



State of Arizona
BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007
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- Jack Gilmore, Board Chair, Landscape Architect • Michael Kolejka, Board Vice Chair, Architect
- Dana Klett, Land Surveyor • Scott Sayles, Board Secretary, 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, Public Member • Hayley Bohall, Public Member

MINUTES FOR REGULAR SESSION MEETING

1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007

Tuesday, May 23, 2023 –9:00am

1. **CALL TO ORDER** –The meeting convened at 9:01 am and adjourned at 2:01 pm.

2. **ROLL CALL**

PRESENT

Jack Gilmore
Scott Sayles
Hayley Bohall
Dana Klett-left at 1:30 pm
William “Bill” Nesgood

VIRTUAL

Dr. Clinton Campbell-left at 10:45 am and returned at 10:48 am
Stacey Skankey, Esq. - left at 10:48 am and returned at 11:12 am
Lucas “Kent” Wilson
Jennifer Hobik, Esq.
Michael Kolejka, left at 10:02 am

ABSENT

Kileen Lindgren

3. **CALL TO THE PUBLIC**

Registered Home Inspector, Celia Webb, appeared before the Board and made a statement regarding the display of disciplinary actions on the Board’s website.

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-C).

A. Approve, modify and/or reject, April 25, 2023 Board meeting minutes.

Mr. Sayles moved and Ms. Hobik seconded to approve regular session, First Executive Session and Second Executive Session meeting minutes; motion carried 10-0.

B. Approve, modify and/or reject, First Executive Session April 25, 2023 Executive Session meeting

minutes.

See 4(A).

- C. Approve, modify and/or reject, Second Executive Session April 25, 2023 Executive Session meeting minutes.

See 4(A).

5. CONSENT AGENDA

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

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

A. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

1. Cancel Registrations and Certifications that have been Expired for one Full Renewal Period
2. Grant Applications for Registration/Certification
 - a) Professional Exam unknown
 - 1) Petrucci, Matthew – Application for Registration as a Civil Engineer #238025
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Ali, Hashem – Application for Registration as an Electrical Engineer #237841
 - 2) Baker, Denise – Application for Registration as a Civil Engineer #226335
 - 3) Ramirez Hercules, Juan – Application for Registration as a Civil Engineer #237707
 - 4) Stahl, Roshelle – Application for Registration as an Architect #237594
 - 5) Allin, Leigh – Application for Registration as a Mechanical Engineer #237049
 - 6) Gilson, Bradley – Application for Registration as a Civil Engineer #237835
 - 7) Grasso, Kyla – Application for Registration as a Geologist #237532
 - 8) Tappan, Jacqueline – Application for Registration as a Geologist #238231
 - 9) Chen, Shuo – Application for Registration as a Mechanical Engineer #237565
 - c) Council Records – experience under non-Professionals
 - 1) Chavez, Jeremy – Application for Registration as a Mechanical Engineer #237992
 - 2) D'Angelo, Curtis – Application for Registration as a Civil Engineer #237773
 - 3) Willis, Haley – Application for Registration as an Environmental Engineer #238045
 - 4) Kennedy, Steven – Application for Registration as a Civil Engineer #238065
 - 5) Hartman, Joseph – Application for Registration as a Civil Engineer #237981
 - 6) Qudah, Motaz – Application for Registration as a Mechanical Engineer #238149
 - 7) Thompson, John – Application for Registration as a Mechanical Engineer #238197
 - 8) Pinaya, Enrique – Application for Registration as a Civil Engineer #238047
 - 9) Moneke, Chinedu – Application for Registration as a Mechanical Engineer #238228
 - 10) Antonelli, John – Application for Registration as a Mechanical Engineer #238220
 - 11) Cecinini, Jordan – Application for Registration as a Civil Engineer #238202
 - 12) Reed, Brandon – Application for Registration as a Landscape Architect #238187
 - d) Background Review
 - 1) Ball, Dakota – Application for Registration as a Civil Engineer #238084
 - 2) Lucas, Clayton – Application for Registration as an Electrical Engineer #237829

- 3) Schaffer, Kevin – Application for Registration as an Architect #237596
- 4) McCabe, Timothy – Application for Registration as an Electrical Engineer #238239
- 5) Alley, Trevor – Application for Registration as an Electrical Engineer #238250
- e) Disciplinary Action Review
 - 1) Stark, Nathan Daniel – Application for Registration as a Civil Engineer #238101
- f) Multiple Considerations
 - 1) Hammond, Andrew – Application for Registration as a Civil Engineer #237485
 - i. Background Review
 - ii. Disciplinary Action
 - 2) Sutryn, Gary – Application for Registration as a Civil Engineer #237942
 - i. Disciplinary Action
 - ii. Council Record – experience under non-Professionals
 - 3) Houdeshell, Matthew – Application for Registration as a Civil Engineer #238160
 - i. Disciplinary Action
 - ii. Background Review
 - 4) Harpole, James – Application for Registration as a Land Surveyor #237341
 - i. Background Review
 - ii. Certificate(s) of Experience from non-Professionals
- 3. Grant Universal Applications for Professional Registration/Certification
 - a) Pagano, Nicholas – Application for Registration as a Civil Engineer #237241
 - b) Pierce, Andre – Application for Registration as an Architect #237885
 - c) Stephenson, Lonnie – Application for Registration as an Architect #237947
 - d) Burkhart, Drew – Application for Registration as a Chemical Engineer #238115
 - e) DeLozier, William – Application for Certification as a Home Inspector #238039
- 4. Grant Renewal Registration Application(s)
 - a) Background Review
 - Nothing to consider*
 - b) Disciplinary Action Review
 - 1) Gruver, John – Renewal Application for Land Surveyor Registration #27240
 - 2) Webb, Celia – Renewal Application for Home Inspector Certification #71570
- 5. Approve Application(s) for Exam Waivers
 - a) Application to waive Fundamental Exam
 - 1) Razmara, Hassan – Application to waive FE exam #237735
 - 2) Kachura, Christopher – Application to waive FE exam #238031
 - 3) Khedr, Samir – Application to waive FE exam #237868
 - b) Application to waive Professional Exam
 - 1) Kilbert, Daniel – Application to waive SE II exam #238193
 - 2) Nardini, Peter – Application to waive PE Civil exam #226622
 - 3) Ashbaugh, John – Application to waive SE II exam #237820
 - c) Multiple Considerations
 - 1) Taylor, Gilbert – Application to waive PE Civil exam #238049
 - i. Council Records – experience under non-Professionals
 - ii. Exam waiver
 - 2) Gajjar, Laxit – Application to waive FE exam #237880
 - i. Certificate(s) of Experience from non-Professionals
 - ii. Exam waiver
 - 3) Gleason, Michael – Application to waive PE Electrical exam #238008

- i. Certificate(s) of Experience from non-Professionals
- ii. Exam waiver

- 6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Vega, Roman – Application for PS exam authorization #238109
 - 2) Abraham, Shajan – Application for PE Electrical exam authorization #237231
 - 3) Minchk, Laura – Application for AZ SSE exam authorization #237717
 - 4) Kelkar, Varun – Application for PE Environmental exam authorization #237867
 - b) Council Records – experience under non-Professionals
Nothing to consider
- 7. Approve Application(s) for In-Training Designation
 - a) Background Review
 - 1) Ward, Jedidiah – Application for Engineer-in-Training Designation #238277
- 8. Approve Extension Requests
 - a) DeFever, Daniel – Application for Registration as a Civil Engineer #225655
 - b) Di Fiore, Frank – Application for Registration as a Civil Engineer #237413

Mr. Sayles moved and Mr. Kolejka seconded to approve all items under agenda item 5(A); motion carried 10-0.

6. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

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

- A. Acceptance of Proof of Net Assets to Fulfill Financial Assurance Requirements.
 - 1. Chris Cantella, Registered Home Inspector, #73680

Registered home inspector, Chris Cantella, appeared before the Board. The Board discussed Mr. Cantella's submitted proof of net assets and requested staff schedule this agenda item again for a later meeting date.

- B. Criminal Convictions and/or Charges review pursuant to A.R.S. 41-1093.04
 - 1. Foster, Bryon

Bryon Foster appeared before the Board. Mr. Sayles moved and Mr. Kolejka seconded that Mr. Foster's criminal convictions and/or charges does not disqualify him from obtaining licensure as a registrant under the authority of the Board in the State of Arizona; motion carried 10-0.

7. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

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 7.

A. Consideration of a Signed Consent Agreement in lieu of a Formal Hearing:

1. P22-058, Danny Quihuis, R.A.#29565

Respondent and Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Dr. Campbell seconded to approve the proposed Consent Agreement and vacate the scheduled hearing; motion carried 10-0.

B. Board to review and accept, modify, or reject decision of Administrative Law Judge:

1. P23-038, Theodore Saquilayan, P.E. (Mechanical) #62725 (*delinquent*) and Saquilayan Consulting Engineering, Non-Registrant Firm

AAG Deanie Reh, Independent Advisor, AAG Diane DeDea and Investigator Kaitlyn Crawford appeared before the Board.

Mr. Sayles moved and Mr. Kolejka seconded to adopt the findings of fact from the Administrative Law Judge; motion carried 10-0.

Mr. Sayles moved and Ms. Klett seconded to adopt the conclusions of law from the Administrative Law Judge; motion carried 10-0.

Mr. Kolejka moved and Mr. Sayles seconded to accept the Administrative Law Judge's Order with modifications to paragraph four regarding cost of investigation, penalties and attorney fees; motion carried 10-0.

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. HI23-035, Celia Webb, C.H.I #71570 and Always Faithful Home Inspection, #20330

Respondent appeared before the Board.

Mr. Sayles moved and Dr. Campbell seconded to dismiss cases #HI23-035 and #HI23-036; motion carried 9-0.

2. HI23-036, Alistair "JJ" Vannier, C.H.I. #64376

See 7(A)(1).

3. P23-017, Kevin Howard, R.A. #26556

Respondent, Alleger, Bradford Fisk and Investigator Kaitlyn Crawford appeared before the Board.

Mr. Kolejka moved and Mr. Sayles seconded to dismiss case #P23-017; motion carried 10-0.

4. P23-005, Bruce Ironside, P.E. (Civil) #31120 and R.L.S. #69497

Alleger, Howard Standage and Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Ms. Klett seconded to dismiss case #P23-055; motion carried 9-0.

5. P23-006, John Murphy, P.E. (Civil) #13786 and R.L.S. #13005

Respondent, Respondent's Counsel Greg Schalla, Alleger, Howard Standage and Investigator Daniel Carthel appeared before the Board.

Ms. Klett moved and Dr. Campbell seconded to dismiss case #P23-006; motion carried 9-0. Mr. Gilmore recused himself from the vote.

6. P23-075, Marc Fleetwood, P.E. (Civil) #30500 (*Related Cases:P23-076, P23-077, P23-087*)

See 8(A)(9).

7. P23-076, Marc Fleetwood, P.E. (Civil) #30500 (*Related Cases:P23-075, P23-077, P23-087*)

See 8(A)(9).

8. P23-077, Marc Fleetwood, P.E. (Civil) #30500 (*Related Cases:P23-075, P23-076, P23-087*)

See 8(A)(9).

9. P23-087, Marc Fleetwood, P.E. (Civil) #30500 (*Related Cases:P23-075, P23-076, P23-077*)

Respondent, Attorney for the Arizona Department of Environmental Quality, Karen Tyler, Allegers, Dean Ulmer, Mary Kennedy, Derryl McBroom, K-K Miyagawa and Investigator Gregory Roehm appeared before the Board. The Board discussed the investigation.

Mr. Gilmore moved and Mr. Sayles seconded to enter executive session to receive legal advice; motion carried 9-0.

The Board entered Executive Session at 11:43 am and returned to open session at 11:58 am.

Mr. Sayles moved and Ms. Klett seconded to dismiss cases #P23-075, #P23-076, #P23-077 and #P23-087; motion carried 9-0.

10. AL23-014, Beerjas Bath A.A. #71097 and Fluent Home, LLC #20956

Respondent and investigator Brandon Eaden appeared before the Board.

Mr. Sayles moved and Ms. Klett seconded to dismiss case #AL23-014; motion carried 9-0.

B. Complaints Proposed for Administrative Closure:

1. P22-070, Scott Lang, R.A. #13037 and SKLA Architects, Non-Registrant Firm

Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Ms. Klett seconded to administratively close case #P22-070; motion carried 9-

0.

C. Complaints Proposed for Resolution with Letter of Concern:

1. P23-042, Brian Wahlin, P.E. (Civil) #41980

Respondent and Investigator Daniel Carthel appeared before the Board.

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

D. Complaints Proposed for Resolution with Signed Consent Agreements:

1. HI23-031, Joseph Eriquez, C.H.I. #75411

Respondent and Investigator Gregory Roehm appeared before the Board.

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

2. P23-044, Juan Reyes, P.E. (Civil) #52934

Respondent, Respondent's Counsel Jordan Greenman and Investigator Gregory Roehm appeared before the Board. The Board discussed the investigation.

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

Mr. Sayles moved and Ms. Klett seconded to direct staff to open an investigation against Carlos Padilla relating to case #P23-044; motion carried 9-0.

3. P23-035, Gerard Gomez, Non-Registrant and Geosurvices, LLC, Non-Registrant Firm (*Related Case: P23-036*)

Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Ms. Bohall seconded to accept Respondent's signed Consent Agreement; motion carried 8-0.

E. Complaints Proposed to Offer Consent Agreement:

1. P23-036, Ramakrishn Inti, R.L.S. #17286 (*Related Case: P23-035*)

Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Mr. Nesgood seconded to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion carried 8-0.

2. P23-007, Carlos Dominguez, Non-Registrant and A&E Design Group, LLC, Non-Registrant Firm

Investigator Kaitlyn Crawford appeared before the Board.

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

3. P23-018, Jerry Wier, R.L.S. #32237

Respondent, Respondent's father, Mike Wier, Witness, Kari Aslamy, EAC Member Michael Fondren and Investigator Brandon Eaden appeared before the Board. The Board discussed the investigation.

Ms. Klett moved and Mr. Sayles seconded to dismiss case #P23-018; motion carried 9-0.

F. Complaints to Forward to Formal Hearing:

1. HI23-004, Curtis Kloc, C.H.I. #72347 and Inspections over Coffee, #22936

Investigator Brandon Eaden appeared before the Board.

Mr. Sayles moved and Mr. Nesgood seconded to move this matter to formal hearing; motion carried 8-0.

9. CONSIDERATION OF MOTION TO REVIEW

Review, discuss and take possible action on the following:

A. Bundy, David, CHI #77886 (revoked)

Certified Home Inspector, David Bundy appeared before the Board.

Mr. Nesgood moved and Mr. Sayles seconded to deny the request for reconsideration; motion carried 8-0.

10. 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 10(A). 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 10(A).

A) Arizona Supreme Court Docket No. CV-21-0203-PR, 1 CA-CV 20-0510 & CV 2019-013509 – Mills v. Arizona State Board of Technical Registration

AAG Scott Donald reported that there wasn't anything new to report.

11. 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

The Board adjourned. Nothing discussed or reported.

12. BOARD CHAIR'S REPORT

The Board adjourned. Nothing discussed or reported.

13. ASSISTANT ATTORNEY GENERAL'S REPORT

The Board adjourned. Nothing discussed or reported.

14. STANDING COMMITTEE REPORTS

- A. Legislation and Rules Committee – no new meeting date
- B. Home Inspector Rules and Standards Committee –June 6, 2023

The Board adjourned. Nothing discussed or reported.

15. 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)

The Board adjourned. Nothing discussed or reported.

16. FUTURE BOARD MEETINGS – June 27, 2023

17. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

The Board adjourned. Nothing discussed or reported.

18. MEETING ADJOURNMENT

GOOGLE COMMENTS MADE DURING OPEN SESSION

10:01 AM

Michael Kolejka: Mr. Chair and members of the Board, as I had indicated to Ms. Stapley and board staff, I need to drop off the meeting at this time. I appreciate movie a few architect-related items up on the agenda so I could participate in those items. Thanks, Mike Kolejka

10:48 AM

Kent Wilson: Sorry! Internet down.

11:00 AM

Karen Tyler: Karen Tyler, for ADEQ in the meeting

11:58 AM

Kim Vogelman: Can anyone tell me if case #P23-044 is on the agenda for today?

11:58 AM

Kurt Winter: it is

11:59 AM

Kim Vogelman: OK, thank you.

11:59 AM

Celia Webb: If is not too much to ask, may I request to be the next case? I have an appointment at 2 pm.'

12:44 PM

Beerjas Bath: Same if I can also request to be the next case. I have somewhere to be as well.


12:44 PM

Kurt Winter: I will ask the chairman after this matter.

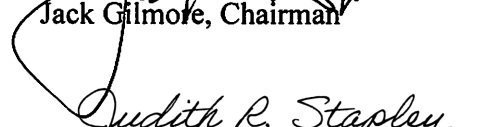
1:59 PM

Jennifer Hobik: I need to step away for a few minutes.

Signed this 27 day of June, 2023



Jack Gilmore, Chairman



Judith R. Stapley
Judith Stapley, Executive Director