



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

DRAFT MINUTES FOR REGULAR SESSION MEETING
1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007
Tuesday, April 23, 2024 –9:00am

1. **CALL TO ORDER** –The meeting convened at 9:00 a.m., adjourned for a break at 10:49 a.m., reconvened at 10:55 a.m. and adjourned at 12:11 p.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

ABSENT

Stacy Skankey, Esq.
Kileen Lindgren

DRAFT

3. **CALL TO THE PUBLIC**

Nobody 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, March 25, 2024 Board meeting minutes.

Mr. Sayles moved and Mr. Nesgood seconded to approve the Board meeting minutes as written; motion carried 9-0.

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) Weierbach, Dayne – Application for Registration as a Civil Engineer #240924
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Reyes, David – Application for Registration as an Architect #240180
 - 2) Medinilla Gutierrez, Alejandro – Application for Registration as a Civil Engineer #2310735
 - 3) Mazaheri Kouhani, Mohammad Hossein – Application for Registration as an Electrical Engineer #240030
 - 4) Kool, Bennett – Application for Registration as a Control Systems Engineer #240126
 - 5) Schneider, Jay – Application for Registration as a Geologist #240604
 - c) Council Records – experience under non-Professionals
 - 1) Sellek, Ricardo – Application for Registration as a Fire Protection Engineer #240912
 - 2) Spencer, Bracken – Application for Registration as a Mining Engineer #241008
 - 3) Ekstrand, Adam – Application for Registration as a Control Systems Engineer #241049
 - 4) Flott, Jared – Application for Registration as a Mechanical Engineer #241006
 - 5) Wang, Lu – Application for Registration as a Civil Engineer #239005
 - 6) McDonough, Dan – Application for Registration as an Electrical Engineer #240908
 - 7) Akhavan-Heidari, Morteza – Application for Registration as a Mechanical Engineer #240975
 - 8) McArthur, Evan – Application for Registration as an Electrical Engineer #241099
 - 9) Britvec, Elliot – Application for Registration as a Mining Engineer #240260
 - 10) Tynan, Christopher – Application for Registration as an Electrical Engineer #240848
 - 11) Reynen, Michael – Application for Registration as an Electrical Engineer #240726
 - d) Background Review
 - 1) Nelsen, Jeremy – Application for Registration as a Mechanical Engineer #240597
 - 2) Seppala, Kyle – Application for Registration as a Civil Engineer #240425
 - 3) Smith, Timothy – Application for Registration as a Mechanical Engineer #240071
 - 4) Eellig, Morgan – Application for Registration as an Architect #240395
 - 5) Green, Gabriel – Application for Registration as a Civil Engineer #240596
 - 6) Faenza, Nicholas – Application for Registration as a Metallurgical Engineer #240183
 - 7) Crumling, Thomas – Application for Certification as a Home Inspector #2310197
 - 8) Zimmerman, Cody – Application for Registration as an Architect #241132
 - 9) Collings, Casey – Application for Registration as a Civil Engineer #241087
 - 10) Daye, Jacob – Application for Registration as a Civil Engineer #240292
 - 11) MacKenzie, Kyle – Application for Registration as an Electrical Engineer #240780
 - 12) Avila, Andrew – Application for Certification as a Home Inspector #240710
 - 13) Roberts, Christopher – Application for Registration as a Civil Engineer #241101
 - e) Disciplinary Action Review
 - 1) Osterle, John – Application for Registration as a Civil Engineer #240673
 - f) Multiple Considerations
 - 1) Ahern, Robert – Universal Application for Registration as an Architect #240347

- i. Background Review
 - ii. Universal application
 - 2) File, Timothy – Universal Application for Registration as a Structural Engineer #240880
 - i. Background Review
 - ii. Universal application
 - 3) Tarin, Cesar – Application for Registration as a Civil Engineer #240926
 - i. Background Review
 - ii. Council Record – experience under non-Professionals
3. Grant Universal Applications for Professional Registration/Certification
Nothing to consider
4. Grant Renewal Registration Application(s)
 - a) Background Review
 - 1) Kates, Willie – Renewal application for Land Surveyor registration #27744
 - 2) Cason, Timothy – Renewal application for Civil Engineer registration #65762
 - b) Disciplinary Action
 - 1) Santos, Joseph – Renewal application for Civil Engineer registration #49003
 - 2) Ashby, Mark – Renewal application for Home Inspector certification #40904
5. Approve Application(s) for Exam Waivers
 - a) Application to waive Fundamental Exam
 - 1) Denny, Glenn – Application to waive FE exam #240342
 - b) Application to waive Professional Exam
 - 1) Neilson, Jaime – Application to waive SE I exam #240241
 - 2) Freeman, Marcos – Application to waive SE II exam #2310305
 - 3) Vann, Jeffry – Application to waive PE Civil exam #241048
 - c) Multiple Considerations
 - 1) Winn, Peter – Application to waive FE exam #240773
 - i. Council Record – experience under non-Professional
 - ii. FE exam waiver
 - 2) Berg, Jeremy – Application to waive FE exam #240135
 - i. Certificate(s) of Experience from non-Professionals
 - ii. FE exam waiver
 - 3) Utomo, Pontjo – Application to waive PE Civil exam #2310742
 - i. Certificate(s) of Experience from non-Professionals
 - ii. PE Civil exam waiver
6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Hazine, Martin – Application for FE exam authorization #2310561
 - 2) Curtis, Dean – Application for FE exam authorization #2310487
 - 3) Al Musawi, Mohammed – Application for ARE authorization #240542
 - 4) Le, Khanh – Application for ARE authorization #241054
7. Grant Applications for In-Training Designation
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Ridha, Hind – Application for Engineer-in-Training Designation #240789

Licensing Manager Julie Pham appeared before the Board.

Mr. Sayles moved and Dr. Campbell seconded to approve all items under the consent agenda; motion carried 9-0.

6. LICENSING 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-B).

A. Grant Applications for Registration/Certification Dependent Upon Consent Agenda Decision

1. Council Records – experience under non-Professionals

- a) Winn, Peter – Application for Registration as a Civil Engineer #240774

Licensing Manager Julie Pham appeared before the Board.

Mr. Sayles moved and Mr. Nesgood seconded to approve Mr. Winn’s Application for Registration as a Civil Engineer; motion carried 9-0.

B. Applications for Exam Waiver for Board Consideration

1. Somasundaram, Satheesh – Application to waive FE exam #238411

Licensing Manager Julie Pham and Applicant Satheesh Somasundaram appeared before the Board. The Board deliberated.

Mr. Sayles moved and Ms. Bohall seconded to approve both Mr. Somasundaram’s application to Waive the FE exam and application to waive the PE Structural exam; motion carried 9-0.

2. Somasundaram, Satheesh – Application to waive PE Structural exam #238412

See 6(B)(1).

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-E).

A. Complaints Proposed for Resolution by Dismissal:

1. P24-086, Jesus Silvas, P.E. (Civil) #74412 and Willis Engineering Inc, # 11080

Investigator Kaitlyn Crawford appeared before the Board.

Mr. Gilmore moved and Ms. Klett seconded to dismiss case #P24-086; motion carried 9-0.

B. Complaints Proposed for Resolution with Letter of Concern:

1. HI24-003, Thomas Teeters, C.H.I. #40413

Investigator Kaitlyn Crawford appeared before the Board.

Mr. Smith moved and Mr. Sayles seconded to issue Respondent a Letter of Concern; motion carried 9-0.

2. HI24-012, Kyle Wilcox, C.H.I. #60004

Investigator Eric Parriott and Respondent's Counsel, Jason Mullis, appeared before the Board.

Mr. Gilmore moved and Mr. Smith seconded to issue Respondent a Letter of Concern; motion carried 9-0.

3. HI24-010, Jeremy Noland, C.H.I. #67537

Investigator Eric Parriott and Respondent appeared before the Board.

Mr. Smith moved and Dr. Campbell seconded to issue Respondent a Letter of Concern; motion carried 9-0.

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

Investigator Eric Parriott, BTR Home Inspector Report Assessor Stephen Von Ehrenkrook, Enforcement Manager Orlene Loera and Respondent appeared before the Board. The Board discussed the investigation.

Mr. Smith moved and Mr. Gilmore seconded to issue Respondent a Letter of Concern; motion carried 9-0.

C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. HI24-030, David Sturgeon, C.H.I. #40109

Investigator Brandon Eaden appeared before the Board.

Ms. Klett moved and Mr. Gilmore seconded to accept Respondent's signed Consent Agreement; motion carried 9-0.

2. AL24-002, Victoria Lopez, C.P. #78380, A.A. #80895 and Casa Linda Security, LLC, 24669

Investigator Brandon Eaden appeared before the Board.

Mr. Gilmore moved and Mr. Sayles seconded to accept Respondent's signed Consent Agreement; motion carried 9-0.

3. HI23-034, Steven Rodriguez, C.H.I. #66142

Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Mr. Smith seconded to accept Respondent's signed Consent Agreement: motion

carried 9-0.

D. Complaints Proposed for Offer Consent Agreement:

1. P24-026, Jason Scott, Non-Registrant and Onyx Estimating, LLC, Non-Registrant Firm

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

Mr. Sayles 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 9-0.

2. P23-093, David Putt, R.L.S. #13019

Investigator Daniel Carthel, Investigator Kaitlyn Crawford, Enforcement Manager Orlene Loera and Respondent appeared before the Board. The Board discussed cases P23-093 and P23-112.

Ms. Klett moved and Mr. Sayles seconded to enter Executive Session to receive legal advice; motion carried 9-0.

The Board entered Executive Session at 10:27 a.m. and returned to open session at 10:49 a.m.

The Board tabled this matter for a later meeting.

3. P23-112, David Putt, R.L.S. #13019

See 8(D)(2).

4. P23-086, Dan Bowman, Non-Registrant and Bowman Design Group, Non-Registrant Firm

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

Mr. Gilmore moved and Mr. Sayles seconded to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion carried 9-0.

5. HI24-035, Ryan Phelps, C.H.I. #40004

Investigator Brandon Eaden, Enforcement Manager Orlene Loera and Respondent appeared before the Board. The Board discussed the investigation.

Mr. Gilmore moved and Mr. Nesgood seconded to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion failed 2-9. Mr. Sayles, Mr. Nesgood, Ms. Klett, Ms. Hobik, Mr. Smith, Ms. Bohall and Dr. Campbell voted nay.

Mr. Smith moved and Ms. Bohall seconded to issue Respondent a Letter of Concern; motion carried 7-2. Mr. Kolejka and Mr. Gilmore voted nay.

E. Review and Consideration for EAC Membership:

1. Richard Frost, P.E. (Structural) #27341

Mr. Gilmore moved and Ms. Klett seconded to accept both Richard Frost and Jonathan Nolan as EAC members; motion carried 9-0.

2. Jonathan Nolan, R.L.S #55029

See 8(E)(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)-(C). 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

Nothing was discussed.

B. UK Mutual Recognition Agreement (MRA)

Ms. Stapley reported on recent outreach efforts to state jurisdictions by NCEES regarding the UK MRA Agreement and that the formal UK MRA Agreement Signing will take place at NCEES's Annual Meeting in August.

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

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

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, the Board's online transition, Board staff updates and licensing and enforcement numbers.

11. ASSISTANT ATTORNEY GENERAL'S REPORT – Nothing to consider

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 –June 4, 2024

Mr. Winter reported that the next Home Inspector Rules and Standards Committee meeting is scheduled for June 4.

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 that she has met with the Director of the National ASBOG Association regarding updates to the Board.

B. Council of Landscape Architectural Registration Boards (CLARB)

Ms. Stapley and Ms. Pham reported on the CLARB Mid-Year Update Conference they attended this month.

C. American Society of Landscape Architects (ASLA)

Mr. Gilmore and Ms. Stapley reported on the ASLA Annual Awards Ceremony that they attended this month.

D. National Council of Architectural Registration Boards (NCARB)

Mr. Kolejka reported on NCARB's Annual Business Meeting that he will attend in June.

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

Mr. Sayles reported on NCEES's Western Zone Meeting that he will attend in May and reported on learning sessions that are offered by NCEES and available to members of the Board.

F. Arizona Professional Land Surveyors (APLS)

Ms. Klett reported on efforts done by APLS to make their Central Zone Meetings more accessible to individuals residing in the east valley.

Ms. Stapley and Mr. Carthel reported on the Western Region Land Surveyor conference that they attended in March.

G. International Council on Regulation (ICOR)

Ms. Stapley reported that ICOR is meeting every other week to finalize discussions on professional overlap.

14. **FUTURE BOARD MEETINGS** – May 21, 2024

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

Nothing was requested.

16. **MEETING ADJOURNMENT**-12:11 p.m.

DRAFT

Signed this ____ day of May, 2024

Michael Kolejka, Board Chairman

Judith Stapley, Executive Director