

**MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION**

**Tuesday, August 23, 2011 Meeting  
9:30 AM  
OPEN SESSION**

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:30 a.m. by Chairman Howell “Chip” Shay.
2. **ROLL CALL** – Board Members in Attendance, Howell “Chip” Shay, David Komm, Douglas Folk, Dr. Susan Kliman, Harold “Hal” Epperson, John Willett, Leroy Brady, and Robert Stanley. Absent: Erick Weiland. Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Manuel Maltos, Patricia Sandino, and John Spencer. Assistant Attorney General: Mona Baskin. Absent: Melissa Cornelius.
3. **CALL TO THE PUBLIC** – No members of the public addressed the Board.
4. **ADOPTION OF MINUTES** – Mr. Folk asked for a minor correction to the minutes, and moved to approve the July 26, 2011 minutes as corrected. Dr. Kliman seconded, motion carried.
5. **ENFORCEMENT MATTERS**  
**Review, Consideration and Possible Vote on the following:**
  - A. Proposed Dismissals
    1. M11-041 William V. Haas, P.E. (Civil) # 35247 - Mr. Folk moved to have the case reviewed by an enforcement advisory committee. Mr. Willet seconded. After discussion, motion carried.
    2. M11-059 Richard D. Fairbourn, Architect #12798 - Dr. Kliman moved to dismiss the case. Mr. Komm seconded. After discussion, motion carried.
    3. M11-068 Ronald A. Starling, P.E. (Structural) # 15563 - Mr. Folk recused himself citing conflict of interest. Mr. Stanley moved to dismiss the case. Mr. Epperson seconded. After discussion, motion carried.
    4. M09-069 Phillip Wayne Rosendahl, P.E. (Civil) #23718 - Mr. Willett moved to dismiss the case. Mr. Komm seconded. After discussion, motion carried.
6. **HOME INSPECTOR ENFORCEMENT MATTERS**  
**Evaluation of Applications/Requests for Possible Granting of Certification:**
  - A. Evaluation of Applications / Requests for Possible Granting of Certification:
    1. Theodore D. Janssen, Applicant #110670 – Mr. Stanley moved to grant applicant certification as a home inspector. Mr. Komm seconded. After discussion, motion carried.

2. Samuel K. Parker, Applicant #110700 – Mr. Komm moved to postpone the case to a later meeting. Mr. Epperson seconded. After discussion, motion carried.
  3. Noel D. Childs, Applicant #110715 – Mr. Childs was present and addressed the Board. Mr. Stanley moved to grant Mr. Childs certification as a home inspector. Dr. Kliman seconded. After discussion, motion carried.
  4. Donald G. Porter, Applicant #110716 – Mr. Willett moved to grant Mr. Porter certification as a home inspector. Mr. Epperson seconded. After discussion, motion carried.
  5. Michael B. Finlay, Applicant #110745 – Mr. Finlay was present and addressed the Board. Mr. Folk moved to grant Mr. Finlay certification as a home inspector. Mr. Komm seconded. After discussion, motion carried.
  6. Mark A. Nelson, Applicant #110746 – Mr. Nelson was present and addressed the Board. Mr. Komm moved to grant Mr. Nelson certification as a home inspector. Mr. Folk seconded. After discussion, motion carried.
- B. Proposed Letters of Concern
1. HI11-009, Thomas J. Shuey, CHI #42487 – Mr. Shuey was present and addressed the Board. Mr. Epperson moved to issue the Respondent a Letter of Concern. Dr. Kliman seconded. After discussion, motion carried.
  2. HI11-016, Alberto L. Evans, CHI #41589 – Mr. Epperson moved to issue Respondent a Letter of Concern. Mr. Willett seconded. After discussion, Motion carried.
- C. Proposed Consent Agreements
1. HI11-003, Thomas J. Shuey, CHI #42487 – Mr. Shuey was present and addressed the board. Mr. Komm moved to accept Respondent's signed Consent Agreement encompassing the following order: an administrative penalty of \$500.00, restitution to Gary Gepner in the amount of \$ 285.00, and the cost of investigation in the amount of \$221.00 Mr. Stanley seconded. After discussion, motion carried.
  2. HI1-006, David D. Sturgeon, CHI #40109 – Mr. Epperson moved to accept Respondent's Signed Consent Agreement encompassing the following order: An Administrative Penalty of \$2,500, restitution to Rick Royston in the amount of \$250.00, and the cost of investigation in the amount of \$270.00. Mr. Komm seconded. After discussion, motion carried.
  3. HI11-018, Paul A. Bamberg, Nonregistrant – Mr. Bamberg was present and addressed the Board. Mr. Epperson moved to accept Mr. Bamberg's counter-offer encompassing the following order: pay an administrative penalty of \$2,000.00 and the cost of investigation in the amount of \$250.00. Mr.

Epperson added an amendment to include an assurance of discontinuance from providing home inspections while Respondent is in an inactive status, take and successfully complete and open book test on the Boards Statutes and Rules within 30 days passing with a 100% score. Mr. Komm seconded. After discussion, motion carried.

**7. DRUG LABORATORY ENFORCEMENT MATTERS**

Review, Consideration, and Possible Action on the following:

There were no issues for this Item.

**8. LICENSING MATTERS**

Review, Consideration, and Possible Action on the following:

1. Castro, Luis, EIT Application #110149 – Mr. Castro was present and addressed the Board. Mr. Komm moved to approve Mr. Castro's application and grant him EIT designation. Mr. Willett seconded. After discussion, motion carried.
2. Fernandez, Jesus, Architect Application #050748 – Dr. Kliman moved to deny Mr. Fernandez' request for an extension of time to take and pass all remaining divisions of the ARE and to close the file. Mr. Epperson seconded. After discussion, motion carried.
3. Fisher, Douglas, Civil Engineering Application #110561 – Mr. Fisher was present and addressed the Board. Mr. Willett moved to grant Mr. Fisher registration. Mr. Stanley seconded. After discussion, motion carried.
4. Hickson, Kristina, Architect Application #110723 – Ms. Hickson addressed the Board telephonically. Dr. Kliman moved to grant Ms. Hickson registration. Mr. Willett seconded. After discussion, motion carried.
5. Krupa, Adam, Civil Engineering Application #110560 – Mr. Krupa was present and addressed the Board. Mr. Stanley moved to grant Mr. Krupa registration. Mr. Willett seconded. After discussion, motion carried.
6. Morton, John, Architect Application #011077 – Dr. Kliman moved to grant Mr. Morton's extension to take the exams through 2013 and to waive the IDP. Mr. Epperson seconded. After discussion, motion carried.
7. Perkins, Thomas, EIT Application #110096 – Mr. Willett moved to approve Mr. Perkins' application and grant him EIT designation. Mr. Stanley seconded. After discussion, motion carried.
8. Ritchie, Scott, Civil Engineering Application #110108 – Mr. Ritchie was present and addressed the Board. Mr. Folk moved to offer Mr. Ritchie the option of either taking the NCEES PE Civil examination or withdraw his application. Mr. Epperson seconded. After discussion, motion carried.

9. Badiu, Eduard, Civil Engineering Application #110644 – Mr. Badiu addressed the Board telephonically. Mr. Willett moved to grant Mr. Badiu registration. Mr. Stanley seconded. After discussion, motion carried.
10. Goddeyne, Shawn, Civil Engineering Application #110666 – Mr. Willett moved to grant Mr. Goddeyne registration. Mr. Stanley seconded. After discussion, motion carried.
11. Maloney, Mark, Civil Engineering Application #110572 – Mr. Willett moved to grant Mr. Maloney registration. Mr. Stanley seconded. After discussion, motion carried.
12. Ramsey, Craig, Civil Engineering Application #110620 – Mr. Ramsey was present and addressed the Board. Mr. Willett moved to grant Mr. Ramsey registration. Mr. Komm seconded. After discussion, motion carried.
13. Van Der Watt, Johan, Civil Engineering Application #110665 – Mr. Van Der Watt was present and addressed the Board. Mr. Willett moved to grant Mr. Van Der Watt registration. Mr. Stanley seconded. After discussion, motion carried.
14. Tallman, David, EIT Application #110136 – Mr. Tallman was present and addressed the Board. Mr. Folk moved to approve Mr. Tallman to sit for the Fundamentals of Engineering Exam. Mr. Willett seconded. After discussion, motion carried.

## 9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff Recommendations for the following (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications pursuant to A.R.S. § 32-122.01, and § 32-123;
4. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Epperson moved that the applicants listed in 9.1 be granted professional registration, certification, or in-training designation; that the applicants listed in 9.2 be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the

exams and a staff determination of continued eligibility; that the applicants in 9.3 be granted professional registration; and that the applications listed in 9.4 be administratively closed due to applicants' failure to meet the requirements of the Board. Dr. Kliman seconded. After discussion, motion carried.

#### **10. POLICY MATTERS**

Review, Consideration, and Possible Action on the following:

1. Executive Director, Mr. Ronald Dalrymple announced plans for a possible Replacement for the Board Newsletter.
2. Ms. Mona Baskin, the Assistant Attorney General, provided the Board with legal advice regarding the FY 2012 Rules Moratorium. All rulemaking activity, including informal rulemaking, is prohibited during the moratorium unless authorized by the Governor's office.

#### **11. REVIEW, CONSIDERATION, AND ACTION ON THE FOLLOWING:**

- A. Registrations that have been expired for three (3) years and recommended to be cancelled. There were no registrations to be cancelled for this month.
- B. Certifications that have been expired for one (1) year and recommended to be cancelled. There were no registrations to be cancelled for this month.

12. **DIRECTOR'S REPORT** – Executive Director, Mr. Ronald Dalrymple presented a written report to the Board and advised that if any of the members had any questions, he would be available to answer them after the meeting.

#### **13. BOARD CHAIR'S REPORT**

There was no report given.

#### **14. STANDING COMMITTEE REPORTS**

1. Legislation and Rules Committee  
The next meeting is scheduled for September 15, 2011
2. Budget Committee  
There was no report given.
3. Home Inspector Rules and Standards Committee – Mr. Shay reported that The Arizona chapter of the American Society of Home Inspectors (ASHI) has adopted revisions the ASHI standards which now meet the objectives of the Home Inspector Rules and Standards Committee (HIRSC).  
The committee further concluded there was no need to take action on conflicting guidance from ASHI.
4. Environmental Remediation Rules and Standards Committee

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There was no report given.

**15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES**

1. National Council of Examiners for Engineering and Surveying ("NCEES")  
There was no report given.
2. National Council of Architectural Registration Boards ("NCARB")  
There was no report given.
3. Council of Landscape Architectural Registration Boards ("CLARB")  
There was no report given.
4. National Association of State Boards of Geology ("ASBOG")  
There was no report given.
5. Public Member News/Information  
There was no report given.

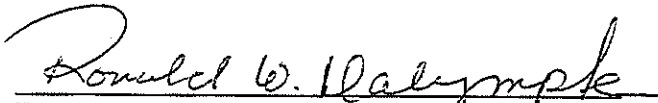
16. **FUTURE BOARD MEETINGS** – Tuesday, September 27, 2011, at 9:30 AM.

17. **ADJOURNMENT** – Meeting adjourned at 11:55 a.m.



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**Erick Fred Weiland, Chairman**



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**Ronald W. Dalrymple, Executive Director**