

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

Tuesday, January 26, 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, Board meeting minutes.
 - 1. December 8, 2020
- B. Approve, modify and/or reject, Board meeting executive session minutes
 - 1. December 8, 2020 executive session A
 - 2. December 8, 2020 executive session B

5. 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 State's Motion to Rescind and take other action to resolve the case:
 - 1. AL20-007, Vengoechea, Rodolfo and Safe Field Security LLC
- B. Conduct Review of Certified ALJ Decision pursuant to A.A.C. R4-30-126(E) and (C), and take possible action to Modify:
 - 1. P19-023 & P20-031, Halhber, Ahler aka James Halarewicz

6. ENFORCEMENT MATTERS

Review, Consideration and Possible Vote 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

B. Complaints Proposed for Resolution by Letters of Concern:

1. P21-022, Michael Amerson, R.L.S. #22245
2. P21-012, Lance Dickson, R.L.S. #46643

C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. P21-039, Mariano Rodriguez, R.A. #27502 and Mar Designs, PLC, Firm #17903 (expired)
2. P21-041, John Ware, R.L.S. #37937 and AZ Surveyors Inc., Firm #12800 (expired)
3. P21-036, Scott Thomson, R.A. #49780 and Thomson Architectural Group, Firm #15880 (expired)
4. HI20-039, Mathew Dominy, C.H.I. #65557
5. HI20-034, Harry Jim Bacon, C.H.I. #44513 and Pillar to Post, Inc., Firm #16623 (expired)

D. Compliance and Monitoring Investigations:

1. P20-054, Ahmad Zarifi, P.E. (Civil) #41872
2. P21-013, Gary Hokanson, R.A. #51987 (suspended)
3. P19-066, Rene Martinez, P.E. (Civil) #47518 and Talavera Engineering and Construction, Firm #20939

E. 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

F. Complaints Requiring Board Guidance

1. P19-056, Mills, Greg and Southwest Engineering Concepts, LLC.

7. LICENSING MATTERS

Discussion, Consideration and Vote on the following:

A. Staff Proposed Policy Decision regarding Requests for Extension of Licensing Timeframes to Take National Exams

B. Whether to Grant or Deny Request for Extension of Licensing Timeframes:

1. Plett, Andrew- Application for authorization to sit for AZ SSE Exam #200525
2. Ingram, Robert- Application for authorization to sit for AREs #192458
3. Engquist, Chase- Application for authorization to sit for AREs#192831
4. Lopez, Mario- Application for authorization to sit for AREs#191849
5. Wilson, Monica- Application for authorization to sit for PE exam #191728
6. Naves, Manuel- Application for authorization to sit for PE Exam #192465
7. Macarthur, Derek Application for authorization to sit for PE Exam #200097
8. Rong, Li- Application for authorization to sit for PE Exam #192871
9. Khoshtinat, Arash- Application for authorization to sit for PE Exam #191193
10. Armendariz, Larissa - Application for authorization to sit for PE Exam #200093

11. Kidnappalai, Kala - Application for authorization to sit for PE Exam #192989
12. Barnes, Bill - Application for authorization to sit for FS Exam #192718
13. Cox, Amzie - Application for authorization to sit for PS Exam #200314

C. Whether to Grant or Deny Registration after Full Board Review:

1. Seckinger, Peter- Application for reactivation of Civil Engineer Lic #34709
2. Richards, Robert- Application for registration as a Civil Engineer #202270
3. Montez, Juan- Universal Application for registration as an Electrical Engineer #202216

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. Pending Legislation: SB1062, HB2037, HB2243, SB1149
- B. Open Meeting Law Complaint against the Board
- C. Whether to send a letter addressed to Arizona's plat reviewing authorities regarding the removal of factual information from submitted plats prior to acceptance
- D. Election of Officers
- 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

- A. Budget Update
 - a. OSPB Budget
- B. Previous Meeting Follow-Up:
 1. National Council and Exam Updates
 2. Board Composition Update

3. Staff Update
 4. New Legislation (see 9a)
 5. Land Surveyor Boundary Minimum Standards Rule Request
 6. Supplemental Rulemaking-A.A.C. R4-30-247 and 106
 7. Mill's court case update (see 6F1 & 9E)
 8. Covid-19 Office Update
 9. ADOA Office Space Survey
 10. Consent Agenda for Future meetings
- C. Statistics Review

11. BOARD CHAIR'S REPORT

12. ASSISTANT ATTORNEY GENERAL'S REPORT

- A. Open Meeting Law Training and Update on Open Meeting Law Complaint

13. STANDING COMMITTEE REPORTS

- A. Legislation and Rules Committee
- B. Home Inspector Rules and Standards Committee

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 – February 23, 2021

16. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

17. MEETING ADJOURNMENT