

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

Thursday, August 20, 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 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. Board Meeting Minutes

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

B. Board Executive Session Minutes

1. Approve, modify and/or reject, July 28, 2020, 10:35am, Board meeting executive session minutes
2. Approve, modify and/or reject, July 28, 2020, 11:06am, Board meeting executive session 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 Vote on the following:

A. Complaints Proposed for Resolution by Dismissal or Closure:

1. AL20-011, Daniel Bueschel, Non-Registrant and Pueblo Mechanical and Controls, LLC, Non-Registrant Alarm Business
2. P20-045, Erin Harris, P.E. (Civil) #42751

B. Complaints Proposed for Resolution by Letters of Concern:

1. P21-002, Marvin Davis, R.L.S. #20351 and Marvin H. Davis and Associates, Firm #22711

C. Complaints Proposed to Offer Consent Agreement:

1. HI20-033, Frank Vallone, aka J.R. Vallone, Non-Registrant and Arizona Executive Home Inspections, LLC, Non-Registrant Firm

D. Complaints Proposed for Resolution with Signed Consent Agreements:

1. HI20-041, Adam Pitman, C.H.I. #51753 and Inspector Homes, LLC, Firm #15158 (Expired)
2. P20-052, Zane Muntz, R.A. #63865
3. P20-051, Charlie Ray, Non-Registrant and The Green Room Collaborative, Non-Registrant Firm
4. P20-055, Andrew Gramling, R.A. #28543 and Gramling Architecture, LLC., Firm #11978
5. P20-006, Kristin Haley Balzano, R.A. #42182 and Bar Napkin Productions, LLC Firm #16229

E. Compliance and Monitoring Investigations:

1. P16-066, Steve O'Brien, P.E. (Mechanical) #35209

**7. LICENSING MATTERS**

Review, Consideration, and Action on Staff Recommendations for the following Universal Applications:

- A. Lovlein, Marvin - Application # 201463 for Licensure as a Land Surveyor
- B. Burke, Kelly - Application #201489 for Licensure as a Civil Engineer
- C. Ford, John - Application #201430 for Licensure as an Electrical Engineer

Extension request for Examination timeframes due to Covid-19

- D. Albert, Kristen- Application #190407 for approval to sir for AREs

**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. Mr. Jones wins AIA Western Mountain Region Silver Metal
- B. Budget review, discussion and approval
- C. IT Strategic Plan

- D. Executive Session to review the Attorney General’s Opinion regarding the issue of Board Composition, a confidential record exempt by law from public inspection, pursuant to A.R.S. § 38-431.03(A)(2); and, to obtain legal advice interpreting SB1274 pursuant to A.R.S. § 38-431.03(A)(3)
- E. 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.]

**10. DIRECTOR’S REPORT**

Review and Discuss:

- A. Budget Update
- B. Previous Meeting Follow-Up
  - a. National Council Updates
    - i. NCARB – Annual Report
    - ii. NCEES – Board Ballot Submitted
    - iii. CLARB – Uniform Experience
    - iv. ASBOG – Virtual Meeting Nov. 2020
    - v. AZSLS – Four test takers for October
  - b. Board Composition under SB1274
  - c. Staff Updates
  - d. Land Surveyor Standards of Practice Update
- C. Director’s Meetings
- D. Statistics Review

**11. STANDING COMMITTEE REPORTS**

- A. Home Inspector Rules and Standards Committee

**12. FUTURE BOARD MEETINGS – September 22, 2020**

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

**14. MEETING ADJOURNMENT**