for registration as a Home Inspector #202535
- C. Kane-Devries, Katelyn- Universal Application for registration as a Geologist #210068
- D. Martin, Kimberley- Universal Application for Registration as a Civil Engineer #210071
- E. Wang, Xuan- Application for Registration as an Electrical Engineer #210036
- F. Leone, Andrew- Application for Registration as a Civil Engineer #210328

**8. LICENSING CONSENT AGENDA**

A. Review, Consideration, and Action on Staff Recommendations for the following:

1. Cancellation of registrations and certifications that have been expired for one full renewal period;
2. Review of the List of registrations and certifications granted by the Executive Director pursuant to A.R.S. § 32-122.05, 32-122.06, and A.R.S. § 32-123.

*List available for public review upon request.*

**9. POLICY MATTERS**

Review, Consideration, and Possible Action on the following:

- A. Executive Director's Retirement: Farewell to Melissa Cornelius
- B. Farewell to Board Member Jason Foose
- C. Pending Legislation: SB1062, SB1063, SB1151, SB1218, SB1304, HB2037, HB 2014, HB2128, HB2242, HB2243, HB2267, HB2433

- D. CV 2019-013509 – Mills v. Arizona State Board of Technical Registration: upon motion and vote, the Board may hold an executive session to receive legal advice pursuant to A.R.S. §§ 38-431.03(A)(3) [Discussion or consultation for legal advice with the attorney or attorneys of the public body.] and 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.]
- E. Possible Board Officer Election

**10. DIRECTOR’S REPORT**

- A. Statistics Review

**11. BOARD CHAIR’S REPORT**

Answer to question: whether a Board member needs to be a resident of Arizona to be a Board Member

**12. ASSISTANT ATTORNEY GENERAL’S REPORT**

Update on Open Meeting Law Complaint filed against the Board

**13. STANDING COMMITTEE REPORTS**

- A. Legislation and Rules Committee – No new date
- B. Home Inspector Rules and Standards Committee – No new date

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

- A. ASBOG
- B. CLARB
- C. NCARB
- D. NCEES
- E. ABET
- F. Land Surveyor Task Force

**15. FUTURE BOARD MEETINGS – March 23, 2021**

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

## **17. EXECUTIVE DIRECTOR POSITION**

Review, Consideration, and Possible Action on the following:

*The Board may vote to enter executive session to review 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).*

- A. Interim Director's Compensation and scope of employment
- B. Executive Director Hiring Process and General Questions
- C. Executive Director Hiring Committee – Job posting language and next steps. The discussion and possible action may include the selection of a date and time for future Committee meetings, appointing Committee members, and the Board delegating tasks to the Committee.

## **18. MEETING ADJOURNMENT**