



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, June 27, 2023 –9:00am

1. **CALL TO ORDER** – The meeting convened at 9:00 am and adjourned at 10:29 am.
2. **ROLL CALL**

PRESENT

Jack Gilmore
Scott Sayles
Hayley Bohall
William “Bill” Nesgood

VIRTUAL

Dr. Clinton Campbell
Jennifer Hobik, Esq.
Michael Kolejka
Kileen Lindgren-left at 9:58 am
Dana Klett
Stacey Skankey, Esq.
Lucas “Kent” Wilson

3. **CALL TO THE PUBLIC**

No one appeared before the Board.

4. **ADOPTION OF MINUTES**

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

- A. Approve, modify and/or reject, May 23, 2023 Board meeting minutes.

Mr. Kolejka moved and Mr. Wilson seconded to approve the regular session and executive session minutes as written; motion carried 11-0.

- B. Approve, modify and/or reject, May 23, 2023 Executive Session meeting minutes.

See 4(B).

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) White, Benjamin – Application for Registration as a Civil Engineer #238460
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Revillard Hernandez, Ronny – Application for Registration as a Civil Engineer #238388
 - 2) Schroeder, Lee – Application for Registration as a Land Surveyor #238123
 - c) Council Records – experience under non-Professionals
 - 1) Piper, Lucas – Application for Registration as a Landscape Architect #238315
 - 2) Taylor, Gilbert – Application for Registration as a Civil Engineer #237915
 - 3) Alaliwi, Alaa – Application for Registration as an Electrical Engineer #238256
 - 4) Edwards, Brian – Application for Registration as an Environmental Engineer #238240
 - 5) Ewing Jr., Mark – Application for Registration as an Electrical Engineer #238381
 - 6) Ochrym, Alexander – Application for Registration as a Civil Engineer #237967
 - 7) Layne, Todd – Application for Registration as a Mechanical Engineer #238467
 - 8) Valdez, Christopher – Application for Registration as a Mechanical Engineer #238518
 - 9) Yeager, William – Application for Registration as an Electrical Engineer #238513
 - 10) Levanen, Jason - Application for Registration as a Land Surveyor #238612
 - 11) Carson, Harry - Application for Registration as an Electrical Engineer #238619
 - 12) Breuer, Joel - Application for Registration as a Civil Engineer #238584
 - d) Background Review
 - 1) Eyre, James – Application for Registration as a Mechanical Engineer #237283
 - 2) Foster, Byron – Application for Registration as a Civil Engineer #238421
 - 3) Hammond, Robert – Application for Registration as a Civil Engineer #238219
 - 4) Kilbert, Daniel – Application for Registration as a Structural Engineer #237107
 - 5) Lee, David – Application for Registration as a Structural Engineer #237901
 - 6) Lehner, Thomas – Application for Registration as a Mechanical Engineer #238379
 - 7) Luckey, Daniel – Application for Certification as a Home Inspector #237588
 - 8) Ward, Brian – Application for Registration as a Civil Engineer #238528
 - 9) Lehrmann, Patrick – Application for Registration as a Geologist #238163
 - 10) Lohens, Matthew - Application for Registration as an Electrical Engineer #238303
 - 11) Favela Jr., Joseph - Application for Certification as a Home Inspector #237890
 - e) Disciplinary Action Review
Nothing to consider
3. Grant Universal Applications for Professional Registration/Certification
 - a) Kasper, Michael – Application for Certification as a Home Inspector #238330
 - b) Markkassery, Abhilash – Application for Registration as a Mechanical Engineer #238466
 - c) Bundy, David - Application for Certification as a Home Inspector #238574

4. Grant Renewal Registration Application(s)
 - a) Background Review
Nothing to consider
 - b) Disciplinary Action
 - 1) Renteria, Mark – Renewal Application for Home Inspector Certification #71367
 - 2) Thomason, John – Renewal Application for Electrical Engineer Registration #47121
 - 3) Austin, Bretton – Renewal Application for Home Inspector Certification #60784

5. Approve Application(s) for Exam Waivers
 - a) Application to waive Fundamental Exam
 - 1) Sorensen, Ronald – Application to waive FG exam #238020
 - 2) Shapiro, Seth – Application to waive FE exam #238184
 - b) Application to waive Professional Exam
 - 1) Kromke, Matthew – Application to waive 16-hour SE exam #238111
 - 2) Lupo, Robert – Application to waive the PE Structural II exam #238391

6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
Nothing to consider
 - b) Council Records – experience under non-Professionals
Nothing to consider

7. Approve Application(s) for In-Training Designation
 - a) Background Review
 - 1) Rubio, Alex – Application for Engineer-in-Training Designation #238191
 - 2) Smith, Jesse – Application for Engineer-in-Training Designation #237775

8. Approve Extension Requests
Nothing to consider

Mr. Wilson moved and Mr. Sayles seconded to approve all items under agenda item 5(A); motion carried 11-0.

6. 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 6(A).

- A. Consideration of a Signed Consent Agreement in lieu of a Formal Hearing:
 1. AL22-006, Jose Ortega-Lopez, A.A. #56578 (expired) and Trinity Systems, LLC, Non-Registrant Firm

Independent Advisor AAG Diane DeDea appeared before the Board. AAG Scott Donald appeared before the Board.

Mr. Sayles moved and Mr. Kolejka seconded to accept Respondent's signed Consent Agreement and vacate the scheduled hearing; motion carried 11-0.

2. HI22-020, Phillip Hiller, C.H.I #61017

Independent Advisor AAG Diane DeDea appeared before the Board. AAG Scott Donald appeared before the Board.

Mr. Kolejka moved and Mr. Nesgood seconded to accept Respondent's signed Consent Agreement and vacate the scheduled hearing; motion carried 11-0.

7. 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 7(A-E).

A. Complaints Proposed for Resolution by Dismissal:

1. P23-074, David Putt, R.L.S. #13019

Respondent, Respondent's counsel, Jeff Neff, and Investigator Daniel Carthel appeared before the Board.

Mr. Kolejka moved and Ms. Lindgren seconded to dismiss case #P23-074; motion carried 11-0.

2. P23-025, Alexander Kory, P.E. (Civil) #10219

Mr. Kolejka moved and Mr. Sayles seconded to dismiss case #P23-025; motion carried 10-0.

3. P23-001, Paul Cote, R.L.S. #50761

Respondent, Respondent's counsel, Jeff Neff, and Investigator Kaitlyn Crawford appeared before the Board.

Ms. Lindgren moved and Mr. Sayles seconded to dismiss case #P23-001; motion carried 11-0.

4. P23-065, Kate Merolo, Non-Registrant

Respondent, Respondent's counsel, Flynn Carey, and Investigator Kaitlyn Crawford appeared before the Board.

Mr. Sayles moved and Mr. Kolejka seconded to dismiss case #P23-065; motion carried 11-0.

B. Complaints Proposed for Resolution with Letter of Concern:

1. HI23-016, Lawrence Benham, C.H.I. #58733

Alleger, Nathan Zimmerman, and Investigator Daniel Carthel appeared before the Board. The Board discussed the investigation.

Mr. Sayles moved and Mr. Nesgood seconded to issue Respondent a Letter of Concern; motion carried 8-3. Dr. Campbell, Ms. Lindgren and Mr. Wilson voted nay.

C. Complaints Proposed for Resolution with Signed Consent Agreements:

1. P22-083, Franklin Bingham, P.E. (Structural) #20986

Alleger, James Collins, and Investigator Kaitlyn Crawford appeared before the Board.

Mr. Sayles moved and Mr. Kolejka seconded to accept Respondent's signed Consent Agreement; motion carried 11-0.

2. P23-099, Nathan Pies, P.E. (Mechanical) #49142 and Teoca Design Solutions #22687

Investigator Daniel Carthel appeared before the Board.

Mr. Sayles moved and Mr. Kolejka seconded to accept Respondent's signed Consent Agreement; motion carried 10-0.

D. Complaints Proposed to Offer Consent Agreement:

1. P23-085, Jesus Hernandez, Non-Registrant

Respondent, Alleger, Abigail Ross, and Investigator Daniel Carthel appeared before the Board. The Board discussed the investigation.

Mr. Wilson moved and Mr. Sayles seconded to offer Respondent the proposed Consent Agreement, and if not signed within 30 days, proceed to a formal hearing; motion carried 11-0.

Ms. Klett moved and Mr. Sayles seconded to direct staff to open an investigation into registered Land Surveyor, James Brucci, #29865; motion carried 10-1. Ms. Lindgren voted nay.

E. Review and Consideration for EAC Membership:

1. Ignazio Macaluso, Public Member

Mr. Kolejka moved and Mr. Wilson seconded to accept EAC membership for Ignazio Macaluso; motion carried 10-0.

8. 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 8(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 8(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 oral arguments have taken place and that an opinion is scheduled to be issued by the Court in August.

9. 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

Mr. Winter reported on the Board's licensing and enforcement numbers.

10. BOARD CHAIR'S REPORT – Nothing discussed

11. ASSISTANT ATTORNEY GENERAL'S REPORT – Board member best practices training

AAG Scott Donald reported on best practices for Board members regarding Board-related material and confidentiality.

12. STANDING COMMITTEE REPORTS

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

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

- A. National Association of State Boards of Geology (ASBOG) – Nothing discussed
- B. Council of Landscape Architectural Registration Boards (CLARB)

Mr. Gilmore reported on CLARB's recent webinar conference that he attended.

- C. National Council of Architectural Registration Boards (NCARB)

Mr. Kolejka reported on NCARB's Annual Business Meeting that he, Ms. Stapley, and Ms. Pham attended in Tampa.

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

Mr. Sayles reported on NCEES's upcoming annual meeting that will take place in August.

14. FUTURE BOARD MEETINGS – July 25, 2023

15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.

Nothing discussed.

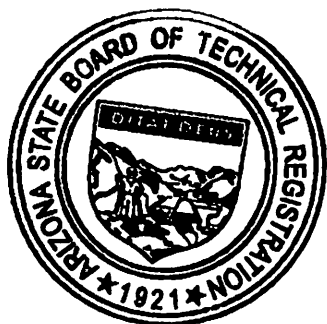
16. MEETING ADJOURNMENT – 10:29 am

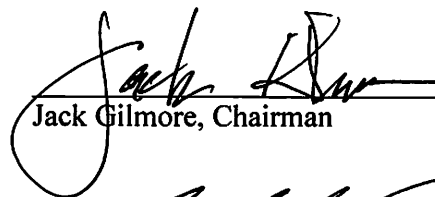
GOOGLE MEETING COMMENTS MADE DURING OPEN SESSION

9:53 AM

Dana Klett: Apologies I had lost connection.

Signed this 29 day of July, 2023





Jack Gilmore, Chairman



Judith Stapley, Executive Director