



State of Arizona
BOARD OF TECHNICAL REGISTRATION

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- Jack Gilmore, Board Chair, Landscape Architect • Michael Kolejka, Board Vice Chair, Architect
- Dana Klett, Land Surveyor • Scott Sayles, Board Secretary, Civil Engineer
- Bill Nesgood, Geologist • Dr. Clinton Campbell, Public Member • Jennifer Hobik, Esq, Public Member
- Kileen Lindgren, Public Member • Stacy Skankey, Esq, Public Member
- Keith Smith, Public Member • Hayley Bohall, Public Member

MINUTES FOR REGULAR SESSION MEETING

1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007
Tuesday, July 25, 2023 –9:00am

1. **CALL TO ORDER** – The meeting convened at 9:00 am and adjourned at 11:37 am.
2. **ROLL CALL**

PRESENT

Jack Gilmore
Michael Kolejka
Scott Sayles
Hayley Bohall
Dana Klett
Keith Smith
William “Bill” Nesgood

VIRTUAL

Dr. Clinton Campbell

ABSENT

Jennifer Hobik, Esq.
Stacey Skankey, Esq.
Kileen Lindgren

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.

No one appeared before the Board.

4. **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 4(A).

- A. Approve, modify and/or reject, June 27, 2023 Board meeting minutes.

Mr. Kolejka moved and Dr. Campbell seconded to approve the regular session minutes as written; motion

carried 8-0.

5. 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 5(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) Aronson, Kelley – Application for Registration as a Civil Engineer #238761
 - 2) Wieser, James – Application for Registration as a Civil Engineer #238691
 - 3) Fitzpatrick, Paul – Application for Registration as a Civil Engineer #238774
 - 4) Lirot, Christopher – Application for Registration as a Civil Engineer #238934
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Sedej, Owen – Application for Registration as a Civil Engineer #237859
 - 2) Ehmann, Daniel – Application for Registration as an Electrical Engineer #238416
 - 3) Gleason, Michael – Application for Registration as an Electrical Engineer #238762
 - 4) Marte, Victor – Application for Registration as a Civil Engineer #237460
 - c) Council Records – experience under non-Professionals
 - 1) Stouffer, Brian – Application for Registration as a Civil Engineer #238754
 - 2) Chadwick, Dale – Application for Registration as an Electrical Engineer #238767
 - 3) Correia Santos, Manuel – Application for Registration as a Civil Engineer #237518
 - 4) Egbo, Munonyedi – Application for Registration as a Mechanical Engineer #238732
 - 5) Galardi, Kenneth – Application for Registration for Chemical Engineer #238579
 - 6) Casanova Sala, Ferran – Application for Registration as a Civil Engineer #238832
 - 7) Gordon, Riley – Application for Registration as an Agriculture Engineer #238581
 - 8) Wentzler, William – Application for Registration as an Electrical Engineer #238848
 - 9) Kadiyala, Murthy – Application for Registration as a Civil Engineer #238889
 - 10) Lupo, Robert – Application for Registration as a Structural Engineer #238915
 - 11) Fitzsimons, Joseph – Application for Registration as a Civil Engineer #238874
 - 12) Harkonen, Harold – Application for Registration as an Electrical Engineer #238913
 - d) Background Review
 - 1) Boresch, Daniel – Application for Registration as an Electrical Engineer #238354
 - 2) Faris, Joshua – Application for Registration as a Mechanical Engineer #238341
 - 3) Flogel, Mariah – Application for Registration as a Landscape Architect #238718
 - 4) Fuscaldo, Jared – Application for Registration as an Electrical Engineer #238238
 - 5) Gutierrez Avila, Juan Carlos – Application for Registration as an Architect #238508
 - 6) Hall, Jarod – Application for Registration as an Electrical Engineer #238483
 - 7) Hardin, Douglas – Application for Registration as a Civil Engineer #238482
 - 8) Kidd, Donald – Application for Registration as a Civil Engineer #237658
 - 9) Moriarty, Nathan – Application for Registration as a Mechanical Engineer #238692
 - 10) Peters, Brian – Application for Registration as an Architect #238536
 - 11) Roberts, Jordan – Application for Registration as a Civil Engineer #238873

- 12) Ryon, London – Application for Registration as a Land Surveyor #238525
- 13) Salisbury, Scott – Application for Registration as a Mechanical Engineer #238538
- 14) Stevenson, Keri – Application for Registration as an Architect #238602
- 15) Zapata, Ramiro – Application for Registration as an Architect #238509
- 16) Meide, Caleb – Application for Registration as a Mechanical Engineer #238309
- 17) Murphy, Timothy – Application for Registration as a Civil Engineer #238077
- 18) Ripple, Mark – Application for Registration as a Mechanical Engineer #238907
- e) Disciplinary Action Review
 - 1) Toone, Jonathan – Application for Registration as a Structural Engineer #238730
 - 2) Yurianto, Yurianto – Application for Registration as a Structural Engineer #238122
- f) Multiple Considerations
 - 1) Spencer, Donald – Application for Registration as a Mechanical Engineer #238417
 - i. Professional Exam unknown
 - ii. Council Record – experience under non-Professionals
 - 2) Zak, Peter – Application for Registration as a Mechanical Engineer #238933
 - i. Disciplinary Action Review
 - ii. Professional Exam unknown
 - ii. Council Record – experience under non-Professionals
- 3. Grant Universal Applications for Professional Registration/Certification
 - a) Hunich, Corby – Application for Certification as a Home Inspector #238548
 - b) Palmer, Suzanne – Application for Registration as a Landscape Architect #238655
- 4. Grant Renewal Registration Application(s)
 - a) Background Review
 - 1) McComb, Bret – Renewal application for Civil Engineer Registration #48082
 - 2) Bilella, James – Renewal application for Electrical Engineer Registration #71206
 - b) Disciplinary Action
 - 1) Fleetwood, Marc – Renewal application for Civil Engineer Registration #30500
 - 2) Muntz, Zane – Renewal application for Architect Registration #63865
 - 3) Phipps, Jack – Renewal application for Civil Engineer Registration #58060
- 5. Approve Application(s) for Exam Waivers
 - a) Application to waive Fundamental Exam
 - 1) Morales, Resty - Application to waive FE exam #236953
 - 2) Shi, Jerry – Application to waive FG exam #238549
 - 3) Tarazaga Castilla, Carlos – Application to waive FE exam #238537
 - b) Application to waive Professional Exam
 - 1) Edmonds, Gregory – Application to waive PE Electrical exam #238139
 - 2) Parnell, Christopher – Application to waive 16-hour SE exam #238138
 - 3) Esho, Esho – Application to waive 16-hour SE exam #238590
 - 4) Sezen, Kent – Application to waive 16-hour SE exam #238766
 - c) Multiple Considerations
 - 1) Queener, Megan – Application to waive PE Civil exam #238594
 - i. Council Record – experience under non-Professionals
 - ii. PE Civil exam waiver
 - 2) Allen, Chad – Application to waive SE II exam #238390
 - i. Disciplinary Action
 - ii. SE II exam waiver

- 3) Macias, Kevin – Application to waive FE exam #238363
 - i. Certificate(s) of Experience from non-Professionals
 - ii. FE exam waiver
 - 4) Arrieta, Rogelio – Application to waive ARE exams #237382
 - i. Certificate(s) of Experience from non-Professionals
 - ii. ARE exam waiver
6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Atherton, Curtis – Application for PS exam authorization #237946
 - 2) Celius, Bryan – Application for ARE exam authorization #238587
 - 3) Duncan, Robert – Application for PE Electrical exam authorization #238292
 7. Approve Application(s) for In-Training Designation
 - a) Background Review
Nothing to consider
 8. Approve Extension Requests
 - a) Santana, Saul – Application for Registration as a Civil Engineer #238499

Mr. Kolejka moved and Dr. Campbell seconded to approve all items under agenda item 5(A); motion carried 8-0.

6. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

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 6.

Nothing to consider.

7. 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 7(A-E).

A. Complaints Proposed for Resolution by Dismissal:

1. P23-070, David Putt, R.L.S. #13019

Investigator Kaitlyn Crawford appeared before the Board.

Ms. Klett moved and Mr. Sayles seconded to dismiss case #P23-070; motion carried 8-0.

2. P23-098, John Moreno, Non-Registrant

Investigator Daniel Carthel appeared before the Board.

Dr. Campbell moved and Mr. Kolejka seconded to dismiss case #P23-098; motion carried 8-0.

3. P23-102, Jorge Toscano, Non-Registrant

Investigator Kaitlyn Crawford appeared before the Board.

Mr. Sayles moved and Mr. Nesgood seconded to dismiss case #P23-102; motion carried 8-0.

4. UK24-001, Penelope Rivera, Non-Registrant

Investigator Kaitlyn Crawford appeared before the Board.

Mr. Sayles moved and Ms. Klett seconded to dismiss case #UK24-001; motion carried 8-0.

5. P22-074, Dora Castillo, R.A. #52052

Respondent's counsel, Nick Cote and Investigator Kaitlyn Crawford appeared before the Board.

Mr. Kolejka moved and Dr. Campbell seconded to dismiss case #P22-074; motion carried 8-0.

B. Complaints Proposed for Administrative Closure:

1. HI23-030, Richard Ritzwoller, C.H.I. #38973 (Revoked)

Investigator Kaitlyn Crawford appeared before the Board.

Mr. Kolejka moved and Dr. Campbell seconded to administratively close #HI23-030; motion carried 8-0.

C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. AL23-011, Christopher Coffey, Non-Registrant and ECAMSURE, Inc, # 24852

Investigator Brandon Eaden appeared before the Board.

Ms. Klett moved and Mr. Sayles seconded to accept Respondent's signed Consent Agreement; motion carried 8-0.

2. HI23-010, Richard Exley, C.H.I. #68757 and Amerispec Inspection Services DBA JRX Home Services, LLC #24737

Investigator Brandon Eaden appeared before the Board.

Mr. Smith moved and Mr. Sayles seconded to accept Respondent's signed Consent Agreement; motion carried 8-0.

D. Complaints Proposed for to Offer Consent Agreement:

1. HI23-007, Robert Kille, C.H.I. #38351

Respondent and Investigator Daniel Carthel appeared before the Board. The Board discussed the investigation.

Mr. Smith moved and Ms. Klett seconded to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion carried 8-0.

2. P23-097, Mozart Faizi, P.E. (Electrical) #34067

Respondent and Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Mr. Kolejka moved to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion carried 8-0.

E. Review and Consideration for EAC Membership:

1. Frank Adams, P.E. (Civil) #43530 and R.A. #18439

Mr. Kolejka moved and Mr. Sayles seconded to accept EAC membership for Frank Adams; motion carried 8-0.

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). 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) 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

AAG Scott Donald reported that the Superior Court has dismissed the amended complaint.

Mr. Smith moved and Dr. Campbell seconded to enter Executive Session to receive legal advice; motion carried 8-0.

The Board entered Executive Session at 10:19 am and returned to open session at 10:38 am.

B) Board member appointments to the Home Inspector Rules and Standards Committee

Mr. Kolejka moved and Mr. Sayles seconded to appointment Keith Smith to serve as the Public Board Member on the Home Inspector Rules and Standards Committee; motion carried 8-0.

9. DIRECTOR'S REPORT

- A. Budget Update
- B. Previous Meeting Follow-Up
 - a. Online Transition
 - b. Compliance Met on Website
 - c. Board Staff Updates

- d. Board Composition
- C. Licensing Numbers
- D. Enforcement Numbers
- E. List of Newly Granted Applicants

Ms. Stapley reported on the Board's budget, Board staff, Board Composition, and licensing and enforcement numbers.

10. BOARD CHAIR'S REPORT – Nothing was discussed.

11. ASSISTANT ATTORNEY GENERAL'S REPORT – Training on the purpose of the Board, the need to maintain impartiality and the complaint/investigation procedure

AAG Scott Donald reported on the purpose of the Board, the need to maintain impartiality and the complaint/investigation procedure process.

12. STANDING COMMITTEE REPORTS

A. Legislation and Rules Committee – no new meeting date

Mr. Winter reported that Board staff is coordinating with Legislation and Rules Committee members to schedule a meeting.

B. Home Inspector Rules and Standards Committee –September 6, 2023

Mr. Winter reported that the next Home Inspector Rules and Standards Committee would be on September 6, 2023, following the conclusion of the public comment period of the proposed rule changes.

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

A. National Association of State Boards of Geology (ASBOG)

Ms. Stapley reported on ASBOG's upcoming conference that will take place in October.

B. Council of Landscape Architectural Registration Boards (CLARB)

Mr. Gilmore reported on CLARB's upcoming conference that will take place in September.

C. National Council of Architectural Registration Boards (NCARB)

Nothing was discussed.

D. National Council of Examiners for Engineering and Surveying (NCEES)

Ms. Klett reported on NCEES's upcoming meeting that will take place in August.

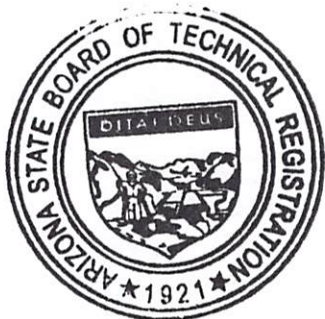
14. FUTURE BOARD MEETINGS – August 22, 2023

15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

The Board would like a discussion on educating home inspectors on firm registration requirements. They would also like to discuss what happens with a complaint in progress when loss of jurisdiction occurs. Another topic is the possible development of a scholarship fund and Board composition. Ms. Stapley indicated board members would be able to review the proposed budget submittal for FY25 and the responses to the sunset audit, both due by September 1, 2023.

16. MEETING ADJOURNMENT – 11:37 am

Signed this 22 day of August, 2023





Jack Gilmore, Chairman



Judith Stapley, Executive Director