

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

January 22, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:36 AM by Chair, Susan Schaefer Kliman.

**Presentation of the Board of Technical Registration's Resolution to the Arizona Rangers** – The Board presented a framed Resolution to the Arizona Rangers acknowledging and thanking them for their volunteerism and service to the Board in conducting inspections of clandestine drug labs. Accepting the Resolution on behalf of the Arizona Rangers was: Col. Sid Chandler and the Board of Directors of the Arizona Rangers.

2. ROLL CALL - Board Members in Attendance: Karen Cesare, Dawn Garcia, Stuart Lane, Chet Pearson, Susan Schaefer Kliman, and Ronald Starling. Absent: Sheila Bowen, Richard Pawelko, and Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Ms. Cesare moved to approve the December 18, 2007 minutes with a minor correction. Mr. Lane seconded. Motion Carried.

5. ENFORCEMENT MATTERS

**Review, Consideration and Possible Vote on the following:**

A. Proposed Peer Reviewer

1. M05-174 and M06-293, Raad M. Salih, P.E. (Civil) #34016 – Mr. Starling moved to approve Respondent's proposed peer review candidate, Hassan Elsaad, P.E. (Civil) #23223. Mr. Lane seconded. After discussion, Motion Failed.

Mr. Lane moved to approve Respondent's proposed peer review candidate, Jay Mihalek, P.E. (Civil), R.L.S. 17375. Ms. Garcia seconded. After discussion, Motion Failed.

2. M07-074 William J. Christenson, P.E. (Structural) #34626 – Mr. Starling moved to approve Respondent's proposed peer review candidates, Devon

Furstenau, P.E. (Structural) #18707 and Stephen Schwan, P.E. (Structural) #27351. Ms. Cesare seconded. After discussion, Motion Carried.

6. HOME INSPECTOR ENFORCEMENT MATTERS

**Review, Consideration and Possible Vote on the following:**

A. Proposed Consent Agreements

1. HI07-087 Gary H. Oberbeck, CHI #38661 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$1,000.00; Probation: Respondent's certification shall be placed on probation until restitution has been made in the amount of \$260.00 to John Kaufman; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$146.00. Ms. Garcia seconded. After discussion, Motion Carried.

2. HI07-083 Dennis L. Boswell, CHI #40789 – Ms. Cesare moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$100.00; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$56.00. Ms. Garcia seconded. After discussion, Motion Carried.

7. **Review, Consideration and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

1. Peter D. Jirout – FE Examination. Mr. Lane moved to approve Mr. Jirout's application for examination. Mr. Starling seconded. After discussion, Motion Carried.

2. Mojtaba Mosallai – P.E. (Civil) Registration. Mr. Lane moved to deny Mr. Mosallai's application for registration based on his failure to comply with a Board Order. Ms. Garcia seconded. After discussion, Motion Carried.

3. Richard Harbert – P.E. (Mechanical) Comity Registration. Mr. Lane moved to deny Mr. Harbert's application for comity registration based on his failure to comply with a Board Order. Ms. Cesare seconded. After discussion, Motion Carried.

**8. Review, Consideration and Possible Vote on the following:  
EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND  
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST  
AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 8.1 through 8.2. Ms. Garcia seconded. After discussion, Motion Carried.

**9. Review, Consideration and Possible Vote on the following:**

1. National Council of Architectural Registration Boards ("NCARB") Requirement of the Intern Development Program ("IDP") completion prior to allowing the candidate access to the Architect Registration Exam ("ARE").

Mr. Lane moved to re-appoint Claude Baker, P.E., Greg Tuttle, R.L.S. and appoint Ronald Starling, P.E. (upon appointment of his replacement to the Board) as Emeritus Members. Mr. Pearson seconded. After discussion, Motion Carried.

Mr. Starling moved to re-appoint Ronald W. Dalrymple, Executive Director and LaVern Douglas, Deputy Director as Associate Members. Ms. Garcia seconded. After discussion, Motion Carried.

2. Reply from the National Council of Architectural Registration Boards ("NCARB") to Arizona's query regarding Requirement of the Intern Development Program ("IDP") completion prior to allowing the candidate access to the Architect Registration Exam ("ARE").

Mr. Dalrymple advised NCARB made a modification to its handbook in Resolution 07-08 requiring any person seeking to take the ARE must have an IDP record. Arizona does not require applicants to have an IDP record in order to take the exam. There is great concern that NCARB's requirement of the IDP record will preclude Arizona applicants who do not follow the IDP process from eligibility to take the exam. Mr. Dalrymple would like the Arizona representatives to go to the WCARB meeting and ask the regional members to consider a resolution that would bring this back up to the full membership for reconsideration. With this resolution, NCARB may determine the sequence in which applicants must follow in order to become registrants. Arizona law does not require this sequence and has always allowed applicants flexibility in choosing the process of becoming registered. In order to comply with this requirement, the Arizona Board will be required to change state laws.

Dr. Schaefer Kliman stated this was a very hotly contested resolution. There was some concern with NCARB dictating things however, there are a lot of states which require education first, experience second, then the examination third in order to obtain registration. There was a lengthy discussion on this resolution and the order.

For those states whose statutes actually dictate the order, if somebody actually completed an IDP record the reviewing state board would not look into the details behind the file, only that the requirements of NCARB and the IDP have been completed. This would eliminate the concern of the reviewing state about the order taken, not the completion of the IDP which Arizona's statutes require. Since there are many states with different statutes she is not sure of the likelihood of NCARB to start dictating to an agency.

Mr. Dalrymple advised the only way to change the resolution is to put the matter back before the NCARB membership. The first step, if the Board agrees on its position, is to ask the other boards to support us, which by Mr. Starling's letter the Board can do. It is common within the councils, when a state has an issue, to request the support of other states outside of the meeting. Then, when it comes to the regional meeting there is a discussion and an initial vote. Then if you get support from the region, that encourages you to go further. If you don't get support in your own region then you would want to review the issue and see whether or not there is a chance of prevailing if you take it to the full membership.

Dr. Schaefer Kliman believes, based on NCARB's response to Mr. Dalrymple's letter, they just want the applicant to open a file. The question is just how much further does that go. That is something that the subcommittee would need to address with NCARB and it's really up to the membership.

Mr. Lane is in favor of having a subcommittee formed to discuss this and take the message on.

Mr. Dalrymple clarified the board could implement the requirement without going to the legislature based on the requirements already in statute and rule. It can be done within the board through a rule change. The problem is the requirement shouldn't be propelled by a national council who says they're going to shut Arizona applicants off from the examination unless they follow the council's requirements. The national council should not be allowed to do that.

Mr. Starling suggests placing this matter on the next agenda for the Legislation and Rules ("L&R") Committee if this is the choice of the board. This is the mechanism by which the board uses to discuss changes.

Mr. Lane believes this matter still needs to be address to NCARB through the state members and respond to this.

Mr. Pearson believes before this goes to L&R Committee, the board should obtain input from the architectural community.

Dr. Schaefer Kliman appoints a subcommittee composed of herself, Mr. Pawelko, Mr. Dalrymple and anyone else who would like to serve on the committee. She also referred this matter to the next Legislation and Rules Committee meeting for discussion.

**10. Review, Consideration and Possible Vote on the following:**

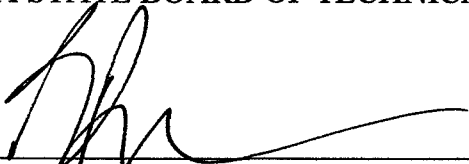
**1. DISCUSSION AND CONSIDERATION OF PROPOSED CONSOLIDATION OF THE BOARD OF TECHNICAL REGISTRATION INTO THE REGISTRAR OF CONTRACTOR.**

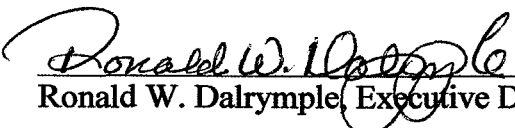
Mr. Dalrymple advised the Board the Governor has recommend that the Board be consolidated with the Registrar of Contractors as part of her overhaul of state government. He is looking for guidelines and input from the Board on their position on consolidation into the Registrar of Contractors and whether or not they support the Governor's proposal. He also advised the Board the Registrar would like to meet with the Board to discuss the changes.

After discussion the general consensus is that there is not enough information to make an informed decision to support the consolidation or respond to it at this time, and the initial reactions from the professions is not favorable towards this. Both agencies are busy so there doesn't appear to be any cost savings and there are vast differences in what each agency does which would make consolidation more difficult. It would make sense for small agencies (those consisting of one to three staff members) to consolidate but not these two agencies. The Board would like staff to arrange a meeting between a subcommittee of the Board and the Registrar to discuss the proposal.

11. DIRECTOR'S REPORT – Information was covered in Agenda Item 10.1
12. BOARD CHAIR'S REPORT – None given at this time.
13. FUTURE BOARD MEETINGS – Tuesday, February 26, 2008 at 9:30 AM
14. FUTURE AGENDA ITEMS
1. Hubbard Case
  2. Grace period for R4-30-304(E)(4) – Expiration Date
  3. Report regarding the Structural Taskforce for NCEES
15. ADJOURNMENT – Meeting adjourned at 11:11 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
Richard Y. Pawelko, Chairman

  
Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

February 26, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:35 AM by Chairman Richard Pawelko.
2. ROLL CALL - Board Members in Attendance: Sheila Bowen, Karen Cesare, Dawn Garcia, Stuart Lane, Richard Pawelko, Chet Pearson, Susan Schaefer Kliman, and Ronald Starling. Absent: Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. CALL TO THE PUBLIC – Ms. Rhonda Urtuzuastegui, Associate Broker, US Preferred Realty, addressed the Board regarding the Home Inspector program and the costs of doing business as a home inspector in Arizona.
4. ADOPTION OF MINUTES – Dr. Schaefer Kliman moved to approve the January 22, 2008 minutes with minor corrections. Ms. Garcia seconded. Motion Carried.
5. ENFORCEMENT MATTERS  
**Review, Consideration and Possible Vote on the following:**
  - A. Proposed Dismissal
    1. M08-013, Michael A. Green, RLA #19864 – Ms. Cesare moved to issue a Letter of Concern to Mr. Green regarding practicing outside his area of registration by preparing plans that have the appearance of being a subdivision plat. Mr. Lane seconded. After discussion, Motion Carried.
  - B. Proposed Consent Agreements
    - 1.a. M06-087, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

1.b. M06-195, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

1.c. M06-198, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

1.d. M06-241, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

#### C. Proposed Peer Reviewer Candidates

1. M05-174 and M06-293, Raad M. Salih, P.E. (Civil) #34016 – Mr. Starling moved to accept Thomas G. Coppin, P.E. (Civil) #32582 and Wallace R. Haws, P.E. (Civil) #11582 and Land Surveyor #17375 as peer reviewers. Mr. Lane seconded. After discussion, Motion Carried.

#### 6. HOME INSPECTOR ENFORCEMENT MATTERS

##### **Review, Consideration and Possible Vote on the following:**

##### A. Proposed Consent Agreements

1. M06-080, Daniel E. Glines, CHI #38850 – Ms. Garcia moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$300.00; Probation: Respondent's certification shall be placed on probation until restitution has been made in the amount of \$250.00 to James Starrett; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$220.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.

2. HI07-061, Patrick A. Oekerman, CHI #38598 – Ms. Bowen moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$1,000.00; Probation: Respondent's certification shall be placed on probation until restitution has been made in the amount of \$275.00 to Jerry Pulley; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days,

passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$156.00. Ms. Cesare seconded. After discussion, Motion Carried.

3. M05-301, Steven P. Schexneider, CHI #38664 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$300.00; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$280.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.

**7. DRUG LABORATORY SITE REMEDIATION MATTERS**

**Review, Consideration and Possible Vote on the following:**

**A. Discussion and Consideration:**

1. DL07-014, Arthur and Christine King, Nonregistrants – Mr. Lane moved to accept staff recommendation to close this case as the Respondents have paid restitution in the amount of \$10,855.00 for the cost of remediation to the new property owners as acceptable resolution to the case. The property has been remediated. No further action is deemed necessary. Dr. Schaefer Kliman seconded. After discussion, Motion carried.

**B. Enforcement Advisory Committee Candidate**

1. Philip McNeely, R.G. #30440 – Mr. Lane moved to approve Mr. McNeely as a drug laboratory site remediation Enforcement Advisory Committee member. Ms. Bowen seconded. After discussion, Motion Carried.

**8. Review, Consideration and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

1. Jorge Gonzales – Architect Examination. Dr. Schaefer Kliman moved to allow Mr. Gonzales to sit for the Architectural Examination. Ms. Garcia seconded. After discussion, Motion Carried.

2. William Vittal – Environmental Engineer Examination. Mr. Pearson moved to allow Mr. Vittal to sit for the Professional Engineer Examination. Ms. Bowen seconded. After discussion, Motion Carried.

3. George Liebson – P.E. (Mechanical) Registration. Mr. Pearson moved to accept Mr. Liebson's application for registration. Ms. Bowen seconded. After discussion, Motion Carried.

4. Patrick Mwamba – P.E. (Civil) Registration. Ms. Bowen moved to accept Mr. Mwamba's application for comity registration. Ms. Garcia seconded. After discussion, Motion Carried.



5. Thomas Posko – P.E. (Mechanical) Registration. Mr. Pearson moved to accept Mr. Posko's application for registration. Ms. Garcia seconded. After discussion, Motion Carried.

**9. Review, Consideration and Possible Vote on the following:  
EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND  
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST  
AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in-training registration
2. Approval to sit for the professional or in-training examination
3. Recommendation for denial of professional or in-training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 9.1 through 9.3. Ms. Cesare seconded. After discussion, Motion Carried.

**10. Review, Consideration and Possible Vote on the following:**

1. A.A.C. R4-30-304(E)(4) – Expiration Date – Grace period. Mr. Lane moved to allow a grace period of 180 days from the effective date of the new rule requiring registrants to indicate the expiration date of their registration beneath their professional seal. Dr. Schaefer Kliman seconded. The new rule goes into effect March 8, 2008. Allowing the 180 day grace period gives the Board discretion to send notification to the registrant of the new requirement when a complaint is filed through September 4, 2008. After discussion, Motion Carried.

2. Report regarding the Structural Taskforce for NCEES. Mr. Starling advised NCEES is in the process of re-evaluating and rewriting the structural engineering examination.

Ms. Bowen advised the Uniform Procedures (UP) and Legislative Guidelines (LG) Committee of the NCEES met to review Charge #3. Charge #3 was to review the Model Law for Grandfathering of Registrants once the Master of BS plus 30 credits goes into effect. The Committee also reviewed the Model Law for sustainability.

**11. DIRECTOR'S REPORT**

1. Bruce Hubbard, HI07-097 – Mr. Dalrymple provided the background on this matter to the Board.

Mr. Lane moved to go into Executive Session. Dr. Schaefer Kliman seconded. Motion Carried.

The Board went into Executive Session at 9:46 AM and returned to Open Session at 9:54 AM.

Bruce and Shannon Hubbard addressed the Board regarding their opinions of the Home Inspector Program, the Consent Agreement Mr. Hubbard executed and personnel issues Mr. Hubbard raised in his correspondence. Mr. Pawleko advised Mr.

Hubbard the Consent Agreement he signed and the Board accepted on September 25, 2007 resolved the case; the Board did not have the authority to hear any appeal on the case.

Mr. Pawelko also advised Mr. Hubbard the concerns he raised regarding staff have been taken under advisement and dealt with.

2. Legislative Activity Related to the Budget  
SB 1171 (repeal of the Board) has not had a hearing in either senate committee as of February 25, 2008. The last day for a bill to clear all assigned committees in the chamber of origin is February 29, 2008.

SB 1345 (Architectural Specialist Certification) will be heard by a senate committee at 9:00 AM on February 28, 2008.

SB 2077 (Home Inspector Rules and Standards Committee) changes the minimum number of members needed for an association to be eligible to recommend someone for appointment to the rules and standards committee to forty.

12. BOARD CHAIR'S REPORT – No report given.

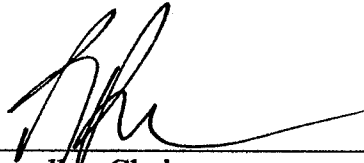
13. FUTURE BOARD MEETINGS – Tuesday, March 25, 2008 at 9:30 AM

14. FUTURE AGENDA ITEMS


1. Data Gathering for GIS. (Lane)
2. Use of "Architect" by Nonregistrant. (Pawelko)

15. ADJOURNMENT – Meeting adjourned at 11:08 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION



Richard Y. Pawelko, Chairman



Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

March 25, 2008

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** - The meeting of the Board of Technical Registration was called to order at 9:30 AM by Chairman Richard Pawelko.
2. **ROLL CALL** - Board Members in Attendance: Karen Cesare, Stuart Lane, Richard Pawelko, Chet Pearson, and Susan Schaefer Kliman. Absent: Sheila Bowen, Dawn Garcia, Robert Roos, and Ronald Starling. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. **CALL TO THE PUBLIC** – No members of the public spoke.
4. **ADOPTION OF MINUTES** – Mr. Lane moved to approve the February 26, 2008 minutes with a minor correction. Dr. Schaefer Kliman seconded. Motion Carried.
5. **Review, Consideration and Possible Vote on the following:**  
**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**
  1. Damon Hamel – EIT Examination Applicant #080010. Ms. Cesare moved to approve Mr. Hamel's application for the EIT examination. Mr. Lane seconded. After discussion, Motion Carried.
  2. Disheetha Kakarala – EIT Examination Applicant #080080. This matter was tabled to invite Disheetha Kakarala to the next Board meeting to discuss the matter.
  3. Didericksen L. Deveron – Architect Examination Applicant #C100404. Dr. Schaefer Kliman moved to approve Mr. Deveron's application to take the Architect Examination. Mr. Lane seconded. After discussion, Motion Carried.
  4. Sean Roberson – Home Inspector Applicant. Mr. Lane moved to approve Mr. Roberson's application for certification as a Home Inspector. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

**6. Review, Consideration and Possible Vote on the following:  
EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND  
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST  
AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in-training registration
2. Approval to sit for the professional or in-training examination
3. Recommendation for denial of professional or in-training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 6.1 through 6.3. Ms. Cesare seconded. After discussion, Motion Carried.

**7. Review, Consideration and Possible Vote on the following:**

1. Data Gathering for GIS – Michael Fondren, Chairman of the Arizona Professional Land Surveyors Association (“APLS”) addressed the Board and presented the APLS’ findings. After discussions, Mr. Pawelko moved to refer this matter to the Legislation and Rules Committee (“L&R”) for its April 22, 2008 meeting, requesting a recommendation from L&R for either a new rule or Substantive Policy Statement.

2. Use of the term “Architect” by Nonregistrant – Herb Schneider, Registered Architect, addressed the Board. After discussion, no action was taken on this matter at this time.

3. Architect 3.1 and 4.0 Examination – Ms. Douglas advised beginning this year there will be a new Architect Registration Exam (ARE). It will be called “ARE 4.0” which will replace the old exam which is called “ARE 3.1.” The ARE 4.0 will transition the exam from four sections to three sections. The fee for the examination is also going to increase this year. The Board has approximately 150 to 200 applicants who are in this transition.

**8. Review, Consideration and Possible Vote on the following:**

1. Home Inspector Lapsed List – Mr. Lane moved that the certification of the home inspectors listed be lapsed. Dr. Schaefer Kliman seconded. Motion Carried.

2. On-Site Workers and Supervisors Lapsed List – Mr. Lane moved that the certification of the on-site workers and supervisors listed be lapsed. Dr. Schaefer Kliman seconded. Motion Carried.

**9. DIRECTOR’S REPORT**

Seal Expiration Notice – The new rule, R4-30-304, went into effect March 8, 2008. Information will be provided in the next Newsletter again and there are samples provided on the Board’s website.

Staff Changes – The Board is currently down the four newly authorized positions due to the hiring freeze.

Budget – The Board is waiting for the final mid-year reports to be processed by the Central Services Bureau to determine the revenue/expenditure situation. After a review is complete and we have assurance that we will not exceed our revenues or appropriation, he will see what can be done to fill some of the vacant positions. The only significant decrease in revenue noted at this time is a drop of approximately 400 home inspector renewals. There has been an increase in computer related costs due to the cost to switch back to the AS/400 data program from the IBM designed common business licensing program.

IBM Contract – The program was dropped by the Board because of significant problems encountered when IBM tried to integrate the Board's needs into their design. Because of the number of categories of registration; the need for firm registration and the multiple registration period lengths, the program never worked properly, as IBM designed the additions to their basic program.

10. BOARD CHAIR'S REPORT – Mr. Pawelko will be attending the Western Council of Architectural Registration Boards (WCARB) meeting in Colorado this week. He has scheduled a meeting with the executive director to have a private meeting to discuss the Intern Development Program (IDP). He will provide more information to the Board at the April 22, 2008 meeting.

#### 11. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Mr. Pawelko advised that L&R Committee met last month regarding the IDP and will endorse the IDP process based on the information garnered from the National Council of Architectural Registration Boards (NCARB) at the WCARB meeting this week.
2. Budget Committee – No report given.
3. Home Inspector Rules and Standards Committee – No report given.
4. Environmental Remediation Rules and Standards Committee – No report given.

#### 12. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (NCEES) – No report given.
2. National Council of Architectural Registration Boards (NCARB) – No report given.
3. Council of Landscape Architectural Registration Boards (CLARB) – Ms. Cesare advised the meeting in Indianapolis, Indiana went well. The Council underwent a change in leadership and structure recently and is getting ready for their meeting in September. Ms. Douglas advised CLARB is working to make their website more “user friendly.”
4. National Association of State Boards of Geology (ASBOG) – No report given.

5. Geological Engineer Examination – No report given.

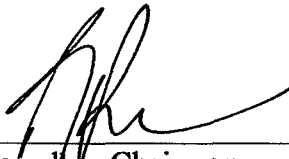
13. FUTURE BOARD MEETINGS – Tuesday, April 22, 2008 at 9:30 AM

14. FUTURE AGENDA ITEMS

1. IDP recommendations from NCARB
2. M06-153, Barbara Stocklin, Nonregistrant
3. M08-005, Paragon Architects

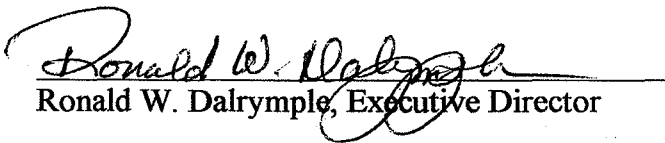
15. ADJOURNMENT – Meeting adjourned at 10:30 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION



---

Richard Y. Pawelko, Chairman



---

Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

April 22, 2008

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** - The meeting of the Board of Technical Registration was called to order at 9:38 AM by Chairman Richard Pawelko.
2. **ROLL CALL** - Board Members in Attendance: Sheila Bowen, Karen Cesare, Stuart Lane, Richard Pawelko, Chet Pearson, Susan Schaefer Kliman, and Ronald Starling. Absent: Dawn Garcia, and Robert Roos, Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. **CALL TO THE PUBLIC** – No members of the public spoke.
4. **ADOPTION OF MINUTES** – Ms. Cesare moved to approve the March 26, 2008, 2007 minutes with minor corrections. Dr. Schaefer Kliman seconded. Motion Carried.
5. **ENFORCEMENT MATTERS**  
**Review, Consideration and Possible Vote on the following:**
  - A. **Proposed Consent Agreements**
    1. M07-078, Michael T. Nicholas, Nonregistrant – Ms. Bowen moved to accept Respondent's signed consent agreement, encompassing the following Order: Assurance of Discontinuance; Civil Penalty: Respondent shall pay a civil penalty in the amount of \$2,000.00; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$300.00. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.
    2. M08-050, Anasazi Land Surveying – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$1,000.00; and Cost of Investigations: Respondent shall pay the cost of investigations in the amount of \$75.00. Ms. Bowen seconded. After discussion, Motion Carried.
  - B. **Proposed Enforcement Advisory Committee Candidate**
    1. Daniel R. Muth, Land Surveyor #31028 – Mr. Lane moved to accept Mr. Muth as an Enforcement Advisory Committee member. Mr. Starling seconded. After discussion, Motion Carried.

**6. HOME INSPECTOR ENFORCEMENT MATTERS**

**Review, Consideration and Possible Vote on the following:**

**A. Proposed Dismissal**

1. HI07-067, Ronald W. Cathcart, CHI #38087 – Mr. Lane moved to dismiss the allegations against Respondent. Mr. Starling seconded. After discussion, Motion Carried.

**7. Review, Consideration and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

1. Rob D. Manning, Applicant #070368 Engineering-in-training, EIT Examination. This matter was tabled for additional information.
2. Wilford Ray McBurnett, III, Applicant #080721 P.E. (Mechanical), P.E. Examination – Mr. Pearson moved to allow Mr. McBurnett to take the P.E. Examination. Mr. Starling seconded. After discussion, Motion Carried.
3. David C. Brown, Applicant #071290 Architect, Comity Registration – Dr. Schaefer Kliman moved to grant Mr. Brown's application for comity registration. Ms. Cesare seconded. After discussion, Motion Carried.

**8. Review, Consideration and Possible Vote on the following:**

**EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in-training registration
2. Approval to sit for the professional or in-training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 8.1 and 8.2. Dr. Schaefer Kliman seconded. Motion carried.

**9. Review, Consideration and Possible Vote on the following:**

1. Individual Development Program (IDP) Recommendations from National Council of Architectural Registration Boards (NCARB)

Mr. Pawelko opened the discussion regarding the Board adopting NCARB's IDP and reading a letter from Lenore M. Lucy, Executive Director of NCARB, outlining the IDP process, its effect on Arizona applicants and how Arizona applicants can make a the transition into IDP. Edward Marley, Architect, addressed the Board and answered questions. After discussions, the following action was taken:

Dr. Schaefer Kliman moved that the Board adopt IDP for Arizona. Mr. Pawelko seconded. Motion Carried.



2. National Council of Architectural Registration Boards ("NCARB") Requirement of the Intern Development Program ("IDP") completion prior to allowing the candidate access to the Architect Registration Exam ("ARE"). This matter determined to be null and void based on the vote in Item 9.1.

## 10. DIRECTOR'S REPORT

### Staff Changes

The Board's four newly authorized positions have been unfilled and there are two positions recently vacant due to the state mandated hiring freeze.

### IBM

The Board's new computer program was terminated at the Board's request due to significant problems encountered when IBM tried to integrate the Board's needs into their design. Because of the number of categories of registration, the need for firm registration and the multiple registration period lengths the program never worked properly as IBM designed the additions to their basic program. This return to the AS400 caused an unanticipated increase to the Board's computer related costs for programming.

### Budget

There has been a decrease in revenue largely attributable to the reduction in home inspector renewals (down approximately 600 to date) and the increased cost of operations, i.e. paper, office supplies, toner, etc.

### Rule Changes

Mr. Dalrymple advised based on the referenced issues, he is recommending an increase in fees for application and renewals. This increase would include making all registration and certifications periods the same, i.e. three years terms, for all groups currently regulated by the Board.

11. BOARD CHAIR'S REPORT – No report given.

12. FUTURE BOARD MEETINGS – Tuesday, May 13, 2008 at 9:30 AM

13. FUTURE AGENDA ITEMS – None requested at this time.

14. ADJOURNMENT – Meeting adjourned at 10:58 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
Richard Y. Pawelko, Chairman

  
Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

May 13, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER – The meeting of the Board of Technical Registration was called to order at 9:32 AM by Chairman Richard Pawelko.
2. ROLL CALL – Board Members in Attendance: Sheila Bowen, Dawn Garcia, Stuart Lane, Richard Pawelko, Chet Pearson, and Ronald Starling. Board member Susan Schaefer Kliman appeared telephonically for Agenda Item 5.C.1 only. Absent: Karen Cesare and Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Ms. Bowen moved to approve the April 22, 2008 minutes. Mr. Lane seconded. Motion Carried.
5. ENFORCEMENT MATTERS  
**Review, Consideration and Possible Vote on the following:**
  - A. Proposed Letters of Concern
    1. M08-020 Lloyd L. Eichelberger, R.L.S. #11845 – Referred back to Staff for further investigation.
  - B. Proposed Consent Agreements
    1. M08-053 Robbin F. Vendela, R.L.S. #43492 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$75.00. Mr. Starling seconded. After discussion, Motion Carried.
  - C. Discussion and Consideration:
    1. M06-153 Barbara Stocklin, Nonregistrant – Dr. Schaefer Kliman moved to dismiss the case as Respondent was working under the job description of the City of Phoenix. Mr. Pawelko seconded. Patricia Boland, Esq., Barbara Stocklin, Kevin Uliassi, Architect, and Mike Snitz addressed the Board.

Mr. Pawelko moved to have the Board go into Executive Session. Mr. Lane seconded. Motion Carried.

The Board went into Executive Session at 9:42 AM and returned to Open Session at 10:01 AM.

Mr. Pawelko withdrew the motion made prior to Executive Session.

Mr. Pawelko moved to issue Respondent and the City of Phoenix a Letter of Concern. Mr. Starling seconded. After discussion, Motion was withdrawn.

Mr. Starling moved to find the Respondent in violation of A.R.S. § 32-130 and instructed Staff to negotiate a consent agreement for disciplinary action in the form of a civil penalty. In the event a consent agreement is not reached, then the matter is to go for a formal hearing before an Administrative Law Judge. Mr. Pawelko seconded. A Roll Call Vote was taken and the Motion Carried. No: Garcia and Pearson. Yes: Bowen, Lane, Pawelko, Schafer Kliman, and Starling.

2. M08-005 Paragon Architects, LLC – Mr. Pawelko moved to issue the Firm a Letter of Reprimand for misrepresenting to the public the Firm's experience by advertising on its website by referencing projects completed by the principals while they were working at a previous firm. Mr. Lane seconded. After discussion, Motion Carried.

Staff was instructed to open an investigative file on the Firm's principals: Victor R. Bolduc, Architect # 22414 and Bruce C. Jones, Architect #42053.

## 6. HOME INSPECTOR ENFORCEMENT MATTERS

### **Review, Consideration and Possible Vote on the following:**

#### A. Proposed Consent Agreements

1. HI08-006 Larry D. McCrea, CHI #41324 (Certification expired August 31, 2006) – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Assurance of Discontinuance from the practice of home inspections; Civil Penalty: Respondent shall pay a civil penalty in the amount of \$6,000.00; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$100.00. Ms. Bowen seconded. After discussion, Motion Carried.

2. M06-229 Francis C. Scruggs, CHI #38610 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Voluntary Surrender: Respondent shall voluntarily surrender his home inspector certification No. 38610; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$200.00. Ms. Garcia seconded. After discussion, Motion Carried.

3. M05-363 Barry C. Mahoney, CHI #40477 – Mr. Starling moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Voluntary Surrender: Respondent shall voluntarily surrender his home inspector certification No. 40477; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$230.00. Mr. Lane seconded. After discussion, Motion Carried.

**7. Review, Consideration and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

1. Dale A. Cox, #031003 – Structural Engineer Application – Waiver of Fundamental Engineering Examination. Mr. Starling moved to deny Mr. Cox's request for a waiver of taking the Fundamental Engineering Examination but he may take the EIT Examination. Ms. Garcia seconded. Mr. Cox was present and addressed the Board. After discussion, Motion Carried.

2. Robert J. Allen, #080388 – Control Systems Application. Mr. Pearson moved to accept Mr. Alexander's application for examination. Ms. Bowen seconded. Motion Carried.

3. Rolando Garcia, #080126 – Engineer-in-training Application. This matter was tabled to obtain additional information from Mr. Garcia.

**8. Review, Consideration and Possible Vote on the following:**

**EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 8.1 through 8.2. Ms. Bowen seconded. Motion Carried.

**9. Review, Consideration and Possible Vote on the following:**

1. R4-30-212 and -214 – Architect-in-training Designation and Architect Registration

Mr. Starling moved to direct Staff to proceed with the process to effect changes necessary to the Rules to accommodate the National Council or Architects Registration Boards Individual Development Program. Mr. Pawelko seconded. After discussion, Motion Carried.

2. R4-30-301(12)(i) – Definitions – Good moral character and repute  
No action was taken on this matter.

**10. Review, Consideration and Possible Vote on the following:**

**1. Executive Director Recommendation of Renewal Fee and Application Fee Increases**

Mr. Dalrymple advised the Board has not exceeded the legislature's appropriation for Fiscal Year 2008; however, the revenues are not supporting the Board's operations. In the current economic environment all expenses related to daily operations of the Board are increasing and the revenue is not. Based on review of the Board's revenues and expenses he is recommending a fee increase as follows: in-training applications increase from \$30 to \$40; professional applications increase from \$90 to \$100; and all individual registrations and certifications be setup for a three-year renewal period and all renewals cost \$165. Home inspectors, who currently renewal annually will have certification for three years and pay \$165 instead of \$310.00. The Board will make an announcement and hold a public hearing to obtain input prior to making the final decision. The increase will likely go into effect at the beginning of the next fiscal year, July 1, 2008.

Mr. Lane moved to allow the Board to proceed with the fee increases as described above. Ms. Bowen seconded. After discussion, Motion Carried.

11. DIRECTOR'S REPORT – Covered in Agenda Item 10.

12. BOARD CHAIR'S REPORT – Messieurs Starling and Lane will be attending the Western Zone National Council of Examiners for Engineering and Surveying Conference in Bismarck, North Dakota and will report on this at the June meeting.

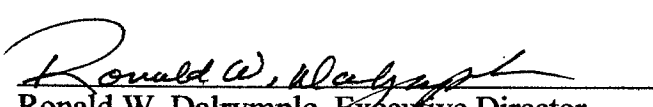
13. FUTURE BOARD MEETINGS – Tuesday, June 24, 2008 at 9:30 AM

14. FUTURE AGENDA ITEMS – None given at this time.

15. ADJOURNMENT – Meeting adjourned at 12:04 PM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
Richard Y. Pawelko, Chairman

  
Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

June 24, 2008

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:33 AM by Chairman Richard Pawelko.
2. **ROLL CALL** – Board Members in Attendance: Karen Cesare, Stuart Lane, Richard Pawelko, Chet Pearson, Robert Roos and Ronald Starling. Absent: Sheila Bowen, Dawn Garcia, and Susan Schaefer Kliman. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. **CALL TO THE PUBLIC** – No members of the public spoke.
4. **ADOPTION OF MINUTES** – Mr. Lane moved to approve the May 13, 2008 minutes. Mr. Pearson seconded. Motion Carried.
5. **ENFORCEMENT MATTERS**  
**Review, Consideration and Possible Vote on the following:**
  - A. **Proposed Dismissals**
    1. M08-027, James William Craft, Land Surveyor #16116 – This matter was removed from the Agenda.
    2. M08-051, Margaret L. Joplin, Landscape Architect #23435 – Ms. Cesare moved to dismiss the allegations against Respondent. Mr. Lane seconded. After discussion, Motion Carried.
  - B. **Proposed Letter of Concern**
    1. M08-021, William J. Taylor, Architect #18962 – Mr. Pawelko moved to send the matter back to staff with a recommendation of a Letter of Reprimand. Mr. Lane seconded. Joanne Gallaher addressed the Board. After discussion, Motion Carried. (Mr. Roos voted Nay.)
  - C. **Proposed Enforcement Advisory Committee Candidates**
    1. Lisa M. Nelson, P.E. (Civil) #41715 – Mr. Pawelko moved to appoint Ms. Nelson to the Enforcement Advisory Committee. Ms. Cesare seconded. Motion Carried.
    2. Christopher P. McDonald, Land Surveyor #45547 – Mr. Lane moved to appoint Mr. McDonald to the Enforcement Advisory Committee. Mr. Starling seconded. Motion Carried.

6. HOME INSPECTOR ENFORCEMENT MATTERS

**Review, Consideration and Possible Vote on the following:**

A. Evaluation of Application for Possible Certification

1. HI08-021, Roderick N. O'Connor, Applicant #080844 – Mr. Lane moved to approve Mr. O'Connor's application for certification as a Home Inspector. Mr. Starling seconded. Roderick O'Connor addressed the Board. After discussion, Motion Carried.

B. Proposed Consent Agreements

1. HI08-018, Richard M. Nelson, Nonregistrant – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Assurance of Discontinuance: Respondent will discontinue practicing, advertising or offering home inspection services until Respondent is granted registration by the Board; Civil Penalty: Respondent shall pay a civil penalty in the amount of \$500.00; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$90.00. Ms. Cesare seconded. After discussion, Motion Carried.

2. HI07-091, John W. Phelps, CHI #40657 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$1,000.00; Restitution: Respondent shall pay restitution in the amount of \$245.00 to Laura Dost; Open Book Test: Respondent shall take and pass with a score of 100% an open book test of the Board's Statutes and Rules; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$151.00. Mr. Starling seconded. After discussion, Motion Carried.

3. M06-176, Philip D. Evard, CHI #39986 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Voluntary Surrender: Respondent shall voluntarily surrender his Home Inspector Certification Registration No. 39986 knowing this is deemed to be a revocation; and Cost of Investigation: Respondent shall pay cost of investigation in the amount of \$174.00. Mr. Starling seconded. After discussion, Motion Carried.

7. **Review, Consideration and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

1. David Dixon, Applicant #080331 – Engineer (Mechanical) Registration – Mr. Pearson moved to grant Mr. Dixon registration. Ms. Cesare seconded. Motion Carried.

2. Mafiz Mian, Applicant #080409 – Engineer (Civil) Registration – Mr. Starling moved to grant Mr. Mian registration. Mr. Lane seconded. Motion Carried.

3. Edward Carroll, Applicant #081172 – Engineer (Mechanical) Registration – Ms. Cesare moved to approve Mr. Carroll’s background so Mr. Pearson can complete the review. Mr. Lane Seconded. Motion Carried.

4. Rob Manning, Applicant #100135 – Engineer-In-Training – Mr. Lane moved to approve Mr. Manning’s application. Mr. Starling seconded. Motion Carried.

5. Iain C. Findlay, Lapsed Certified Home Inspector #43627, Request Reinstatement of Home Inspector Certification – Mr. Pawelko moved to reinstate Mr. Findlay’s Home Inspector Certification upon proof of financial assurance. Mr. Lane seconded. Mr. Findlay addressed the Board. After discussion, Motion Carried.

6. Arthur S. Lewis, Applicant #080037 – Engineer (Civil) Registration – Mr. Starling moved to grant Mr. Lewis registration. Mr. Lane seconded. Motion Carried.

**8. Review, Consideration and Possible Vote on the following:  
EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND  
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST  
AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 8.1 through 8.2. Mr. Pawelko seconded. Motion Carried.

**9. Review, Consideration and Possible Vote on the following:**

1. Building Information Modeling (“BIM”) and its relation to Board issues. Douglas Folk addressed the Board. Mr. Pawelko believes the BIM software will present some challenges to the community the Board serves so referred this issue to the next Legislation and Rules Committee meeting and requested that Mr. Folk, Arizona Chapter of the American Institute of Architects (“AIA”) and Arizona Council of Engineering Companies (“ACEC”) be invited to attend the meeting as both councils have individually been looking into the potential concerns to the Board’s registrants.

2. Proposed Fee Changes

Mr. Dalrymple requested the Board to determine if the Board should leave the fees at the current rates or should the Board raise the fees to at least cover the Fiscal Year 09 budget projection? Based on projections the Board’s expenses will in all probability go up in Fiscal Years 2010, 2011 and 2012 resulting in the need for more revenue to give the Board sufficient funds to cover the increased costs. There is also a possibility the Legislature may reduce the Board’s appropriation.



Mr. Dalrymple presented the Board with several scenarios regarding the current and Fiscal Years 2009, 2010, 2011 and 2012 projected budget concerns. It has been determined the proposed fee change from \$42 per year (\$126 Triennial) renewal fee to \$55 per year (\$165 Triennial) would not provide for the Board's FY09 Appropriation of \$1,700,200. After discussion, it was decided to look at a fee change to \$65 per year (\$195 Triennial) to cover the FY09 budget needs and have the Board review its budget for the FY10 and FY11 next year. There is a Public Hearing scheduled for 10:00 AM on Tuesday, July 22, 2008 for the proposed fee changes.

3. Board's Policy on Electronic Files – The Board believes the current Rule (A.A.C. R4-30-304(C)) and Substantive Policy Statement sufficiently address this issue so no action was taken on this matter.

4. Board's Policy on Release of Examination Scores to Examinees via E-Mail – The Board does not believe there is anything wrong with providing this information via E-Mail.

5. Board's Policy on E-Mail and Professional Opinions – The Board believes the current Rule, A.A.C. R4-30-304(C), and Substantive Policy Statement sufficiently address this issue so no action was taken on this matter.

6. National Council of Architectural Registration Boards' ("NCARB") Resolution 2008-07 "6-Month Rule" – This matter was tabled.

10. DIRECTOR'S REPORT – Covered in Agenda Item 9.2

11. BOARD CHAIR'S REPORT – Nothing new to report.

12. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Nothing new to report. Mr. Starling scheduled the next L&R Meeting for July 22, 2008 to commence immediately following the Board's regular meeting.

2. Budget Committee – Nothing to report.

3. Home Inspector Rules and Standards Committee – Nothing to report.

4. Environmental Remediation Rules and Standards Committee – Mr. Pearson stated the Committee has been meeting to discuss potential rule changes however, there has been no major changes since the last report.

13. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying ("NCEES") Messieurs Starling and Lane attended the Western Zone National Council of Examiners for Engineering and Surveying Conference in Bismarck, North Dakota in May.

Mr. Starling reported the engineering portion of NCEES is pushing for engineers to do "B-Plus-30" which would require 30 hours of additional education between the bachelor's degree and granting of registration. The Western Region appears to be very opposed to it and the Eastern and Northeastern Regions are in favor of it. This was something brought up by American Society of Civil Engineers ("ASCE"). His recommendation is that the engineering program be adjusted to five years, much like the architecture program, as it's unusual for an individual to complete the engineering degree in four years since the majority of engineering students are going four and a half to five years.

Mr. Lane reported the Land Surveying portion of NCEES is beginning to talk about the geospatial issues and Geographic Information Systems ("GIS"), like the Board is starting to see those surveying questions.

2. National Council of Architectural Registration Boards ("NCARB") – Nothing new to report. The convention is taking place this week.
3. Council of Landscape Architectural Registration Boards ("CLARB") – Nothing to report.
4. National Association of State Boards of Geology ("ASBOG") – Nothing to report.

14. FUTURE BOARD MEETINGS – Tuesday, July 22, 2008 at 9:30 AM


15. FUTURE AGENDA ITEMS

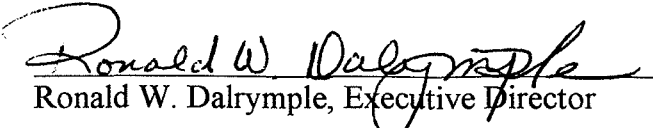
National Council of Architectural Registration Boards' ("NCARB") Resolution 2008-07 "6-Month Rule"

Mr. Pawelko and the Board acknowledge Assistant Attorney General Terrie Sanders' retirement and appreciated all her hard work and assistance to the Board in her three year tenure.

16. ADJOURNMENT – Meeting adjourned at 11:54 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
Richard W. Pawelko, Chairman

  
Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

July 22, 2008

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:31 AM by Chairman Richard Pawelko.
2. **ROLL CALL** – Board Members in Attendance: Sheila Bowen, Karen Cesare, Dawn Garcia, Stuart Lane, Richard Pawelko, Susan Schaefer Kliman, and Ronald Starling. Absent: Chet Pearson, and Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Blair Driggs.
3. **CALL TO THE PUBLIC** – No members of the public spoke.
4. **ADOPTION OF MINUTES** – Mr. Lane moved to approve the June 24, 2008 minutes with a minor correction. Ms. Garcia seconded. Motion Carried.
5. **HOME INSPECTOR ENFORCEMENT MATTERS**  
**Review, Consideration and Possible Vote on the following:**
  - A. **Proposed Consent Agreements**
    1. HI07-077, Harris A. Breit, CHI #38058 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$500.00; Restitution: Respondent shall pay restitution in the amount of \$240.00 to Maryse Wagner; Open Book Test: Respondent shall take and pass with a score of 100% an open book test of the Board's Statutes and Rules; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$105.00. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.
    2. HI08-020, Kevin A. Shroyer, CHI #42275 – Ms. Garcia moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$100.00; Open Book Test: Respondent shall take and pass with a score of 100% an open book test of the Board's Statutes and Rules; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$61.00. Mr. Lane seconded. After discussion, Motion Carried.

3. M05-377, Kent L. Dean, CHI #39959 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$250.00; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$116.00. Ms. Bowen seconded. After discussion, Motion Carried.

4. HI09-002, Roderic N. O'Connor, CHI #48344 – Dr. Schaefer Kliman moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Probation: Respondent's Home Inspector Certification shall be placed on probation for one (1) year; Restitution: Respondent shall pay restitution in the amount of \$750.00 to Sonoran Desert Institute for parallel schooling provided; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$4,000.00; and Cost of Investigation: Respondent shall pay cost of investigation in the amount of \$81.00. Mr. Lane seconded. Mr. O'Connor was present and addressed the Board. After discussion, Motion Carried.

5. HI08-019, Paul A. Juarez, CHI #40316 – Ms. Cesare moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$100.00; Open Book Test: Respondent shall take and pass with a score of 100% an open book test of the Board's Statutes and Rules; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$55.00. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

**B. HOME INSPECTOR RULES AND STANDARDS COMMITTEE APPOINTMENT**

At its July 9, 2008 Home Inspector Rules and Standards Committee Meeting it was recommended that the Board re-appoint Peter Leeds, Certified Home Inspector, to the Home Inspector Rules and Standards Committee. Mr. Lane moved to re-appoint Mr. Leeds, CHI #38044, to the Home Inspector Rules and Standards Committee. Ms. Bowen seconded. Motion Carried.

**6. Review, Consideration and Possible Vote on the following:  
EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE  
GRANTING OF REGISTRATION OR CERTIFICATION**

1. Ronald Troyer – Applicant 080732, P.E. (Architectural) Registration – Mr. Starling moved to grant Mr. Troyer registration. Ms. Garcia seconded. Motion Carried.

2. Rolando Garcia – Applicant 080126, Engineer-In-Training Certification – Dr. Schaefer Kliman moved to approve Mr. Garcia's application. Mr. Lane seconded. Motion Carried.

3. Darren Begay – Applicant 080151, Engineer-In-Training Examination – This matter was tabled.

4. Anthony D. Barry – Applicant 080723, P.E. (Civil) Registration – Ms. Bowen moved to grant Mr. Barry registration. Ms. Cesare seconded. Motion Carried.

5. John Krell – Applicant 070370, Engineer-In-Training Examination – This matter was tabled.

6. Robert Boysen – Applicant 070874, P.E. (Chemical) Registration – Mr. Starling moved to grant Mr. Boysen registration. Mr. Lane seconded. Motion Carried.

7. Samuel Tachie-Menson – Applicant 080421, P.E. (Mining) Examination – Mr. Starling moved to allow Mr. Tachie-Menson to take the P.E. Examination. Mr. Lane seconded. Motion Carried.

**7. Review, Consideration and Possible Vote on the following:**

EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination
3. Recommendation for denial of professional or in-training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 7.1 through 7.3. Dr. Schaefer Kliman seconded. Motion Carried.

**8. Review, Consideration and Possible Vote on the following:**

1. National Council of Architectural Registration Boards' ("NCARB") Resolution 2008-07 "6-Month Rule"

Dr. Schaefer Kliman moved to adopt the "6-Month Rule". Mr. Pawelko seconded. After discussion, it was agreed that since the Board has agreed to adopt the Intern Development Program ("IDP") as set-up by NCARB the 6-Month Rule will be incorporated into the Board's pending rule change. No vote was carried out.

2. Software Engineering Licensing Consortium – No action was taken on this item.

**9. Review, Consideration, and Possible Vote on the following:**

1. Proposed Fee Changes

The Board recessed from regular session at 10:02 AM and opened the Public Hearing scheduled to discuss the proposed fee changes. No one from the public spoke. Mr. Lane moved to accept Mr. Dalrymple's recommendation to change the Board's current fees as follows:

	Current:	Proposed:
Initial Registration, Certification, and Renewal Fees:		
• Architect, Assayer, Engineer, Geologist, Landscape Architect, Surveyor	\$126/Triennial	\$195/Triennial
• Home Inspector	\$310/Annual	\$ 65/Annual
Professional Applications	\$90	\$100
In-Training Applications	\$30	\$40
There is no change to the following:		
• Firm Registration	\$20/Annual	
• Certified Remediation Specialist	\$42/Annual	
• Drug Lab Remediation On-Site Supervisor	\$42/Annual	
• Drug Lab Remediation On-Site Worker	\$42/Annual	

Mr. Starling seconded. The Board discussed the current financial issues facing the Board and the State's budget situation. After discussion, Motion Carried.

The new fees will go into effect October 1, 2008.

The Public Hearing was adjourned at 10:27 AM and the Board went back into the regularly scheduled meeting.

10. DIRECTOR'S REPORT – Covered in Agenda Item 9.1


11. BOARD CHAIR'S REPORT – While there was substantial interest in establishing a Memorandum of Understand between Arizona and Sonora Mexico for the Professional Engineers (Civil) the State of Arizona exhibited a reluctance to enter into the understanding so this matter is now on hold.

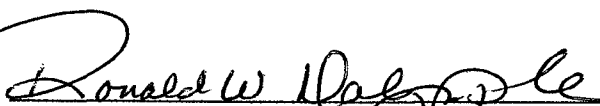
12. FUTURE BOARD MEETINGS – Tuesday, August 26, 2008 at 9:30 AM

13. FUTURE AGENDA ITEMS

14. ADJOURNMENT – Meeting adjourned at 11:02 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
 Richard Y. Pawelko, Chairman

  
 Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

August 26, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:30 AM by Sheila Bowen, Vice Chair.
2. ROLL CALL - Board Members in Attendance: Sheila Bowen, Karen Cesare, Stuart Lane, Chet Pearson, and Susan Schaefer Kliman. Absent: Dawn Garcia, Richard Pawelko, Robert Roos, and Ronald Starling. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Blair Driggs.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Ms. Cesare moved to approve the July 22, 2008 minutes with a minor correction. Dr. Schaefer Kliman seconded. Motion Carried.
5. ENFORCEMENT MATTERS  
**Review, Consideration, and Possible Vote on the following:**
  - A. Proposed Dismissals
    1. M08-073, Carlton H. Wise, P.E. (Mechanical) #28591 – Mr. Lane moved to dismiss based on the findings of the Enforcement Advisory Committee recommendation. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.
  - B. Proposed Letters of Concern
    1. M08-027, James William Craft, R.L.S. #16116 – Mr. Lane moved to issue a Letter of Concern to Respondent for failure to conduct a survey in accordance with the Arizona Boundary Survey Minimum Standards. Ms. Cesare Seconded. After discussion, Motion Failed.

Mr. Lane moved to direct Staff to obtain a signed consent agreement from Respondent regarding the May 2004 Survey. If consent cannot be obtained, instruct staff to proceed with Administrative Hearing. Mr. Pearson Seconded. Motion Carried.

2. HI08-007, Paul T. Bernard, CHI #38445 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative Penalty in the amount of \$500.00; Open Book Test: Respondent shall take and successfully complete an open book test of the Board's Statutes and Rules within 30 days with a passing score of 100-percent; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$104.00. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

**7. Review, Consideration, and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

1. Eric H. Mosegard , Applicant #081224 Home Inspector, Grant Certification – Mr. Lane moved to grant Mr. Mosegard certification. Dr. Schaefer Kliman seconded. Mr. Mosegard addressed the Board. After discussion, Motion Carried.

2. Derek H. Geer, Applicant #080307 P.E. (Electrical), Grant Registration – Mr. Pearson moved to grant Mr. Greer's application for P.E. (Electrical) Registration. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

3. Luke J. Droeger, Applicant #080598 P.E. (Civil), Grant Registration – Mr. Pearson moved to grant Mr. Droeger's application for P.E. (Civil) Registration. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

4. Xiang Ren, Applicant #081046 P.E. (Electrical), P.E. Exam – Mr. Pearson moved to approve Mr. Ren's application to take the P.E. Exam. Mr. Lane seconded. After discussion, Motion Carried.

5. Keith A. Bailey, Applicant # 080369 P.E. (Metallurgical), P.E. Exam – Mr. Pearson moved to approve Mr. Bailey's application to take the P.E. Exam. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

6. Darren Begay, Applicant #080151 Engineer-in-Training Exam - Mr. Lane moved to approve Mr. Begay's application to take the Engineer-in-Training Exam. Ms. Cesare seconded. After discussion, Motion Carried.

**8. Review, Consideration and Possible Vote on the following:**

**EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in-training registration
2. Approval to sit for the professional or in-training examination
3. Recommendation for denial of professional or in-training examination
4. Recommendation for denial of professional or in-training designation



14. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

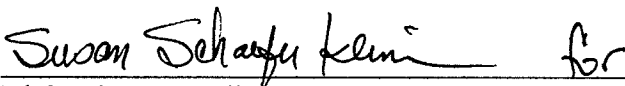
1. National Council of Examiners for Engineering and Surveying (NCEES) – Mr. Lane advised the 2008 NCEES Annual Meeting took place August 15-16, 2008 in Minneapolis, MN. The Structural Exam was voted down by each state; Bachelor's Plus 30 passed; Computer-Based Testing passed and the Proposed Professional Practice Exam failed. A Southern Zone resolution was presented to continue with the feasibility study for the proposed professional exam.
2. National Council of Architectural Registration Boards (NCARB) – Dr. Schaefer Kliman advised on the meeting held in Pittsburg, PA in June 26-28, 2008. Of the eleven resolutions presented ten passed and one was tabled. The model law would impact state laws and several resolutions will impact interns and the clock for submittal of employment records and the time table for taking examinations. The Six-Month Rule passed so interns are required to report experience in six-month intervals.
3. Council of Landscape Architectural Registration Boards (CLARB) – Ms. Cesare advised she and Ms. Douglas will be attending the upcoming meeting in San Diego, CA September 4-6, 2008 and she will provide a report at the next Board meeting.
4. National Association of State Boards of Geology (ASBOG) – No report given.

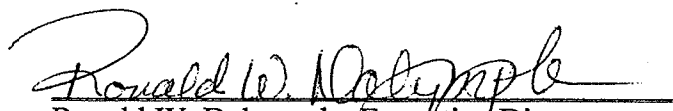
15. FUTURE BOARD MEETINGS – Tuesday, September 23, 2008 at 9:30 AM

16. FUTURE AGENDA ITEMS – None at this time.

17. ADJOURNMENT – Meeting adjourned at 10:54 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
Richard Y. Pawelko, Chairman

  
Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

September 23, 2008

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:36 AM by Susan Schaefer Kliman.
2. **ROLL CALL** – Board Members in Attendance: Karen Cesare, Stuart Lane, Chet Pearson, and Susan Schaefer Kliman. Board member Sheila Bowen appeared telephonically. Absent: Dawn Garcia, Richard Pawelko, Robert Roos, and Ronald Starling. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Manuel Maltos, Cassie Goodwin and Sarah Spiekermeier. Assistant Attorneys General: Mary DeLaat Williams and Montgomery Lee.
3. **CALL TO THE PUBLIC** – No members of the public spoke.
4. **ADOPTION OF MINUTES** – Mr. Lane moved to approve the August 26, 2008 minutes with one correction. Ms. Cesare seconded. Motion Carried.
5. **ENFORCEMENT MATTERS**  
**Review, Consideration and Possible Vote on the following:**
  - A. 1. M08-153, Barbara Stocklin, Nonregistrant – This matter was tabled.
  2. M06-223, Jon H. Westervelt, P.E. (Civil) #32851 – This matter was tabled.
6. **HOME INSPECTOR ENFORCEMENT MATTERS**  
**Review, Consideration and Possible Vote on the following:**
  - A. Proposed Consent Agreements
    1. HI08-009, John C. Reding, CHI #38663 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$400.00; Open Book Test – Respondent shall take and successfully complete an open book test of the Board's Statutes and Rules within 30-days with a passing score of 100-percent; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$117.00. Mr. Pearson seconded. After discussion, Motion Carried.

**8. Review, Consideration, and Possible Vote on the following:  
EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND  
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST  
AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 8.1 through 8.2 as amended September 22, 2008. Ms. Cesare seconded. Motion Carried.

**9. Review, Consideration and Possible Vote on the following:**

1. Future Board Meeting Dates for 2009

Ms. Cesare moved to continue conducting monthly Board meetings on the fourth Tuesday of the month unless there is a conflict with a legal holiday. Ms. Bowen seconded. After discussion, Motion Carried.

**10. DIRECTOR'S REPORT – Mr. Dalrymple advised there has been no significant changes since the last Board meeting. He has no addition or new information on what the Legislature is going to require agencies to do in order to meet the short-fall of revenue. We probably won't hear from them until after January 2009.**

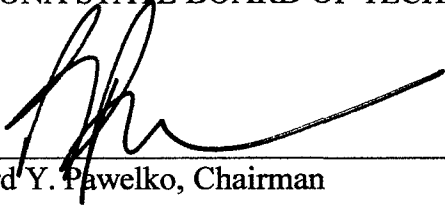
Messieurs Dalrymple, Pearson and Starling met with representatives from the Canadian licensing group and discussed the possibility of an agreement to work on recognition of their geology licensing in Canada compared to Arizona and reaffirmed there have been no changes to the Canadian system of registering engineers. This Board had taken a previous vote to accept those candidates who were registered in Canada as meeting our qualifications if they had gone through the Canadian education and licensing system. In Canada, the same group controls both the education and licensing of engineers. While the requirements are structured differently than those of Arizona, they require a level of education and experience that exceeded our requirements. We therefore agreed that if somebody came to the Board as a Canadian registrant who had completed the Canadian process and there were no problems with moral character, there would not be a problem with acceptance of those candidates. Canadian applicants who are immigrants undergo a more rigorous examinations and evaluations than we do because they if they're registered in other areas they are still required to take exams. Even though our system isn't as sophisticated as their system, it's adequate for them to accept our registrants as meeting their basic requirements for registration.

**11. BOARD CHAIR'S REPORT – None given at this time.**

15. FUTURE AGENDA ITEMS – None given at this time.

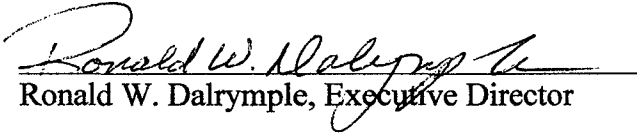
16. ADJOURNMENT – Meeting adjourned at 10:26 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION



---

Richard Y. Pawelko, Chairman



---

Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

October 28, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER – The meeting of the Board of Technical Registration was called to order at 9:32 AM by Richard Pawelko.
2. ROLL CALL – Board Members in Attendance: Sheila Bowen, Karen Cesare, Dawn Garcia, Richard Pawelko, Chet Pearson, Susan Schaefer Kliman and Ronald Starling. Absent: Robert Roos, and Stuart Lane. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Cassie Goodwin and Sarah Spiekermeier. Assistant Attorney General: Melissa Cornelius.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Dr. Schaefer Kliman moved to approve the September 23, 2008 minutes with two corrections. Ms. Bowen seconded. Motion Carried.
5. ENFORCEMENT MATTERS  
**Review, Consideration, and Possible Vote on the following:**
  - A. Proposed Letters of Concern
    1. M08-009, Tommie G. Stewart, RLS #15340 – Mr. Starling moved to refer case back to staff to negotiate a Consent Agreement. Dr. Schaefer Kliman seconded. Motion Carried.
    2. M08-079, Tommie G. Stewart, RLS #15340 – Mr. Starling moved to refer case back to staff to negotiate a Consent Agreement. Dr. Schaefer Kliman seconded. Motion Carried.
  - B.
    1. M06-153, Barbara Stocklin, Nonregistrant – Mr. Pawelko moved that the case be closed and that the Board send a Letter of Concern to Respondent, the City Manager, and other Departments Heads requesting the City review the issues involved and ensure their policies and procedures are consistent with the Board's Statues and Rules. Dr. Schaefer Kliman seconded. Motion Carried.
    2. M06-223, Jon H. Westervelt, P.E. (Civil) #32851– Ms. Bowen moved to dismiss. Mr. Starling seconded the motion. Mr. Pearson recused himself as his firm is working on the project indicated. After discussion, Motion Carried.

C. Proposed Consent Agreement and Order

1. Northern Engineering, Inc. – Dr. Schaefer Kliman moved to accept Respondent's signed consent agreement encompassing the following Order: Order of Discipline; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$850.00 and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$75.00. Ms. Bowen seconded. After discussion, Motion Carried.

6. **Review, Consideration, and Possible Vote on the following:**

1. John C. Krell, applicant #070370, Engineer-in-Training – Ms. Bowen moved to deny Mr. Krell's application for registration based on a licensing time frame issue. Action was taken at the September 23, 2008 Board meeting to allow applicant to proceed through the application process to complete an ethics class. Dr. Schaefer Kliman seconded. Motion Carried.

7. **Review, Consideration, and Possible Vote on the following:**

EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

1. Bradley Ross, Applicant #080398 P.E. (Mining) – Registration – Mr. Pearson moved to accept Mr. Ross's application for registration. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

2. John Hawkins, Applicant #080671 P.E. (Mechanical) Registration – Mr. Pearson moved to accept Mr. Hawkin's application for registration. Mr. Starling seconded. After discussion, Motion Carried.

3. Kate Candillo, Applicant #081456 P.E. (Environmental) – Examination – Mr. Pearson moved to allow Ms. Candillo to sit for the Professional Engineer Examination. Mr. Starling seconded. After discussion, Motion Carried.

4. Ashok Balasubramanian, Applicant #081357 P.E. (Electrical) – Examination – Mr. Pearson moved to allow Mr. Balasubramanian to sit for the Professional Engineer Examination. Mr. Starling seconded. After discussion, Motion Carried.

5. Daniel Peterson, Applicant #081192 P.E. (Mechanical) – Registration – Mr. Pearson moved to accept Mr. Peterson's application for registration. Mr. Starling seconded. After discussion, Motion Carried.

6. John Ackerman Applicant #080325 (Landscape Architect) – Registration – Ms. Cesare moved to accept Mr. Ackerman's application for registration. Mr. Pearson seconded. After discussion, Motion Carried.

7. Saurabh Bansal Applicant #081271 P.E. (Mechanical) – Examination – Mr. Pearson moved to allow Mr. Bansal to sit for the Professional Engineer Examination. Mr. Starling seconded. After discussion, Motion Carried.

8. **Review, Consideration, and Possible Vote on the following:**

EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination

Mr. Starling moved to accept the committee and staff recommendations listed in items 8.1 through 8.2 as amended October 27, 2008. Mr. Pearson seconded. Motion Carried.

**9. Review, Consideration, and Possible Vote on the following:**

1. Officer elections

The Board Chair nominated the following as new Board Officers:

Dr. Susan Schaefer Kliman, Architect: Chair  
Ms. Karen Cesare, Landscape Architect: Vice-Chair  
Ms. Sheila M. Bowen, P.E. (Civil): Secretary

After discussion and acclimation, officers approved.

10 DIRECTOR'S REPORT— The Board's Executive Director, Mr. Dalrymple, discussed the following:

**Rule Changes:**

The Board is in the process of scheduling another Legislative and Rules Committee for sometime in November regarding to Home Inspector matters.

**Staff Changes:**

The Board is currently down four newly authorized position and two regular positions due to the state mandated hiring freeze.

**Budget Update:**

The Board has been notified that all agencies are being directed by the legislature to submit budget management plans reflecting 5%, 10%, and 15% budget reductions by November 5, 2008. The Board has prepared this data and is waiting on advisement by the Governor's Office in order to submit the Board's budget management plan.

**Computer System Update:**

The Board is still communicating with GITA, DOA, and NIC about the switch between the Board's current AS/400 system to a newer more flexible database for application and registration tracking.

**Board Appointments:**

The Board has been in regular contact with the Governor's office about the appointments of Board Members. The Governor's office has notified the Board that "they are working on it."

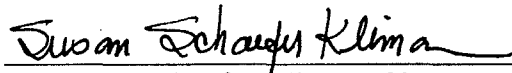
11. BOARD CHAIR'S REPORT – None given at this time.

12. FUTURE BOARD MEETINGS – Tuesday, November 25, 2008 at 9:30 AM

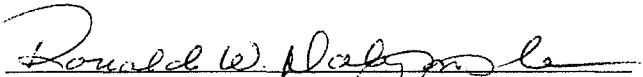
13. FUTURE AGENDA ITEMS – IDP Status

14. ADJOURNMENT– Meeting adjourned at 11:28 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION



Dr. Susan Schaefer Kliman, Chair

  
Ronald W. Dalrymple, Executive Director



MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

November 25, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER – The meeting of the Board of Technical Registration was called to order at 9:34 AM by Board Chair Susan Schaefer Kliman.
2. ROLL CALL – Board Members in Attendance: Sheila Bowen, Karen Cesare, Stuart Lane, Chet Pearson, Susan Schaefer Kliman, Howell Shay, and Ronald Starling. Absent: Dawn Garcia, and Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos and Sarah Spiekermeier. Assistant Attorney General: Melissa Cornelius.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Ms. Cesare moved to approve the October 28, 2008 minutes with minor corrections. Ms. Bowen seconded. Motion Carried.
5. ENFORCEMENT MATTERS  
**Review, Consideration, and Possible Vote on the following:**
  - A. Proposed Dismissals
    1. a. M08-004, James R. Wise, P.E. (Civil) #08457 – Ms. Bowen moved to recommend a Letter of Concern. Mr. Pearson seconded. After discussion, Motion Carried.
    - b. M08-004, Gary R. Kelley, P.E. (Civil) #22880 – Ms. Bowen moved to recommend a Letter of Concern. Mr. Starling seconded. After discussion, Motion Carried.
  - B. Proposed Enforcement Advisory Committee Candidates
    1. Timothy C. Behrens, P.E. (Mechanical) #31197 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.
    2. Thomas E. Granillo, P.E. (Civil) #22190 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.
    3. Nancy A. Harper, Architect #42499 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.

4. Peter I. Menconi, P.E. (Mechanical) #11636 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.
5. John M. Nepa, P.E. (Civil) #44717 – Mr. Starling moved to approve candidate for Enforcement Advisory Committee. Ms. Bowen seconded. After discussion, Motion Carried. No: Pearson. Yes: Bowen, Cesare, Lane, Shay, Schafer Kliman, and Starling.
6. Hugh W. Pace, P.E. (Electrical) #20244 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.
7. Michael C. Wakefield, Architect #46424 – Mr. Shay moved to approve candidate for Enforcement Advisory Committee. Ms. Lane seconded. After discussion, Motion Carried. No: Pearson. Yes: Bowen, Cesare, Lane, Shay, Schafer Kliman, and Starling.
8. Ming-Gin Chen, Architect #21342 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.
9. Aida Milena Aguirre, Architect #34318 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.
10. Gary B. Valenzuela, Land Surveyor # 30367 – Mr. Lane moved to approve candidate for Enforcement Advisory Committee. Ms. Cesare seconded. After discussion, Motion Carried.

6. **Review, Consideration, and Possible Vote on the following:**

EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

1. Peter Syntax, Applicant #080764 P.E. (Electrical) – Registration– Mr. Pearson moved to accept Mr. Syntax’s application for registration. Mr. Lane seconded. After discussion, Motion Carried.
2. Douglas Morales, Applicant #081353 P.E. (Civil) – Registration– This matter was tabled. Ms. Bowen moved to accept Mr. Morales’s additional supervisor, but the application is still pending three additional months of experience.
3. Charles Ritter, Applicant #081070 P.E. (Civil) – Registration– Ms. Bowen moved to accept Mr. Ritter’s application for registration. Ms. Cesare seconded. After discussion, Motion Carried.
4. Yingwu Teng, Applicant #081310 P.E. (Mechanical) – Exam– Mr. Pearson moved to approve Mr. Teng to take the Professional Engineer Exam. Mr. Lane seconded. After discussion, Motion Carried.

5. Yancy Lyles, Applicant #081692 P.E. (Mechanical) – Registration– Mr. Pearson moved to accept Mr. Lyles’s application for registration. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

6. Justin Dykstra, Applicant #081802 Landscape Architect – Registration– Ms. Cesare moved to accept Mr. Dykstra’s application for registration. Mr. Lane seconded. After discussion, Motion Carried.

7. Richard A. Hall, Applicant #081655 P.E. (Civil) – Registration– Ms. Bowen moved to send file back to staff for additional information. Mr. Lane seconded. After discussion, Motion Carried.

8. Keith Siller, Applicant #081764 Architect – Registration– Ms. Cesare moved to send file back to staff for additional information. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

9. Richard V. Hall, Applicant #081233 Land Surveyor– Examination – Dr. Schaefer Kliman moved to send file back to staff for additional information. Mr. Pearson seconded. After discussion, Motion Carried.

10. Jason Atwood, Applicant #081958 P.E. (Civil) – Registration– Ms. Bowen moved to accept Mr. Atwood’s application for registration. Mr. Lane seconded. After discussion, Motion Carried.

11. William Gest, Applicant #081466 P.E. (Mechanical) – Examination – Mr. Pearson moved to approve Mr. Gest to waive EIT exam and to sit for the P.E. Exam. Mr. Starling seconded. After discussion, Motion Carried.

12. Patrick Sullivan, Applicant #081694 P.E. (Structural) – Examination – Mr. Starling moved to allow Mr. Sullivan to sit for the Professional Engineer Examination. Mr. Lane seconded. After discussion, Motion Carried.

**7. Review, Consideration, and Possible Vote on the following:**

EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)

Mr. Starling moved to accept the committee and staff recommendations as amended on November 24, 2008. Mr. Pearson seconded. Motion Carried.

**8. REVIEW CONSIDERATION AND POSSIBLE VOTE ON THE FOLLOWING:**

1. Acceptance of the National Council of Architectural Registration Board Intern Development Program.

Mr. Starling advised the Board on the Intern Development Program (“IDP”) issue. He stated that there may be an issue with approving the IDP program because the Board Rules and IDP programs requirements may have one major difference in alternative

registration. The Board requires eight years of prior experience and IDP program requires ten years. Dr. Shaefer Kliman will be following up on this subject and will be discussion at the next L&R meeting on January 27, 2009 after the regular scheduled Board meeting.

9. DIRECTOR'S REPORT– the Board's Executive Director, Mr. Dalrymple, discussed the following:

Staff Changes:

The Board is currently down six authorized position due to the hiring freeze, but the Board has just received authorization from the Department of Administration to fill two of the vacant positions.

Budget Update:

The Board was notified by the Governor's staff to submit a budget management plan reflecting a 7% budget reduction (\$122,164). This plan was submitted and calls for the following reduction from the authorized 2009 budget:

- One investigator position
- Two Customer Service Representative positions
- A 50% reduction in travel cost

Computer System Update:

The Board is still communicating with GITA, DOA, and NIC about the switch between the Board's current AS/400 system to a newer more flexible database for application and registration tracking.

Board Appointments:

The Board has been in regular contact with the Governor's office about the appointments of Board Members. The Governor's office has notified the Board that "they are working on it."

10. BOARD CHAIR'S REPORT

Chair Susan Schaefer Kliman and the Board want to thank Mr. Pawelko for his service to the Board and to introduce the new Board Member Howell Shay.

11. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Mr. Starling advised the L&R Committee met on November 21, 2008. They discussed Building Information Models ("BIM"), Pool and Spa Inspections, and Intern Development Program ("IDP"). The Home Inspector Rules and Standards Committee sent a request to L&R to review the Pool and Spa inspections. The Board's standards do not included Pool & Spa Inspections and the L&R committee did not feel comfortable making a policy when the legislation does not address Pool & Spa standards. Dr. Shaefer Kliman updated the Board on the BIM issue; she advised the Board the NCARB is looking to make changes to the model law definition to make sure registrants are taking responsible control with project delivery. Mr. Starlings stated that there may be an issue with approving the IDP program and that Dr. Shaefer Kliman will be following up on this subject and will be discussion at the next L&R

meeting on January 27, 2009 after the regular scheduled Board meeting. Mr. Starling also stated the L&R Committee member, Greg Tuttle, has requested to retire from L&R. The committee felt that since they still have six members that it is not necessary to replace him at this time and that we thank him for his service.

2. Budget Committee – Nothing to report.
3. Home Inspector Rules and Standards Committee – Board Member Howell Shay will be joining the Home inspectors Rules and Standards Committee to take the place of past Board Member Richard Pawelko.
4. Environmental Remediation Rules and Standards Committee – Nothing to report.

#### 12. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (“NCEES”) – Ms. Bowen advised the Board that she will be working on model law and grandfather laws with NCEES. Mr. Starling added that he will be reviewing PAC survey results and will report back to the Board after January.
2. National Council of Architectural Registration Boards (“NCARB”) – Nothing to report.
3. Council of Landscape Architectural Registration Boards (“CLARB”) – Nothing to report.
4. National Association of State Boards of Geology (“ASBOG”) – Nothing to report.

12. FUTURE BOARD MEETINGS – Tuesday, December 18, 2008 at 9:30a.m.


13. FUTURE AGENDA ITEMS

15. ADJOURNMENT – Meeting adjourned at 11:06 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION



Dr. Susan Schaefer Kliman, Chair

  
Ronald W. Dalrymple, Executive Director

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

December 18, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER – The meeting of the Board of Technical Registration was called to order at 9:40 AM by Board Chair Susan Schaefer Kliman.
2. ROLL CALL – Board Members in Attendance: Dawn Garcia, Chet Pearson, Susan Schaefer Kliman, Howell Shay, and Ronald Starling. Absent: Sheila Bowen, Karen Cesare, Stuart Lane and Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos and Sarah Spiekermeier. Assistant Attorney General: Melissa Cornelius.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Mr. Shay moved to approve the November 25, 2008 minutes with minor corrections. Mr. Pearson seconded. Motion Carried.
5. ENFORCEMENT MATTERS  
**Review, Consideration, and Possible Vote on the following:**
  - A. Proposed Enforcement Advisory Committee Candidates
    1. Richard L. Gonzalez, Architect #26992 – Mr. Pearson moved to approve candidate for Enforcement Advisory Committee. Ms. Garcia seconded. After discussion, Motion Carried.
    2. Melvin J. Slaysman, Jr. P.E. (Civil) #10294, P.E. (Structural) #11110 – Mr. Pearson moved to approve candidate for Enforcement Advisory Committee. Ms. Garcia seconded. After discussion, Motion Carried.
    3. Larry R. Sorenson, Architect #15104 – Mr. Pearson moved to approve candidate for Enforcement Advisory Committee. Ms. Garcia seconded. After discussion, Motion Carried.
6. **Review, Consideration, and Possible Vote on the following:**  
ENVIRONMENTAL REMEDIATION RULES AND STANDARDS COMMITTEE  
At its November 20, 2008 Environmental Remediation Rules and Standards Committee Meeting it was recommended that the Board re-appoint:
  1. Robert Hutzel – Industrial hygienist representative.
  2. Chet Pearson – Registered Engineer experienced in environmental remediation.
  3. Chris Boyles – Drug laboratory remediation firm representative.

Ms. Garcia moved to re-appoint the members recommended by the Environmental Remediation Rules and Standards Committee. Mr. Shay seconds. After discussion, Motion Carried.

**7. Review, Consideration, and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

**A. Applicants for Examination**

1. Jason R. Martin, Applicant #081830 - Architect— Ms. Garcia moved to approve Mr. Martin to take the Exam. Mr. Pearson seconded. After discussion, Motion Carried.

2. Richard V. Hall, Applicant #081233 – Land Surveyor – Mr. Shay moved to approve Mr. Hall to take the Exam. Ms. Garcia seconded. After discussion, Motion Carried. NO: Pearson. YES: Garcia, Shay, Schafer Kliman, and Starling.

**B. Applicants for Registration**

1. Jose Rivera, Applicant #081838 – Electrical – Ms. Garcia moved to accept Mr. Rivera's application for registration, pending a statement from the applicant that he has not practiced in Arizona. Mr. Shay seconded. After discussion, Motion Carried.

2. Richard V. Hall, #081234 – Civil – Mr. Shay moved to accept Mr. Hall's application for registration. Mr. Starling seconded. After discussion, Motion Carried. NO: Pearson. YES: Garcia, Shay, Schafer Kliman, and Starling.

**8. Review, Consideration, and Possible Vote on the following:**

**EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in-training registration
2. Approval to sit for the professional or in-training examination

Mr. Starling moved to accept the committee and staff recommendations as amended on December 17, 2008. Ms. Garcia seconded. Motion Carried.

**9. Review, Consideration, and Possible Vote on the following:**

1. Lapse List – Mr. Shay moved to accept the staff recommendations, with the removal of registrant John Paris Barron, Architect #21333, from the list. Mr. Pearson seconded. Motion Carried.

2. Appointment of Associate and Emeritus Members – Mr. Shay moved to recommend Mr. Starling and Mr. Tuttle for appointment of Emeritus Members and to add Board Staff members Mr. Dalrymple and Ms. Douglas as Associate Members. Mr. Pearson second. Motion Carried.

10. DIRECTOR'S REPORT – the Board's Executive Director, Mr. Dalrymple, discussed the following:

**Staff Changes:**

The Board has been authorized from the Department of Administration to fill two (2) of the vacant positions and is currently in the interview process.

**Budget Update:**

The Board has submitted a budget management plan reflecting a 7% budget reduction (\$122,164). This plan was submitted and calls for the following reduction from the authorized 2009 budget:

- One (1) investigator position
- Two (2) Customer Service Representative positions
- A 50% reduction in travel cost

In relation to the budget reduction the government has suspended any out of the country travel which can affect the NCEES meeting in Canada.

**Computer System Update:**

The Board is still communicating with GITA, DOA, and NIC about the switch between the Board's current AS/400 system to a newer, more flexible database for application and registration tracking.

**Board Appointments:**

The Board has been in regular contact with the Governor's office about the appointments of Board Members. The Governor's office has notified the Board that "they are working on it."

11. BOARD CHAIR'S REPORT

Chair Susan Schaefer Kliman had nothing to report.

12. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Mr. Starling will continue on the L&R Committee after he has been replaced on the Board. The next L&R meeting is scheduled for January 27, 2009 after the regular scheduled Board meeting.
2. Budget Committee – Nothing to report.
3. Home Inspector Rules and Standards Committee – Board Member Howell Shay will be joining the Home Inspectors Rules and Standards Committee to take the place of past Board Member Richard Pawelko.
4. Environmental Remediation Rules and Standards Committee – Mr. Pearson stated that they are working on some Rule changes and will be scheduling another meeting soon.



13. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying ("NCEES") – Mr. Starling stated that he attended a structural tasks force meeting in Los Angeles, California.
2. National Council of Architectural Registration Boards ("NCARB") – Nothing to report.
3. Council of Landscape Architectural Registration Boards ("CLARB") – Nothing to report.
4. National Association of State Boards of Geology ("ASBOG") – Ms. Garcia stated that she attended their November 2008 meeting and they are working on completing the surveys to help develop the next set of exams.


14. FUTURE BOARD MEETINGS – Tuesday, January 27, 2009, 9:30 AM.

15. FUTURE AGENDA ITEMS – None at this time.

16. ADJOURNMENT – Meeting adjourned at 10:45 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
Dr. Susan Schaefer Kliman, Chair

  
Ronald W. Dalrymple, Executive Director