



State of Arizona
BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007
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Carmen Wyckoff, Chairperson, Architect • Jack Gilmore, Vice Chairperson, Landscape Architect •
Clarence McAllister, Secretary, Electrical Engineer • Dr. Alejandro Angel, Civil Engineer •
Stephen Noel, Geologist • Neal Jones, Architect •
Andrew Everroad, Public Member • Helmuth Hack, Land Surveyor •
Stacy Skankey, Public Member • *Two Public Member Vacancies*

MINUTES FOR REGULAR SESSION MEETING

1110 W. Washington Street, Suite 240 Phoenix, Arizona 85007

Tuesday, September 28, 2021 –9:00am

1. CALL TO ORDER – 9:00 a.m.

2. ROLL CALL

BOARD MEMBERS PRESENT

Carmen Wyckoff – Chairperson
Jack Gilmore – Vice Chairperson
Neal Jones
Stephen Noel
Stacy Skankey (joined at 9:04 a.m.)

BOARD MEMBERS PARTICIPATING TELEPHONICALLY

Clarence McAllister – Secretary (left the meeting at 10:30 a.m.)
Dr. Alejandro Angel (joined at 9:04 a.m.)
Andrew Everroad
Helmuth Hack

BOARD STAFF PRESENT

Judith Stapley – Executive Director
Heather Broaddus – Deputy Director
Kurt Winter – Assistant Director
Julie Pham – Licensing Manager
Douglas Parlin – Enforcement Manager

ASSISTANT ATTORNEY GENERAL PRESENT

Scott Donald, Esq.

3. ADOPTION OF MINUTES

Review, Consideration, and Possible Action on the following:

- A. Approve, modify and/or reject, Board meeting minutes.
1. August 24, 2021 Board meeting minutes

Mr. Noel made a motion, seconded by Mr. Gilmore, to approve the August 24, 2021, Board meeting minutes as drafted. The motion carried unanimously, 7-0.

4. 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.

There were no requests to speak.

5. 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 5(A)-(D).

- A. Complaints Proposed for Resolution by Dismissal or Closure:
1. HI22-002, Joseph Aloisio, C.H.I. #49811

Neither the Respondent nor the Allegor were present. Mr. Gilmore made a motion, seconded by Mr. Jones, to dismiss Complaint HI22-002, Joseph Aloisio, C.H.I. #49811, as there were no violations of statute or rule. The motion carried unanimously, 7-0.

Dr. Angel Alejandro and Stacy Skankey joined the meeting at 9:04 a.m.

2. P21-056, Sarisha Kalluri, P.E. (Civil), #58144

The Allegor, Kevin Greif, was present, requested to speak, made a statement and answered Board members' questions. The Respondent, Sarisha Kalluri, was present, requested to speak, made a statement and answered Board members' questions. The Board's Investigator, Gregory Roehm was present and provided a summary of the Complaint to the Board. The Board deliberated.

After deliberation, Mr. Noel made a motion, seconded by Dr. Angel, to dismiss Complaint P21-056, Sarisha Kalluri, P.E. (Civil), #58144, as there were no violations of statute or rule. The motion carried unanimously, 8-0 on a roll call vote. Mr. Hack was absent from the vote due to technical difficulties.

3. P21-057, Richard Schuller, P.E. (Civil) #34537

The Allegor, Kevin Greif, was present, requested to speak, made a statement and answered Board members' questions. The Respondent, Richard Schuller, was present telephonically and answered Board members' questions. The Board's Investigator, Gregory Roehm was present and provided a summary of the Complaint to the Board. The Board deliberated.

After deliberation, Mr. Noel made a motion, seconded by Dr. Angel, to dismiss Complaint P21-057, Richard Schuller, P.E. (Civil), #34537, as there were no violations of statute or rule. The motion carried unanimously, 8-0 on a roll call vote. Mr. Hack was absent from the vote due to technical difficulties.

B. Complaints Proposed for Resolution by Letters of Concern:

1. HI21-027, Ted Kook, C.H.I #72075

The Respondent, Ted Kook, was present and answered Board members' questions. The Allegor, Michael Morrow, was present telephonically, made a statement and answered Board members' questions. The Board's Investigator, Doug Kramer, was present and provided a summary of the Complaint to the Board. Mr. Kraemer explained that the Board's Enforcement Advisory Committee found a few minor errors within Respondent's home inspection report. The Board deliberated.

After deliberation, Dr. Angel made a motion, seconded by Mr. Jones, to issue a non-disciplinary Letter of Concern to Ted Kook, C.H.I. #72075, for the minor errors within his home inspection report. The motion carried unanimously, 9-0 on a roll call vote.

2. HI21-033, Haley Sisson, C.H.I. #50859

The Respondent, Haley Sisson, was present, requested to speak and made a statement. Mr. Sisson confirmed that he has made changes to his home inspection reports at the recommendation of the Board's Enforcement Advisory Committee. The Allegor was not present. The Board's Investigator, Gregory Roehm, was present and provided a summary of the Complaint to the Board. Mr. Roehm explained that the Board's Enforcement Advisory Committee found deficiencies in the Respondent's home inspection report. The Board deliberated.

After deliberation, Mr. Hack made a motion, seconded by Mr. Gilmore, to issue a non-disciplinary Letter of Concern to Haley Sisson, C.H.I. #50859, for the deficiencies noted in his home inspection report. The motion carried unanimously, 9-0 on a roll call vote.

3. HI21-028, Martin Lenich, C.H.I. #40587

Neither the Respondent nor the Allegor were present. Mr. Gilmore made a motion, seconded by Mr. Jones, to issue a non-disciplinary Letter of Concern to Martin Lenich, C.H.I. #40587. The motion carried unanimously, 9-0 on a roll call vote.

4. HI21-029, Ryan Palmer, C.H.I. #72885

Neither the Respondent nor the Allegor were present. Mr. Gilmore made a motion, seconded by Mr. Jones, to issue a non-disciplinary Letter of Concern to Ryan Palmer, C.H.I. #72885. The motion carried unanimously, 9-0 on a roll call vote.

C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. P22-003, Nancy Weinman, R.A. #55473 and Weinman Architectural Services, Non-Registrant Firm

Neither the Respondent nor the Allegor were present. The Board's Investigator, Daniel Carthel, was present and provided a summary of the Complaint to the Board. The Board deliberated and noted that Ms. Weinman does not have a current Firm. The Board noted that Ms. Weinman signed the proposed Consent Agreement.

After deliberation, Mr. Gilmore made a motion, seconded by Mr. Noel, to accept the signed Consent Agreement for lack of a registered Firm. The motion carried 8-1 on a roll call vote, with Mr. Hack voting nay.

The Board recessed at 10:30 a.m. and reconvened at 10:40 a.m.

Clarence McAllister left the meeting at 10:30 a.m.

D. Complaints Requiring Board Guidance:

1. P21-035, Caleb Trainor, Non-Registrant

The Respondent was not present. The Board's Investigator, Daniel Carthel, was present and provided a summary of the Complaint. Mr. Carthel indicated that the Complaint was submitted anonymously. Mr. Carthel explained that after investigating the Respondent's online advertisement of his company, it is unclear whether the advertisement misleads the public to believe that surveying services are provided. The Board deliberated.

After deliberation, Mr. Hack made a motion, seconded by Mr. Jones, to dismiss the Complaint P21-035, Caleb Trainor, as there were no violations of statute or rule. The motion carried unanimously, 8-0.

2. P22-007, Paul O'Connor, R.A. #15952

The Respondent was not present. The Allegor, Christine Wallace, was present telephonically, requested to speak, made a statement and answered Board members' questions. Ms. Wallace explained the timeline of events. Ms. Wallace explained that she still has not received the permit. The Board deliberated and expressed concern that this is a contract issue.

After deliberation, it was the consensus of the Board to table this matter to a future meeting in order to monitor the outcome of the case.

6. LICENSING MATTERS

Discussion, Consideration and 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)-(D).

A. Application for Registration/In-Training Designation

1. Zich, Terrance – Application for registration as a Civil Engineer #212109

The Board's Licensing Manager, Julie Pham, was present and provided a summary of Mr. Zich's application to the Board. After deliberation, Dr. Angel made a motion, seconded by Mr. Noel, to grant Mr. Zich the requested registration. The motion carried unanimously, 8-0.

2. O'Keefe, Oscar – Application for registration as an Architect #210730

After review of Mr. O'Keefe's application, Ms. Wyckoff made a motion, seconded by Mr. Hack, to grant Mr. O'Keefe the requested registration. The motion carried unanimously, 8-0.

3. Maune, Jason – Application for registration as an Architect #210487

After review of Mr. Maune's application, Ms. Wyckoff made a motion, seconded by Mr. Hack, to grant Mr. Maune the requested registration. The motion carried unanimously, 8-0.

4. Erdman, Craig – Application for registration as a Geologist #211711

After review of Mr. Erdman's application, Ms. Wyckoff made a motion, seconded by Mr. Hack, to grant Mr. Erdman the requested registration. The motion carried unanimously, 8-0.

5. Musa, Roaa – Application for FE Civil exam authorization #211499

After review of Roaa Musa's application, Ms. Wyckoff made a motion, seconded by Mr. Noel, to approve Roaa Musa's requested exam authorization and to notify Mr. Musa that his experience will be limited to 12 months. The motion carried unanimously, 8-0.

6. Westrum, Darrell – Application for registration as an Electrical Engineer #212006

After review of Mr. Westrum's application, Dr. Angel made a motion, seconded by Mr. Jones, to grant Mr. Westrum the requested registration. The motion carried unanimously, 8-0.

7. Miller, Jacob – Application for registration as a Civil Engineer #211557

After review of Mr. Miller's application, Dr. Angel made a motion, seconded by Mr. Jones, to grant Mr. Miller the requested registration. The motion carried unanimously, 8-0.

8. Alexander, Todd – Application for registration as a Civil Engineer #211910

After review of Mr. Alexander's application, Mr. Hack made a motion, seconded by Mr. Noel, to grant Mr. Alexander the requested registration. The motion carried unanimously, 8-0.

9. Talley, Richard – Application for Professional Reactivation as a Civil Engineer #43987

After review of Mr. Talley's application, Ms. Wyckoff made a motion, seconded by Mr. Hack, to grant Mr. Talley the requested registration. The motion carried unanimously, 8-0.

10. Ruiz-Donate, Reyes – Application for registration as an Electrical Engineer #212216

The Board's Licensing Manager, Julie Pham, was present and provided a summary of Mr. Ruiz-Donate's application to the Board. After deliberation, Dr. Angel made a motion, seconded by Mr. Noel, to grant Mr. Ruiz-Donate the requested registration. The motion carried unanimously, 8-0.

B. Extension Request

1. Salisbury, Dustin – Application for PE exam authorization #202065

After review of Mr. Salisbury's application, Mr. Noel made a motion, seconded by Mr. Jones to grant the requested extension. The motion carried unanimously, 8-0.

2. Baddeley, Brooks – Application for registration as a Civil Engineer #211667

After review of Mr. Salisbury's application, Mr. Noel made a motion, seconded by Mr. Jones to grant the requested extension. The motion carried unanimously, 8-0.

3. Tadros, Marcus – Application for registration as a Civil Engineer #211502

After review of Mr. Salisbury's application, Mr. Noel made a motion, seconded by Mr. Jones to grant the requested extension. The motion carried unanimously, 8-0.

4. Reed, Kaleigh – Application for FG exam authorization #202068

After review of Mr. Salisbury's application, Mr. Noel made a motion, seconded by Mr. Jones to grant the requested extension. The motion carried unanimously, 8-0.

C. Exam Waivers

1. Mehle, Jeffrey – Application for PE exam waiver #212138

After review of Mr. Mehle's application, Mr. Noel made a motion, seconded by Mr. Gilmore to grant Mr. Mehle the requested exam waiver. The motion carried unanimously, 8-0.

2. Metwally, Ibrahim – Application for FE/PE exam waiver #210566

After review of Mr. Metwally's application, the Board expressed concern that the application does not meet the requirements for an exam waiver. After deliberation, Ms. Wyckoff made a motion, seconded by Mr. Hack, to deny the requested exam waivers but grant Mr. Metwally the approval to sit for the FE exam. The motion carried unanimously, 8-0.

3. Schneider, Vicki – Application for registration as a Civil Engineer #212134

After review of Ms. Schneider's application, Mr. Noel made a motion, seconded by Mr. Gilmore, to grant Ms. Schneider the requested exam waiver. The motion carried unanimously, 8-0.

- D. Criminal Convictions and/or Charges review pursuant to A.R.S. 41-1093.04
1. Tecco, Brian

Brian Tecco was present, requested to speak, made a statement and answered Board members' questions. Board members deliberated Arizona Revised Statute (A.R.S.) §32-122.02(A)(7). The Board's Assistant Attorney General, Scott Donald, provided guidance to the Board on applying A.R.S. §32-122.02(A)(7) in this case. After deliberation, Ms. Wyckoff made a motion, seconded by Mr. Jones, that it has been determined that Mr. Tecco's criminal history will not preclude him from gaining certification as a home inspector. The motion carried unanimously, 9-0 on a roll call vote.

7. CONSENT AGENDA

Any item under consent may be removed by a Board member for independent discussion and action.

Review, Consideration, and Action on Staff Recommendations for 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 7(A)-(B).

A. ENFORCEMENT

1. Review and Approval for EAC Membership:
See Addendum #1 for list of names

After review, Ms. Wyckoff made a motion, seconded by Mr. Gilmore, to approve the candidates for the Enforcement Advisory Committee (EAC) membership. The motion carried unanimously, 8-0.

B. LICENSING

1. Cancellation of registrations and certifications that have been expired for one full renewal period.
See Addendum #2 for list of names

After review, Ms. Wyckoff made a motion, seconded by Mr. Noel, to cancel registrations and certifications that have been expired for one full renewal period. The motion carried unanimously, 8-0.

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.
See Addendum #3 for list of names

After review, Ms. Wyckoff made a motion, seconded by Mr. Noel, to approve the list of registrations and certifications granted by the Executive Director. The motion carried unanimously, 8-0.

3. Universal Applications for professional registration or certification.

After review, Mr. Gilmore made a motion, seconded by Mr. Jones, to approve consent agenda items 7. B. 3. a. b. c. The motion carried unanimously, 9-0. Ronald VanOst was present in the event the Board had questions.

- a. Esteb. Richard – Application for registration as an Architect #212118
- b. VanOost, Ronald – Application for registration as a Home Inspector #211883
- c. Young, Elizabeth – Application for registration as a Civil Engineer #212210

4. Applications for registration/in-training for background review

After review, Mr. Hack made a motion, seconded by Dr. Angel, to grant the requested registrations for Consent Agenda items 7.4. a. - i. The motion carried unanimously, 8-0.

- a. Durson, Robert - Application for registration as a Home Inspector - Universal #211872
- b. Garcia-Perales, Alexander - Application for registration as a Home Inspector - Universal #212039
- c. Fiumara, Nicole - Application for Engineer-in-Training Designation #210926
- d. Tobin, Kameron - Application for registration as a Civil Engineer #211371
- e. Jackson, Jordan - Application for registration as a Mechanical Engineer #211937
- f. Nelson, Dale - Application for registration as an Architect #210937
- g. McCarthy, Michael – Application for registration as a Mechanical Engineer #211795
- h. Zabik, Jennifer – Application for registration as a Structural Engineer #212181
- i. Park, Logan – Application for registration as a Land Surveyor #211973

8. 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 8(A-C). 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 8(A).

A. 1 CA-CV 20-0510 & CV 2019-013509 – Mills v. Arizona State Board of Technical Registration

There were no updates.

B. Staff requesting Board direction regarding A.R.S. 32-122.01(A)(3)

Ms. Stapley provided a brief summary indicating that there may be a discrepancy in the fundamentals exam for engineers and Board statute A.R.S. §32-122.01(A)(3) as there is no specific branch of engineering for in-training designation. After deliberation, the Board determined that there is no discrepancy in the fundamentals exam for engineers and Board statute.

C. City of Surprise requesting signed and sealed CAD files for draft submissions

Mr. Gillmore provided a summary stating that his firm received a request for the firm's CAD files with the seal. Mr. Gillmore explained that this is not acceptable practice and wanted to bring it to the Board's attention.

9. DIRECTOR'S REPORT

- A. Budget
- B. Transition to an E-licensing Platform
- C. Digitization of Board's Physical Documents
- D. Board Composition and Member Update
- E. Licensing Numbers
- F. Enforcement Numbers

Ms. Stapley summarized the Executive Director's report highlighting the above noted items. The Board had no questions.

10. BOARD CHAIR'S REPORT

Nothing to discuss

11. ASSISTANT ATTORNEY GENERAL'S REPORT

- A. Board Member Training on Arizona Open Meeting Law

The Board tabled this matter to a future meeting.

12. STANDING COMMITTEE REPORTS

- A. Home Inspector Rules and Standards Committee – September 14, 2021

Mr. Everroad provided a summary to the Board stating that the Home Inspector Rules and Standards Committee will be reviewing the updated Home Inspector code at a future meeting.

- B. Legislation and Rules Committee – September 20, 2021

Dr. Angel provided a summary stating that the Legislation and Rules Committee (Committee) took no action on any of the items presented at the Committee meeting.

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

- A. National Association of State Board of Geology (ASBOG) – Annual meeting in Little Rock, Arkansas week of October 25, 2021

Mr. Noel stated that he will not be attending the ASBOG meeting due to a scheduling conflict. Mr. Noel highlighted events that will take place at the ASBOG meeting and indicated that Board staff will attend the meeting.

- B. Council of Landscape Architectural Registration Boards (CLARB) – Annual meeting in Phoenix, AZ September 22-24, 2021

Mr. Gillmore provided a summary of the meeting to the Board. Mr. Gillmore stated that “Peaces of Me” is a national organization and the President and Vice-President attended a portion of the meeting to highlight the role of landscape architect designs in regards to disabled individuals. Ms. Stapley noted that State Representatives and State Senators were invited to the meeting. Ms. Stapley reported that no State Representatives or State Senators were present at the meeting.

- C. National Council of Architectural Registration Boards (NCARB) – Annual meeting June 24-26th virtual. Edward Marley elected NCARB Secretary.

Nothing to discuss.

- D. National Council of Examiners for Engineering and Surveying (NCEES) – Annual meeting in New Orleans August 19-20, 2021

Dr. Angel provided a summary to the Board. Dr. Angel stated that the only exam that will not be computer based is the structural exam for engineers. Dr. Angel summarized model law and experience for surveyors.

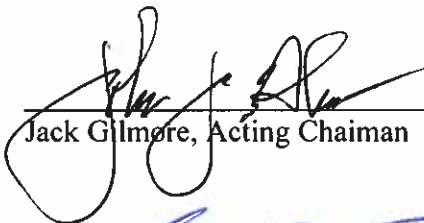
14. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

Board members requested that an item regarding delegating the authority for the Executive Director to approve applications with criminal history be on a future Board agenda. Board members requested that an item regarding outsourcing application reviewers be on a future Board agenda.

15. FUTURE BOARD MEETINGS – November 2, 2021 and December 7, 2021

16. MEETING ADJOURNMENT

The Board adjourned at 12:57pm.



Jack Gilmore, Acting Chairman



Judith Stapley, Executive Director