



State of Arizona
BOARD OF TECHNICAL REGISTRATION

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

- Jack Gilmore, Board Chair, Landscape Architect ● Michael Kolejka, Board Vice Chair, Architect
- Dana Klett, Land Surveyor ● Scott Sayles, Civil Engineer ● Bill Nesgood, Geologist
- Dr. Clinton Campbell, Public Member ● Jennifer Hobik, Esq, Public Member
 - Kileen Lindgren, Public Member ● Stacy Skankey, Esq, Public Member
- Kent Wilson, Board Secretary, Public Member ● Vacant, Public Member

NOTICE AND AGENDA FOR REGULAR SESSION MEETING
1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007
Tuesday, December 6, 2022 –9:00am

The Arizona Board of Technical Registration will hold a regular meeting, open to the public at the Board's office, located at 1110 W. Washington, Suite 240, Phoenix, AZ 85007.

Please note that the cases on this agenda are categorized with staff recommendations for resolution. The Board has the authority to accept, reject, or modify any recommendation listed on the agenda. These recommendations are merely suggested Board actions; the Board may not adopt them, and may decide cases differently.

The Board may discuss, consider or take action on any item on the agenda, and at the discretion of the Board, agenda items may be taken out of order, except for those items set at a specific time.

The majority or a quorum of the Board may vote to hold an Executive Session to review confidential records exempt by law from public inspection, pursuant to A.R.S. § 38-431.03(A)(2); to obtain legal advice regarding any of the items on the agenda, pursuant to A.R.S. § 38-431.03(A)(3); or to discuss or consult with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. § 38-431.03(A)(4). All examination material, transcripts education records, reference forms and applications are confidential pursuant to A.R.S. § 32-129(A), and all investigation files are confidential and not subject to inspection until the matter is final and a hearing notice is issued (A.R.S. § 32-129(B)).

Pursuant to the Americans with Disabilities Act, people with disabilities may request a reasonable accommodation by contacting Kurt Winter at (602) 364-4883. Requests for reasonable accommodations should be made as early as possible to allow time to accommodate the request. The Board may not be able to accommodate requests made less than 36 hours prior to the scheduled meeting.

Concerns Relating to Meetings held at the Board and COVID-19

At this time, the Board will proceed with all scheduled public meetings and the public is still welcome to attend in person. However, COVID-19 may prevent those otherwise wishing to attend from doing so. The Board is therefore allowing individuals to attend remotely to ensure the public's right to attend and listen to the Board's deliberations and proceedings per A.R.S. § 38-431.01(A) and A.R.S. § 38-431(4).

The Board utilizes Google Meet for those wishing to attend the meeting remotely. A link to the Google Meet is on the Board's website btr.az.gov

Board staff posts meeting agendas on its website, the AZBTR's lobby (suite 240) and the meeting board located in the main entrance of the ADEQ building (1110 W. Washington St. Phoenix AZ 85007) in accordance with A.R.S. § 38-431.02. The Board suggests reviewing any meeting agenda before requesting a Google Meetup invitation.

Please note that all meetings are recorded and the recordings posted on the Board's website within three working days after the meeting in accordance with A.R.S. § 38-431.01(E).

1. CALL TO ORDER

2. ROLL CALL

3. CALL TO THE PUBLIC

Members of the public may address the Board during this Call to the Public for no more than **3 minutes**. Pursuant to A.R.S. § 38-431.01(H), the Board members are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, members may ask staff to review a matter or may ask that a matter be placed on a future agenda.

4. ADOPTION OF MINUTES

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 4(A-B).

- A. Approve, modify and/or reject, November 1, 2022 Board meeting minutes.
- B. Approve, modify and/or reject, November 1, 2022 Executive Session Board meeting minutes.

5. CONSENT AGENDA

Items listed on the Consent Agenda will be considered by the Board as a single action item unless a Board Member wishes to remove a specific item for review, discussion, and action separately from the other Consent Agenda items.

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 5(A).

A. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

- 1. Cancel Registrations and Certifications that have been Expired for one Full Renewal Period
Nothing to consider
- 2. Grant Applications for Registration/Certification
 - a) Professional Exam unknown
 - 1. Sjogren, Timothy – Application for Registration as a Civil Engineer #226061
 - 2. Welker, Brian – Application for Registration as an Electrical Engineer #225967
 - 3. Wojciechowski, Samuel – Application for Registration as a Mechanical Engineer #226362
 - b) Certificate(s) of Experience from non-Professionals
 - 1. Magdosku, Christopher – Application for Registration as a Civil Engineer #225291
 - 2. Kumar, Ankush – Application for Registration as a Mechanical Engineer #226195
 - c) Council Records – experience under non-Professionals
 - 1. Bonham, Christopher – Application for Registration as an Electrical Engineer #225854
 - 2. Gidwani, Deepak – Application for Registration as a Structural Engineer #226259
 - 3. Hunt, Thomas – Application for Registration as a Civil Engineer #226051
 - 4. Scarbrough, James – Application for Registration as a Mechanical Engineer #226008
 - 5. Wallace, Raymond – Application for Registration as a Mechanical Engineer #225976
 - 6. Yu, Ching-Hua – Application for Registration as a Civil Engineer #226108
 - d) Background Review
 - 1. Cybulski, John – Application for Registration as a Mechanical Engineer #226180

2. Dryer, Russell – Application for Certification as a Home Inspector #226075
3. Fendrich, Andrew – Application for Registration as a Structural Engineer #226158
4. Fiano, Kyle – Application for Registration as an Architect #226168
5. Gough, Calvin – Application for Registration as a Civil Engineer #225962
6. Kreager, Joshua – Application for Certification as a Home Inspector #226002
7. Mulliken, Richard – Application for Registration as a Land Surveyor #225791
8. Pearson, Jaron – Application for Certification as a Home Inspector #225385
9. Ritchie, Douglas – Application for Registration as a Land Surveyor #226111
10. Segroves, Michael – Application for Registration as a Land Surveyor #226097
11. Stouffer, Aaron – Application for Registration as an Architect #225836
12. Sullivan, Brian – Application for Registration as an Architect #226227
13. Kimbrough, Dustin – Application for Registration as a Fire Protection Engineer #224912

e) Disciplinary Action Review

Nothing to consider

f) Multiple Considerations

Nothing to consider

3. Grant Universal Applications for Professional Registration/Certification

- a) Enser, Mark – Application for Registration as a Mechanical Engineer #226196
- b) Luxbacher, Mark – Application for Registration as a Mining Engineer #226014
- c) Vigil, Brandon – Application for Registration as a Mechanical Engineer #226210

4. Grant Renewal Registration Application(s)

a) Background Review

1. Canright, Michael – Renewal Application for Architect Registration #20156
2. Hughett, Jonathan – Renewal Application for Home Inspector Certification #61594

b) Disciplinary Action Review

1. Chafee, Robert – Renewal Application for Architect Registration #36765

5. Approve Application(s) for Exam Waivers

a) Application to waive Fundamental Exam

1. Yabut, Romeo – Application to waive FE exam #225602

b) Application to waive Professional Exam

1. Guerra, Joseph – Application to waive SE I exam #226039
2. Moen, Christopher – Application to waive PE Civil exam #266172
3. Partain, Jason – Application to waive SE II exam #226017
4. Swehla, Kevin – Application to waive SE II exam #226170

6. Approve Application(s) for Exam Authorization

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

1. Ernster, Jonathan – Application for PE exam authorization #225824

b) Council Records – experience under non-Professionals

1. Knieval, Anthony – Application for AZBTR SSE Land Surveyor exam authorization #226041

7. Approve Application(s) for In-Training Designation
 - a) Certificate(s) of Experience from non-Professionals
 1. Whipple, Thomas – Application for Engineer-in-Training Designation #226120
8. Approve Extension Requests
 - a) Finn, Sean – Application for Registration as an Architect #225243
 - b) Gossett, Christopher – Application for ARE exam authorization #225456
9. Multiple Considerations
 - a) Monroy Hernandez, Rafael – Application to waive FE exam #225729
 - i. Certificate(s) of Experience from non-Professionals
 - ii. FE exam waiver

6. LICENSING MATTERS

Discussion, Consideration and Action on the following:

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 6(A).

- A. Criminal Convictions and/or Charges review pursuant to A.R.S. 41-1093.04
 1. Clarke, Kevin

7. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda item 7(A).

Nothing to Consider

8. ENFORCEMENT MATTERS

Review, Consideration and Possible Action on the following:

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 8(A-F).

- A. Complaints Proposed for Resolution by Dismissal:
 1. HI22-031, Chad Rissland, C.H.I. #74314
 2. P22-046, Christopher Harper, P.E. (Structural) #42039
 3. P22-072, Li-Chiun Lee, P.E. (Civil) #74403
 4. P23-009, Dinesh Kumar, P.E. (Civil) #60729 and Smartlink, LLC #19509 (*Expired*) (*Related Case P23-010*)
 5. P23-010, Samuel Gonzalez, P.E. (Civil) #51689 and Smartlink, LLC #19509 (*Expired*) (*Related Case P23-009*)
 6. P22-078, Philip Coppola, Non-Registrant and Philip S. Coppola & Associates, LLC, Non-Registrant Firm
 7. P23-033, Trevor Entzminger, R.L.S. #41590 and BPG Designs, LLC #10791
 8. P23-034, Douglas Stroh, R.A. #13991
 9. P23-024, Ivonek Badilla, Non-Registrant and Evo Design 12th Street Studio, LLC, Non-Registrant Firm

- B. Complaints Proposed for Resolution by Letters of Concern:
 - 1. P22-065, Joseph Burke, P.E. (Civil) #31775
- C. Complaints Proposed for Resolution with Signed Consent Agreements:
 - 1. P22-076, Gary Hokanson, R.A. #51987 and Hokanson Design, Non-Registrant Firm
 - 2. HI23-001, Kent Dean, C.H.I. #39959
- D. Complaints Requiring Board Guidance:
 - 1. P22-075, Douglas Taylor, Non-Registrant
- E. Complaints Proposed for Administrative Closure without Prejudice:
 - 1. P20-016, Carlos Padilla, Non-Registrant
 - 2. P22-010, Carlos Padilla, Non-Registrant
 - 3. P23-002, Carlos Padilla, Non-Registrant
- F. Review and Consideration for EAC Membership
 - 1. Bradley Donais, P.E. (Civil) #58121

9. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda item 9(A-C). Additionally, the Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(4) (discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation) on agenda item 9(A).

- A. Arizona Supreme Court Docket No. CV-21-0203-PR, 1 CA-CV 20-0510 & CV 2019-013509 – Mills v. Arizona State Board of Technical Registration
- B. Annual Election of Board member Officers
- C. Home Inspector Rules Package

10. DIRECTOR'S REPORT

- A. Budget Update
- B. Previous Meeting Follow-Up
 - a. Online Transition
 - b. Board Staff Updates
 - c. Board Composition
- C. Licensing Numbers
- D. Enforcement Numbers
- E. List of Newly Granted Applicants

11. BOARD CHAIR'S REPORT

12. ASSISTANT ATTORNEY GENERAL'S REPORT

13. STANDING COMMITTEE REPORTS

- A. Legislation and Rules Committee – November 16, 2022 meeting
- B. Home Inspector Rules and Standards Committee – November 9, 2022 meeting

14. BOARD MEMBER REPORTS/DISCUSSION ON STATE AND NATIONAL COUNCIL ACTIVITIES, NEWS AND MEETINGS

- A. National Association of State Boards of Geology (ASBOG)
- B. Council of Landscape Architectural Registration Boards (CLARB)
- C. National Council of Architectural Registration Boards (NCARB)
- D. National Council of Examiners for Engineering and Surveying (NCEES)
- E. American Society of Civil Engineers (ASCE)/American Council of Engineering Companies of Arizona (ACEC Arizona)
- F. Inter-organizational Council on Regulation (ICOR)

15. FUTURE BOARD MEETINGS – December 6, 2022

16. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

17. MEETING ADJOURNMENT

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