



State of Arizona BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007
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- Jack Gilmore, Board Chair, Landscape Architect ● Michael Kolejka, Board Vice Chair, Architect
- Helmuth Hack, Land Surveyor ● Scott Sayles, Civil Engineer ● Vacant, Geologist
- Dr. Clinton Campbell, Public Member ● Jennifer Hobik, Esq, Public Member
- Kileen Lindgren, Public Member ● Stacy Skankey, Esq, Public Member
- Kent Wilson, Board Secretary, Public Member ● Vacant, Public Member

NOTICE AND AGENDA FOR REGULAR SESSION MEETING

1110 W. Washington Street, Conference Room 3175, Phoenix, Arizona 85007

Tuesday, May 24, 2022 –9:00am

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 Meet 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 A.R.S. § 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. CONSENT AGENDA

Items listed on the Consent Agenda will be considered by the Board as a single action item unless a Board Member wishes to remove a specific item for review, discussion, and action separately from the other Consent Agenda items.

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 4(A).

A. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

1. Cancel Registrations and Certifications that have been Expired for one Full Renewal Period
2. Grant Applications for Registration/Certification
 - a) Professional Exam unknown
 - 1) Carmichael, Brian – Application for Registration as a Civil Engineer #224027
 - 2) Christoforou, Chris – Application for Registration as a Civil Engineer #213156
 - 3) Dwyer, Carmine – Application for Registration as a Civil Engineer #224017
 - 4) Kraus, Kenneth – Application for Registration as a Mechanical Engineer #223956
 - 5) Leising, Luke – Application for Registration as a Civil Engineer #224265
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Bushman, William – Application for Registration as an Electrical Engineer #223808
 - 2) Kirk, William – Application for Registration as a Mechanical Engineer #223923
 - 3) Meninger, Stephen – Application for Registration as a Geologist #223684
 - 4) Orsburn, Sean – Application for Registration as an Electrical Engineer #223353
 - c) Background Review
 - 1) Ashbaker, Jeffrey – Application for Registration as a Civil Engineer #224026
 - 2) Brown, Joshua – Application for Registration as a Civil Engineer #223933
 - 3) Coleman, Christopher – Application for Registration as a Mechanical Engineer #223941
 - 4) Craig, Jeffrey – Application for Registration as a Land Surveyor #223650
 - 5) Deatherage, Randy – Application for Registration as a Civil Engineer #224241
 - 6) Dillard, Daniel – Application for Registration as a Mechanical Engineer #223265
 - 7) Ellis, Benjamin – Application for Registration as a Mechanical Engineer #223830
 - 8) Hanson, Jesse – Application for Registration as a Civil Engineer #224059
 - 9) Hibbitt, Matthew – Application for Registration as a Land Surveyor #224187
 - 10) Keith, David – Application for Universal Registration as a Civil Engineer #224022
 - 11) Klaseus, David – Application for Registration as a Structural Engineer #224028
 - 12) Manning, Kief – Application for Certification as a Home Inspector #223664
 - 13) Moran, Daniel – Application for Certification as a Home Inspector #223551

- 14) Sauers, Brett – Application for Registration as a Civil Engineer #224070
- 15) Sells, Eric – Application for Certification as a Home Inspector #223761
- 16) Valdez, Jesus – Application for Registration as an Architect #223764
- d) Multiple Considerations
 - 1) Hamilton, Michael – Application for Registration as a Civil Engineer #213093
 - i. Background Review
 - ii. Professional Exam unknown
 - 2) Henderson, Michael – Application for Registration as a Civil Engineer #223953
 - i. Background Review
 - ii. Council Record – experience under non-Professionals
 - 3) Poppe, Kent – Application for Registration as a Mechanical Engineer #212868
 - i. Background Review
 - ii. Professional Exam
 - 4) Riley, Craig – Application for Registration as a Civil Engineer #223973
 - i. Background Review
 - ii. Professional Exam unknown
3. Grant Universal Applications for Professional Registration/Certification
 - a) Joshi, Meenakshi – Application for Registration as a Civil Engineer #223961
4. Grant Renewal Registration Application(s)
 - a) Background Review
 - 1) Evans, Timothy – Renewal Application for Land Surveyor Registration #50988
 - 2) Fitch, Jeffrey – Renewal Application for Civil Engineer Registration #54730
 - 3) Gambony, Anthony – Renewal Application for Mechanical Engineer Registration #54783
 - b) Disciplinary Action Review
 - 1) Hack, Helmuth – Renewal Application for Land Surveyor Registration #32226
 - 2) York, William – Renewal Application for Civil Engineer Registration #35130
5. Approve Application(s) for Exam Waivers
 - a) Application(s) to waive Fundamental Exam
 - 1) Dumontier, Jean-Marc – Application to waive Fundamentals of Engineering exam #223842
 - 2) Minturn, Patrick – Application to waive Fundamentals of Surveying exam #223805
 - b) Application(s) to waive Professional Exam
 - 1) Dumontier, Jean-Marc - Application to waive Principles and Practice of Engineering Civil exam #223296
 - 2) Minturn, Patrick – Application to waive Principles and Practice of Surveying exam #223959
 - 3) Calvert, Glen – Application to waive Structural Engineering II exam #224047
 - 4) Omar, Mahmoud – Application to waive Architect Registration Exams #213125
 - 5) Tongthaworn, Kittijuk – Application to waive Structural Engineering I exam #224156
6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Celius, Bryan – Application for ARE exam authorization #212363
 - 2) Duncan, Robert – Application for FE exam authorization #223804
 - 3) Morad, Aladdin – Application for PE exam authorization #223541

7. Approve Extension Requests

a) Application for Registration

1) Johnson, Daniel – Application for Registration as a Civil Engineer #212950

b) Application for Exam Authorization

1) Reed, Kaleigh – Application for FG exam authorization #202068

5. ADOPTION OF MINUTES

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).

A. Approve, modify and/or reject, April 25, 2022 Board meeting minutes.

6. 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 6(A-F).

A. Complaints Proposed for Resolution by Dismissal or Administrative Closure:

1. HI22-030, Yoel Lopez, C.H.I. #66939 and General Home Inspections. Firm #21524 (*expired*)
2. HI22-025, Matthew Goermar, C.H.I. #67576
3. P22-026, Richard Elliott, Non-Registrant

B. Complaints Proposed for Resolution with Signed Consent Agreements:

1. HI22-032, Patrick Holmes, C.H.I. #68323 and Holmes Home Inspections, Non-Registrant Firm
2. P22-050, Daniel Goss, R.L.A. #19132

C. Complaints Proposed to Offer Consent Agreement:

1. P22-042, Kathryn Mills, P.E. (Civil) #31118
2. HI22-028, Robert Crum, C.H.I. #62694 and White Mountain Inspections, Firm #19917 (*expired*), Firm #23930 (*current*)
3. HI22-027, Ryan Delaney, C.H.I. #40752 and Greenlight Real Estate Inspections, Firm #15371 (*expired*), Firm #23883 (*current*)

D. Complaints Requiring Board Guidance:

1. P22-048, Donna Winters, Non-Registrant and Donna M. Winters & Associates, LLC, Non-Registrant Firm
2. HI22-033, David Bertlesman, C.H.I. #68595 (*suspended*) and Drake Property Inspections, Firm #20729 (*expired*)

E. Complaints Proposed for Resolution with Signed Consent Agreements and Letters of Concern:

1. HI22-001, Mark Renteria, C.H.I. #71367 and Canyon Property Inspections, LLC, Firm ##23514 (*initial registration 9/2/2021*)

F. Complaints Proposed to Refer for Formal Hearing:

1. P22-010, Carlos Padilla, Non-Registrant (*previous R.L.S. #46474 revoked 6/28/2017*) and AAA Survey Arizona, Non-Registrant Firm

7. 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 7(A). 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 7(A).

A. Arizona Supreme Court Docket No. CV-21-0203-PR, 1 CA-CV 20-0510 & CV 2019-013509 – Mills v. Arizona State Board of Technical Registration

8. DIRECTOR'S REPORT

- A. Budget Update
- B. Previous Meeting Follow-Up
 - a. Online Transition
 - b. Board Staff Updates
 - c. Board Composition
- C. Licensing Numbers
- D. Enforcement Numbers
- E. List of Newly Granted

9. BOARD CHAIR'S REPORT

10. ASSISTANT ATTORNEY GENERAL'S REPORT

11. STANDING COMMITTEE REPORTS

- A. Legislation and Rules Committee – No new meeting date
- B. Home Inspector Rules and Standards Committee – Next Meeting June 15, 2022

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

- A. ASBOG
- B. CLARB
- C. NCARB
- D. NCEES

14. FUTURE BOARD MEETINGS – June 28, 2022

15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

16. MEETING ADJOURNMENT