

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

Tuesday, May 26, 2020, 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 obtain legal advice regarding any of the items on the agenda, pursuant to A.R.S. § 38-431.03(A)(3), or to review confidential records exempt by law from public inspection, pursuant to A.R.S. § 38-431.03(A)(2). All examination material, transcripts educational 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. ADOPTION OF MINUTES

Review, Consideration, and Possible Action on the following:

A. Board Meeting Minutes

1. Approve, modify and/or reject, April 28, 2020 Board meeting minutes

4. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

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

A. Review, Discuss and Take Possible Action on Signed Consent Agreement in lieu of Hearing:

1. P19-044, Ricardo Jiminez, Non-Registrant, and RJ Design, Non-Registrant Firm
2. P18-053, Jose Alba, Non-Registrant, and JVAC Design LLC, Non-Registrant Firm

B. Formal Administrative Hearing and/or Review, or Discuss and Take Possible Action to Deem Respondent Admission to the Complaint and Notice of Hearing:

1. P19-018, John Davis, R.L.S. #26410

C. Review, Discuss and Take Possible Action on Motion to Continue Hearing.

1. AL19-001, Tyson Landon, Non-Registrant

5. ENFORCEMENT MATTERS

Review, Consideration and Possible Vote on the following:

A. Complaints Proposed for Resolution by Dismissal or Closure:

1. HI20-025, Timothy Hyland, C.H.I. #39421
2. HI20-026, Daniel Harris, C.H.I. #38440
3. P20-035, Nestor Brea, P.E. (Civil) #68488

B. Complaints Proposed for Resolution by Letters of Concern:

1. P20-040, Benjamin McRae, R.A. #47862 and LGE Design Group, LLC, Firm #18590
2. P20-046, Stephen Judge, R.A. #34411

C. Complaints Proposed to Offer Consent Agreement:

1. HI20-013, Patrick Harkness, C.H.I. #39418

- D. Complaints Proposed for Resolution with Signed Consent Agreements:
 - 1. HI20-027, Anthony Chiarello, C.H.I. #61655 and Buyer's Home Inspection Services, Non-Registrant Firm
 - 2. HI20-028, Derick Greene, C.H.I. #68684 and True Home Inspections. LLC, Firm #22506
 - 3. HI20-029, Terrell Abbott, Non-Registrant and Bluejay Home Inspections, Non-Registrant Firm

- E. Complaints Requiring Board Guidance:
 - 1. P20-034, Seth Trotter, Non-Registrant
 - 2. P20-020, Rick Phares, Non-Registrant and Nest Design, LLC, Non-Registrant Firm
 - 3. P20-004, Glenn Daugherty, R.A. #15222

- F. Complaints Recommended for Formal Hearing:
 - 1. P20-038, Christopher Caver, R.A. #50438 and Architectural Solutions, PLLC, Non-Registrant Firm

6. LICENSING MATTERS

Discussion, Consideration and Vote on the following:

- A. Burgos-Ponce, Arturo - Universal Licensure Application for Registration as a Geologist #200922
- B. Bolin, Henry - Universal Licensure Application for Registration as a Home Inspector #200244
- C. Johnson, Erik - Universal Licensure Application for Registration as an Architect #200990
- D. Valente, Adam- Universal Licensure Application for Registration as an Architect #200798

7. 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.

8. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

- A. 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)(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.]
- B. Review, discussion and possible action on pending Legislation; discussion of various bills that may impact the Board and the professions it regulates.

SB1274 and SB1142

9. DIRECTOR'S REPORT

- A. Budget Update
- B. Previous Meeting Follow-Up
 - a. Electronic Meeting Formats
 - b. Arizona Legislature
- C. National Council Updates
- D. Statistics Review

10. FUTURE BOARD MEETINGS - June 23, 2020

11. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

12. MEETING ADJOURNMENT