



**State of Arizona**  
**BOARD OF TECHNICAL REGISTRATION**

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- Michael Kolejka, Board Chair, Architect • Scott Sayles, Board Vice Chair, Civil Engineer
- Bill Nesgood, Board Secretary, Geologist • Jack Gilmore, Landscape Architect
- Dana Klett, Land Surveyor • 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, March 26, 2024 –9:00am**

1. **CALL TO ORDER** –The meeting convened at 9:00 a.m., adjourned for a break at 9:45 a.m., reconvened at 9:56 a.m. and adjourned at 11:05 a.m.

2. **ROLL CALL**

**PRESENT**

Michael Kolejka  
Scott Sayles  
William “Bill” Nesgood  
Jack Gilmore  
Jennifer Hobik, Esq.  
Hayley Bohall  
Keith Smith

**VIRTUAL**

Dr. Clinton Campbell  
Stacy Skankey, Esq.  
Kileen Lindgren

**ABSENT**

Dana Klett

3. **CALL TO THE PUBLIC**

Nathan Pies, Registered Mechanical Engineer, appeared before the Board and voiced his concerns regarding the Board disciplining a registrant, who is the principal of a firm, for firm violations, even when the registrant is not the owner of the firm.

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, February 27, 2024 Board meeting minutes.

Mr. Sayles moved and Mr. Gilmore seconded to approve the Board meeting minutes as written; motion carried 10-0.

## 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) Mirande, Michael – Application for Registration as an Electrical Engineer #240643
    - 2) Cook Jr., Randy – Application for Registration as a Civil Engineer #240775
    - 3) Aouf, Linda – Application for Registration as a Civil Engineer #240867
  - b) Certificate(s) of Experience from non-Professionals
    - 1) Williams Cruz, Julia Lu – Application for Registration as a Civil Engineer #240353
  - c) Council Records – experience under non-Professionals
    - 1) Chacon, Joseph – Application for Registration as an Electrical Engineer #240031
    - 2) Magalang, Ryan – Application for Registration as an Electrical Engineer #240413
    - 3) Batiancila, Ramil – Application for Registration as an Electrical Engineer #2310273
    - 4) Faber, Kiev – Application for Registration as a Mechanical Engineer #240555
    - 5) Honeycutt, Samuel – Application for Registration as a Mechanical Engineer #240553
    - 6) Hoza, Marcel – Application for Registration as an Electrical Engineer #240613
    - 7) Maranabasari, Amar – Application for Registration as a Mechanical Engineer #240614
    - 8) Gordon, Scott – Application for Registration as a Mechanical Engineer #240890
  - d) Background Review
    - 1) Blandi, Thomas – Application for Certification as a Home Inspector #240332
    - 2) Laney, Maxwell – Application for Certification as a Home Inspector #2310071
    - 3) Onorati, Jeffrey – Application for Registration as a Civil Engineer #240582
    - 4) Rowlands, Geoffrey – Application for Registration as an Architect #2310327
    - 5) Sieben, Paul – Application for Registration as an Architect #240501
    - 6) Thingvold, Craig – Application for Registration as an Electrical Engineer #240611
    - 7) Uribe, Juan – Application for Registration as a Mechanical Engineer #240753
    - 8) Gambill, Sean – Application for Registration as an Electrical Engineer #240595
    - 9) Garritani, James – Application for Registration as an Architect #240181
    - 10) Mordaunt, Theresa – Application for Registration as a Structural Engineer #2310068
    - 11) Goering, Bradley – Application for Certification as a Home Inspector #240646
    - 12) Koffke, Kevin – Application for Registration as a Mechanical Engineer #240641
    - 13) Williams, Joel – Application for Registration as a Mechanical Engineer #240856
  - e) Disciplinary Action Review
    - 1) Fritts, Walter – Application for Registration as an Architect #240325
  - f) Multiple Considerations
    - 1) Amadio, Anthony – Application for Registration as a Mechanical Engineer #240603
      - i. PE exam unknown
      - ii. Council record – experience under non-Professionals
    - 2) Mussman, Paul – Application for Registration as an Architect #240467

- i. Background Review
- ii. Disciplinary Action

3. Grant Universal Applications for Professional Registration/Certification
  - a) Good-man, Charles – Application for Registration as an Architect #240587
4. Grant Renewal Registration Application(s)
  - a) Background Review  
*Nothing to consider*
  - b) Disciplinary Action
    - 1) Pies, Nathan – Renewal Application for Mechanical Engineer registration #49142
    - 2) Blew, Buckley – Renewal Application for Land Surveyor registration #59542
    - 3) Seckinger, Peter – Renewal Application for Mechanical Engineer registration #34709
5. Approve Application(s) for Exam Waivers
  - a) Application to waive Fundamental Exam
    - 1) Knuth, Wesley – Application to waive FE exam #2310078
    - 2) Tallman Williams, Amelia – Application to waive FG exam #240529
    - 3) Conrad, Matthew – Application to waive FE exam #2310279
  - b) Application to waive Professional Exam
    - 1) Duvall, Christopher – Application to waive SE I exam #2400012
6. Approve Application(s) for Exam Authorization
  - a) Certificate(s) of Experience from non-Professionals
    - 1) Kaki, Raaed – Application for PE Electrical exam authorization #240624
    - 2) Locey, Jeffery – Application for PG exam authorization #239121
    - 3) Farje Sr., Brian – Application for PE Civil exam authorization #240637
    - 4) Lucas, Haley – Application for FE exam authorization #2310172
    - 5) Begay, Miles – Application for PE Civil exam authorization #240761
7. Grant Applications for In-Training Designation
  - a) Background Review
    - 1) Brophy, Dana – Application for Engineer-in-Training Designation #240337
    - 2) Stewart, Jared – Application for Land Surveyor-in-Training Designation #240488
8. Extension Requests
  - a) Bhindora, Arjun – Application for Registration as a Civil Engineer #240400
  - b) Edgar, Michael – Application for Registration as an Environmental Engineer #2310493

Mr. Gilmore moved and Mr. Nesgood seconded to accept all items under the consent agenda; motion carried 10-0.

## 6. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

Nothing to consider at this time.

## 7. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

Review, Consideration and Possible Action on the following:

Nothing to consider at this time.

## 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. HI24-039, Brian Pemble, C.H.I. #45238

Alleger, Ramona Clark and Investigator Daniel Carthel appeared before the Board.

Mr. Smith moved and Mr. Sayles seconded to dismiss case #HI24-039; motion carried 10-0.

2. P24-032, Robert Nangia, P.E. (Structural) #48411 and P.E. (Civil) #48474

Mr. Gilmore moved and Dr. Campbell seconded to dismiss cases #P24-007, #HI24-017, #HI24-024, #HI24-025 and #AL24-006; motion carried 10-0.

3. P24-007, Roberto Hernandez, Non-Registrant

See 8(A)(2).

4. HI24-017, Thomas McDonald, C.H.I. #46793

See 8(A)(2).

5. HI24-024, Fernando Badilla, Non-Registrant (*Related Case HI24-025*)

See 8(A)(2).

6. HI24-025, Zachary Shawd, Non-Registrant (*Related Case HI24-024*)

See 8(A)(2).

7. AL24-006, Gregg Heyn, C.P. #74490 and ADT LLC of Delaware (FN), #18105

See 8(A)(2).

8. AL24-003, Richard Bertocchi, C.P. #66668 and AAA Smart Home DBA Smart Home LP, #18658

Alleger, Winston Gaw and Investigator Eric Parriot appeared before the Board.

Mr. Gilmore moved and Mr. Sayles seconded to dismiss case #AL24-003; motion carried 10-0.

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

1. HI24-005, Bruce Scott Hubbard, C.H.I. #38582

The Board tabled this item for a future Board meeting.

C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. HI23-026, Mark Ashby, C.H.I. #40904

Mr. Smith moved and Mr. Sayles seconded to accept Respondent's signed Consent Agreements for cases #HI23-026 and #HI23-038; motion carried 10-0.

2. HI23-038, Michael Grijalva, C.H.I. #65591

See 8(C)(2).

D. Complaints Proposed for Offer Consent Agreement:

1. HI24-037, Joseph Eriquez, C.H.I. #75411

Mr. Gilmore moved and Mr. Smith seconded to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion carried 10-0.

E. Complaints Requiring Board Guidance:

1. P23-092, Jason Lemley, Non-Registrant and Erickson Framing AZ LLC, Non-Registrant Firm

Larry Butts, Investigator Daniel Carthel and Enforcement Manager Orlene Loera appeared before the Board. The Board deliberated.

Mr. Sayles moved and Mr. Gilmore seconded to dismiss case #P23-092; motion carried 10-0.

F. Review and Consideration for EAC Membership:

1. Bruce Small, R.L.S. #12122

Mr. Nesgood moved and Mr. Gilmore seconded to accept EAC Membership for all applicants under 8(F); motion carried 10-0.

2. James B. Richards, R.L.S. #40916

See 8(F)(1).

3. Matthew Callahan, R.G. #32161

See 8(F)(1).

## 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)-(H). 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

AAG Scott Donald reported that the State has filed a response to the appeal and is waiting for Plaintiff's to file a reply to the opening brief's response.

B. Legislation: HB2100, HB2243, HB2253, HB2308, HB2593, HB2632, HB2812, HB2855, HCR2052, SB1343, SB1365, SB1634.

Ms. Stapley and Mr. Winter reported on and summarized HB2100, HB2243, HB2253, HB2308, HB2593, HB2632, HB2812, HB2855, HCR2052, SB1343, SB1365 and SB1634.

C. File Board rule package with the Secretary of State

Mr. Winter reported that the Governor's Regulatory Review Council approved the Board's rule package.

Mr. Sayles moved and Mr. Nesgood seconded to direct staff to file the Board's rule package with the Secretary of State; motion carried 10-0.

D. Arizona Land Surveyors Week Proclamation from the Governor's Office

Ms. Stapley reported that Governor Hobbs signed a proclamation that declared March 17 through March 23 as "National Surveyors Week."

E. U.S. House Concurrent Resolution for the licensure of design professionals

Ms. Stapley reported on a U.S. House Concurrent Resolution that advocates for the licensure of design professionals.

F. Home Inspector Report Checklist Supplement

Mr. Sayles moved and Mr. Smith seconded to accept the Home Inspector Report Checklist Supplement; motion carried 10-0.

G. Substantive Policy Statement 11

Mr. Gilmore moved and Dr. Campbell seconded to reaffirm Substantive Policy Statement 11 and authorize Board staff to modify the policy's contact information as necessary; motion carried 10-0.

H. Agency Investigation Guidance Policy

Enforcement Manager Orlene Loera appeared before the Board.

Mr. Smith moved and Mr. Nesgood seconded to adopt the Agency Investigation Guidance Policy; motion carried 10-0.

## **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

Ms. Stapley reported on the Board's budget, online transition, and staff updates.

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

Nothing was discussed.

## **12. STANDING COMMITTEE REPORTS**

- A. Legislation and Rules Committee – No future meeting date at this time

Nothing was discussed.

- B. Home Inspector Rules and Standards Committee –March 19, 2024 meeting date

Mr. Winter reported on the Home Inspector Rules and Standards Committee meeting that was held on March 19.

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

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

Nothing was discussed.

- B. Council of Landscape Architectural Registration Boards (CLARB)

Mr. Gilmore reported that he attended a CLARB Seminar regarding legislation.

- C. National Council of Architectural Registration Boards (NCARB)

Mr. Kolejka reported on NCARB's Regional Summit Meeting, which he attended this month in Savannah, Georgia, with Ms. Stapley, Ms. Pham, and Mr. Sayles; NCARB's regional realignment process; NCARB's National Annual Business Meeting, which he will attend this June in Chicago, Illinois; and his election as Vice Chair of NCARB's Region 6.

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

Mr. Sayles reported on the upcoming NCEES Zone Meeting in May, NCEES monthly highlights, MRA agreement updates and the foundation of an education foundation from NCEES.

E. International Council on Regulation (ICOR)

Ms. Stapley reported that ICOR's next meeting would be held this month.

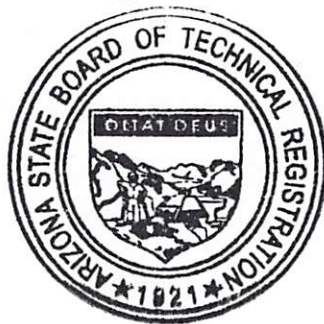
14. **FUTURE BOARD MEETINGS** – April 23, 2024

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

The Board requested a discussion on firm registration requirements based on Mr. Pies' Call to the Public statement and a discussion on the exam waiver process for structural engineers based upon Mr. Harper's Call to the Public Statement at the Board's September 26 meeting. The Board would like to continue discussion on the MRA agreement.

16. **MEETING ADJOURNMENT**-11:05 a.m.

Signed this 23<sup>rd</sup> day of April, 2024



Michael Kolejka, Board Chairman

Judith R. Stapley, Executive Director