



## State of Arizona BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007  
(602) 364-4930 FAX: (602) 364-4931 <https://btr.az.gov/>

- 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

### NOTICE AND AGENDA FOR REGULAR SESSION MEETING 1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007 **Tuesday, December 5, 2023 –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.

The public may attend the meeting in person or remotely. The Board utilizes Google Meet for those wishing to attend the meeting remotely.

#### Google Meet joining info for December 5, 2023 Board Meeting

Video call link: <https://meet.google.com/bkb-dtck-pje>

Or dial: (US) +1 470-327-0798 PIN: 815 333 370#

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.

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

*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-B).*

- A. Approve, modify and/or reject, November 7, 2023 Board meeting minutes.
- B. Approve, modify and/or reject, November 15, 2023 Board meeting minutes

## 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) Fruct, Adrian – Application for Registration as a Civil Engineer #239909
  - b) Certificate(s) of Experience from non-Professionals
    - 1) Nafsin, Nabila – Application for Registration as a Civil Engineer #239665
    - 2) Simianer, Jonathon – Application for Registration as an Architect #238686
    - 3) Duncan, Robert – Application for Registration as an Electrical Engineer #2310119
    - 4) Monroy Hernandez, Rafael – Application for Registration as a Civil Engineer #239708
    - 5) Zazueta Rodriguez, Raul – Application for Registration as a Civil Engineer #239588
    - 6) Gajjar, Laxit – Application for Registration as a Control Systems Engineer #2310079
  - c) Council Records – experience under non-Professionals
    - 1) Peterworth, Matthew – Application for Registration as an Architectural Engineer #239893
    - 2) Sommers, Dane – Application for Registration as a Civil Engineer #2310116
    - 3) Watson, Zachary – Application for Registration as a Landscape Architect #2310058
    - 4) King-Vicencio, Alejandro – Application for Registration as a Civil Engineer #239929
    - 5) Martinez, Christopher – Application for Registration as a Landscape Architect #239849
    - 6) Cooper, Nicholas – Application for Registration as a Control Systems Engineer #238959
    - 7) Elhasan, Salam – Application for Registration as an Electrical Engineer #2310070
    - 8) Hay, Joris – Application for Registration as an Electrical Engineer #239894
    - 9) Dudik, Robert – Application for Registration as an Electrical Engineer #239757
  - d) Background Review

- 1) Allen, Matthew – Application for Registration as a Fire Protection Engineer #239978
  - 2) Beaumont, Paul – Application for Certification as a Home Inspector #239320
  - 3) Bodiker, Charles – Application for Registration as an Architect #239507
  - 4) Craig, Jordan – Application for Registration as a Civil Engineer #2310055
  - 5) Lyle III, Malcolm – Application for Registration as an Electrical Engineer #239427
  - 6) Parks, Joseph – Application for Registration as a Structural Engineer #239886
  - 7) Payton, Tyler – Application for Registration as a Metallurgical Engineer #239789
  - 8) Recine, Zachary – Application for Registration as a Civil Engineer #239753
  - 9) Recker, Daniel – Application for Registration as a Civil Engineer #239715
  - 10) Evans, Joseph – Application for Registration as an Electrical Engineer #239910
  - 11) Hickerson, Hugh – Application for Registration as an Electrical Engineer #239973
  - 12) Honyumptewa III, Lloyd – Application for Certification as a Home Inspector #239730
  - 13) Marquette, Ryan – Application for Registration as a Civil Engineer #239349
  - 14) Benda, Richard – Application for Registration as a Civil Engineer #2310291
  - 15) Cawthon, Andrew – Application for Registration as a Mechanical Engineer #239791
- e) Disciplinary Action Review  
*Nothing to consider*
- f) Multiple Considerations
- 1) Reimer, Wade – Application for Registration as a Structural Engineer #2310024
    - i. Background Review
    - ii. License Denial
  - 2) Shaner, Deborah – Application for Registration as a Fire Protection Engineer #239834
    - i. Disciplinary Action
    - ii. Council Record – experience under non-Professionals
  - 3) Klein, Richard – Application for Registration as a Civil Engineer #2310183
    - i. Background Review
    - ii. Disciplinary Action
  - 4) Miller, Gregory – Application for Registration as a Mechanical Engineer #239939
    - i. Background Review
    - ii. Council Record – experience under non-Professionals
3. Grant Universal Applications for Professional Registration/Certification
- a) Garner, Jason – Application for Registration as a Civil Engineer #2310057
  - b) Pechnick, Patrick – Application for Registration as a Civil Engineer #239574
4. Grant Renewal Registration Application(s)
- a) Background Review
    - 1) Dominguez, Adrian – Renewal Application for Electrical Engineer Registration #65144
  - b) Disciplinary Action
    - 1) Hunt, Stephen – Renewal Application for Electrical Engineer Registration #48909
5. Approve Application(s) for Exam Waivers
- a) Application to waive Fundamental Exam
    - 1) Safar, Sadiq – Application to waive FE exam #239155
    - 2) Bernaldo, Maria Elena – Application to waive FE exam #239478
  - b) Application to waive Professional Exam
    - 1) Safar, Sadiq – Application to waive PE Civil exam #239154
    - 2) Andersen, Brandon – Application to waive PE Electrical exam #239465
  - c) Multiple Considerations
    - 1) Perla, Robert – Application to waive FE exam #239861

- i. Council Record – experience under non-Professionals
  - ii. FE exam waiver
- 2) Perla, Robert – Application to waive PE Civil exam #239860
  - i. Council Record – experience under non-Professionals
  - ii. PE Civil exam waiver
- 3) Ramirez, Barbara – Application to waive FE exam #239009
  - i. Certificate(s) of Experience from non-Professionals
  - ii. FE exam waiver
- 4) Ramirez, Barbara – Application to waive PE Civil exam #238724
  - i. Certificate(s) of Experience from non-Professionals
  - ii. PE Civil exam waiver
- 5) Kaki, Raaed – Application to waive FE exam #238796
  - i. Certificate(s) of Experience from non-Professionals
  - ii. FE exam waiver
- 6) Kiger, Hannah – Application to waive PE Mechanical Exam #239363
  - i. Certificate(s) of Experience from non-Professionals
  - ii. PE Mechanical exam waiver
- 7) Beckwith, Arthur – Application to waive PE Structural exam #239278
  - i. Background Review
  - ii. PE Structural exam waiver
- 8) Kandpal, Harish – Application to waive PE Mechanical exam #239007
  - i. Council Record – experience under non-Professionals
  - ii. PE Mechanical exam waiver
- 9) Lee Hing, Robert – Application to waive FE exam #239393
  - i. Council Record – experience under non-Professionals
  - ii. FE exam waiver

6. Approve Application(s) for Exam Authorization

a) Certificate(s) of Experience from non-Professionals

- 1) Ridha, Hind – Application for FE exam authorization #238939

**6. LICENSING MATTERS**

A. Board Discussion Regarding Multiple Considerations for Registration

- 1. Bernhardt, Craig – Application for Registration as a Land Surveyor #238468

- a) Background Review
- b) Previous board order

**7. 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 7(A).*

A. Consideration of a Signed Consent Agreement in lieu of a Formal Hearing:

- 1. HI23-004, Kloc, Curtis. C.H.I. #72347 and Inspections Over Coffee #22936

## 8. 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 8(A-F).*

### A. Complaints Proposed for Resolution by Dismissal:

1. P24-004, Armando Giron Moreales, R.A. #49775
2. UK24-005, Robert Samour, P.E. (Civil) #36387 and AZDOT
3. UK24-009, SRP Cool Cash Rebate Program
4. P24-019, Jared Whitehead, Non-Registrant and Discovery Survey, LLC, Non-Registrant Firm
5. P24-012, Ed Reyes, Non-Registrant and Ed Reyes Design, LLC #24519

### B. Complaints Proposed for Resolution with Letter of Concern:

1. HI24-001, Ryan Palmer, C.H.I. #72885
2. HI23-023, Ryan Phelps, C.H.I. #40004
3. HI24-007, Kevin Bortin, C.H.I. #38754

### C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. P23-103, Richard Burton, R.A. #08506
2. HI24-014, Michael McGarry, C.H.I. #70711
3. P23-039, Todd Hout, R.L.S. #35543

### D. Complaints Proposed for Offer Consent Agreement:

1. P23-056, Don Jolley, R.A. #30779
2. P23-028, Jason Doty, R.A. #75213

### E. Complaints Requiring Board Guidance:

1. P23-067, Kathryn Mills, P.E. (Civil) #31118

### F. Review and Consideration for EAC Membership:

1. John Christmann, C.H.I. #74140
2. Michael Sexton, R.L.S. #23385
3. Samuel Hanna, P.E. (Civil) #34582

## 9. 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 9(A)-(D). 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 9(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
- B. Appointment of new home inspector for the Home Inspector Rule and Standards Committee
  - 1. Eric Spears, C.H.I. #43458
  - 2. Steven Boyle, C.H.I. #59714
  - 3. Ric Wiederhold, C.H.I. #61674
  - 4. Sean Garvey, C.H.I. #65301
  - 5. Dylan Bucknavich, C.H.I. #43777
  - 6. Clark Booth, C.H.I. #65593 (Delinquent)
- C. Appoint Board Chair, Vice Chair and Secretary
- D. Update on Supplemental Rule Package
- E. Eligibility requirements for enforcement advisory committee (EAC) volunteers
- F. Complaint intake process
- G. Rescind Substantive Policy Statements 3, 5, 6, 9, 10, 14 and 19

#### **10. 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 Applicants

#### **11. ASSISTANT ATTORNEY GENERAL'S REPORT**

#### **12. STANDING COMMITTEE REPORTS**

- A. Legislation and Rules Committee – No future meeting date at this time
- B. Home Inspector Rules and Standards Committee –January 17, 2024

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

- A. National Association of State Boards of Geology (ASBOG)
- B. Council of Landscape Architectural Registration Boards (CLARB)
- C. National Council of Architectural Registration Boards (NCARB)
- D. National Council of Examiners for Engineering and Surveying (NCEES)

#### **14. FUTURE BOARD MEETINGS – January 5, 2024**

#### **15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.**

#### **16. MEETING ADJOURNMENT**

Board members may join Board staff for light refreshments after the meeting ends. A quorum may exist, but no Board business will take place.