

*State of Alaska*

**Board of Registration  
for Architects,  
Engineers and Land  
Surveyors**

*February 1-2, 2018*

*Board Packet - Public Version*

**KPB Architects  
500 L. Street, Suite 400  
Anchorage, AK**



***State of Alaska***  
***Board of Registration for Architects,  
Engineers and Land Surveyors***

# **MISSION STATEMENT**

**The board adopts regulations to carry out its mission to protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:**

- ensuring that those entering these practices meet minimum standards of competency, and maintain such standards during their practice;**
- requiring licensure to practice in the State of Alaska; and**
- enforcing both the licensure and competency requirements in a fair and uniform manner**



Bill Walker  
OFFICE OF THE GOVERNOR

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## ROSTER

### State Board of Registration for Architects, Engineers, and Land Surveyors

NAME	APPOINTED	REAPPOINTED	EXPIRES
<b>Fritz, Catherine</b> (Juneau) Architect	03/01/2016		03/01/2020
<b>Hale, Dave</b> (Anchorage) Land Surveyor	03/01/2012	03/01/2016	03/01/2020
<b>Hanson, Brian</b> (Anchorage) Civil Engineer	03/01/2010	03/01/2014	03/01/2018
<b>Johnston, Elizabeth</b> (Fairbanks) Electrical/Mechanical Engineer	03/01/2017		03/01/2021
<b>Jones, Richard</b> (Juneau) Public	10/26/2016		03/01/2018
<b>Kerr, John</b> (Anchorage) Land Surveyor	03/01/2013	03/01/2017	03/01/2021
<b>Koonce, Jeffrey</b> (Anchorage) Architect	03/01/2013	03/01/2017	03/01/2021
<b>Maynard, Colin</b> (Anchorage) Civil Engineer	03/01/2012	03/01/2016	03/01/2020
<b>Mott, William</b> (Anchorage) Engineer Other Than Those Listed	05/26/2017		03/01/2020
<b>Urfer, Luanne</b> (Eagle River) Landscape Architect	07/01/2013	07/07/2017	03/01/2021
<b>Wallis, Fred</b> (Healy) Mining Engineer	03/01/2016		03/01/2020

**STATE OF ALASKA**  
**DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**  
**BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS AND**  
**LAND SURVEYORS**

**KPB Architects**  
500 L St., Suite 400, Anchorage, AK  
**February 1-2, 2018**

**Conference call number: 1-800-315-6338 access code 51676**

**Thursday, February 1, 2018**

<b><u>TIME</u></b>	<b><u>TOPIC</u></b>	<b><u>LEAD PERSON</u></b>
1. 9:00 a.m.	Call to Order/Roll Call	Chair/Exec. Admin.
2. 9:05 a.m.	Review/Amend Agenda	Chair/Board
3. 9:07 a.m.	Ethics Reporting	Chair/Board
4. 9:10 a.m.	Review/Approve Minutes Regular Meeting November 8-9, 2017	Chair/Board
5. 9:15 a.m.	Investigative Report	John Savage
6. 9:35 a.m.	Financial Report	Sara Chambers
7. 10:00 a.m.	<b>National Organization Correspondence &amp; Meeting Reports</b> A. CLARB 1. How You Can Impact the Future of Licensure & CLARB Leadership 2. Choosing Future Leaders Webcast 3. Webcast: Joint CLARB/ASLA Web Summit 3. CLARB Licensure Risk Survey  B. NCARB 1. NCARB Update October 2017 2. NCARB Update November 2017 3. Explore the NCARB 2017 Annual Report 4. NCARB Update December 2017 5. NCARB Centennial History 6. NCARB Community – Following Stream Updates 7. FY19 Call for NCARB Committee Volunteers 8. Media Release: Six Month Countdown to ARE 4.0's Retirement 9. Member Board Engagement Preceding January Board Meeting  C. NCEES 1. Board of Directors Summary Report 2. Surveying Exam Module Task Force 3. Emeritus and Associate Nomination Form 4. South Dakota Legislation	Chair/Board



- a. Wall Street Journal
- b. Washington Examiner Article
- 3. Mutual Recognition Agreement Questionnaire

D. Outreach Reports

- 1. UAA Outreach (*following November meeting*)

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|-----|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 8.  | 10:15 a.m. | <b>Correspondence Sent</b><br>1. Response Letters RE: Deadline extension for SE application under 12 AAC 36.108<br>2. Response Letters RE: Playgrounds and Landscape Architects<br>3. Response Letter to Jesse Engineering Co. | Chair/Board        |
| 9.  | 10:25 a.m. | <b>Correspondence Received</b><br>A. Relationship between responsible charge designee and company<br>B. Clarification request re: who is authorized to stamp for a company                                                     | Chair/Board        |
| 10. | 10:50 a.m. | <b>Break</b>                                                                                                                                                                                                                   |                    |
| 11. | 11:00 a.m. | <b>OAH Training w/ Judge Kathleen Frederick</b>                                                                                                                                                                                | Chair/Board        |
| 12. | 12:00 p.m. | <b>Lunch</b>                                                                                                                                                                                                                   |                    |
| 13. | 1:05 p.m.  | <b>Reconvene meeting/Roll Call</b>                                                                                                                                                                                             | Chair/Exec. Admin. |
| 14. | 1:08 p.m.  | <b>Walkthrough of Instructions for Reviewing Applications</b>                                                                                                                                                                  | A. Jones/Noe       |
| 15. | 1:30 p.m.  | <b>Public Comment</b>                                                                                                                                                                                                          | Chair/Board        |
| 16. | 2:30 p.m.  | <b>Application Review</b>                                                                                                                                                                                                      | Chair/Board        |
| 17. | 5:00 p.m.  | <b>Recess for the day</b>                                                                                                                                                                                                      | Chair/Board        |

**Friday, February 2, 2018**

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|---------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-------------------------------------------|--------------------------------|---------------------------------------|-------------|
| 18.                             | 8:15 a.m.                                 | Reconvene meeting/Roll Call                                                                                                                                                                                                                                                                                                            | Chair/Exec. Admin                                  |                                           |                                |                                       |             |
| 19.                             | 8:20 a.m.                                 | Application Review continued                                                                                                                                                                                                                                                                                                           | Chair/Board                                        |                                           |                                |                                       |             |
| 20.                             | 10:20 a.m.                                | Break                                                                                                                                                                                                                                                                                                                                  |                                                    |                                           |                                |                                       |             |
| 21.                             | 10:30 a.m.                                | Discussion: Alaska Initiative for Interior Design Registration                                                                                                                                                                                                                                                                         | K. Davidson/B. Cash/<br>M. Knopf/ D. Nunn          |                                           |                                |                                       |             |
| 22.                             | 11:15 a.m.                                | Discussion: DOT Standard Drawings – Sealing Requirements                                                                                                                                                                                                                                                                               | K. Fisher/ M. Neidhold                             |                                           |                                |                                       |             |
| 23.                             | 12:00 p.m.                                | Lunch                                                                                                                                                                                                                                                                                                                                  |                                                    |                                           |                                |                                       |             |
| 24.                             | 1:05 p.m.                                 | Reconvene meeting/Roll Call                                                                                                                                                                                                                                                                                                            | Chair/Board                                        |                                           |                                |                                       |             |
| 25.                             | 1:07 p.m.                                 | Executive Session                                                                                                                                                                                                                                                                                                                      | Chair/Board                                        |                                           |                                |                                       |             |
| 26.                             | 1:30 p.m.                                 | <b>Old Business</b><br>A. Review November 2017 To Do List<br>B. Regulation Project Updates<br>1. Updates to 12 AAC 36.061, .103 & .110<br>2. Updates to 12 AAC 36.105<br>3. Updates tp12 AAC 36.185(c)<br>C. Update on Guidance Manual                                                                                                 | Fritz/Jones<br>Maynard/ Hanson<br>Maynard<br>Urfer |                                           |                                |                                       |             |
| 27.                             | 2:10 p.m.                                 | <b>New Business</b><br>A. Regulatory Outreach<br>B. Discussion of 08.48.241(3)<br>C.                                                                                                                                                                                                                                                   | Mott<br>A. Jones                                   |                                           |                                |                                       |             |
| 28.                             | 2:50 p.m.                                 | <b>Committee Updates</b><br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><b>Licensure Implementation</b></td> <td>Chair - Koonce<br/>Members- Jones, Maynard</td> </tr> <tr> <td><b>Land Surveying Outreach</b></td> <td>Chair – Hale<br/>Members – Urfer, Kerr</td> </tr> </table> | <b>Licensure Implementation</b>                    | Chair - Koonce<br>Members- Jones, Maynard | <b>Land Surveying Outreach</b> | Chair – Hale<br>Members – Urfer, Kerr | Chair/Board |
| <b>Licensure Implementation</b> | Chair - Koonce<br>Members- Jones, Maynard |                                                                                                                                                                                                                                                                                                                                        |                                                    |                                           |                                |                                       |             |
| <b>Land Surveying Outreach</b>  | Chair – Hale<br>Members – Urfer, Kerr     |                                                                                                                                                                                                                                                                                                                                        |                                                    |                                           |                                |                                       |             |

**Standing Committees**

<b>Investigative Advisory Committee (rotational 2-member teams)</b>	All Members
<b>Licensure Mobility</b>	Chair- Koonce Members – Wallis, Urfer
<b>Guidance Manual</b>	Chair – Urfer Members – Full Board
<b>Legislative Liaison</b>	Chair – Maynard Members – Fritz, Urfer
<b>Emeritus Status</b>	Chair - Maynard Members - Full Board
<b>Budget Committee</b>	Chair - Koonce Members – Kerr, Hanson
<b>Continuing Education*</b>	Chair – R.V. Jones Members -

- |     |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                    |
|-----|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 28. | 3:00 p.m. | <b>Licensing Examiner Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Licensing Examiner |
| 29. | 3:05 p.m. | <b>Read Applications into Record</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Licensing Examiner |
| 30. | 3:15 p.m. | <b>Review Calendar of Events/ Board Travel</b><br>A. Board Meeting Dates: <ul style="list-style-type: none"><li>• May 3-4, 2018 TBD</li><li>• August 2-3, 2018 Anchorage</li><li>• November 1-2, 2018 Anchorage</li><li>• AELS Board Meet &amp; Greet TBD</li></ul><br>B. National Organization Meetings <ul style="list-style-type: none"><li>1. NCARB/CLARB New Member Orientation, February 8-10, Washington, D.C.</li><li>2. NCARB Regional Summit, March 8-10, Wichita</li><li>3. NCEES Western Zone April 5-7, Honolulu</li><li>4. NCARB Annual Meeting, June 28-30, Detroit</li><li>5. NCEES Annual Meeting, August 15-17, Scottsdale</li><li>6. CLARB Annual Meeting, September 27-29, Toronto</li></ul> | Chair/Board        |
| 31. | 3:30 p.m. | <b>Board Tasks - To Do List</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chair/Board        |
| 32. | 3:40 p.m. | <b>Board Member Comments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chair/Board        |
| 33. | 3:50 p.m. | <b>Administrative Business</b> <ul style="list-style-type: none"><li>• Sign Wall Certificates</li><li>• Sign Minutes</li><li>• Travel receipts - Email to <a href="mailto:alysia.jones@alaska.gov">alysia.jones@alaska.gov</a> within <b>5 days</b></li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chair/Board        |
| 34. | 4:00 p.m. | <b>Meeting Adjourns</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chair/Board        |



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# Ethics Reporting

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### III. Executive Branch Ethics

Service on a state board or commission is a public trust and members are expected to conduct the public's business in a way that preserves the integrity of the governmental process and avoids conflicts of interest. The Ethics Act (AS 39.52) doesn't forbid public officers from having opinions, interests, or professional pursuits outside of their service on boards or commissions, but it does require that members disclose certain matters, so that a determination can be made about whether they constitute a conflict of interest.

#### General Guidance

All board and commission members and staff should be familiar with the procedures outlined below. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government. Additional information is available from the Alaska Department of Law at <http://law.alaska.gov/doclibrary/ethics.html>. Much of the information in this section of the manual is taken directly from this site.

#### Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they or an immediate family member have a personal or financial interest;
- coerce subordinates for his/her personal or financial benefit, or
- attempt to influence the outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business partner. Instead of publicly disclosing the matter and requesting recusal, Terry engaged in discussions about the proposal, and voted on the proposal.



Jack serves on a board that regulates parts of the building construction industry. Wearing a nametag that identifies him as a member of the industry board, Jack goes to a contractors' trade show and sets up a booth for his consulting business, called "Building a Future in Alaska."

#### Improper Gifts (AS 39.52.130)

A board or commission member may not solicit or accept a gift if it could reasonably be inferred that the gift is intended to influence the member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists

are presumed to be improper unless the giver is an immediate family member of the person receiving the gift.

A gift worth more than \$150 to a board or commission member or the member's family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board or commission.

The receipt of a gift worth less than \$150 may be prohibited if it could reasonably be inferred that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board or commission member will be advised as to the disposition of this gift.

A form for reporting gifts is available at [law.alaska.gov/doclibrary/ethics.html](http://law.alaska.gov/doclibrary/ethics.html) or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.

☹️ The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.

😊 Sam buys a holiday gift every year for Jody. Jody was recently appointed to a board, but Sam has no business that is up before the board.

#### **Improper Use or Disclosure of Information (AS 39.52.140)**

No former or current member of a board or commission may use or disclose any information acquired through official duties if that use or disclosure could result in a financial or personal benefit to the board member (or a family member), unless that information has already been disseminated to the public.

😊 Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.

😊 Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the State Medical Board, she discloses this role to the board and continues to advise the doctors in her clinic in her capacity as a private individual, not a board member.

#### **Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)**

A board member who can affect the award or administration of a State grant, contract, lease, or loan may not apply for, or have an interest in that State grant, contract, lease, or loan. This prohibition also applies to the board member's immediate family.

A board member (or a family member) may apply for or be a party to a *competitively solicited* State grant, contract or lease, if the board member does not serve in the same administrative unit awarding or administering the grant, contract, or lease *and* so long as the board member does not take official action in the award or administration of the grant, contract, or lease.

A board member (or a family member) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the award or administration of the loan.

Board members must report to the board chair any personal or financial interest (or that of a family member) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at [law.alaska.gov/doclibrary/ethics.html](http://law.alaska.gov/doclibrary/ethics.html) or from the board or commission staff.

☹ John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years but he figures that it doesn't matter when her grant application comes up before the board; he votes on the grant to his daughter, without disclosing the relationship to the board. (While voting for the grant looks worse than voting against the grant, the Ethics Act prohibits deliberating or voting on the issue regardless of what position the board member takes.)

☹ The board wants to contract out for an analysis of the board's decisions over the last ten years. Kim bids on the contract since she has been on the board for ten years and feels she could do a good job.

#### **Improper Representation (AS 39.52.160)**

A non-salaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refrains from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act. So, the member must disclose the fact of the member's involvement in the regulated matter, and abide by the board or commission's finding as to the existence of a conflict of interest.

#### **Restriction on Employment after Leaving State Service (AS 39.52.180)**

For two years after leaving a board, a former board member may not work on any matter on which the former member had personally and substantially participated while on the board. This prohibition applies to cases, proceedings, applications, contracts, and similar matters.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.

This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive this prohibition if a determination is made that the public interest is not jeopardized.

☹️ The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.

😊 Andy takes the job, but specifies that he will have to work on another project.

### **Aiding a Violation Prohibited (AS 39.52.190)**

Aiding another public officer to violate this chapter is prohibited.

### **Agency Policies (AS 39.52.920)**

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

### **Disclosure Procedures (AS 39.52.220-250)**

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

### **Who Is My Designated Ethics Supervisor (DES)?**

Every board or commission subject to the Ethics Act has several ethics supervisors designated by statute. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director. This does not apply to professional licensing boards and commissions, whose staff are employees for the Department, not the board.
- The Department of Commerce, Community, and Economic Development has assigned a Special Assistant to serve as DES for staff.
- The governor is the DES for a chair. The governor has delegated the DES responsibility to the Director of Administrative Services in the Office of Governor.

### **What Do I Have To Disclose?**

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The staff of a board or commission, as state employees, must also disclose:

- Compensated outside employment or services.



- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* Staff should refer to the guide, *Ethics Information for Public Employees."* Both guides and disclosure forms may be found on the Department of Law's ethics website: <http://law.alaska.gov/doclibrary/ethics.html>.

### **How Do I Avoid Violations of the Ethics Act?**

- Make timely disclosures
- Follow required procedures
- Provide all information necessary to a correct evaluation of the matter! You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.
- When in doubt, disclose and seek advice
- Follow the advice of your DES

### **What Are The Disclosure Procedures for Board and Commission Members?**

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

### **Procedure for declaring actual or potential conflicts**

Members must declare potential conflicts and other matters that may violate the Ethics Act on the public record and in writing to the chair. Public disclosure only takes the place of a written disclosure if the meeting is recorded, a tape or transcript of the meeting is preserved, and there is a method for identifying the declaration in the record. Boards and commissions that meet these requirements may note the exception below.

*Disclosure on the public record.* Members must identify actual and potential conflicts orally at the board or commission's public meeting in advance of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter. In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease, or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.
- If a member is uncertain whether participation would result in a violation of the Act,

the member should disclose the circumstances and seek a determination from the chair.

*Disclosure in writing at a public meeting.* In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved and there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

*Confidential disclosure in advance of public meeting.* Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict may submit a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.
- If the chair determines that the member would violate the Ethics Act by taking official action, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting. In this manner, a member's detailed personal and financial information may be protected from public disclosure.

*Determinations at the public meeting.* When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- Exception: A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting,

deliberating or participating in the matter. When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

*If the chair identifies a potential conflict that he or she has*, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor or to the Department of Law for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

### **Procedures for Other Member Disclosures**

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the Department of Law's ethics website:

[law.alaska.gov/doclibrary/ethics.html](http://law.alaska.gov/doclibrary/ethics.html).

*Other Disclosures.* The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination to the employee.

### **How Are Third Party Reports of Potential Violations or Complaints Handled?**

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in writing and under oath.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist. The DES provides a copy of the notice to the employee or board/commission member who is the subject of the notice and may seek input from the employee or board/commission member, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee or board/commission member and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General.

for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee or board/commission member of the personal or financial interests giving rise to the potential violation.

- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- These matters are confidential, unless the subject waives confidentiality or the matter results in a public accusation.

### **What Are The Procedures for Quarterly Reports?**

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law's Ethics Attorney and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

### **How Does A DES or Board or Commission Get Ethics Advice?**

A DES or board or commission may make a written request to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides advice by phone or e-mail to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

### **Complaints, Hearings, and Enforcement (AS 39.52.310-370, AS 32.52.410-460)**

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also

initiate complaints from information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal.

The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. An accusation may result in a hearing.

When the Personnel Board determines a board member has violated the Ethics Act, the member must refrain from voting, deliberating, or participating in the matter. The Personnel Board may order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, the Personnel Board will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

## **Conflict of Interest and Ex Parte Communication**

A conflict of interest occurs when a board or commission member has a direct and substantial personal interest, usually a financial interest, in a matter before the board or commission. The provisions of conflict-of-interest laws are these:

- 1) A member of the board or commission should declare a substantial financial interest the member has in an official action and ask to be excused from a vote on the matter;
- 2) The presiding officer should rule on a request by a member of the board or commission to be excused from a vote; and
- 3) The decision by the presiding officer on a request by a member of the board or commission to be excused from a vote may be overridden by a majority vote of the board or commission.

It is not unusual for board and commission members to have conflicts of interest. Not all conflicts involve a substantial financial interest, however. Some conflicts may only appear to be improper or have the appearance of an unfair advantage. These conflicts should be declared, so the public does not think that board and commission members are self-serving and ignoring public interest. If a board or commission member thinks he or she has a conflict, the conflict should be declared and the presiding officer should be notified to decide whether the board or commission member should vote. A conflict should only be declared when a conflict is really believed to exist, and the determination of the

declaration should be read into the public record of the meeting. A conflict should never be declared to avoid having to vote on a difficult issue.

Conflicts may arise due to improper communication with a stakeholder. “Improper communication” can be any communication with an interested party where the communication is about something on which the board has authority to act, and which comes outside of a publicly-noticed meeting. A familiar example is the contact that a member of a jury could have with people or even news stories that could bias their opinion unfairly. Sometimes it is impossible for juries in high-profile cases to avoid hearing information that is inadmissible in court, so they are sequestered in hotel rooms with no television or public contact. Board and commission members are not likely to be treated to such extremes, but they must take care not to discuss investigations before a vote takes place. This type of discussion should result in the recusal of the member from the vote on that issue.

## **Ex-Parte Contact**

The foundation of due process is that each side in a dispute has the opportunity to be heard. If one side has the opportunity to make an argument, the other side must have the opportunity to respond. It is sometimes tempting for an applicant, licensee, or attorney to attempt to circumvent the usual application decision-making procedures, to seek information on a pending application, to discuss a pending disciplinary action, or to seek to influence an individual’s decision by directly contacting one of the board members. Such communications are called “ex parte” communications.

***Ex parte communications are improper. The result of such a communication is that the board member so contacted may be unable to discuss, participate in, or vote on the application or disciplinary action.***

The risk to the applicant or licensee who attempts such communication is that a board member who might have been favorably disposed to their license application or disciplinary case may not be able to participate in the decision or vote.

Ex parte communication must be disclosed. Should any individual attempt to contact you to discuss a license application or disciplinary case, please refer them to a staff member (licensing examiner, investigator, or executive administrator) for response.

Should you experience an ex parte communication, please so indicate when that issue is addressed by the board in session. Alert the chair about the contact in writing before the meeting and on the record at the beginning of the meeting so he or she can determine whether it is appropriate that you be recused from the discussion, deliberation, and vote. As the DES for the board, the chair is required to make this determination on the record.

If you are unsure about the nature and extent of the contact, please contact the board’s staff for guidance.

Another interesting conflict of interest issue that is gaining awareness is that of the potential for disproportionate influence of “active market participants” on boards. An active market participant is

defined as someone who is currently engaged in the profession that the board regulates. A 2015 United States Supreme Court decision (*North Carolina Board of Dental Examiners v. Federal Trade Commission*) resulted in a ruling that stripped the board of its immunity because it violated the Sherman Act when sending cease-and-desist letters to unlicensed teeth whiteners. The case is complex, yet under the state's current statutes, the takeaway for Alaska boards is straightforward:

- Ensure that the division's investigative standard operating procedures are followed.
- Adhere to the Administrative Procedure Act when taking action against anyone, licensed or unlicensed.
- Invite an agency attorney to be involved in policymaking that may restrict those outside the profession from engaging in business practices.
- Encourage and engage public member participation in decisionmaking.

## The Alaska Open Meetings Act

Regarding meetings, we have to make sure to read the guidance fully and in context:

First, let's look at the definitions in AS 44.62.310. To whom does the Open Meetings Act apply?

AS 44.62.310(h)(1) "governmental body" means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members

The establishment of a meeting has three "ingredients": **Who** is present, **how many** are present, and **what** are they doing:

AS 44.62.310(h)(2) "meeting" means a gathering of members of a governmental body when

(A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or

(B) the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

The guidance to staff in Division P&P-1 on meeting management clarifies a subcommittee as a different type of meeting. It is not a board meeting because "the membership of a subcommittee, advisory committee, working group or similar group by another name may not include a quorum of a board. Any

meeting that includes a quorum of a board is considered a board meeting and must be noticed accordingly.”

So, these types of meetings must be publicly noticed:

**BOARD MEETING:** If a group is gathering that IS a quorum of the board OR three or more members of a board AND is considering a matter on which they have the power to act.

**SUBCOMMITTEE MEETING:** If a group is gathering that is NOT a quorum of a board OR three or more members of a board AND is recognized by the board/division AND has authority to advise the board/division, AND is considering a matter for recommendation to a board.

Here’s a tool combining all of these considerations. Try it when evaluating a meeting, and see if it’s helpful:

1. **Will a quorum of a board be present?** If YES, it’s a board meeting if they are considering board business.
2. **Will three or more members of a board be present?** If YES, it’s a board meeting if they are considering board business.
3. **Is the entity recognized by the board/division?** If YES, it’s a subcommittee meeting.
4. **Does the entity have authority to advise/make recommendation to the board/division?** If YES, it’s a subcommittee meeting.

Below are some theoretical examples. As with the rest of this manual, it is intended to provide general guidance but cannot cover every situation. Please contact staff with concerns about specific situations.

- A. **The board votes to approve a working group on a potential regulation and bring it back to the next meeting. The member assigned in that motion recruits three licensees to join the working group.** YES to #3 and #4: Subcommittee meeting.
- B. **The board publicly notices a subcommittee meeting, and three board members attend.** YES to #2, #3, and #4 (and maybe #1, depending on the size of the board). It’s now a board meeting, must be adjourned and renoticed for a later date if the members wish to participate.
- C. **Two board members have coffee and talk about board business.** NO to all four. Not a meeting.
- D. **Three board members have coffee and talk about board business.** YES to #2 and maybe #1. They don’t have to go home, but they shouldn’t finish that coffee together.
- E. **Three board members have coffee and talk about the weather.** NO to all four because they are not talking about board business. So, technically it’s not a violation. However, a licensee walks into the coffee shop and sees them and posts on Facebook that there was a secret board meeting at Starbucks, files a Freedom Of Information Act inquiry, and ignites legal dispute over



a current topic. This costs the board thousands of dollars, a lot of extra time, and their reputation. Probably best that the three avoid having coffee together because of the public's reasonable perception that it is a board meeting.

- F. **Twenty disgruntled licensees get together to plan a protest of the next board meeting.** NO to all four, assuming none are board members. They can paint picket signs to their hearts' content.
- G. **Two board members email each other with general questions about upcoming item on the meeting agenda.** NO to all four. Not a meeting.
- H. **The two members in Example G decide they need more information and email the board chair.** YES to #2 and maybe #1. The chair should not respond but should ask staff to assist with providing needed information to the entire board.
- I. **One of the two board members in Example G is the Reviewing Board Member of a case that is to be decided at the meeting.** NO to all four, but since they have veered into ex parte communication, they need to cease the conversation for reasons outside the Open Meetings Act. Depending on what s/he heard, the non-reviewing board member may wish to declare a potential conflict of interest at the meeting and ask the chair for a ruling on whether the member should be allowed into the discussion and vote on the case.
- J. **A board member attends an industry association meeting and speaks on the board's behalf without prior authorization on topics the board has not voted on.** NO to all four, but the member should be counseled by the chair that this is improper and that the information provided could be inaccurate or misleading. Depending on the situation, the chair may want to write a letter to the association to clear up the matter.
- K. **The entire board attends an industry association meeting. They take great care not to sit together or huddle together in a darkened corner of the hallway.** NO to all four, and good job making sure they did not give the appearance of conducting board business.
- L. **The entire board attends an industry association meeting. They get upset about an issue raised by one of the speakers and meet together later that day in a small, empty conference room to discuss the board's position on the issue.** YES to #1 and #2. Not good judgment on their part.

There's also the question about what "prearranged" means. This brief guidance suggests that board and subcommittee members should avoid "spontaneous" discussions about their official business when these thresholds are met. A chance meeting at a social event that turns into an hour-long conversation about official business is avoidable and, by sustaining the conversation over a period of time, may not be considered by a court to be a spontaneous conversation.



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# November 2017 Meeting Minutes

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These draft minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing.  
They have not yet been approved by the Board.

**STATE OF ALASKA**  
**DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**  
**BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS AND**  
**LAND SURVEYORS**

**MINUTES OF THE MEETING**  
**Wednesday, November 8 – Thursday, November 9, 2017**

By authority of AS 08/01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held on Wednesday, November 8 and Thursday, November 9, 2017 at KPB Architects, Anchorage, Alaska.

**Agenda Item 1 - Call to Order/Roll Call**

The meeting was called to order at 10:05am by Chair Dave Hale.

**Board members present, constituting a quorum:**

Dave Hale PS, Surveyor  
Brian Hanson, PE, Civil Engineer, Mining Engineer  
Catherine Fritz, Architect  
John Kerr, PS, Surveyor  
Jeff Koonce, Architect  
Colin Maynard, PE, Civil Engineer, Structural Engineer  
Bill Mott, PE, Chemical Engineer, Metallurgical and Materials Engineer  
Luanne Urfer, Landscape Architect

The following board member attended telephonically:

Elizabeth Johnston, PE Electrical Engineer, Fire Protection Engineer

The following board members were excused by the Chair:

Fred Wallis, Mining Engineer  
Richard "Vernon" Jones, Public Member

Attending from the Division of Corporations, Business, and Professional Licensing were:

Alysia Jones, Executive Administrator

The following staff attended telephonically:

Sara Chambers, Deputy Director  
Melissa Dumas, Administrative Officer  
Heather Noe, Licensing Examiner

**Agenda Item 2 - Review/Amend Agenda**

The board reviewed the agenda. Hale requested the topic of proposed language for guidance manual on industrial exemption and boundary surveys be added as D. under Agenda Item 16. New Business.

**On a Motion duly made by Colin Maynard, seconded by Brian Hanson, and approved unanimously, it was  
RESOLVED to accept the agenda as revised.**

**Agenda Item 3 - Ethics Reporting**

There were no ethic violations to report.

Hanson reported he attended the NCEES Board of Directors meeting in Boston last week, and will be doing a board visit in Salt Lake City next week for NCEES. Both Hanson and Maynard are members of the NCEES UPLG committee and have meetings in San Diego and Nashville. Hanson, Maynard, R. Jones, Wallis and the E.A. attended the NCEES Annual Meeting in Miami in August. All travel was paid by NCEES.

Urfer attended the CLARB Annual Meeting in Boise in September. This was funded by the State of Alaska.

Fritz mentioned she had attended the NCARB Annual Meeting and had not been able to report that at the August meeting due to flight delays and her arrival at the meeting.

Hale mentioned that he and Maynard had dinner with the NCARB Board of Directors in Girdwood in September.

Johnston stated she had attended the IEEE meeting in Australia in August.

#### **Agenda Item 4 - Review/Approve Minutes**

E.A. noted corrections provided by Maynard had already been made and were indicated in the addendum. Urfer indicated she would email a few additional edits. These were emailed to and updated by A. Jones during the meeting.

**On a Motion duly made by Koonce, seconded by Maynard, and approved unanimously, it was  
RESOLVED to approve the August 2017 meeting minutes with edits provided by Colin Maynard.**

#### **Agenda Item 5 - Financial Report**

*5. A. FY 17 4<sup>th</sup> Quarter Financial Report-* CBPL Deputy Director Sara Chambers joined the meeting and introduced the Divisions new Administrative Officer Melissa Dumas. Chambers walked the board through the 4<sup>th</sup> Quarter Report which contained all year-end revenue and expenditures. Chambers then went over the Indirect Allocation documents which contained information regarding costs that are not directly attributable to a singular program or profession and mentioned there was a more detailed explanation of the methodology in the board manual. She explained the difference between the even (renewal) and odd (non-renewal) years, and noted indirect went up slightly overall in part because the State is working on cost saving methodology and the State is cutting cost allocations statewide which has required the Division to cover more departmental costs because revenue is not offsetting the expense any more.

Hanson asked if the allocation percentage has changed from year to year. He noted it is 7.79 percent this year. Chambers said that percentage is a fraction of indirect. Chambers stated it is tracked annually and stated AELS is 8.86% of all professional licensee programs, which is slightly up, but down over a longer historical trend. Hanson stated that is good information to have in the annual report. Chambers said she would ensure all staff have that information to include in future reports. Hanson asked if the indirect allocation is in line with previous years. Chambers said she can get that information and provide it through A.Jones to the board. She added that her gut feeling is that it went up due to the new accounting and human resources system and that as the system and processes are more refined then we'll see indirect go down.

The board thanked Chambers for providing the information. Maynard noted it was the first time he remembers having it at the November meeting rather than the February meeting. Chambers added that AELS staff would provide the board the 1<sup>st</sup> quarter report of FY18 electronically and they will be available to review and discuss at the February meeting.

#### *5. B. Board Evaluation Summary Report*

*Nov082017\_1- 19:33*

A. Jones explained at the August meeting board requested a summary of the board evaluations completed at the April meeting. A.Jones tallied the responses and compiled the comments into a summary report found in the addendum.

#### *5. C. Update Office of Administrative Hearing Training*

A. Jones explained Judge Frederick had been unable to provide training at this meeting due to scheduled leave, but that she was willing and interested in providing training for the board. A.Jones asked the board if they preferred a training specifically for the AELS board or if they would be interested in expanding the audience to include board members from other programs and splitting the cost with those boards. Fritz asked what the difference in fees would be. A.Jones explained the fee is \$192 for a one-hour session. Chambers said she would like to open it up to other boards as Judge Frederick's delivery would be very similar to the 21 boards and suggested scheduling a WebEx or other online session. Fritz stated that

in-person, AELS would be much more effective and noted her preference would be to work the training into the regular board meeting schedule. The board unanimously agreed and Chambers stated it was a wise investment.

TASK: Chair asked A. Jones to follow up with Judge Frederick and schedule training.

The board meeting returned to Agenda Item 5.B. Based upon the report, the Chair stated one area that needs improvement is being prepared to discuss the items in the board packet. A. Jones asked if there was anything staff could do to help the board members and offered to adjust the timeframe. Kerr mentioned the current timeframe of two weeks prior to the meeting and supplying an addendum worked well.

Maynard asked how frequently the evaluation needed to be completed. Several board members confirmed the evaluation only needed to be completed once a year and all agreed the spring meeting seemed most appropriate so the information could be included in the annual report.

Chambers asked the board how the laptops are working. Hanson and Koonce said they work fine. Fritz expressed her frustration in the process, noting that she downloads the packet from ZendTo, makes notes/ highlights items in the PDF file for herself, but then does not have access to her marked up version on the CBPL laptops. Fritz asked if she can connect her personal USB drive to the State laptops. Chambers stated that as long as there was no confidential information on the USB drive it should be fine. Chambers stated that the Division is looking at board management software that would resolve these types of issues.

TASK: Chambers asked A. Jones to follow up with her before the next meeting to address this issue if the new solution is not available before the next meeting.

Fritz added the initial discussion was to provide tablets to all board members and the tablets would be for State board business only, which would have solved these issues, whereas the laptops that were purchased instead to not address the original issues. Chambers said the AELS Board and Board of Nursing have been the pilot programs for the encrypted drives and acknowledged there are pros and cons for every solution. Chambers added providing tablets to every board member was impractical and expensive as CBPL has 150 board members. Chambers welcomed the boards input and feedback and encouraged the board to let A.Jones know so issues can be actively addressed.

The board thanks Chambers for her report and comments.

## **Agenda Item 6 - National Organization Meeting Reports & Correspondence**

*Nov082017\_2: 01:11*

### **6. A. CLARB**

Urfer reported that it was a very interesting meeting with a lot of discussion about changing their model law definition. The change did pass, however there was a lot of concern surrounding how the changes would affect the field of practice. She mentioned there is a lot of collaboration going on between NCARB, CLARB and FARB to minimize the attacks on licensure. Urfer mentioned another major topic of discussion was the security of boards and the group determined multi-discipline boards appeared to be safer from deregulation threats because they already have the relationships with other professions. Urfer noted those in attendance were very interested in the way Alaska is structured with the APDC board, their role is and how they interact with legislators and this board. Urfer was asked to present on this topic and several jurisdictions said they would bring that information back to their boards.

Fritz asked whether Alaska uses CLARB's model law in our regulations. Urfer stated that we do, however it is 20 years old, which was, in part, why they were making changes at the annual meeting. Urfer said this issue will come up later in the meeting and explained that currently the scope has been narrowed and does not accurately reflect what landscape architects do.

The board asked Urfer if she was running for leadership candidates. Urfer said she does not plan on running. She also added that CLARB's CEO Joel Albizo is now the President of FARB. Urfer then directed the board to look at the CLARB item regarding global standards that was included in the board packet addendum. CLARB is setting the standard and several countries are working with FARB to make sure everything fits together. Kerr asked if CLARB has been pushing

for mobility. Urfer responded that CLARB already has some international licensure and was surprised by how different countries are structured.

#### 6. B. NCARB

Nov082017\_2 – 09:39

Koonce thanked Colin and Dave for attending the dinner with NCARB Board of Directors. He mentioned the 4.0 testing will be sun-setting. Koonce then directed the board's attention to item 6.B.2.j. and asked for recommendations on who to reach out to for assistance with completing the state history for NCARB's Centennial. The board discussed assigning it to Vern. The board also mentioned several former board members including: Wayne Jensen, Ken Maynard, Jeff Wilson, and Richard Rearick. Koonce also asked if ADPC might have information. Fritz suggested contacting Jeff Wilson from the AIA Chapter. Maynard suggested checking with the State archives and Fritz offered to do some research in Juneau.

Fritz suggested some of the material might be appropriate for the AELS board's annual report.

Fritz added that WCARB, the regional organization is having a strategic planning meeting in Las Vegas in November to get clarity on the regional organization's mission and goals within the scope of the national organization. A draft document will be presented at the WCARB meeting in Wichita in March 2018.

#### 6. C. NCEES

Nov082017\_2 – 16:26

Hanson mentioned the annual meeting was held in August in Miami and the key item of interest to our board would likely be the surveying depth exam is moving forward and a committee is currently looking at that. He mentioned the software engineer examination is on probation, which means it will be administered this year, but will likely go away in the following years. Hanson explained the minimum number of examinees required for an exam is 100 and that an action plan is developed when the numbers go below that minimum. Hanson stated that he agreed with R. Jones assessment of the UAV session focused on the technology/ marketing vs. the licensure aspect. Kerr stated there had been a similar issue at the meeting in Williamsburg and suggested that NCEES do a more thorough vetting process of presentations for the meetings. Kerr added that there are a number of boards dealing with the same issue regarding this technology and the board discussed the possibility of working with NCEES to offer a panel session. Maynard stated that there was not a lot of disagreement during the business session and items that did get pulled were mostly for wordsmithing. A. Jones stated the western zone resolution regarding multiple votes for multidisciplinary boards did not pass.

Maynard asked if item 6.C.2.b, the Emeritus Survey had been completed. A. Jones responded that R. Jones had completed it.

Hanson mentioned the FE/FS exam will be reduced to \$50 and said the record for rescheduling the FE is 22 times. Hanson shared some graphs on exams, which indicated over the past two years there has been an increase in FS exam takers (over 1,000 examinees). The PS exam has seen a slight increase over the past year and the SE exam is basically flat. Hanson stated PE examinees were over 4,000 last year and attributed the sharp increase to NCEES eliminating the requirement to have experience before testing (decoupling). Hanson noted this might be an issue that the board will need to address in the future. He explained some states will not license you if you took the test early, but that currently our regulations for comity do not specify that. Hanson said the FE is back up around 4,700 examinees.

Hanson mentioned that Jerry Carter, NCEES CEO is retiring.

#### 6. D. Outreach Reports

Nov082017\_2 – 28:32

Kerr said he presented on licensure requirements in Alaska for mappers at the annual UAS group meeting in Fairbanks, which included a lot of industry people, Department of Defense, and University of Alaska. He said there were 45-60 people in the audience, it was well received and they were glad to hear the information. Since he was in Fairbanks, he gave the same presentation to DNR staff (approximately 20 people) and was then asked to give the presentation to DNR staff in Anchorage. The Chair and Kerr gave the presentation to the Anchorage staff earlier this week and several DNR staff members in outlying areas attended remotely. Kerr said there was a request to give the same presentation at the Kenai Peninsula Borough, but they respectfully decline an in-person presentation given the travel time in relation to the presentation timeframe. The Chair said they discussed options for putting together something that could be sent to areas that are not conducive to an in-person presentation. Kerr explained the presentation includes information about the statutes

relating to all measurement tools/ platforms and includes a lot of examples. The Chair said the main point is to talk about licensure and how it applies to mapping and the end product and not the acquisition, which is what everyone focuses on.

The board suggested the Chair and Kerr doing a presentation at the NCEES Annual Meeting, potentially with representatives from other states on this topic. Hanson requested there be a copy of the presentation in our record.

Maynard added for the past four to five years he has spoken to UAA's Civil Engineering Department's wrap up course about licensing and professional development. Maynard said UAA's Electrical and Mechanical Departments have a similar course and has been invited to speak to the mechanical engineer wrap up class as well. The Chair added that he has been asked to talk to UAA's Geomatics students about licensure in December.

Maynard says UAA does not require students to pass the FE, whereas UAF does and said it might be worthwhile to talk with UAA to see if that can be changed.

The board returned to the discussion of making the UAV presentation available on the website. Kerr said it is not a stand-alone presentation at this point, but he will work with staff to put it in a format that will work. Kerr added the key part is the Q&A portion and interaction with the audience, but the board recognized it is not always feasible to offer the in-person.

Fritz asked the board if it was worth contacting someone at UAA and offer our assistance and expertise to provide consistency relative to licensing to their programs.

Urfer mentioned there are no architecture or landscape architecture programs in Alaska and it shared that it was suggested at the CLARB meeting that the board adopt a school or program and look at seeing if there is a way to get in-state tuition for those programs as they are not available here.

#### **Agenda Item 7 – Correspondence**

*Nov082018\_2 – 42:00*

*7. B. Letter from Jesse Engineering Co.* - The board discussed the inconsistencies of the name and their letterhead and said there was no information provided that qualifies them for them an exemption. Fritz pulled up information on Google and stated it said "formerly Jesse Engineering Co.".

Kerr suggested the board draft language to be added to the guidance manual that explains when an exemption would be provided. The Chair stated that typically it has been granted for those companies that have been in business for 30+ years and it has just come up. Hanson gave the example of a company with marine engineering in the name that does not do engineering, but has been in business for 30+ years and something happened with their business license that caused it to be flagged. Hanson added it is similar to not being able to use of the word "City" in a business name because it implies you are a government entity.

Fritz stated her concerned with using age as an indicator. Several members stated that age is not the only factor. Hanson said if it is Jesse Engineering Co. DBA Jesse Co. that would be okay.

The Chair asked if anyone has an issue with the motion. Kerr recommended we provide a pathway, or explain that the name on the letterhead does meeting our requirements. Fritz recommended working with Business Licensing to see if DBA is a possibility.

**On a Motion duly made by Maynard, seconded by Hanson, and approved unanimously, it was  
RESOLVED to send Jesse Co. a letter denying their request to use the name Jesse  
Engineering in Alaska.**

TASK: The Chair will write a response to Jesse Engineering Co. and A. Jones will notify Business Licensing.

#### *7. C. Request for deadline extension for SE application under 12 AAC 36.108*

*Nov082018\_2 – 59:42*

A. Jones said she has received numerous complaints regarding this item, but only one individual submitted an official request for an extension. A. Jones explained she included some of the notifications that were sent either by mail or

electronically to registrants/ interested parties regarding the change for the boards reference. The board discussed the regulation announcement was done in accordance with public notice procedures multiple times. Hanson said there is a lot of information on the listserv. Fritz asked if we put out a hard copy notice regarding the listserv. A. Jones replied not during her time, however the information is on the website and in correspondence registrants and interested parties are encouraged to join. Fritz suggested the next time we mail a notice that we can promote the listserv.

The board discussed what would be required to provide an exemption, which would include starting a new regulation Project, with the appropriate notice, comment period, voted in, approved by AG's office and signed by Lt. Governor's Office, which would take about a year. Hanson said we do have the authority to provide an exemption if there was an exceptional circumstance. Fritz mentioned she has received three phone calls and directed this individual to go through A. Jones and provide a written request. She added that the issue appeared to be in the lack of notification, which is why she was asking about the notifications. Fritz urged the board and staff to consider how we can improve notifications to better inform registrants of how they can stay informed. Mott asked about presenting at Civil Engineering Society and Maynard responded members of the board had made presentations at multiple meetings. The Chair said the board is not in charge of disseminating information and that is the State's duty. The board also discussed a registrant's responsibility to stay up to date.

Hanson suggested we compile an outline of all information that was disseminated regarding this regulation project before responding.

TASK: A. Jones will collect information regarding the notifications that went out related to the regulations change and Maynard offered to help with the letter.

The Board skipped 7.D.

*7. F. ASPLS Code of Ethics* - The Chair said he sent a response that it was not related to the board and said they'll need to go back to ASPLS for an answer.

*7.E. Question RE: Record Drawings* - Maynard said this has already been addressed and explained you can't stamp record drawings unless you are sitting there watching them build it or do a complete as-built yourself because you don't know if the information the contractor sends you on his "redlines" are accurate. A. Jones requested clarification of when it would be appropriate for a record drawing to be stamped based upon the wording currently in the Guidance Manual that states "may or may not be stamped". Hanson provided an example of when you could have a record drawing that was stamp/ You could have a design drawing that was issued for construction and it has a stamp on it and a date and then it has a record drawing title block that is added to it that says this is a record of what was constructed, signed, no stamp. It has an original stamp on it and there is nothing wrong with leaving the original stamp on it. That is a way you could have a stamp on a record drawing. Hanson added that to require a stamp on a record drawing though is not correct.

Hanson mentioned AWWU is another great example of ones that could have a stamp and the designer of record states it appears to have been constructed in accordance with the original design.

Maynard stated the remove the old stamp when they put the design of record stamp. Fritz stated she appreciated the examples to provide clarity.

Hanson said requiring a stamp on record drawings means you are taking responsibility for everything and that is against our regulations. Hanson said this discussion has been ongoing for the past 8 years. Maynard stated that ADEC needs to change their regulations. Hanson added that they are not taking responsibility for the work and that is what a stamp says.

TASK: Hanson will draft the letter and A.Jones will follow up with Sara Chambers to ensure the board works appropriately with another State department.



1 **Agenda Item 8 - Executive Session**

2 **On a motion duly made by Maynard and seconded by Koonce, moved to go into Executive Session in**  
3 **accordance with AS 44.62.310(c)(3) to review disciplinary case numbers 2016-001056 and 2016-001097.**

4  
5 The board came out of Executive Session at 12:05 p.m. and recessed for lunch.

6  
7 **Agenda Item 9 - Reconvene meeting/Roll Call**

8 The board reconvened at 1:16p.m. Roll call, all present except for Richard Jones and Fred Wallis who were excused by the  
9 Chair.

10  
11 The following attended telephonically:  
12 Elizabeth Johnston, board member

13  
14 Peter Giessel, representing himself  
15 Chris Miller, representing himself  
16 Dana Nunn, representing American Society of Interior Designers – Alaska Chapter  
17 Kelsey Davidson, representing American Association of Interior Designers – Alaska Chapter  
18 Sara Manning, representing herself  
19

20 **Agenda Item 10 - Public Comment**

*Nov082017\_3 – 00:19*

21  
22 The Chair invited Mr. Giessel to testify.

23  
24 Giessel stated he submitted a letter on February 23 to the board for consideration at the April 2017 meeting and the board  
25 said they would review the issue with Investigator John Savage and provide a letter of response. Giessel indicated that he  
26 had not yet received a response from the board and requested a status update. Hanson stated it was on his list, apologized  
27 for the delay and said he anticipated completing the letter next week.  
28

*Nov082017\_3 – 01:31*

29  
30 The Chair invited Chris Miller to testify. Miller mentioned the agenda items that stood out to him were the continued  
31 discussion of landscape architecture and stated there either needed to be hard boundaries or soft boundaries where each  
32 registrant is then expected to work within their particular area of expertise. He also noted the stamping of record drawings  
33 and use of drones for mapping are also of interest to him. Miller thanked the board for their work.  
34

*Nov082017\_3 – 04:58*

35  
36 The Chair invited Nunn and Davidson to testify. Nunn introduced herself and stated she is representing the American Society  
37 of Interior Designers – Alaska Chapter. Nunn also introduced Kelsey Davidson, the current Chapter President, who was in  
38 attendance to answer any questions related to the society's current strategic plan.  
39

40 Nunn explained the society is interested pursuing professional registration for interior designers working in the commercial  
41 sector and public facilities. Nunn stated the group has been meeting with FIA, fellow architects, and firms throughout the  
42 state and wanted to meet with the AELS board to raise awareness of the society's plans. Nunn also asked the board to raise  
43 any questions they should research in preparation for meeting with legislators. Nunn defined the practice of interior design  
44 and reiterated the license would be for those practicing in the public sector. Nunn reviewed the packet provided to the board  
45 in the board packet addendum. Materials included an executive summary (reason for initiative, scope of initiative and  
46 benefits to the public), interior designer registration map, graphic explaining how the practice of Interior Design protects  
47 the public health, safety, and welfare, petition and summary of petition support.  
48

49 Nunn explained the goal was to create a recognizable title for qualified interior designers, define the practice of interior  
50 design, establish voluntary registration administered within the AELS board, develop continuing education requirements,  
51 and provide plan approval authority for non-bearing interior construction or alteration to registered interior designers.  
52

53 Nunn explained the NCIDQ (National Council for Interior Design Qualification) is a national benchmark exam for interior  
54 designers and would be utilized as part of this initiative. Nunn noted currently only twenty-seven Alaska designers have

1 taken the NCIDQ and she anticipates seven to ten additional interior designers annually, either by taking the exam or coming  
2 in from another state.

3

4 Koonce asked if there were model statutes that other states have adopted. Nunn said they are working with their Government  
5 Affairs Committee to make sure they are utilizing the information that is currently available. Nunn added some states are  
6 much more stringent than where Alaska wants to go and they are working with their committee to ensure they are not  
7 overreaching their scope.

8

9 Fritz asked for clarification on the map of interior design registration provided in the addendum. Nunn explained the areas  
10 that stated "Allows for Sign and/or Seal" and "Allows for Sign, Seal and Permitting" does not prevent an architect from  
11 signing or sealing if that is within their area of practice. Nunn stated it is not intended to take away from what architects  
12 currently do. Fritz asked how is interior design different or unique to the practice of architecture, noting that all the  
13 information provided so far falls under the practice of architecture. Nunn responded interior designers practice within a  
14 bubble as it is only the interior space and you may or may not have an interior designer on your project, but if it is a public  
15 project and you have an interior designer doing the interiors, instead of an architect then we feel that individual should be  
16 registered.

17

18 Nunn clarified the intent is not to change the stamp and seal requirements going forward, but to provide recognition to a  
19 professional who understands and can apply building codes, accessibility requirements, and egress in a public environment  
20 as opposed to the traditional view of someone who only picks paint colors.

21

22 Fritz noted the interior designers that she has worked with are very good and traditionally have worked for an architectural  
23 firm and the responsibility falls on the architect. Fritz expressed she is still unclear of their intent based upon the current  
24 requirements and responsibility of a registered architects.

25

26 Davidson stated she works for a stand-alone interior design firm and produce tenant improvement drawings that are  
27 reviewed by an architect for compliance, but in many instances they are not stamped. Fritz stated if you are doing code  
28 related improvements inside or outside, per our statutes and regulations you are required to be a licensed architect.

29

30 Koonce said any tenant improvement that is performed does not required to be stamped. Fritz argued that base on her  
31 understanding if it is the practice of architecture it needs to be stamped by an architect. Koonce said tenant improvement is  
32 not a practice of architecture. Nunn said there tends to be restrictions on size and dollar amount of projects, but that as an  
33 interior designer she can design a tenant improvement that includes exiting, etc. and does not require an architect. Fritz said  
34 this is not her understanding of our statutes and regulations. Hanson offered the example of putting up a cubicle farm. Fritz  
35 stated given her current knowledge she is not in agreement with the previous statements and said she would be reviewing  
36 the regulations for further clarification.

37

38 Urfer asked if they were successful in obtaining registration for interior designers, would they be required to obtain the same  
39 number of continuing education requirements as other professions regulated. Nunn responded yes. Davidson asked what  
40 the current requirement was. Several board members responded 24 professional development hours every two years. Nunn  
41 added that she has been asked to teach the interior portion of the arctic course and interior designers would need to meet  
42 that requirement as well as long as the content is relevant.

43

44 The Chair asked about the limits to practice. Davidson said the premise is not to threaten the livelihood of those who are  
45 already practicing and calling themselves an interior designer, so the society would like to use the term Registered Interior  
46 Designer" to differentiate them from those who are just interior designers. The Chair said there is a definition in our  
47 regulations for each field of practice currently regulated by the board, and those who are not registered are not allowed to  
48 use those titles. The Chair warned Davidson and Nunn that they may come up against that same requirement as it is a way  
49 of protecting the public. Nunn said she is a registered interior designer in Texas, that term is defined in their regulations and  
50 there is an understanding of what that title means.

51

52 Maynard stated that the effort appeared to be a lot of work for little to no change in current processes. Koonce encouraged  
53 them to look at what other states have done.

54

1 Hanson encouraged Nunn and Davidson to develop a response to show how this change is not restricting free trade. Maynard  
2 stated they may need to consider a grandfathering period for those currently practicing and what the requirements of that  
3 would be. Maynard stated the reason to have licensure is to protect the public and encouraged Nunn and Davidson to develop  
4 a strong justification for that if they wish to pursue this initiative.

5  
6 Fritz recommended they provide a clear distinction between architecture and interior design and why it needs to be added  
7 to what is already covered under the practice of architecture.

8  
9 Maynard added that there might need to be a regulation similar to Sec. 08.48.281, which allows other registered  
10 professionals to do the work of landscape architecture if it is within their scope of practice.

11  
12 *Nov08\_03 – 35:35*

13 The Chair invited Sara Manning to speak.

14  
15 Manning introduced herself and explained that she was testifying today to ask the board for an exemption related to the  
16 date listed in 12 AAC 36.108. She said there was a conflict regarding the date in the regulation and what was printed on  
17 the application form. Manning stated she applied by the July 31, 2017 deadline specified on the form and explained she  
18 was told her application would not be reviewed by the board because she was not licensed in Alaska on 9/6/2016 listed in  
19 the regulation. She added she is one of a few engineers that fall within the two dates and explained it has a huge negative  
20 effect on her career and she will now be restricted from working on bridge design projects that had previously been  
21 assigned to her as lead engineer. Manning asked the board to grant an exemption and review her application or if that is  
22 not possible, consider changing the date in the regulation to make the application date. Manning asked how the September  
23 date was chosen and if it effects the overall goal of what the board hoped to change. She thanked the board for their  
24 consideration of her unique situation and offered to answer any questions.

25  
26 Maynard responded to be grandfathered in you need to have been licensed in the state of Alaska at the time the regulation  
27 went into effect. Maynard explained if we allow you to be grandfathered in we would never catch up, because it would  
28 require allowing all those licensed between September 2016 and July 2017, which would then require an extension to the  
29 application deadline, and then there is a potential for those licensed after July 2017 to make an argument similar to yours.  
30 Maynard explained that in order for Manning to be a licensed structural engineer, she will need to take the SE exam.

31  
32 Manning reiterated the form stated “Were you practicing structural engineering in Alaska as PE prior to July 31, 2017?”  
33 And she marked “yes” as she met that date. The Chair apologized for the typo on the form and added that the date listed  
34 on the form does not trump the regulations. The Chair further stated we are bound as a board to the statutes and  
35 regulations as well. Manning said it was her understanding that the board had the authority to grant exemptions. The Chair  
36 clarified that we do have the authority within the confines of the statutes and regulations, but that if there are hard dates in  
37 the regulations the board has to work within those in fairness to all. Manning asked how the September date was chosen.  
38 Hanson explained it was the effective date of the regulation and is based upon the date the Lt. Governor signed it into law.

39  
40 The Chair explained to change this would require a new regulation project and apologized for the effect the timing has on  
41 her situation. The Chair thanked her for testifying.

42  
43 The board returned to Agenda Item 7 – Correspondence.

*Nov082017\_3 – 44:25*

44 *7. D. Questions about playgrounds and Landscape Architects* – Maynard explained when landscape architects were added  
45 to the fields of practice regulated by the AELS board, the statute (Sec. 08.48.281) provided for engineers and architects to  
46 continue to do the work that had been within their scope of practice. He added that if the City and Borough of Juneau  
47 wished to require a landscape architect that they were within their rights to do so as it was above the minimum established  
48 by the board’s statutes and regulations. Maynard added state law does not require a landscape architect be involved.

49  
50 The Chair asked about the specific statement in the statute that lists outdoor play apparatus under the definition of  
51 “practice of landscape architecture”. The board looked at Sec.08.48.281 and Sec. 08.48.341. Fritz asked for clarification  
52 related to prohibited practice and the board discussed how other professionals can do that work. Urfer noted that it is  
53 confusing with one statute saying “other professionals can do this work” and then the practice of landscape architecture  
54 specifically lists what requires registration as a landscape architect. Urfer added this is the sixth time an issue like this has

come up. Hanson provided the example of a three-plex, which is not regulated by the board, but a four-plex is, however the State Fire Marshall's office says anything over three, we say anything over four, so there is a conflict there. Maynard added that board previously tried to fix it, but was met with a lot of opposition. Hanson explained their requirement is stricter than ours.

Urfer added that things have evolved in the past 20 years and landscape architects don't have a set date like the grandfathering period for structural engineers. Maynard said there is an expectation that the registrant is practicing within their scope and areas of expertise and work within what they are qualified to do. Urfer said she reached out to three municipalities and was able to speak with two about why they moved in the direction of requiring a landscape architect. Urfer said the responses she received included "they were looking to improve quality and enhance their communities and wanted to raise the standards".

The Chair asked if it was worth adding something in the manual, several board members responded in favor of including information in the guidance manual. Koonce asked about the RFP and A. Jones clarified that based upon the discussions she had with the CBJ staff and the company, the RFP did not specifically state a landscape architect was required and explained the RFP language is vague because it is used for multiple RFPs. Fritz added CBJ is trying to raise their standards by requiring a registered professional. She noted the current regulations are confusing and they need clarity. Urfer agreed and reiterated the evolution of the disciplines and confusion surrounding who is qualified to do certain types of work. Urfer added that other jurisdictions do not have this problem because it has been clearly defined. Johnston voiced her concern of trying to track what a certain profession did or did not do at a particular time and recommended the focus be on professionals working within their areas of competency regardless of whether or not those competencies might overlap with another profession.

Fritz stated the board consciously made a distinction for structural engineers and there is a definitive point based upon the definition of a significant structure that requires a structural engineer versus a civil engineer. She did not propose that be done for all the professions, but indicated it is difficult and causes confusion for individuals and groups that are not trying to exclude a particular profession, but are trying to raise the bar.

TASK: The Chair asked Maynard and Urfer to draft a letter to send to the City and Borough of Juneau and one to the company whose proposal was rejected.

**Nov082017\_3 – 1:01:33**

*7. G. IACET Accredited Continuing Education Providers* – A. Jones asked the board for clarification on how best to respond the letter. Maynard explained he had been involved in reviewing IACET through his work on an NCEES committee and it was determined by the committee the additional 30 hours needed for a Bachelor's plus thirty (credit hours) MLE need to be IACET certified. Maynard noted IACET certified courses likely meet the board's requirement, but was not in favor of updating the regulations to specifically include IACET. Several other board members agreed based upon the current regulations that state continuing education courses are not pre-approved.

TASK: A. Jones will draft a letter of response for the Chair's review.

Hanson said NCEES has a free CPC registry through their E3 system that includes 45,000 account holders and 47,000 courses. Hanson explained there is also a way to transmit that information to your board.

**Nov082017\_3 – 1:08:52**

*7. H. Alaska Initiative for Interior Design Registration* – The Chair asked if there was any additional comments. Several board members stated it is an uphill battle. Fritz commented it is a threat to the practice of architecture and this board. She said she did not understand the unique practice of interior design and does not feel there is any unique life safety component that registered interior designers would address that is not already addressed by the professions currently registered by the board. Fritz acknowledged interior designers are an important part of a team, but this initiative is problematic. Johnston expressed her concern that the registration would be optional. Several members agreed that is not the appropriate approach. Maynard reiterated we are not here to handle turf battles and stated if interior designers are qualified to do work on interiors and protect public safety, then they should be allowed to do that work. He added currently we can argue whether or not they should be going to building departments with unstamped drawings, but that that is a whole other issue. Maynard commented

1 if there is a public safety issue that requires them to be licensed then that is a reason to pursue the initiative, otherwise it is  
2 a lot of effort to add registered to the front of their title. The board discussed the current revisions to the alternative path to  
3 licensure for architects and how this might apply to the interior designers. Several board members compared the situation  
4 to the various disciplines in engineering. The Chair said they have a challenge justifying it is a public safety issue that is not  
5 already addressed by a different profession.  
6

7 *Nov082017\_3 -1:14:58*

8 *7. I. CSA Foreign Professional Association Questionnaire* – A. Jones explained she received the survey and included in the  
9 addendum what she submitted. Hanson provided the board with some background information on the survey explaining it  
10 is related to publicly-traded mining companies. Hanson stated the Canadian Securities Administration (CSA) provides  
11 reports to shareholders so they can make informed decisions about their investments and as part of the process to ensure  
12 information provided is of good quality and truthful, the CSA includes information related to the standards of the individuals  
13 signing off on these reports. Hanson stated in most cases these individuals are mining engineers and/or geologists and  
14 indicated there may be additional certification requirements.  
15

16 The Chair asked why we were spending our time on this. Kerr responded that it provides our mining engineers with  
17 credibility. A. Jones added that it took approximately fifteen minutes to complete the survey. Hanson said there is only a  
18 few professionals in Alaska that are qualified to do this work.  
19  
20

21 **Agenda Item 11 - Application Review**

*Nov082017\_3 – 1:21:17*

22 The board began reviewing applications. The Chair excused Johnston from attending this portion of the meeting as she  
23 was attending telephonically.  
24  
25

26 **Agenda Item 12 - Recess for the day**

*Nov082017\_3 – 3:48:04*

27 The board recessed for the day at 5:00 p.m.  
28  
29

Thursday, November 9<sup>th</sup>

**Agenda Item 13 - Reconvene meeting/Roll Call**

*Nov092017\_1 – 00:05*

The Chair called the meeting to order at 8:15 a.m.

**Board members present, constituting a quorum:**

Dave Hale PS, Surveyor  
Brian Hanson, PE, Civil Engineer, Mining Engineer  
Catherine Fritz, Architect  
John Kerr, PS, Surveyor  
Jeff Koonce, Architect  
Colin Maynard, PE, Civil Engineer, Structural Engineer  
Bill Mott, PE, Chemical Engineer, Metallurgical and Materials Engineer  
Luanne Urfer, Landscape Architect

The following board member attended telephonically:

Elizabeth Johnston, PE Electrical Engineer, Fire Protection Engineer

The following board members were excused by the Chair:

Fred Wallis, Mining Engineer  
Richard “Vernon” Jones, Public Member

Attending from the Division of Corporations, Business, and Professional Licensing was:

Alysia Jones, Executive Administrator

The following staff attended telephonically:

Heather Noe, Licensing Examiner  
John Savage, Investigator

**Agenda Item 17 - Additional Application Review**

*Nov092017\_1 – 00:40*

The board resumed reviewing applications.

Investigator John Savage joined the meeting and the board shifted to item 15 and 16.A. on the agenda.

**Agenda Item 15 - Investigative Report**

*Nov092017\_1 – 14:10*

Savage informed the board that their Chief Investigator quit and there is currently a search for a new Chief Investigator and anticipates there will be a replacement by the year’s end. Savage added that his office is still short staffed and they are trying to fill four to five vacancies. Savage said until the vacancies are filled, he is handling all contractor, mechanical administrator, electrical administrator, and underground storage tanks cases.

Kerr asked Savage for an estimate of how much time he was spending with these other boards and programs.

Savage responded that AEELS matters constituted the majority of his workload and where his focus is. Savage explained he is just trying to keep the other areas assigned to him afloat and noted there will be a transition/ training period once additional staff are hired.

Maynard expressed his frustration with this news since the board went to the legislature to get the position to be solely an AEELS position and it is stated as such in the AEELS statutes. Maynard asked about the point of the statute if our investigator is assigned other programs when there is a shortage of staff. Savage agreed and recognized the board’s effort to get that accomplished. He stated he was hopeful that the new Chief Investigator would also be in agreement.

The Chair asked if there was someone the board could call or write a letter to remind them of the statute. Savage recommended either the acting Chief Investigator, Greg Francois or Al Kennedy, the Senior Investigator, who is more familiar with the AEELS board’s situation. Hanson commented that it is up to the board and not Savage to handle the issue.

1 TASK: The Chair stated he would give Al Kennedy a call.

2  
3 The board then proceeded to **Agenda Item 16 - New Business.**

Nov092017\_1 – 20:18

4 *A. Organizational limits to responsible charge* – The Chair explained this item was added to the agenda because a  
5 situation came up where a public entity, headed by a licensee, put out an RFP for a non-licensed individual to do the field  
6 work, develop a final product for delivery, and then the licensee who issued the RFP is going to stamp it. The Chair asked  
7 the board what are the organizational limits?  
8

9 Hanson asked if the field data is required to be collected by a licensed individual. The Chair responded, typically yes and  
10 explained it is basically collecting data for a final map. The Chair then explained the deliverable is a final deliverable but  
11 the person is not licensed so they can't take responsibility for that work so the person issuing the RFP is allowing that  
12 person to work under their license.  
13

14 Fritz asked if it mattered how the person was hired and offered the example of an employee of the organization doing the  
15 work. Fritz added if the person in responsible charge of the work is overseeing it, then there shouldn't be an issue.  
16

17 Hanson said DOT, as a client, requires a licensed individual is in the field for any DOT survey as part of the contract.  
18 Hanson said private clients do not require that and asked if surveying companies provide a licensed individual to perform  
19 that task or do they send out a qualified unlicensed individual that brings it back to the office.  
20

21 Kerr stated in our organization, we understand each individual's capabilities, training, and we have control over how they  
22 respond to a difficult situation (i.e. contact office or just push through the issue). Kerr said he would never send someone  
23 out to do generically what is in a contract just because they were an employee, but rather look at the characteristics of the  
24 employee to ensure is appropriate matched the task at hand and I am fully aware of what they are or aren't capable of that.  
25 Kerr said the RFP does not do that. Kerr continued that he will not certify what someone has done unless I have direct  
26 knowledge of their work habits, skills, behaviors, training, etc.  
27

28 The Chair responded to Hanson example, clarifying that on DOT projects that require a PLS, that PLS stamps it, not DOT.  
29

30 Kerr said there is no way for someone in an external organization to ensure the work is being done properly and that a  
31 contract or RFP does not provide adequate information for someone to certify it was done to the appropriate standards. Kerr  
32 stated in order to stamp work, you need to understand it to the level you can go to court and/or defend what happened.  
33

34 Fritz said it appears to be a potential problem for the individual in responsible charge. The contract or RFP could contain  
35 certain qualifications and if the person in responsible charge feels comfortable taking on that responsibility then that is their  
36 decision. Fritz added it seems problematic and she would not want to be put in that position, but it could be appropriate in  
37 some applications.  
38

39 Hanson said you could hire a drafting company to design everything and they send it to an engineer or architect for review  
40 and to get through the permitting process.  
41

42 The Chair provided an example of a recent project he did a hydro project on a sub where he worked with a hydro-graphic  
43 surveyor. Where they both stamped it for the portions they were responsible for. The Chair said he believes an employee/  
44 employer relationship is different than a client/ contractor relationship. Hanson stated there is nothing to preclude the  
45 Chair from hiring the other company to do their portion of the work, but overseeing the entire project and stamping the  
46 entire project.  
47

48 Maynard said he did not see any difference between the situation being discussed and BP with all of their contractors in  
49 various locations. The board discussed whether it is providing data collection or a professional service. Hanson provided  
50 an example where data was collected by an unlicensed individual and the company requesting it had nothing to do with  
51 the work would appear to be in violation of our regulations, because it is a licensed activity.  
52

53 Johnson provided an example involving RFPs soliciting unlicensed individuals, typically suppliers or vendors providing  
54 lighting recommendations for a company.

1 Koonce asked Savage what the original question was. Kerr said “if you are in responsible charge of professional work you  
2 need to be able to direct the work, know what happened, what didn’t happen, why that happened or didn’t happen, be able  
3 to defend that work whether the person you send out in the field is licensed or not.” The board agreed.  
4

5 Savage explained in most instances it is clear they are “rubber stamping” but he appreciated the board’s discussion and  
6 understanding their point of view.  
7

8 Hanson summarized the discussion stating if you are requesting an unlicensed individual to do something in order to get  
9 around the system, that’s when it becomes an issue. Hiring temporary, contract, or unlicensed employees is not the issue if  
10 the person in responsible charge is able to successfully do what Kerr stated earlier.  
11

12 The Chair circled back to the original discussion of final products being delivered by an unlicensed individual. The board  
13 concurred this was illegal practice. The Chair stated he would follow up with Savage when he was back in the office.  
14

15 *Nov092017\_1 – 44:24*

16 Koonce asked Savage about the possibility of a more descriptive explanation of the cases, so the board is better informed  
17 of what types of cases Savage is encountering. Savage said he can add that information in the next report. Maynard asked  
18 if cease and desist orders can be included in the board version of the board packet or if they are confidential. Savage  
19 explained they are not confidential and added the board will be made aware before the order is sent. Savage explained  
20 these are very cumbersome for the Division and often times other avenues are used and can be effective without needing  
21 to reach the level of a C&D. Kerr explained individuals come to him about an issue and he immediately directs them to  
22 Savage, and then someone else brings up the same or similar issue and he is not sure if he is directing multiple people to  
23 Savage to file the same complaint and it has getting dismissed and asked Savage for guidance on what gets brought  
24 forward and what is not a violation. Savage warned the board to step lightly and said all cases are looked into, but if it did  
25 not rise to a level requiring a license action then information cannot be shared.  
26

27 Hanson distinguished “case closed/ no licensing action” does not necessarily mean that there was not a violation. It may  
28 mean the violation did not rise to taking licensing action. Savage indicated they may have gotten an advisory letter. Kerr  
29 added that we want people to comply not suffer.  
30

31 The Board thanked John for his report.  
32

33 The board returned to reviewing applications.  
34

*Nov092017\_1 – 56:11*

35 *Nov092017\_1 – 2:13:00*

36 Following the completion of application review, the Chair reminded the board motions related to discussions held in  
37 Executive Session needed to be made.  
38

39 **On a motion duly made by Fritz and passed unanimously, [the Alaska Board of Registration for Architects,**  
40 **Engineers and Land Surveyors] having examined the Consent Agreement and Proposed Decision and Order in**  
41 **Case No. 2016-001056, Timothy Ingraham, Professional Land Surveyor Registration Number 7340, hereby**  
42 **ADOPTS the Consent Agreement and Decision and Order in this matter.**  
43  
44

45 **On a motion duly made by Fritz, and passed unanimously, [the Alaska Board of Registration for Architects,**  
46 **Engineers and Land Surveyors] hereby ORDERED that default is entered against Douglas A. Comstock and that**  
47 **Comstock’s professional architect registration number AELA10886 is revoked.**  
48  
49

#### 50 **Agenda Item 18 - Old Business**

*Nov092017\_1 – 2:15:33*

51 *A. Regulation Project Updates - 1. Updates to 12 AAC 36.061, .103 & .110:*

52 Fritz explained there was a motion at the last meeting to look at regulations that dealt with architectural registration by  
53 Comity. Regarding 12 AAC 36.103 Architect Registration by Comity. R. Jones and Fritz looked at education  
54 requirements for applicants who don’t hold an NAAB accredited degree. She added the reason for reviewing the



1 regulation was because on an inequity within the regulations that requires a higher standard for initial registration (by  
2 exam) than registration by comity. Fritz explained what would be involved if the board chose to evaluate the architectural  
3 experience (AXP), including the six areas versus having NCARB evaluating. Koonce said this is part of NCARB's  
4 process and felt the board should not be the ones evaluating the experience.

5  
6 The board reviewed the options Fritz and R. Jones provided. Currently an NCARB Certificate is required for initial  
7 registration in Alaska. The board discussed standards of licensure. Maynard argued that people licensed 20-30 years ago,  
8 were licensed under different regulations and will likely not meet today's standards. Fritz said the initial application  
9 standards are more robust and argued for more equality between the requirements. Maynard disagreed, saying we need to  
10 evaluate based upon when you were licensed. Several members indicated saying "shall" requires NCARB Certificate may  
11 not be appropriate. Koonce and Hanson recommended including a date after which an NCARB Certificate will be  
12 required going forward. For those licensed before that date, the board would evaluate their experience on a case by case  
13 basis.

14  
15 Fritz confirmed the board prefers the second option provided with the addition of a date. Fritz stated she would take it  
16 back and bring back an updated option 2 at the February meeting.

17  
18 Fritz suggested a revision of 12 AAC 36.061(2) to update the publication "NCARB Education Standard, 2010" to the  
19 current title "NCARB Education Guidelines". Members agreed it was a simple clean-up.

20  
21 The board discussed proposed updates to 12 AAC 36.110(b). Koonce said he reviewed several states for any seismic  
22 requirement and recommends striking (b).

23  
24 The Chair asked Fritz to provide an updated version of 12 AAC 36.063, .103 and .10

25  
26 *18. A.2. Use of NCEES Record in Applications*

27 Hanson reported he was waiting to see what the board decided regarding the architectural application requirements,  
28 adding it is a similar issue of "may" vs. "shall". Hanson said he wants to clean up 36.105 and asked the board whether or  
29 not we should require the NCEES record for comity applicants rather than getting transcripts, work experience and other  
30 information piecemeal. Hanson noted it is an electronic system and the work is evaluated by at least one PE and the  
31 content is much more descriptive than what is currently provided on our work experience verification forms. Hanson  
32 explained there is no cost for establishing/maintaining an NCEES record, however there are fees associated with  
33 transmitting the record.

34  
35 Hanson provided additional detail regarding what information is contained in the NCEES record. Hanson said they do not  
36 evaluate whether they meet our criteria, however they do evaluate the work experience to confirm it is descriptive and is  
37 engineering. Hanson explained there are several states that have an expedited process for applicants with the NCEES  
38 model law designation, where staff approve those applications and board review is not required.

39  
40 The Chair asked about how this would affect older applicants that do not have an NCEES record. Hanson stated he is  
41 leaning towards "shall" vs. "may". Maynard said that would be nearly impossible for him and other registrants who have  
42 been working in the field for 40+ years. The board discussed today's process vs. transmitting the record. Kerr suggested  
43 educating new applicants about the option to create and maintain a record.

44  
45 Fritz stated anything we can do to build on national standards would be of benefit to the board.

46  
47 The Chair asked what the advantages would be to requiring the NCEES record. Hanson responded the documentation is  
48 much cleaner, the work experience are more descriptive. The Chair said the disadvantage to applicants is having to pay  
49 more money. Maynard reiterated it is a lot of work for those who have been practicing for a long time to set up an NCEES  
50 record. Fritz said she wouldn't be afraid of having "shall" if there was an effective date in the regulation, similar to the  
51 discussion with architects.

52  
53 Hanson said he would coordinate with Fritz to have similar language for both professions.

18. *B. Status Update on Guidance Manual*

Nov092017\_1 – 3:16:33

A.Jones and Urfer stated there has been a lot of clean up to get it into a workable document and the format has been updated. Urfer said she hoped to get the updated version out for comment in the next two weeks.

*D. Continued discussion on Photogrammetry* – Kerr stated there is information on photogrammetry for the guidance manual. A.Jones added that the information was provided as an example following discussion at the April meeting. Hanson asked if we intended to put together a pamphlet. The Chair expressed concern discussing the tools. Kerr and Hanson recommended compiling information related to “if you are using a drone this is what you need to know....” in layman’s terms.

The Chair said this could be a helpful tool when they are not able to provide presentations. Kerr and A. Jones discussed working on compiling an informational handout.

*E. Update on Use of Seals 12 AAC 36.185(c)* – Maynard explained we need some language that allows to the use of regional or satellite offices on occasion, as long as they are controlled by the person in responsible charge of the project. Maynard researched various national organizations for language. Several members liked the terminology used in NCEES model law (managing agent and resident professional). Maynard asked the board to consider whether or not we wanted to update the Certificate of Authorization regulations as well, which would affect all firms, not just corporations. The board discussed partnerships and sole proprietorships, which currently are not required to have a Certificate of Authorization. Maynard asked the board to review and send comments directly to him for compilation for the February meeting.

**Agenda Item 16 - New Business**

Nov092017\_1 – 3:40:00

*B. Review of Statutes and Regulations related to Landscape Architects* – Urfer explained she is working with an ASLA sub-committee reviewed definition of landscape architect in relation to CLARBs and now that CLARB has settled on a definition, Urfer wants to potentially broaden and/or clarify the definition of practice of landscape architecture. The Chair asked if any action was required. Urfer responded no specific action, but more of an awareness.

*C. Potential updates to 12 AAC 36.105 Engineer Registration by Comity* – A. Jones explained with the passing of the structural engineer by grandfathering (12 AAC 36.108), the board may want to review and potentially update 12 AAC 36.105. A. Jones added that 12 AAC 36.063 regarding registration by exam, specifically addresses structural engineering applications. Hanson argued that an SE comity applicant needs to meet the requirements listed in .063. The board reviewed the regulations.

**On a motion duly made by Maynard, seconded by Kerr, and unanimously approved, the board RESOLVED to start a regulation project to add structural engineering comity language to 12 AAC 36.105.**

Johnston requested Maynard re-read the motion and stated she approved.

*D. Industrial Exemption Wording for Guidance Manual* –

Nov092017\_1 – 3:56:55

The Chair passed out draft language regarding industrial exemption for boundary surveys for the board to consider for inclusion in the Guidance Manual. The Chair explained the industrial exemption cannot be used for boundary surveys. The Chair stated properties are bundles of rights, and a lot of times those rights are fixed to the boundaries so that even when multiple adjoining properties are owned by the same company, the rights are connected to the land. The board discussed easements, set-backs and where potential harm could arise.

The Chair explained you can’t do whatever you want because it is your property. The rights go with the land and ownership is not in perpetuity. The Chair asked the board to send comments to him and Kerr for updates.

**Agenda Item 18 - Committee Updates**

Nov092017\_1 – 4:08:45

- Licensure Implementation – Koonce reported there were no updates.
- Land Surveying Outreach – The Chair said we met with DNR and gave another presentation and will continue to offer to present.

1 Standing Committees

- 2 • Investigative Advisory Committee – This topic was covered during Investigator Savage’s report.
- 3 • Licensure Mobility – Koonce reiterated the rewrites discussed earlier to update the regulations
- 4 • Guidance Manual – Urfer noted there was nothing further to add.
- 5 • Legislative Liaison – Maynard stated the sunset passed and there are no plans to meet with legislators in conjunction
- 6 with the February meeting.

7 The Chair asked if there was a reason to have the meeting in Juneau or if Anchorage would be more

8 appropriate. The board decided to revise the travel request for Anchorage. Hanson requested that the new

9 licensing examiner, Heather Noe be included on the request so she can meet the board members and to

10 assist with the anticipated high volume of applications to be reviewed.

- 11
- 12 • Emeritus Status – The Chair asked about emeritus status for Hanson.
- 13 • Budget Committee – Koonce stated he liked the reporting.
- 14 • Continuing Education – A. Jones mentioned per the board’s approval, that the January 1, 2018 to December 31,
- 15 2019 renewal form was updated to include the carry forward option for initial renewals, which are exempt from
- 16 reporting for this renewal period only.

17

18 **Agenda Item 19 - Licensing Examiner Report**

*Nov092017\_1 – 4:14:27*

19 A.Jones directed the board to the updated report provided in the addendum. H. Noe stated there were 73 applications for

20 the November meeting rather than the 72 noted on the report. A. Jones asked the board to contact her if there is any

21 additional information they would like to see on the licensing examiner report.

22

23 **Agenda Item 20 - Read Applications into Record**

*Nov092017\_1\_4:15:45*

24

On a Motion duly made by Kerr, seconded by Maynard and approved unanimously, it was  
RESOLVED to APPROVE the following list of applicants for registration by comity, examination, and in  
additional branches of engineering with the stipulation that the information in the applicants' files will take  
precedence over the information in the minutes.

APPROVED APPLICANTS	
ROGER	ALWORTH
ERIC	ANTRIM
BRADLEY	BONNETTE
KELDEN	BOREN
TERRENCE	BRAXMEIER
CHARLES	COURTRIGHT
TRAVIS	DAHL
JANAK	DHUNGANA
AARON	DOTSON
BEJAMIN	FOLEY
JEFFREY	GRASSMAN
AMY	HERBST
JOHN	HUTCHINS
JUSTIN	LANDOWSKI
J.WALT	LEWIS
TOBY	LOVELACE
DOUGLAS	MELTZER
MICHAEL	MIOTKE
JOHN	OLDFIELD
JEFFREY	PALMER
WAYANDA	PARKES
JONATHAN	PHILLIPS
RICHARD	PRATT
ZACHARY	RINKER
COREY	ROCHE
ARMANDO	SAPIN
JASON	SOUTH
AARON	SZALAJ
ZACHARY	VICK
THOMAS	WALLACE
THOMAS	WALLER
GRADY	WEISZ
LEON	WILLIAMS

On a Motion duly made by Kerr, seconded by Maynard and approved unanimously, it was  
RESOLVED to CONDITIONALLY APPROVE the following list of applicants for registration by comity,  
examination, and in additional branches of engineering with the stipulation that the information in the  
applicants' files will take precedence over the information in the minutes.

CONDITIONALLY APPROVED APPLICANTS	
DEBBIE	ANCHETA
CHRISTOPHER	BEZA
JON	BROOKS
JIMMY	CHURCH
WILLIAM	COLEMAN
ANN	DANIELSON
ANNA	FERNTHEIL
JARED	FREEMAN
PHILIP	HAYES-VALILIEVA
ARIEL	HIPPE
DAVID	HOISINGTON
WILLIAM	KLATT
JAY	LEMS
QI (LINDA)	LIU
MATTHEW	MANSKE
JAMES	MOLER
ANDREW	PEAK
DARREN	PETERSON
BRANDEN	POULSEN
SAMSON	SHEPHER
MARC	SHIELDS
ROBERT	SIEDMAN
ROBERT	SMITH
JAMES	SWENSON
SAMUEL	TYLER

On a Motion duly made by Kerr, seconded by Maynard and approved unanimously, it was  
RESOLVED to find the following list of applicants for registration by comity, examination, and in  
additional branches of engineering INCOMPLETE with the stipulation that the information in the  
applicants' files will take precedence over the information in the minutes.

INCOMPLETE APPLICANTS	
CARRIE	JOHNSON
CLIFTON	HYDER
DAVID	WILLIAMS
ISAAC	BRONNIMAN
JEFFREY	BUCHOLC
JEREMIAH	DOBBERPUHL
JOSHUA	CROWE
MARK	SAMS
PAUL	FRENCH
SAMUEL	WOOLFOLK
WEIFENG	DAI
WILLIAM	CULVER
WILLIAM	WEAVER
TADEUSZ	TOMASIC

#### Agenda Item 21 - Review Calendar of Events/ Board Travel

##### A. Board Meeting Dates:

- February 1-2, 2018 - location changed to Anchorage.
- May 3-4, 2018 Fairbanks, pending approval. A. Jones explained we will need to provide justification and explained last year the board scheduled an outreach event at UAF. Johnston encouraged the board to consider an outreach event in conjunction with the local chapters. Maynard suggested alternating between students and current professionals. Hanson said the Fairbanks meeting historically were 3 ½ days.

The board agreed scheduling an outreach event is good as the members are not always able to conduct outreach on their own.

- August 2-3, 2018 Anchorage
- November to be determined at February 2018 meeting.

##### B. National Organization Meetings

1. NCARB/CLARB New Member Orientation, February 8-10, Washington, D.C. – A. Jones announced NCARB and CLARB is doing an orientation for new members and staff. Johnston, Mott and A. Jones qualify. The board agreed it would be worthwhile for the new AELS board members and staff to attend.

2. NCARB Regional Summit, March TBD, Wichita – Fritz will attend. The Chair will attend in Koonce's place, and A. Jones plans to attend.

3. NCEES WZone April 5-7, Honolulu – Hale, Maynard, and Kerr will attend. Initially Johnston and Mott were also interested, however first-time attendee funding is not available for Zone meetings.

4. NCARB Annual Meeting, June 28-30, Detroit – Fritz, Koonce and A. Jones will attend.

5. NCEES Annual Meeting, August 15-17, Scottsdale – A. Jones mentioned Investigator Savage would be interested in attending. Johnston and Mott are interested in attending as first time attendees.
6. CLARB Annual Meeting, September 27-29, Toronto – Urfer plans to go to Toronto pending approval.

#### **Agenda Item 22 - Board Tasks - To Do List**

Board discussed tasks. The Chair asked A. Jones to compile the list of to do items and email it to the board.

<b>BOARD MEMBER TASKS</b>
Catherine, Jeff and Vern will work with Alysia on NCARB History (A/6.B.2.j)
John will work with Alysia on UAV info./ brochure for website (A/14.D.)
Colin will write a letter to UAA regarding passing of FE exam
Dave will write a response letter to Jesse Engineering Co. (A/7.B.)
Colin and Luanne will draft response letter re: playgrounds & Landscape Architects (A/7.D.)
Colin and Luanne will draft verbiage for the guidance manual to clarify (A/7.D.)
Brian will write a letter to DEC regarding their regulations (A/7.E.)
Catherine and Brian will coordinate on education and work experience req. (A/14.A.1&2)
Dave will call chief investigator regarding John's time and our statutes
Input regarding proposed updates to seal regulations (A/14.E.)
Brian will write a response letter to Peter Giessel (April 2017 Meeting - A/7.F.)
<b>STAFF TASKS</b>
Alysia will schedule OAH training for board
Alysia will work w/ Sara on laptop issues/ policies & procedures so that board members have access to marked up versions of board packets at meetings
Alysia will compile required notices for SE by Grandfathering regulation update (A/7.C.)
Alysia will work with board members as needed to produce an updated version of the Guidance Manual by February
Alysia will draft a response letter regarding IACET (A/7.G)
Alysia will disseminate John Kerr's UAV presentation
John Savage will include sanitized explanation of cases in future investigative reports

**The meeting adjourned at 1:30 p.m.**

#### **Outreach at UAA College of Engineering**

Board members Hanson, Maynard, Fritz, Mott and Kerr met with approximately 25 students and 6 faculty in the UAA School of Engineering, which includes Geomatics. Hanson facilitated the discussion and the students asked a lot of questions. The main topics included: the FS exam, responsible charge, and education vs. experience time. The board members also explained the relationship between the AK Board and NCEES.



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# Investigative Report

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THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500  
Anchorage, Alaska 99501-3567  
Main: 907.269.8160  
Fax: 907.269.8195

**MEMORANDUM**

DATE: January 16, 2018  
TO: Alaska State Board of Registration for Architects, Engineers and Land Surveyors  
THRU: Greg Francois, Chief Investigator *GF*  
FROM: John Savage, Investigator  
RE: Investigative Report for the February 1-2, 2018 Meeting

The following information was compiled as an investigative report to the Board for the period of October 27, 2017 through January 15, 2018. This report includes all investigations, complaints, and intake matters handled since the last report. The Division **opened 19 matters** and **closed 23 matters**. **14 matters** remain on-going and under active investigation or are pending litigation (as indicated by italics).

Matters opened by the Paralegal in Juneau, regarding continuing education audits and license action resulting from those matters are not covered in this report.

<u>CASE #</u>	<u>OPENED</u>	<u>COMPLAINT/INVESTIGATION</u>	<u>PROFESSION</u>
2016-001300	10/26/2016	Unlicensed practice/Elec Engineer.	ELECTRICAL ENGINEER
2016-001384	12/02/2016	Unlicensed practice/No COA Engineer.	CORP AUTHORIZATION
2016-001387	12/05/2016	Unlicensed practice/Land Surveyor	LAND SURVEYOR
2016-001389	12/05/2016	Unlicensed practice/No COA Surveyor.	CORPAUTHORIZATION
2016-001391	12/06/2016	Unlicensed practice/No COA Surveyor.	CORP AUTHORIZATION
2017-000084	01/27/2017	Violation of licensing regulation/Below standards	ENGINEER
2017-000138	02/14/2017	Unethical conduct/Engineer	ENGINEER
2017-000332	03/24/2017	Violation of licensing regulation/Architecture	ARCHITECT
2017-001073	10/09/2017	Unlicensed practice /Engineering	ENGINEER
2017-001117	10/25/2017	License application problem/Engineer	ENGINEER
2017-001118	10/25/2017	Falsified application/Engineer	ENGINEER
2017-001122	10/26/2017	Unlicensed practice/No COA Surveyor.	LAND SURVEYOR
2017-001125	10/26/2017	Violation of licensing regulation/Engineer	ENGINEER
2018-000025	01/05/2018	License application problem/Engineer	ENGINEER

**OPEN: TOTAL = 14** (does include intakes)


**INVESTIGATIVE ACTIONS CLOSED SINCE LAST MEETING**

2016-001056	License Action	LAND SURVEYOR
2016-001097	License Action	ARCHITECT
2017-000972	No Action - No Violation	ENGINEER
2017-001111	No Action - No Violation	ELECTRICAL ENGINEER
2017-001116	No Action - No Violation	ELECTRICAL ENGINEER
2017-001201	Review Complete	ENGINEER
2017-001213	Review Complete	LAND SURVEYOR
2017-001218	Review Complete	ARCHITECT
2017-001221	Review Complete	ARCHITECT
2017-001237	Review Complete	CORPORATE AUTHORIZATION
2017-001240	Review Complete	LAND SURVEYOR
2017-001258	Review Complete	ENGINEER
2017-001261	Review Complete	ENGINEER
2017-001262	Review Complete	CORPORATE AUTHORIZATION
2017-001267	Review Complete	CORPORATE AUTHORIZATION
2017-001271	Review Complete	CORPORATE AUTHORIZATION
2017-001272	Review Complete	ENGINEER
2017-001278	Review Complete	ARCHITECT
2017-001282	Review Complete	ENGINEER
2018-000002	Review Complete	ENGINEER
2018-000004	Review Complete	ENGINEER
2018-000012	Review Complete	LAND SURVEYOR
2018-000041	Review Complete	CORPORATE AUTHORIZATION

**CLOSED TOTAL = 23** *(does include intakes)*

**PROBATION CASES: TOTAL = 0**

***END OF REPORT***



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# Financial Report

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Department of Commerce Community, and Economic Development  
Corporations, Business and Professional Licensing

Board of Architects, Engineers, and Land Surveyors  
Schedule of Revenues and Expenditures

	FY 12		FY 13		FY 14		FY 15		FY16		FY17		FY18 1st Qtr
Licensing Revenue	\$	845,362	\$	162,223	\$	1,983,134	\$	309,524	\$	1,312,092	\$	201,239	\$ 35,485
Allowable Third Party Reimbursement		-		-		5,931		7,156		6,302		13,376	750
Total Revenue		845,362		162,223		1,989,065		316,680		1,318,394		214,615	36,235
Direct Expenditures													
Personal Services		260,469		248,834		287,835		283,855		324,968		287,705	46,844
Travel		48,940		41,597		53,408		42,799		35,307		32,347	4,508
Contractual		59,439		32,998		88,077		54,433		70,609		38,973	7,348
Supplies		2,922		6,779		2,054		1,075		1,221		631	333
Equipment		-		-		-		-		-		-	-
Total Direct Expenditures		371,770		330,208		431,374		382,162		432,105		359,656	59,033
Indirect Expenditures*		396,542		431,349		290,377		198,407		304,894		320,400	80,100
													-
Total Expenses		768,312		761,557		721,751		580,569		736,999		680,056	139,133
Annual Surplus (Deficit)		77,050		(599,334)		1,267,314		(263,889)		581,395		(465,441)	(102,898)
Beginning Cumulative Surplus (Deficit)		262,319		339,369		(259,965)		1,007,349		743,460		1,324,855	859,414
Ending Cumulative Surplus (Deficit)	\$	339,369	\$	(259,965)	\$	1,007,349	\$	743,460	\$	1,324,855	\$	859,414	\$ 756,516

\* For the first three quarters, indirect costs are based on the prior fiscal year's total indirect amount on a percent of year completed basis.  
The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Department of Commerce Community, and Economic Development  
Corporations, Business and Professional Licensing

Appropriation	(All)
Budget Fiscal Year	2018
Activity Code	AEL1

Object Code	Object Name	Sum of Expenditures
1011	Regular Compensation	28,275
1023	Leave Taken	2,251
1028	Alaska Supplemental Benefit	1,876
1029	Public Employee's Retirement System Defined Benefits	6,563
1030	Public Employee's Retirement System Defined Contribution	36
1034	Public Employee's Retirement System Defined Cont Health Reim	28
1035	Public Employee's Retirement Sys Defined Cont Retiree Medical	7
1037	Public Employee's Retirement Sys Defined Benefit Unfnd Liab	82
1039	Unemployment Insurance	92
1040	Group Health Insurance	5,811
1041	Basic Life and Travel	9
1042	Worker's Compensation Insurance	288
1047	Leave Cash In Employer Charge	705
1048	Terminal Leave Employer Charge	366
1053	Medicare Tax	418
1077	ASEA Legal Trust	29
1079	ASEA Injury Leave Usage	7
1080	SU Legal Trst	0
2000	In-State Employee Airfare	309
2001	In-State Employee Surface Transportation	141
2002	In-State Employee Lodging	398
2003	In-State Employee Meals and Incidentals	150
2005	In-State Non-Employee Airfare	829
2006	In-State Non-Employee Surface Transportation	71
2007	In-State Non-Employee Lodging	1,043
2008	In-State Non-Employee Meals and Incidentals	360
2010	In-State Non-Employee Non-Taxable Reimbursement	349
2012	Out-State Employee Airfare	25
2013	Out-State Employee Surface Transportation	22
2015	Out-State Employee Meals and Incidentals	188
2020	Out-State Non-Employee Meals and Incidentals	468
2022	Out-State Non-Employee Non-Taxable Reimbursement	156
3001	Test Monitor/Proctor	-
3002	Memberships	6,500
3046	Advertising	555
3057	Structure, Infrastructure and Land - Rentals/Leases	32
3066	Print/Copy/Graphics	13
3067	Honorariums/Stipend	224
3069	Commission Sales	24
4001	Equipment/Furniture/Tools/Vehicles	54
4002	Business Supplies	279
<b>Grand Total</b>		<b>59,033</b>



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# CLARB

## Meeting Reports & Correspondence

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**From:** Missy Sutton  
**To:** [Jones, Alysia D \(CED\)](#)  
**Subject:** How You Can Impact the Future of Licensure and CLARB Leadership  
**Date:** Monday, November 13, 2017 7:51:31 AM

Click [here](#) if you are having trouble viewing this message.



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## Choosing Future Leaders Recap

Thank you to everyone who joined us to learn how you and your board can impact CLARB's leadership elections right now. If you missed Wednesday's webcast, [slides and notes are now available](#) for your review.

Nominations are now officially open and this is your first step in selecting those who will become candidates in the 2018 elections. If you have any questions about the process, please contact [Andrea Elkin](#).

We know regulation cannot – and will not – continue to exist the way it has, and as regulation evolves, CLARB and its leadership will need to evolve to support you.



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## Upcoming Webcast: Joint CLARB/ASLA Web Summit - November 29

CLARB has committed to helping our members defend the integrity of licensure and regulation of landscape architecture to protect the public. As part of our increased efforts to support our members, we have partnered with the American Society of Landscape Architects to assist state chapters and licensure boards in building stronger more effective relationships. Strong Board/Chapter relations is one of the key

elements in establishing and maintaining strong licensure laws in each state.

Please join us for the **first Joint CLARB/ASLA Web Summit** on **Wednesday, November 29th at 3:00 p.m. EST** where representatives from each ASLA chapter and CLARB Member Boards are being invited to:

- Make connections from the Board and Chapter
- Hear best practices for building and sustain strong, effective and appropriate board/chapter relations
- Provide input on new resources to support licensure defense efforts
- Begin to plan for the 2018 legislative session

We have seen increased threats to landscape architectural licensure over the past year and we anticipate this increasing in the next legislative session. Mark your calendars and plan to attend!

**Stay tuned for webcast access details.**

---

### **Save The Date: What It's Like To Be a CLARB Leader - December 6**

Now that nominations are open, have you wondered what CLARB's elected leadership thinks of their service? What types of conversations are had at board meetings? Is the dynamic of the group open and willing to consider learning from other's opinions?

Are you familiar with the time commitment and the way of thinking that you or someone you would be nominating should demonstrate?

If you have questions like these and more, we invite you to join us on Wednesday, December 6 to hear directly from current and previous CLARB leaders. They look forward to sharing their personal experiences, why they ran for positions and what they are learning along the way.

#### **Webcast Access Details**

- Wednesday, December 6 at 3:00 p.m. ET / 2:00 p.m. CT / 1:00 p.m. MT / 12:00 p.m. PT
  - [Click here to join](#) from PC, Mac, Linux, iOS or Android (audio and video are supported)
  - Or iPhone one-tap:
    - US: +16468769923,,220908324# or +14086380968,,220908324#
  - Or telephone (for higher quality, dial based on your current location):
    - Dial: +1 669 900 6833 or +1 408 638 0968 or +1 646 876 9923
    - Meeting ID: 220 908 324
    - [International numbers](#) are also available.
- 

#### **About CLARB's "In the Know" Series**

This series is designed to ensure that you are "in the know" about key issues, programs, activities and



processes that are part of CLARB's work on behalf of you, our members. All events are prepared for your benefit and exclusive use and we respectfully ask that access information for – and content from – these events not be shared with the public without receiving prior permission from CLARB. Visit the ["In the Know" archive](#) to learn more.



Click [here](#) to unsubscribe or change your subscription preferences.

Council of Landscape Architectural Registration Boards (CLARB)

1840 Michael Faraday Drive, Suite 200, Reston, Virginia 20190

[info@clarb.org](mailto:info@clarb.org) / [www.clarb.org](http://www.clarb.org) / 571-432-0332



## CHOOSING FUTURE CLARB LEADERSHIP

*WHAT YOU, YOUR BOARD CAN DO NOW THROUGH JANUARY*



**WELCOME**  
**WE'RE GLAD YOU'RE HERE!**



# Election To-Do's Now through January 12

1

**Understand what  
CLARB is looking for**

2

Review list of  
eligible individuals

- *By yourself*
- *With your board*

3

Make nominations

- *By yourself*
- *With your board*



# Competency – Think Strategically

## Board

Set direction

Allocate  
resources

Ensure progress

## Staff

Execute  
direction

Manage  
resources

Report progress



# Competency – Work Collaboratively



**Does this sound like you?**

- Able to listen, learn and discuss
- Share and understand different perspectives
- Be open-minded and emotionally mature

## Competency – Be Willing to Learn and Grow

The capacity to learn is  
a *gift*; the ability to  
learn is a *skill*; the  
willingness to learn is a  
*choice*.

Brian Herbert

# Do You or Does Someone You Know ...

- Enjoy collaborating?
- Think strategically?
- Have a willingness to learn and grow?



cbhoffmanla@gmail.com





# Election To-Do's Now through January 12

1

Understand what  
CLARB is looking for

2

**Review list of  
eligible individuals**

- *By yourself*
- *With your board*

3

Make nominations

- *By yourself*
- *With your board*



# Eligibility Requirements

## Officers & Regional Directors

- Licensed landscape architect
- Regulatory board experience
- Active CLARB participation

## Committee on Nominations

- Licensed landscape architect or MBE
- Regulatory board experience
- Active CLARB participation

## MBE Director

- One-year of service on the MBE Committee in the past 18 months



# Election To-Do's Now through January 12

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# 2018 Leadership Opportunities

Position	Term
President-Elect (automatic succession to President and Past President)	3 Years
Vice President	1 Year
Secretary	2 Years
Region 2 Director	2 Years
Region 4 Director	2 Years
MBE Director	2 Years
Committee on Nominations Member (2 positions)	2 Years

# Election To-Do's Now – January 12

- Understand what CLARB is looking for
- Review list of eligible individuals
  - *By yourself*
  - *With your board*
- Make nominations
  - *By yourself*
  - *With your board*





# What Happens After January 12?

January – May: Committee vets nominated individuals

June: Committee announces final slate of candidates

June – September: Member Boards vote

# Questions



# Let Us Know You're Interested

**Today**



**or**



cbhoffmanla@gmail.com

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**December 6 at 3 p.m. ET**



**WEBCAST**





# On Your Mark, Get Set, Go!



**From:** Missy Sutton  
**To:** [Jones, Alysia D \(CED\)](#)  
**Subject:** By Monday - Response Requested: CLARB Licensure Risk Survey  
**Date:** Friday, November 17, 2017 7:43:11 AM

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Hello – and happy Friday! I wanted to ask if you have time today or by close of business on Monday to respond to the following survey. CLARB is committed to helping boards defend regulation and ensure regulation’s survival – but we need all member boards to help us by providing data. Thank you for taking 15 minutes to complete this important survey.

Cheers,  
Missy

**From:** Missy Sutton [mailto:MSutton@CLARB.ORG]  
**Sent:** Tuesday, November 14, 2017 10:28 AM  
**To:** Missy Sutton <MSutton@clarb.org>  
**Subject:** Response Requested: CLARB Licensure Risk Survey

Click [here](#) if you are having trouble viewing this message.



## Response Requested: Licensure Risk Survey

As we discussed at the Annual Meeting in Boise, CLARB is engaged in a member empowerment project that aims to understand risks to licensure around the country, evaluate the threats, develop tools and strategies for boards and ASLA chapters to mitigate threats, and better communicate the value of licensure of landscape architecture to state lawmakers.

Representatives of 26 state boards responded to the original survey sent in July, but we would like to capture the views and understand the risks of the remaining boards, **including yours**. We shared the preliminary findings at the Annual Meeting and would like to get a better understanding of risks to licensure around the country before the 2018 legislative session begins.

The [survey](#) should take about 10-15 minutes, depending on your answers. **Please complete the survey by Monday, November 20.** Survey results will be combined with those from the state’s ASLA chapter(s) to build an understanding of risks to licensure in your state and across the country.

[Click here to access the survey.](#) Thank you for your time and response.



Click [here](#) to unsubscribe or change your subscription preferences.

Council of Landscape Architectural Registration Boards (CLARB)

1840 Michael Faraday Drive, Suite 200, Reston, Virginia 20190

[info@clarb.org](mailto:info@clarb.org) / [www.clarb.org](http://www.clarb.org) / 571-432-0332

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# NCARB

## Meeting Reports & Correspondence

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## Celebrating Licensure

The Nevada Board is among several jurisdictions that host ceremonies to celebrate new architects. [READ MORE](#)

“As states debate the relevance of regulation, a new urgency to outreach exists, compelling the regulatory community to be comfortable with more visibility and to be equipped to demonstrate how the public is being protected.”

—Message from the CEO, Page 2

Pennsylvania Member Board Member Douglas Carney, AIA, LEED AP, NCARB, explains the importance of regulation at an outreach presentation to licensure candidates at AIA Philadelphia on October 19, 2017.

### October Highlights

#### Advocating for Regulation

NCARB continues to expand its support to Member Boards making the case for reasonable regulation.

[READ MORE](#)

#### Preparing for NCARB's Centennial

The Centennial Advisory Committee is working to prepare for NCARB's 100-year celebration in FY19.

[READ MORE](#)

#### Exploring Licensure Abroad

NCARB continues to explore parallels between licensure in the U.S. and other countries—including the United Kingdom. [READ MORE](#)



### NCARB in the Press



- [Architecture Students Compete in Design Challenge](#) (Building Enclosure)
- [How NCARB is Evolving and Growing with Kristine Harding](#) (Young Architect)
- [Woodbury Ranked Among Top 20 Architecture Schools in 2018 DesignIntelligence National Survey](#) (Digital Journal)
- [Architects' Primary Responsibility Is to Protect General Public](#) (The State Journal)
- [Understanding Your Role as an AXP Mentor](#) (Archinect)

### Top Blog Posts



- [5 Things to Know About ARE 4.0's Retirement](#)
- [Meet the 2017-2018 NCARB Think Tank](#)
- [Coming Soon: ARE 5.0 Provisional Feedback](#)
- [Celebrate 5.0's Birthday With Our ARE Giveaway](#)

## Message from the CEO

Dear Colleagues,

It was a privilege and an inspiration to attend a recent celebration of new licensees at the Nevada State Board of Architecture, Interior Design and Residential Design meeting. Nevada is one of a number of jurisdictions that host special licensure presentation ceremonies, often with family and friends in attendance, to mark the milestone of achieving initial licensure. Having attended several similar events throughout the country, licensure ceremonies are an enormously rewarding opportunity to see the fruits of candidates' labor and of our efforts to present a regulatory framework that delivers such fine newly minted professionals. These events provide an opportunity to glimpse the future, and also a moment to receive honest feedback on how the licensure process impacted each new licensee. Our Member Boards receive valuable information on how to improve their efforts, and pass along ideas on how NCARB's tools can be improved.

Licensure ceremonies also serve as an opportunity to humanize the efforts of the licensure community—new architects meet the board staff, connect names and faces, and hear about the ongoing role a board can play in an architect's career. Outreach from Member Boards is sometimes hard to sustain, with staffing and funding shortages and daily work priorities. At our 2017 Annual Business Meeting in Boston, we featured presentations designed to explore how Member Boards can dialogue with elected officials and work on telling their regulatory story to a wider audience. As states debate the relevance of regulation, a new urgency to outreach exists. The existence of hearings, forums, sunset reviews, governor updates, and media inquiries is compelling the regulatory community to be comfortable with more visibility and to be equipped to demonstrate how the public is being protected.

*continued page 3*



## CEO Outreach



### October

#### **United Kingdom Architectural Registration Board**

London, UK | October 4

#### **Nevada Board Visit**

Las Vegas, NV | October 24-26

NCARB is helping this effort, and wants to do more. In the past year we have upped our presence via testimony, background briefings, filing of amicus briefs to courts, and distilling data for states to use in a variety of reports. We are positioning our staff to collaborate with our Member Boards in designing annual updates on how their work represents “reasonable regulation” that meets and often exceeds the expectations of the public.

We also anticipate providing subject matter expertise and access to critical information as we collaborate in the advocacy efforts of the AIA at the national and state levels. Already we have seen effective coalitions pursue legislative updates that facilitate licensure through adoption of NCARB programs, ranging from the modernization of our Architectural Experience Program™ (AXP™) to giving pre-graduation access to the Architect Registration Examination® (ARE®) for students enrolled in an Integrated Path to Architectural Licensure (IPAL) program.

As all of us pursue a more sophisticated approach to outreach, so must we up our game in seeking critical comment and committing to continuous improvement. To that end, NCARB has launched its first customer survey in many years, is embarking on its first business process reengineering study of customer service in a decade, is adding a second “think tank” composed of recently licensed architects, and is going deeper into its multi-year effort to refresh its strategic plan. In doing all these things, we also keep an eye on the future: how do we make sure that our focus, including the focus on improvement, is evolving in real time with the evolution of practice and the evolution of regulatory tools?

Let's keep listening, and keep asking!

With best wishes,

*Mike*

## More CEO Outreach



### Upcoming Events

#### CEO/Volunteer Leaders Symposium

Baltimore, MD | November 15-17

#### Maine Board Visit

Gardiner, ME | November 20-21

#### Committee Summit

Louisville, KY | December 1-2

## Collateral Engagement



#### Five Presidents Meeting (Senior Leaders and Executives)

Alexandria, VA | October 22

#### American Institute of Architects (AIA)

##### AIA United Kingdom

London, UK | October 3

##### AIA Big Sibs (Large Local Components)

Seattle, WA | October 13

##### Monterey Design Conference – AIA California Council

Monterey, CA | October 14-15

##### NCARB – AIA Leadership Summit

Alexandria, VA | October 21

#### Association of Collegiate Schools of Architecture (ACSA)

Ongoing development of  
“Pro Practice” data collection

#### National Architectural Accrediting Board (NAAB)

##### NAAB Board of Directors Meeting

Alexandria, VA | October 22



## Strategic Plan

- A review of first quarter numbers from FY18 indicates that examination administrations are exceeding an already optimistic forecast contained in the FY18 budget. Of particular interest is the growing participation in the new ARE 5.0 as ARE 4.0 approaches retirement. With its focus on the six phases of practice and simulation of workplace context, the new exam is getting very positive reviews and appears to be incentivizing faster progress through the multiple divisions. While it will be some time before sufficient data exists to truly spot trends, the early results are very encouraging. Moving candidates through the licensure path at a faster pace without sacrificing rigor reinforces the goal of **facilitating licensure**.
- Recent meetings with the four other major architectural organizations, known as the “collaterals,” included an update from the NAAB on its efforts to reduce costs, increase efficiencies, and embrace modernization. Through the support of its collaterals investors, the NAAB has been able to map a strategy that includes a reduction in annual collaterals’ contributions, a realignment of staff functions, and forward movement on tools and approaches that will modernize the accreditation of academic programs. NCARB’s work in this arena emphasizes the strategic goal of **fostering collaboration**.
- A new engagement strategy with Member Boards to collect disciplinary information for the NCARB national disciplinary database has launched, with Customer Relations staff contacting Member Boards after each of their meetings to collect and enter the data. This activity promotes the goal of **centralizing credentialing data**.

## Organizational Development and Office Life

- Supervisory staff with master’s degrees have caucused to re-launch the leadership luncheon series, designed to encourage cross-departmental conversation regarding management and leadership concepts and motivations.
- The Customer Relations Directorate is in “major change” mode as it prepares for the departure of longtime Assistant Director Demetrius Norman at the end of October, adapts to full implementation of the Agile project management method, and prepares for its first business process reengineering review in 10 years. Overtime work has been implemented to minimize backlogs that may occur during these organizational transitions.
- An upcoming Senior Staff Retreat will feature updates from a recent “Lean-In” training activity involving department directors, a visioning session on future options for the office working environment, and team building activities designed to enhance collaboration.



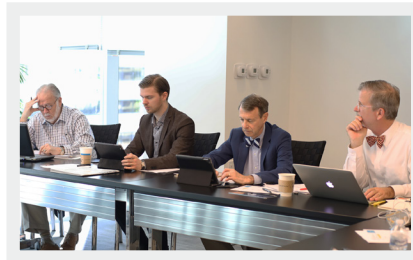
**@bpaletz**

Reviewing and approving #AXP hours. @NCARB has really improved the way you do this since I went through #IDP



## Senior Officer and Executive Office Outreach

- Supported the first meeting of the Centennial Advisory Committee, chaired by First Vice President/President-elect David L. Hoffman, FAIA, NCARB. The committee, charged to guide and monitor the planning of NCARB's Centennial Celebration, is comprised of Hoffman; 1993 President Harry G. Robinson III, FAIA; 1998 President Ann R. Chaintreuil, FAIA; 2004 President and current Virginia Board Member Robert A. Boynton, FAIA; 2008-2011 MBE Director Cindy McKim; former NCARB Legal Counsel Dan Taylor; long-time staff member Kim Garrison; and CEO Mike Armstrong. Marketing & Communications Director Andy McIntyre and Advisor to the CEO Stephen Nutt, FAIA, NCARB, CAE, are staff liaisons to the Advisory Committee.
- Supported the Ethics Task Force, chaired by 2015 President Dale McKinney, FAIA, which met in late October to review and consider comments from various committees on the proposed modifications to the NCARB Rules of Conduct. Following the meeting, a second draft will be prepared for review at the Committee Summit in December. After a joint engagement session at Committee Summit, the draft will be finalized and forwarded to the Board of Directors for their consideration in January.
- Launched two online strategic focus groups in a month-long virtual engagement informing the next iteration of the Council's strategic plan. The two groups—one comprised of Member Board Members and one comprised of Certificate holders—are providing further insights about the impact of industry trends and technology on NCARB customers and the regulation of the profession. The discussions provide a deeper dive on information gleaned from earlier engagements with Member Board Members, Member Board Executives, and licensing advisors. The online focus groups are facilitated by the Council's strategic planning consultant, McKinley Advisors. Released a customer perception survey to several thousand current and former customers to gain insight into customer needs and experiences.



The Ethics Task Force reviews proposed changes to the NCARB Rules of Conduct.

- Wearing his Federation of Associations of Regulatory Boards (FARB) Chief Advocacy Officer title, Nutt presented to over 175 attendees at the FARB Regulatory Law Seminar in Savannah, GA. The audience, primarily comprised of legal counsels from various state licensing boards, also included the Acting Director of the Federal Trade Commission's (FTC) Office of Policy Planning. As the closing speaker, Stephen emphasized the important role messaging plays in countering the current anti-regulatory sentiment gaining momentum across the United States and challenged the FTC to restore the protection of the public's health, safety, and welfare as the FTC's primary focus.
- President Gregory L. Erny, FAIA, NCARB; CEO Mike Armstrong; and Nutt met with NCARB's regulatory counterpart in the United Kingdom to explore the opportunities for a future recognition agreement between NCARB and the Architects Registration Board (ARB) of the U.K. NCARB enjoyed a previous agreement with the U.K. in the 1970s and '80s. After the formation of the European Union (EU), NCARB worked with the Architects Council of Europe to establish an agreement, but were never able to finalize its implementation. With the U.K.'s pending exit from the EU, NCARB was able to initiate contact directly with the ARB and was well received during the initial meeting. Over the course of the next two years, both NCARB and the ARB have agreed to compare and contrast their respective paths to licensure—rigorously based on education, experience, and examination—in hopes that a new arrangement can be considered.
- Nutt also hosted an informative meeting with the National Administration Board of Architectural Registration (NABAR) of the People's Republic of China. The meeting, the first in several years, provided the opportunity to better understand the current path to licensure in each country. NCARB was joined by staff from the AIA to support various aspects of practice beyond licensure and registration.

## Administration

- NCARB is actively recruiting for 10 current vacancies across four business units. Details on these opportunities can be found on our [website](#).
- Prepared for the upcoming FY18 Committee and Regional summits.

## Council Relations

- Conducted outreach to Member Boards on next steps in the implementation phase of the Tri-National Mutual Recognition Agreement for International Practice.
- Provided comprehensive review and analysis of the Connecticut Architectural Licensing Board's statutes and rules.
- Communicated with AIA components regarding ARE 4.0 retirement to make sure everyone with active eligibilities in ARE 4.0 is ready and in the best position possible for the June 30, 2018, retirement.
- Submitted public comments in the form of a letter addressed to FTC Chairwoman Maureen K. Ohlhausen on the FTC's upcoming Economic Task Force panel regarding the empirical evidence on the effects of occupational licensure. Panelists will discuss the current state of economic knowledge about the costs and benefits of licensing, including its effects on workers, consumers, and the overall economy.
- Researched and analyzed jurisdictional data regarding the regulation of interior designers.



**@RBKirby3**

@NCARB Pushing to become a licensed architect with the help of NCARB and the AIA #ARE4to5 #TexasArchitects



**@ALAC\_NM**

Harry Falconer of @NCARB giving the latest info to @unmsaap students in the gallery with Bob Calvani of #NCA Architects, @jimmoschwald! – at [University of New Mexico](#)

## Customer Relations

- Assistant Director Dametra Lewis engaged customers and fielded inquiries about the path to licensure during outreach to NOMA's Annual International Conference & Exposition in Houston, TX.
- Supported the work of the Professional Conduct Committee (PCC), which:
  - Reviewed Member Board sanctions of 39 NCARB Record holders, determining that no further action by the Council was necessary in these cases.
  - Reviewed an exam violation and forwarded a recommended sanction to the Board of Directors for their review and final action in December.
  - Provided feedback to the Ethics Task Force on proposed edits to the Rules of Conduct with PCC Chair Brad Smith, AIA, NCARB, participating in a joint committee discussion to finalize proposed edits during the Committee Summit in December.
- As reported in the August NCARB Update, the Customer Relations Directorate is undergoing a significant review during this fiscal year to assess and reorganize processes and team structures for improved efficiencies and effectiveness. Phase one, transitioning to a proven approach for staff empowerment in managing customer requests, is well underway. In phase two, experts in process modeling will conduct an operational audit on the directorate's business processes. Phase two gets underway in mid-November. While new backlogs resulted as employees transitioned to new teams and received training in new approaches to transaction management, backlog has decreased by 50 percent since October 1. The backlog is expected to be eradicated in the coming weeks.



Members of the Examination Committee discuss performance of the current versions of the ARE.

## Examination

- In collaboration with Marketing & Communications, continued a targeted messaging campaign to all ARE 4.0 candidates informing them of the upcoming retirement of ARE 4.0 on June 30, 2018.
- Finalized enhancements to ARE 5.0 exam delivery, allowing candidates to receive provisional feedback on their exam performance at the end of an administration.
- The Examination Committee began efforts related to evaluation of current exam performance as well as long-term planning.
- The ARE 5.0 Case Study Task Force finalized a series of new case study resources for each division of ARE 5.0.
- Examination staff participated and presented at a national testing conference, ICE Exchange, to continue NCARB's growth as a thought leader in the testing and licensure areas.



## Experience + Education

- The Education Committee met October 6-7 at the NCARB office in Washington, DC.
- The Experience Committee met October 6-7 at the NCARB office in Washington, DC.
- Hosted a Supervisor Focus Group to explore how NCARB can better support AXP supervisors
- Released two new mini-monographs: [Subsurface Conditions Part IV: Site Development](#), [Considerations/Management of Site Materials/What Can Go Wrong](#) and [Seismic Mitigation Part IV: Improving on Existing Construction & Mitigation of Seismic Forces](#)



AXP supervisors from the DC area brainstorm new ways to communicate with supervisors and candidates.

## October Outreach



### AIA Components

- AIA United Kingdom | October 3
- AIA Iowa | October 3
- AIA Dallas | October 9
- AIA Fort Worth | October 10
- AIA Philadelphia | October 19
- AIA Baton Rouge | October 23
- AIA New Orleans | October 24
- AIA Triangle (Raleigh, NC) | October 24
- AIA Charlotte | October 26

### Conferences

- Association of Licensed Architects Annual Conference  
Oakbrook Terrace, IL | October 3
- AIA Nebraska Conference  
Omaha, NE | October 5-6
- National Organization of Minority Architects (NOMA)  
Annual Conference  
Houston, TX | October 13

### Universities & College Fairs

- Iowa State University | October 3
- University of Nebraska, Lincoln | October 4
- University of Texas, Arlington | October 9
- Illinois Institute of Technology | October 13
- Chicago Architecture & Design College Day | October 14
- University of Oklahoma | October 18
- Thomas Jefferson University | October 18
- Oklahoma State University | October 19
- Temple University | October 19
- Kent State University | October 20
- Philadelphia Architecture + Design Fair | October 21
- University of Louisiana Lafayette | October 23
- Tulane University | October 24
- Louisiana State University | October 25
- North Carolina State University | October 25
- University of North Carolina, Charlotte | October 26

## Information Systems

- Provided data support for ARE 4.0 retirement awareness campaign.
- Provided data support to Marketing & Communications for the perception analysis survey.
- System support for Strategic Focus Group communities.

## Marketing & Communications

- Continued work on the FY17 Annual Report.
- Promoted awareness of ARE 4.0's approaching retirement through targeted emails, the NCARB Blog, and social media.
- Supported the inaugural meeting of the Futures Task Force, which will work to investigate the impact technology has on regulation and the profession.
- Released a perception analysis survey to see how customers' views of NCARB have evolved since the previous survey in 2011. Findings may be included in the upcoming edition of *NCARB by the Numbers*.
- Supported the first meeting of the Centennial Advisory Committee. M&C will work with the committee to create an exhibition and a commemorative book, among other materials, to celebrate NCARB's 100th year. Continued to conduct video interviews with key former leaders in preparation for the NCARB Centennial.
- Developed and distributed the Destination Architect newsletter for licensure candidates.
- Developed leadership presentations for AIA Western Mountain Region, the NAAB Board of Directors Meeting, and the Five Presidents Meeting.

## Upcoming Outreach



### AIA Components

- AIA Santa Fe | November 1
- AIA Albuquerque | November 2

### Conferences

- ACSA Administrator's Conference  
Albuquerque, NM | November 2-4
- Greenbuild & Architecture Boston Expo  
Boston, MA | November 8-9
- AIA Quad Convention  
Albany, NY | November 9-10
- Texas Society of Architects Convention  
Austin, TX | Nov 9-10
- AIA Minnesota  
Minneapolis, MN | November 14-17

### Universities & College Fairs

- University of New Mexico | November 1
- Massachusetts Institute of Technology | November 6
- Harvard University | November 6
- Boston Architectural College | November 7
- Massachusetts College of Art and Design | November 7
- Northeastern University | November 8
- Texas A&M University | November 8
- Rensselaer Polytechnic Institute | November 9
- University of Minnesota | November 14
- Dunwoody College of Technology | November 17



ARE 4.0 is sunsetting June 30, 2018! If you started 4.0,  
Get your exams scheduled ASAP! Don't wait!

## Giving Back

NCARB has participated in multiple corporate social responsibility initiatives to benefit both the architecture community and the world at large.

[READ MORE](#) ➤

“We believe that demonstrating corporate social responsibility is essential for a nonprofit organization, even when its mission focuses on supporting the protection of the public.”

—Message from the CEO, Page 2

## November Highlights

### NCARB Wins “Juror’s Favorite”

NCARB’s contribution to AIA DC’s 2017 CANstruction competition won the “Juror’s Favorite” award. [READ MORE](#) ➤

### Updating the Disciplinary Database

We’re working with Member Boards to make sure the Disciplinary Database is up to date.

[READ MORE](#) ➤

### Canadian MRA

41 jurisdictions are signatories of NCARB’s Mutual Recognition Agreement with Canada. [READ MORE](#) ➤



NCARB staff pack over 10,000 meal packets for Rise Against Hunger, a nonprofit that provides food to local and international areas in crisis.

## NCARB in the Press



- [Understanding the Role of an AXP Supervisor](#) (Archinect)
- [Alfred Vidaurri Becomes NCARB Secretary](#) (Freese and Nichols)
- [Survey of top architecture firms reveals “quite shocking” lack of gender diversity at senior levels](#) (Dezeen)
- [SoA’s New Freedom by Design Chapter Launches Home Weatherization Kit Project](#) (Carnegie Mellon University)

## Top Blog Posts



- [How to Meet Your Continuing Education Requirements at Home](#)
- [Tips for Meeting With Your Supervisor](#)
- [Explore the 2017 Annual Report](#)
- [Why I Enrolled in an IPAL Program](#)
- [NCARB Live: ARE 4.0 Retires June 30, 2018](#)



## Message from the CEO

Dear Colleagues,

This season of gifting and giving is a reminder of how many opportunities there are to demonstrate a commitment to general well-being and to our various communities of interest. At NCARB this year, we prioritized making contributions to recipients who range from those in need to those pursuing architecture as a profession.

Most recently, I was thrilled to attend my second Fall Design Fête, hosted by AIA DC, as a benefit for the Washington Architectural Foundation's scholarship fund. This celebration, which is similar to many grassroots events around the United States, highlighted the talent and aspirations of the emerging generation, along with recognizing the impactful work of local practitioners.

Throughout the first six months of 2017, the American Institute of Architecture Students (AIAS) drew from a \$100,000 NCARB grant for their Freedom by Design initiative, positioning campus chapters around the US in their efforts to design accessible and inspiring spaces for the disabled and the general public. We featured the story behind these efforts in a presentation at our June Annual Business Meeting (ABM). On the Sunday immediately following the ABM, the FY18 Board of Directors allocated an additional \$50,000 to continue supporting this AIAS effort and provide ongoing stability to the program's outreach and marketing capacity.

In July, we added a new feature to our annual all-staff retreat. We spent several hours in a group exercise to support a charity entitled Rise Against Hunger. During a two-hour period, our nearly 100 employees prepared over 10,000 meal packets purchased by NCARB to be shipped to the most hunger-challenged spots on the planet. We learned about teamwork, engaged in a non-sedentary activity, and made a difference.

*continued page 3*



Armstrong with NBC4's Wendy Rieger and AIA DC Executive Director Mary Fitch, AICP, Hon. AIA, at the Washington Architectural Foundation's Fall Design Fête.

## CEO Outreach



### November

#### **MA Board of Registration of Architects Visit**

Boston, MA | November 14-15

#### **Canadian Architectural Licensing Authorities Meeting**

Washington, DC | November 18-19

#### **ME Board of Licensure for Architects, Landscape Architects and Interior Designers Visit**

Gardiner, ME | November 20-21

In October, NCARB donated \$18,000 to support the National Building Museum's Interschool Design Competition. This competition creates a forum for architecture students to demonstrate their growing skills in a time-specific context.

Our grant assured that the competition could continue for another year and served as a public statement of our commitment to encouraging the next generation of licensed practitioners.

In November, NCARB staff architects once again entered the AIA DC component's CANstruction competition, which benefits the Capital Area Food Bank. NCARB's display utilized 3,772 cans of food purchased by NCARB, contributing to a total of over 72,000 cans of food donated to the food bank—the second largest single contribution on an annual basis. In competition with architecture and engineering firms in the DC area, NCARB's 2017 exhibit, "Rainbow CANnection," supported the theme of "CANnect with Nature" and was awarded the "Juror's Favorite" prize.

We believe that demonstrating corporate social responsibility is essential for a nonprofit organization, even when its mission focuses on supporting the protection of the public. Our employees are motivated by our mission and proud of our efforts. Thanks to the commitment of our customers, we are indeed fortunate in our ability to give back.

I hope each of you experiences the joy of giving in this season and throughout the coming year.

With best wishes,

*Mike*



NCARB's "Rainbow CANnection" submission for AIA DC's CANstruction competition was built out of 3,772 cans and won "Juror's Favorite."

## Collateral Engagement



Attended the every-other-month **Five Execs Breakfast** in Washington, DC, on November 28 with collateral executives from the American Institute of Architects (AIA), the American Institute of Architecture Students (AIAS), the Association of Collegiate Schools of Architecture (ACSA), and the National Architectural Accrediting Board (NAAB).



## Strategic Plan

- Our Strategic Plan goals of **Facilitating Licensure**, **Fostering Collaboration**, and **Centralizing Credential Data** continue to frame our reports and our analytics. Positive trends continue in the pipeline of the licensure candidate pool. Member Boards continue to update us and seek our support regarding various legislative issues, and we continue to work with ACSA, AIAS, and the NAAB on issues and initiatives of mutual interest. And, our collaborative engagements with the AIA component community continue to bear fruit. Our national Disciplinary Database is now being populated with data from all 54 Member Boards, thanks to a new initiative to collect the data after every Member Board meeting through either self-reporting or NCARB staff support.
- Staff focus groups regarding the effort to refresh the Strategic Plan for a June 2019 unveiling have been completed, and added to the analysis issuing from the volunteer-populated Strategic Focus Groups, as well as earlier survey and interview data involving Member Board Members, Member Board Executives, the NCARB Board of Directors, and NCARB customers.

## Organizational Development and Office Life

- As mentioned above, NCARB staff won the “Juror’s Favorite” award for their entry in the annual CANstruction event hosted by AIA DC to support the Capital Area Food Bank.
- A new “blue wall” of words and phrases supporting NCARB’s single organizing idea, “Let’s Go Further,” was unveiled, supported by the Brand Ambassadors and designed by Marketing & Communications. The wall overlooks the north perimeter of the NCARB office.
- The Customer Relations Directorate is now working with an embedded business process re-engineering (BPR) consultant team to explore how to achieve new efficiencies through reworking organizational frameworks and task assignments.
- Senior staff addressed several emerging topics at their fall retreat, including envisioning the workspace of the future, refreshing formats for various group meetings, new perspectives on working with stakeholders beyond current engagements, and takeaways from their “Lean Innovation Workshop” training.



The new “blue wall” features words and phrases from NCARB staff describing our single organizing idea, “Let’s Go Further.”

## Senior Officer and Executive Office Outreach

- NCARB executive office staff supported the recent meeting of the Model Law Task Force in Washington, DC. The task force continues to merge the FARB Model Practice Act and the NCARB *Model Law* in its effort to create the “best of both models.” The task force started developing a proposed release plan and considered research on incidental practice and written contracts.
- NCARB staffed a meeting of senior Board officers and our counterparts from the Canadian Architectural Licensing Authorities (CALA) to review the performance and status of the Mutual Recognition Agreement between NCARB and CALA. Data reflects that almost 600 reciprocal licenses have been generated by the agreement since its re-negotiation in January 2014. Currently, 41 U.S. jurisdictions and all 11 Canadian provincial associations honor the agreement. Please contact Stephen Nutt ([snutt@ncarb.org](mailto:snutt@ncarb.org)) if you would like more information on becoming a signatory.

### @blg\_arver

Attn aspiring architects: @NCARB will be @TheBACBoston tonight. Have your AXP + ARE questions ready! See you all soon. @aias\_bac #BACPrac

### @CAArchitectsBD

Don't miss the @NCARB webinar today at noon on #ARE4's retirement and the #ARE4to5 transition! <https://goo.gl/FzuQJH>



The Model Law Task Force met at the NCARB office in Washington, DC, on November 10-11.

## Administration

- Coordinated all onsite logistical support for the Committee Summit held December 1-2 in Louisville, KY.
- The Accounting team has initiated efforts for a risk assessment study that will be conducted over the next several months with the Executive Committee and the Board of Directors by our financial auditors, Tate & Tryon. In this study, leadership will identify key organizational risks and mitigation opportunities.
- Actively recruiting for seven open positions. Details can be found at <https://www.ncarb.org/about/careers>.

## Council Relations

- Submitted comments to the Federal Trade Commission's November 7 panel on occupational licensing. The public comments were sent to the FTC in the form of a letter addressed to Acting Chairwoman Maureen K. Ohlhausen. Similar to the [comments](#) we submitted to the task force's previous roundtable on occupational licensing portability, we emphasized that architect licensing boards work tirelessly to protect the public's health, safety, and welfare through reasonable regulation.
- Continued proactive monitoring of various proposed or introduced state legislative bills that could potentially impact Member Boards.
- Council Relations has moved to a new platform for legislative tracking that will give Member Boards direct access to information. The platform will be an advocacy tool that empowers and enables Member Boards to track and research various legislative bills and executive orders within their jurisdictions. The tool will also provide various data related to regulatory and political hot topics and trends.

- Completed migration to the new Member Board Community collaboration platform, which will be released in early December for a "soft launch." This tool will provide a virtual space for Member Board Members and Executives to collaborate. Training is being planned for all Member Board Members and Executives.



**@AIASorg**

Through a partnership with the @NCARB, the AIAS was able to grant \$9,000 this fall to ten different schools to implement their community-based design projects! <http://ow.ly/xK4K30gyCYT> #AIASfbd



**@JMJanzen**

Nervous and excited about my upcoming ARE 5.0 exams - Dec. 1 & 6, here I come! @NCARB #ARE4to5



## Customer Relations

- Visited the New Mexico Board staff to provide training and assistance on the Disciplinary Database. Met with MBE Melarie Gonzales, Investigator Jacqueline Holmes, and Administrator Alicia Galvan.
- Please contact Josh Batkin ([jbatkin@ncarb.org](mailto:jbatkin@ncarb.org)) or Roxanne Alston ([ralston@ncarb.org](mailto:ralston@ncarb.org)) if you are interested in Disciplinary Database support or training for your board. NCARB now provides a dedicated resource to assist your board with inputting data for the Disciplinary Database.
- Customer Relations staff bid a fond farewell to longtime colleague Demetrius Norman, the former Assistant Director for Customer Relations, after 17 years of service to the Council. We wish Demetrius good fortune as he moves to a new career in church administration. Should you have questions or need additional information, please contact Dametra Lewis, Assistant Director Customer Relations, at [dlewis@ncarb.org](mailto:dlewis@ncarb.org) or 202-879-0508.

## Examination

- Launched provisional feedback capability for ARE 5.0 administrations while at the test center. This allows candidates the option of viewing immediate performance feedback after they complete each division.
- Thanks to the work of the FY17 Forms Assembly Task Force, launched new sets of test questions for ARE 5.0.
- In collaboration with Marketing & Communications, supported a social media marketing contest to celebrate the one-year anniversary of the launch of ARE 5.0 and to encourage candidates to transition to ARE 5.0.
- In collaboration with Marketing & Communications, hosted an NCARB Live interactive webinar. Answered continuing questions about the retirement of ARE 4.0 on June 30, 2018, as well as questions about how to best prepare for ARE 5.0 divisions.



Nearly 200 candidates entered the ARE 5.0 Birthday Giveaway contest, which encouraged testers to transition from ARE 4.0.



@NCARB Happy 5.0 Birthday! I transitioned from 4.0 to 5.0 this month (thanks for the handy transition calculator) and am scheduled to take my last two exams in December. PPD & PDD #ARE4to5 Let's do this!

## Experience + Education

- Supported the initial face-to-face meeting of the Interior Architecture Work Group in Chicago on October 10-11. The work group has been charged by President Gregory L. Erny, FAIA, NCARB, with taking a holistic look at NCARB's policy relative to interior design—ranging from the conferring of academic degrees in “interior architecture” to *Model Law* language regarding credentialing and scope of work.
- Collaborated with IS, Customer Relations, and Examination to develop an online system for IPAL advisors to manage student enrollment in IPAL options directly within NCARB's system.
- Test-marketed an interactive workshop, HSW: Supervising with IMPACT, at AIA Albuquerque to an audience of supervisors and licensure candidates. This workshop is NCARB's first release of AXP supervisor training materials. The well-received workshop focuses on the required competencies defined in the AXP and the relativity of the AIA Code of Ethics in daily practice. The workshop is approved for 1.5 HSW CEH.
- Released two new mini-monographs:
  - [Seismic Mitigation Part V: Managing Design and Construction and Design Resources](#)
  - [Sustainable Design Part I: Green Building Standards and Certification Systems](#)

## Information Systems

- Nearing completion of the refreshed Member Board Community (formerly the Registration Board section of My NCARB), a portal where Member Board Members and Executives can find helpful resources and discussions.
- Completed initial development of a new service for those participating in the Integrated Path to Architectural Licensure (IPAL). The “IPAL Manager for Advisors” service is expected to launch in early/mid-December.
- The office's uninterruptible power supply (UPS) was replaced with a new device following failures that caused a systems shut-down. A few remaining issues will be addressed in December.

## November Outreach



### AIA Components

- AIA Santa Fe | November 1
- AIA Albuquerque | November 2

### Conferences

- ACSA Administrator's Conference | November 2-3
- Greenbuild & Architecture Boston Expo | November 8-9
- AIA Quad State Conference | November 9-10
- Texas Society of Architects | November 9-11
- AIA Minnesota | November 14-16

### Universities & College Fairs

- University of New Mexico | November 1
- Massachusetts Institute of Technology | November 6
- Harvard University | November 6
- Massachusetts College of Art and Design | November 7
- Boston Architectural College | November 7
- Northeastern University | November 8
- Rensselaer Polytechnic Institute | November 9
- Texas A&M University | November 8
- University of Minnesota | November 14
- Dunwoody College of Technology | November 17

## Marketing & Communications

- Launched the digital [FY17 Annual Report](#) detailing the organization's major accomplishments of the previous fiscal year.
- Released a "Welcome" packet for new NCARB Certificate holders who received their Certificates in October and November. The packet features a letter from the NCARB president and brochures explaining the benefits of the Certificate and the process for volunteering with NCARB.
- Recorded video interviews with several NCARB past presidents as part of preparations for the NCARB Centennial.
- Attended NCARB outreach in Philadelphia and Boston to assess the effectiveness of our current student outreach presentations.
- In partnership with McKinley Advisors, conducted the 2017 Customers Perception Study, an analysis of customer sentiment toward NCARB and its programs.



Read the [FY17 Annual Report](#) to learn more about NCARB's major accomplishments throughout the last fiscal year.

## Upcoming Outreach



### AIA Components

- AIA Miami | December 11

### Conferences

- NSBAIDRD and AIA Nevada Continuing Education Seminar | December 7
- AIAS Forum | December 29-31

Link to NCARB 2017 Annual Report Homepage:  
<https://www.ncarb.org/annualreport/2017/#explore>

To: [Jones, Alysia D \(CED\)](#)  
Subject: Explore the NCARB 2017 Annual Report  
Date: Friday, November 10, 2017 6:05:08 AM

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I am excited to announce the release of the NCARB 2017 Annual Report. We are proud to say the past year has brought many updates for our Member Boards, customers, volunteers, and collateral partners.

[Read the 2017 NCARB Annual Report](#)

## Year in Review

Some of the achievements you can read about are:

- **Partners in Collaboration**—Explore how we're partnering with our Member Boards and volunteers to facilitate licensure, advance the profession, and promote reasonable regulation.
- **Path to Licensure**—Discover how updates to our programs are streamlining the licensure process and breaking down barriers in the road from student to practicing architect.
- **In the Profession**—Learn more about how we've worked with you, our members, to help architects expand their professional reach, both in the United States and abroad.



### NCARB Values

Be sure to check out this year's Values video to see how NCARB staff members are committed to being open, responsive, and restless in every area as we go further for our members and customers.

There is much to explore in this year's Annual Report, and I hope you enjoy reading it as much as we enjoyed creating it.

Warm wishes,



Michael J. Armstrong  
Chief Executive Officer

[National Council of Architectural Registration Boards](#)

1801 K Street NW Suite 700K  
Washington, DC 20006





## A New Chapter

“The transition from old to new that December brings us came into sharp focus as we reacted to significant announcements impacting our organization ... NCARB is moving! In early 2019, we will be relocating to 1401 H Street Northwest ... But as we look toward a new chapter in our office life, we close out chapters in saying goodbye to two longtime employees.”

—Message from the CEO,

[READ MORE](#) ▶

## December Highlights

### Future Architects

At the AIAS Forum, NCARB leadership met with architecture students who shared their passion for licensure and advancing the profession.

[READ MORE](#) ▶

### 2018 ABM

NCARB is looking forward to this year's Annual Business Meeting. Check our spotlight on Detroit each month to find something fun to do in the Motor City. [READ MORE](#) ▶



During the 2018 Committee Summit, Think Tank members had the opportunity to engage with committee volunteers.

## NCARB in the Press



- [New NCARB Report Highlights Architecture's Gradual March Toward Greater Diversity](#) (Architectural Digest)
- [America's Humanitarian Architect](#) (Fast Company)
- [NCARB by the Numbers Report Reveals Positive Trends for Diversity in the Architecture Profession](#) (ArchDaily)

## Top Blog Posts



- [Architect Spotlight: Leah Alissa Bayer](#)
- [What You Can Bring to the Test Center](#)
- [NCARB Volunteers Collaborate on Key Programs](#)
- [The Top 10 Posts of 2017](#)

## Message from the CEO

Dear Colleagues,

The transition from old to new that December brings us came into sharp focus as we engaged with the next generation of leaders at the American Institute of Architecture Students (AIAS) Forum in Austin, as we celebrated our year's accomplishments as a staff, and as we reacted to significant announcements impacting our organization.

Every year hundreds of architecture students from around the United States and Canada gather for inspiration, education, networking, and organizing at the annual AIAS Forum. NCARB plays a significant role as a key sponsor and presenter, which starts many conversations throughout the event regarding the pursuit of licensure and why it matters. But more importantly, we come away with renewed optimism regarding the next generation: we see amazing talent in the award winners, we are motivated by the focused passion of the aspiring leaders, and we are stimulated by the thoughtful and provocative questions posed in interviews and conversations at our table and in the hallways.

A number of the students are heading back to school with plans to work on Freedom by Design projects, involving student teams and architect mentors—some from our own Member Boards—who will design and install significant improvements to private and public spaces with assistance from NCARB funding. Some will also serve as student licensing advisors within their AIAS chapters, with training materials and virtual community organizing courtesy of NCARB. President Gregory Erny and I were privileged to interact with many of these students while at the Forum.

Our all-staff winter luncheon provided a platform to celebrate significant anniversaries of employment at NCARB, highlight departmental achievements, and spend time mixing it up with folks from other teams in a social setting. We chose this event to reveal some exciting news about NCARB: we are moving! In early 2019, we will be relocating to 1401 H St. NW, four blocks east and two blocks south of our current office.

*continued page 3*



CEO Mike Armstrong with NCARB staff members at NCARB's annual Winter Luncheon.



Longtime NCARB staff member Tina Hawkins (center) says a tearful goodbye at her retirement celebration in December.



Our efforts to seek a savings in our office rent costs have resulted in a change of venue that will accommodate all of our needs, add new amenities, keep us close to public transportation, and save us at least \$5 million over a 15-year lease. That savings will allow us to better adjust to fluctuations in revenues and expenses and to continue to explore fee reductions for certain programs. As we progress into the year with planning, design, and construction activities, we will keep you posted with updates. But as we look toward a new chapter in our office life, we close out chapters in saying goodbye to two longtime employees.

Tina Hawkins, a stalwart supporter of our customers through multiple facets of the Council for 44 years, retired from NCARB at the end of the month. Most recently, Tina focused on responding to inquiries from examination candidates during this busy time of transition from ARE 4.0 to ARE 5.0. Her anecdotes of NCARB through the decades have been a source of much interest as we prepare for our Centennial celebration—and provided some smiles too. Photos of Tina through the years were shown during her retirement celebration reinforced her value to all of us—consistently smiling, interested, and caring. We will miss her and wish her much good fortune in the years ahead.

Just before this monthly update went to press, our Senior Architect and Advisor to the CEO, Stephen Nutt, informed me he will be leaving the Council on February 2 after a distinguished run of 21 years. Stephen came to NCARB just as the Council had transitioned from the paper-and-pencil examination and installed Lenore Lucey as its new CEO. In the ensuing years, Stephen moved up in the Architect Registration Examination® (ARE®) world to run the department and then oversee the programmatic functions of the Council related to experience and education.

In 2012, a year after my arrival, we reorganized and placed Stephen in his current position where he took on a variety of critical new projects that charted the course for NCARB's growth and recent successes: he helped frame the decision-making process for the Board's ultimate choice of moving to ARE 5.0; he staffed the Licensure Task Force, which designed the framework for the Integrated Path to Architectural Licensure (IPAL); he was deployed as a loaned executive to the Federation of Associations of Regulatory Boards (FARB) to launch a new focus on promoting reasonable regulation through advocacy and

*continued page 4*



Early in his career at NCARB, Stephen Nutt joins other staff members at an AIA Conference in the late 1990s to help promote our programs.



Stephen Nutt joins leadership from NCARB and Conselho de Arquitetura e Urbanismo do Brasil at the 2017 AIA Conference on Architecture.

conversation between state boards and their governing partners; he served as the lead staffer in creating the concept for our upcoming 2019 Centennial celebration; he staffed the Ethics Task Force for the entirety of its multi-year efforts; and he helped launch the ongoing work of the Model Law Task Force.

I also asked him to convene and refresh two activities: bring together staff architects and captain periodic meetings that reinforced their sense of community and identified projects where their expertise could be deployed for the benefit of the Council; and staff an annual get-together for updating and networking our past presidents community at the Annual Business Meeting (ABM).

If that wasn't enough of an exhausting list, Stephen also served as the "face of NCARB" to the international community, providing subject matter expertise to the Professional Practice Commission of the International Union of Architects (UIA) and serving as chief liaison to an assortment of other regional and international organizations, as well as the organizer of special teams to review possible mutual recognition agreements and arrangements supporting reciprocal licensure between the United States and other nations.

Stephen has provided enormous value as a source of institutional memory and as a fearless advocate for precision and discipline within the regulatory conversation. He now will be pursuing a new career in consulting—with NCARB as one of his clients—and a new life spending significantly more time on the West Coast with his husband, Rick, at their new address in Santa Maria, California. We thank him for his service, his good humor, and his sincere compassion for his work colleagues and the many volunteers he has touched over the years. Through February 2, he can be reached at [snutt@ncarb.org](mailto:snutt@ncarb.org).

As we enter a new year filled with transition and opportunity, we wish each of you much success in the coming months.

Best wishes,

*Mike*

## CEO Outreach



### December

#### **Kansas State Board of Technical Professions Visit**

Topeka, KS | December 14 – 15, 2017

## Collateral Engagement



#### **American Institute of Architects (AIA)**

##### **AIA Presidential Inaugural**

Washington, DC | December 8, 2017

#### **American Institute of Architecture Students (AIAS)**

##### **NCARB/AIAS Quarterly Senior Staff Meeting**

Washington, DC | December 12, 2017

#### **AIAS Forum**

Austin, TX | December 29, 2017 – January 1, 2018

#### **National Architectural Accrediting Board (NAAB)**

##### **NCARB/NAAB Quarterly Senior Staff Meeting**

Washington, DC | December 7, 2017



## Strategic Plan

- Our goal of *facilitating licensure* was pursued in a very hands-on fashion by a coalition of staff from several directorates working to engage with licensure candidates in Puerto Rico and the U.S. Virgin Islands. The impact of hurricanes in the Caribbean has resulted in delayed access to Prometric test centers, compromised delivery of examination items, and a temporary suspension of governmental functions relative to licensure. Compounded by problems in delivery of services and severely damaged infrastructure, the conditions in PR and VI have challenged those who are focused on pursuing licensure. We have implemented a rolling clock extension, conducted telephone outreach, and sent bilingual emails and letters to make sure that no candidate remains out of contact with NCARB.
- NCARB governance also informs the strategic direction of the Council. New position descriptions for all NCARB Board positions have been released in time for the call for candidates wishing to run for the Board; campaign speeches will occur at the March Regional Summit and at the June Annual Business Meeting, with voting to occur at the close of the ABM.
- Also on the governance front, proposed edits to the *Bylaws* were distributed in December for early comment and feedback in advance of a more formal release from the Board after its January meeting. These proposed edits are of a “housekeeping” nature to modernize process and reflect actual practice, while other edits reflect best practices in corporate bylaws.
- The January Board meeting is also expected to result in releasing draft resolutions from the Education Committee and Ethics Task Force.
- The strategic goal of *fostering collaboration* continues to be pursued through the above-mentioned engagements with AIAS and the upcoming Board engagement with NAAB leadership. Internal collaboration between our Member Boards is flavoring the development of the March Regional Summit.

## Organizational Development and Office Life

- As referenced above, the NCARB staff celebrated work anniversaries and departmental achievements at its annual winter luncheon.
- NCARB will be moving its offices to 1401 H St. NW in Washington, DC, in early 2019.
- Two senior staffers announced their departures from NCARB: Senior Architect/Advisor to the CEO Stephen Nutt will finish his 21-year tenure on February for a new chapter in consulting and relocating to the West Coast; and Information Systems Assistant Director Shahin Shakeri exited NCARB on January 3 for a new position at PricewaterhouseCoopers.



In 2019, NCARB's office will move to 1401 H St. NW, in Washington, DC.

## Office of the CEO

- The Ethics Task Force held their final meeting in December at the 2017 Committee Summit, concluding an extensive two-and-a-half-year effort to review and enhance NCARB's *Rules of Conduct*. A final draft of the proposed *Rules* will be forwarded to the Board for consideration at their January meeting. The task force also engaged with other committees at the summit to frame various approaches to increase awareness of ethics and professional conduct among licensure candidates, practitioners, and educators.

## 2018 ABM in Detroit



### [Detroit in the Top 10 of the New York Times' List of "Places to Go in 2017"](#)

With the Annual Business Meeting just six months away, it's time to start planning your visit to the Motor City. In 2017, the *New York Times* named Detroit as the #9 travel destination in the world. The article highlights several things to see and do in the city, including the [Detroit Institute of Arts](#) and the entertainment-focused [District Detroit](#).

## Administration

- Supported the Procedures and Documents (P&D) Committee during Committee Summit, where the committee provided feedback on proposed edits to the *NCARB Bylaws*, engaged with the Ethics Task Force on a final round of feedback on proposed changes to the *Rules of Conduct*, and met jointly with several other committees on a variety of topics.
- NCARB is recruiting for nine positions including an Assistant Director in our Customer Relations Directorate and an Assistant Director in our Information Systems Directorate. Details on these postings can be found at <https://www.ncarb.org/about/careers>.
- Our Accounting team is preparing the annual information return (Form 990) due to the IRS for the fiscal year 2017, which ended on June 30, 2017. They are also getting ready to kick off budget planning for fiscal year 2019, which begins on July 1, 2018.
- The Meeting Planning team completed a second site visit to Detroit this month to continue onsite planning for the FY18 Annual Business Meeting this June.

## Council Relations

- In coordination with the Connecticut Member Board, helped conduct research on derivative titles to aid the board for a conversation with the CT Department of Consumer Protection.
- Took part in FARB's webcast outlining the organization's framework for "The Future of Regulation."
- Engaged with AIA's Government Affairs team on an overarching strategy regarding pending or upcoming licensing legislation.
- Continued proactive monitoring of various proposed or introduced state legislative bills that could potentially impact member boards.
- Continued analysis of advocacy-related tools and resources that should be provided to Member Boards. A pilot of various tools and resources will be rolled out by the first quarter in 2018.



**@ArchDaily**

NCARB by the Numbers Report Reveals Positive Trends for Diversity in the Architecture Profession

<https://goo.gl/sW2Sib>



**@SamiSzeszulski**

PASS! NUMBER 4 DOWN! This one truly is a Christmas Miracle! #AREprep



## Customer Relations

- Teleconference with the Professional Conduct Committee to update committee members of highlights from Committee Summit.
- Successfully transitioned to a new workflow management system.
- Supported several Member Boards in updating the Disciplinary Database for final Board actions. Please contact us if you would like to take advantage of this new service, which may reduce board office burden while also providing a trusted database to all Member Boards.

## Examination

- Finalized the development of the ARE 5.0 Review & Challenge software. This will allow Member Boards to more easily facilitate a candidate's review of an exam administration.
- Updated ongoing reporting inside of the exam candidate management system to provide more user-friendly reports to Member Boards upon request.
- In collaboration with Marketing & Communications, developed continued targeted messaging to all remaining ARE 4.0 candidates to ensure they are informed regarding their best strategy to smoothly transition to ARE 5.0 if needed.
- The ARE 5.0 Item Development Subcommittee completed writing exam questions for the next generation of case studies. With case studies being new to the ARE, they have been a focus of exam development over the past two years.
- The Examination Committee met as part of Committee Summit and shared engagement sessions with the other program committees, the Think Tank, and the Resiliency Work Group to help inform future ideas around the exam.



**@leahalissa**

Working with @NCARB this year has been an incredible experience. Coming home from a weekend with the staff, Committees, and Think Tank I feel inspired, emotional, and so fortunate to be connected to such passionate professionals. So much thanks to all is due.



**@AIACenterforEPs**

"Getting involved isn't about giving back, it's about giving forward so those to come have something better." -Greg Erny, FAIA, NCARB



## Experience + Education

- The Education Committee, Experience Committee, Experience Advisory Committee, and Think Tank met during Committee Summit in Louisville, KY. The committees engaged in joint sessions discussing topics on the education continuum of an architect and the role of education, experience, and examination in the licensure process.
- The Think Tank had the opportunity to engage with all committees to further develop their initiatives in creating resources for k-12 students interested in architecture, exploring a new approach to an education curriculum, and developing methods to promote a more equitable profession.
- The Education Committee reviewed the drafts of two resolutions at Committee Summit; one related to the alignment of Health Safety and Welfare continuing education categories in the *NCARB Legislative Guidelines & Model Law and Model Regulations* and one related to the EESA requirement for the education alternative to certification in the *NCARB Certification Guidelines*.
- Released two new mini-monographs:
  - [Sustainable Design Part II: Integrated Design](#)
  - [Wind Forces Part I: An Overview of Wind](#)

## Information Systems

- Supported the Council Relations Directorate in a “soft” launch of a new online portal for a refreshed Member Board Community.
- Collaborated with Customer Relations and Administration to upgrade to a new workflow system for processing Record holder education transcripts.

## December Outreach



### AIA Components

- AIA Miami | December 11

### Conferences

- NSBAIDRD and AIA Nevada Continuing Education Seminar | December 7
- AIAS Forum | December 29-31

## Marketing & Communications

- Organized an Outreach Bootcamp with public speaking expert Christine Clapp, who shared best practices for “presenting like a leader.”
- Collaborated with Examination to develop targeted messages to candidates and supervisors about the upcoming retirement of ARE 4.0.
- Held a kick-off meeting for NCARB’s lifecycle communications project, which will take a holistic look at when and how we communicate with various customers.
- Continued to message potential AXP Portfolio candidates through a social media campaign.
- In December, Samantha Miller was promoted to Manager, Media Relations. In this role, she will continue to manage NCARB’s public relations activities and editorial content. The team also welcomed temporary hire Peter Duffy, who is migrating M&C’s archives to a new server.



NCARB staff participated in a public speaking workshop, where they learned best practices for “presenting like a leader.”

## Upcoming Outreach



### AIA Components

- AIA Mississippi | January 10
- AIA Northern Virginia | January 17
- AIA San Francisco (Webinar) | January 23
- AIA DC | January 30

### Universities & Professional Organizations

- Mississippi State University, Starkville | January 8
- Mississippi State University, Jackson | January 10
- Drexel University | January 23
- University of Pennsylvania | January 24
- Community College of Philadelphia | January 24
- Delaware Technical College | January 25
- New York Institute of Technology, Old Westbury | January 29
- City College of New York | January 29
- Woodbury University, Burbank | January 29
- New York Institute of Technology, Manhattan | January 30
- Southern California Institute of Architecture | January 30
- Columbia University | January 30
- California Baptist University | January 31
- Society of American Registered Architects | January 31

# NCARB Centennial: State Mini-History

In 2019, NCARB will celebrate its centennial. As part of our preparation efforts, we are asking Member Boards to provide some historical information about their board. Information will be incorporated in the various materials developed for events in 2019.

If you have any pictures or other materials you would be willing share with NCARB to include in its Centennial materials (book, website, exhibit), please send them to Amanda Pica at [apica@ncarb.org](mailto:apica@ncarb.org). **Deadline: December 31, 2017**

## Alaska

**Regulation Passed:** March 18, 1939, 20 years before statehood and the first board meeting was held on March 20, 1939 in Governor Troy's office at 2:00 p.m.

**Joined NCARB:** 1963

**Region (and year joined):** Region 6 WCARB

## Notable People:

Wayne Jensen was appointed to the board by Governor Jay Hammond for a 6 year term in 1978 and reappointed by Governor Bill Sheffield for a 4 year term in 1984 (the length of terms was change by the legislature as a condition of the first "sunset" review prior to the second term). Jensen served as Chair of the board from 1980-88. During his time on the board, he served on several NCARB committees including as a Master Juror for the Design Grading Committee from 1986-91, Chairing the Site Design Committee 1990-91, and the Examination Development and Implementation Committee in 1991-92. He was also a member of the executive committee of the Western Council of Architectural Registration Boards (NCARB Region 6) from 1980-90, chairing the committee in 1989 and 1990.

## Other:

- **First Board Members:** On June 21, 1939, George A. Crossman (#A-7) became the first architect to be licensed in the Territory of Alaska, and seventh registrant with the AELS board.

George Crossman, Harold Foss, and N. Lester Troast were the first architects appointed to the three architect seats, out of the nine total seats on the AELS board. The other seats comprising the initial AELS board included two mining engineers, a civil engineer, an electrical engineer and a structural engineer, for a total of nine seats.

- **First License Issued:** On June 21, 1939, the AEELS board issued its first license to Frank A. Metcalf, a civil engineer from Juneau, Alaska. The first architect to be licensed by the Territory of Alaska was George A. Crossman (#A-7), also on June 21, 1939.
- **Other Notable Firsts:**
  - Margaret G. Fritsch (#540) became the first female architect to be licensed in the Territory of Alaska on April 29, 1957.
  - The last person registered under territorial status was George A. Swallow (810-A), an architect from Richmond, California.
  - The first professional licensed under statehood was Charles A. Blomfield (811-A), an architect from Anchorage, Alaska.

## **The Components of Licensure**

### **Education:**

During the time Wayne Jensen served (1978-88) on the AEELS board NCARB debated whether to require an accredited degree for NCARB Certification. Alaska did not require an accredited degree for licensure at the time, nor did NCARB for certification. Alaska regulations followed NCARB model law for licensure and comity. Jensen and Wally Wellenstein, members of the AEELS board, testified at NCARB annual meetings against requiring an accredited degree. However, when the accredited degree was approved for NCARB certification, the AEELS board accepted the requirement for Alaska licensure to maintain continuity with most of the other jurisdictions that had adopted the requirement.

### **Examination:**

At the September 1978 meeting, the board members discussed a discrepancy between the 1977 and 1978 Circular #1. The meeting minutes indicated that the board had contacted Hayden Mims of NCARB who stated it would be corrected.

### **Misc.**

At a board meeting held at the home of R.V. Killewich in Juneau on February 6, 1960, it was decided Linn Forrest would attend the NCARB meeting in April in San Francisco. Additionally, the design of a seal was approved and required for sealing documents went into effect on July 1, 1960.

At the July 1960 meeting, held in Room 207 of the Baranof Hotel in Juneau, a motion was approved unanimously to require NCARB Certificate prior to consideration for registration through reciprocity, and later became policy. However, on October 4, 1963 the Attorney General noted “that it was illegal to require NCARB Certificate when an individual is licensed in a state that has laws at least equal with this Board’s.”

On March 25, 1966 the board voted to fully comply with NCARB requirements for licensure by exam or reciprocity. Alaska also added seismic exam and personal interview to the requirements for licensure.

In the late 70s early 80s, the Alaska legislature passed a “sunset clause” for all professional licensing boards. Members of the board appeared before legislative committees to explain what the board does and its importance to the public health, safety, and welfare. In preparation of appearing before the legislature, the board members each took one factor of the sunset law and prepared a report. The sunset law also included looking at continuing education and consideration of adding a layperson seat to the board. As a result of the sunset law, the composition of the board was altered to change one of the architect seats to a public member seat. The Alaska board is a combined board representing architects, engineers, and land surveyors and contained 9 members at the time.

A motion was made at the February 1978 board meeting by Wallace Wellenstein, and seconded by Jim Bridges, to accept the NCARB recommended national cut off for professional architect exam. The motion passed unanimously.

Between 2005- 2009, the continuing education requirement was implemented and NCARB certification requirement was relaxed.

### **Optional Information:**

*What are the THREE most important facts or stories that we should know about your chapter. Examples: a critical battle with state legislators; a major shift in chapter priorities; involvement in a sticky public issue (local, state or national); a good story about a chapter member--past or present.*

Territorial Senator Victor Rivers introduced the bill to establish a board of registration for engineers and architects, the bill passed and Senator Rivers was appointed to the newly formed board. A high volume of correspondence between Governor Troy and Attorney General James Truitt followed. Ultimately it was determined the senator could not serve on the board.

In the late 70s into the 1980s, construction related to the Prudhoe Bay oil field the construction boom related to the money coming to the State from oil revenue, generated a large influx of architects, engineers, and land surveyors wanting registration both by examination and comity. The board held four meetings per year during that time and members recalled stacks of applications covering the entire meeting room table. The process involved review by at least two board members and was considered a very daunting task. Members indicated it took most of the time of the two day meetings, which still occurs today despite technical advancements!

During a meeting of the board in an upper floor of a state office building in Anchorage a person arrived to testify on an issue before the board carrying a large caliber rifle. Wayne Jensen was the chair at the time and he quietly asked the staff member to leave the room and contact security. It turned out that the person had no bad intentions and was taking the rifle to be repaired. The security guard took the rifle and stayed in the room until the testimony was over.





**University of Alaska Anchorage. Archives & Manuscripts Dept.**

Victor Rivers family papers, Archives and Special Collections, Consortium Library, University of Alaska, Anchorage.

**From:** NCARB Community  
**To:** [Jones, Alysia D \(CED\)](#)  
**Subject:** Following Updates, January 18, 2018  
**Date:** Thursday, January 18, 2018 8:06:38 AM

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## NCARB Community

### Following Stream Updates for January 18, 2018

— Latest stream updates you may have missed. —

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#### TRENDING NOW

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#### Member Board Community Tutorial

**Maureen Hager** in **Member Board Community** 22 hours ago

Here is a quick step-by-step guide for how to access common features of the new Community. [View](#)

#### NCARB Update: December 2017

**Maureen Hager** in **Member Board Community** 2 days ago

[View](#)

#### FY19 Call for NCARB Committee Service

**Maureen Hager** in **Member Board Community** 20 hours ago

[View](#)

#### 2018 Regional Summit Invitation Packet

**Nefertari Carver** in **Member Board Community** 1 month ago

[View](#)

## Titles - interns

**Maureen Hager** in **Member Board Community** 4 weeks ago

[View](#)

## Candidate Profile\_Questionnaire

**Maureen Hager** in **Member Board Community** 1 month ago

[View](#)

## FastFacts November 2017

**Maureen Hager** in **Member Board Community** 1 month ago

[View](#)

## Fast Facts January 2018

**Maureen Hager** in **Member Board Community** 1 week ago

[View](#)

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ADDITIONAL UPDATES FROM THE FOLLOWING STREAM

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- ☐ 2017 Expense Report
- ☐ MBE Operations Manual 2016-2017
- ☐ FY19 Nominations and Elections Memo
- ☐ NCARB Update: November 2017



- ☐ NCARB\_Bylaws
- ☐ 2016 Member Board Chairs and Executives Summit Summary
- ☐ Who to Contact at NCARB
- ☐ Bylaws Draft Resolution\_Concept Preview
- ☐ BOD Brief December 2017

This email was sent by NCARB Community because you are a registered user.  
You may [unsubscribe](#) instantly from NCARB Community, or adjust email frequency in your [email preferences](#)

**From:** David Hoffman  
**To:** [David Hoffman](#)  
**Cc:** [NCARB Council Relations](#)  
**Subject:** FY19 Call for NCARB Committee Volunteers  
**Date:** Tuesday, January 16, 2018 11:41:34 AM  
**Attachments:** [FY19 Call for NCARB Committee Service.pdf](#)

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Dear Prospective Volunteers:

Attached is a Call for Volunteers to serve on an NCARB committee from July 1, 2018 through June 30, 2019. All interested individuals must complete the [committee application](#) by February 26, 2018. Please note that I will begin preliminary work on committee appointments in February, so I strongly encourage you to submit your application as soon as possible.

Please feel free to contact either myself or Josh Batkin at [jbatkin@ncarb.org](mailto:jbatkin@ncarb.org) if you have any questions.

Regards,  
Dave

**David L. Hoffman, FAIA, NCARB**  
First Vice President/President-elect



**National Council of Architectural Registration Boards**

1801 K Street NW Suite 700K  
Washington, DC 20006

Connect with us: [www.ncarb.org](http://www.ncarb.org)  
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**-NCARB Disclaimer-**

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# NCARB

## National Council of Architectural Registration Boards

January 16, 2018

Dear Member Board Members, Executives, and Committee Volunteers:

In anticipation of an active and productive 2018-2019 year, I write to encourage you to apply to serve on an NCARB Committee. Service on a committee is one of the most essential and personally rewarding ways to contribute to the continued appropriate regulation of the practice of architecture and the protection of the public. A description of each committee to which appointments will be made is attached. All interested individuals must complete the [Committee Application](#), including those of you who may be currently serving on a committee.

**Applications are due by February 26, 2018.**

Reflecting on my past years of participation and contributions to several of our profession's organizations, I find that the time, effort and sacrifice expended on NCARB committees and task forces has not only been worthwhile but resulted in lasting changes and the feeling that I've actually made a difference to our profession. When you realize that a test question you authored and your committee labored over for a couple of years is now part of the ARE and plays a small, but critical role in the licensing process, it generates that rare feeling of solid accomplishment. At root, that is what NCARB is all about and the essence of what our committees do . . . they make a real difference.

Participation in NCARB committees provides our volunteers with comprehensive knowledge and understanding of the work that the Council conducts on behalf of our member boards. Your participation brings added personal benefit while giving you a voice in the development of programs and policies that effect the licensure process.

Increasing diversity within our committees is critically important; we will continue to include recently licensed architects and licensure candidates. These individuals bring a unique perspective and provide balance to our experienced professionals.

If you know a recently licensed architect or a licensure candidate that would be interested in serving the Council, please encourage them to [apply](#). It is important to note that if a person you are referring does NOT have an NCARB record, they will be asked to set up a single sign on account to access the application. This can be done by applying [here](#).

I will be reviewing applications and developing my list of recommended appointments in early April. This information will then be forwarded to the NCARB Board of Directors for approval. Applicants will be notified in May regarding the status of their application.

Gregory L. Erny, FAIA, NCARB  
*President/Chair of the Board*  
Reno, Nevada

David L. Hoffman, FAIA, NCARB  
*First Vice President/President-elect*  
Wichita, Kansas

Terry L. Allers, AIA, NCARB  
*Second Vice President*  
Fort Dodge, Iowa

Robert M. Calvani, NCARB, AIA  
*Treasurer*  
Albuquerque, New Mexico

Alfred Vidaurri Jr., FAIA, NCARB, AICP  
*Secretary*  
Fort Worth, Texas

Kristine A. Harding, NCARB, AIA  
*Past President*  
Huntsville, Alabama

Stephen D. Schreiber, FAIA, NCARB  
*Director, Region 1*  
Amherst, Massachusetts

Paul D. Edmeades, RA, AIA, NCARB  
*Director, Region 2*  
Bel Air, Maryland

John E. Cardone Jr.  
*Director, Region 3*  
Lake Charles, Louisiana

Stephen L. Sharp, NCARB, AIA  
*Director, Region 4*  
Springfield, Ohio

Bayliss Ward, NCARB, AIA  
*Director, Region 5*  
Bozeman, Montana

Jim Oschwald, NCARB, AIA, LEED AP BD+C  
*Director, Region 6*  
Albuquerque, New Mexico

Maria Brown  
*Member Board Executive Director*  
Salem, Oregon

Darryl R. Hamm  
*Public Director*  
Harrisburg, Pennsylvania

Michael J. Armstrong  
*Chief Executive Officer*

1801 K Street NW, Suite 700K  
Washington, DC 20006  
202/783-6500  
FAX 202/783-0290  
[www.ncarb.org](http://www.ncarb.org)

An Equal Opportunity Employer

... protects the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects.

I thank you for your willingness to consider service to the Council as well as your dedication to NCARB and our profession.

Regards,

A handwritten signature in black ink, appearing to read "David L. Hoffman", followed by a horizontal line.

David L. Hoffman, FAIA, NCARB  
First Vice-President/President Elect

cc: NCARB Board of Directors

Enc: Committee Descriptions

## National Council of Architectural Registration Boards

### Proposed: FY19 Committees, Subcommittees and Work Groups

#### Council Related Committees

##### **Credentials**

*Council Bylaws Article XII, Section 5.H*

- The committee examines and verifies Annual Meeting delegate credentials, reports to the membership on Annual Meeting attendance, and tabulates and reports [contested] election results to the President/ Chair of the Board.
- *Prerequisites for participation: Attendance at the June 2019 Annual Business Meeting (ABM) is required. Members must be sitting Member Board Members and/or Member Board Executives. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this Committee will have one in-person meeting during the 2019 Annual Business Meeting, as well as participate in up to five (5) virtual meetings. Homework may be assigned prior to each meeting.

##### **Member Board Executives**

*Council Bylaws Article XII, Section 5.F & Article VII, Section II.*

- The committee considers issues of concern to the jurisdictions and Member Board Executives. In addition, the committee serves as a focus group for Council initiatives, as needed; and, develops the agenda for the Spring MBE Workshop.
- *Prerequisite for Participation: Must be employed by a Member Board in an Executive or Assistant/Associate Executive position. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this committee will meet for planning/homework calls, hold one face-to-face meetings in the fall and attend the Spring MBE Workshop.

##### **Procedures & Documents**

*Council Bylaws Article XII, Section 5.D*

- The committee reviews proposed resolutions, procedures, and documents for their impact on and consistency with Council policies and programs and make recommendations on such matters to the Board of Directors; and, assess the usefulness of special Council publications, and modify as appropriate.
- *Prerequisites for Participation: Members should have a thorough understanding of NCARB's certification requirements, legislative guidelines, model law and rules of conduct. Membership of the committee is composed of the Regional Chair of each NCARB region, Member Board Executives, and Public Members. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this committee will meet for planning/homework calls plus up to two face-to-face meetings.

## Professional Conduct

### *Council Bylaws Article XII, Section 5.E*

- The committee oversees the development, application, assessment, application and adjudication of Council policies and practices relating to the professional conduct of Record holders and others using Council services.
- *Prerequisites for participation: Members must have a thorough understanding of Council certification requirements and the statutes, rules and regulations of their jurisdiction. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this committee will hold one face-to-face meeting plus virtual calls for planning, homework, and case review as needed.

## **Experience + Education Committees**

### **Education**

#### *Council Bylaws Article XII, Section 5.A*

- The Committee reviews, suggests, and considers architecture education related initiatives as directed by the Board of Directors. Ongoing initiatives include the NCARB Education Standard, education alternatives for NCARB certification, Integrated Path to Architectural Licensure (IPAL), life-long learning, and the NCARB Award.
- *Prerequisite for Participation: Be an architect, educator, licensure candidate, or Member Board Executive. Preference will be given to individuals who are participating in or have participated in NCARB's Architecture Experience Program (AXP), and/or have a thorough understanding of the education and experience requirements for licensure, be an educator, supervisor or mentor of individuals gaining required education and experience, and a commitment to supporting individuals pursuing a career in architecture. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this committee will hold one face-to-face meeting plus virtual calls for planning and homework.

### **Continuing Education Subcommittee**

- The Subcommittee reviews, suggests, and considers continuing education related initiatives as directed by the Board of Directors. Ongoing initiatives include NCARB's Monograph program and collaboration with the AIA evaluating HSW content of proposed seminars and tours for their National convention.
- *Prerequisite for Participation: Be an architect, educator, or Member Board Executive. Members should have participated in NCARB's Architecture Experience program (AXP), and/or have a thorough understanding of the continuing education requirements for licensure renewal, as well as the experience requirements for initial licensure, and a commitment to supporting life-long learning in architecture careers. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- All work by this committee will be conducted virtually.

### **Certification Alternatives Review Team**

- The team members will review portfolios prepared by architects to support their application for NCARB Certification through alternative education and examination requirements. This includes applicants for NCARB certification through the Tri-National Agreement with Mexico and Canada. Review of portfolios will be performed virtually through a work-flow process. Any required interviews will be convened through video conferencing.
- *Prerequisite for Participation: Be an architect. Members must have a thorough understanding of the education, experience, and examination requirements for initial and reciprocal licensure, preferably have participated in NCARB's Architecture Experience program (AXP), be an educator, supervisor or mentor of individuals gaining required education and experience, and a commitment to supporting architects pursuing reciprocal licensure. Applicants must be available for an annual in-person training seminar. Individuals selected to serve on this team are likely to be reappointed for up to three terms. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this committee will meet once for training. All work will be conducted virtually.

## Experience

### *Council Bylaws Article XII, Section 5.A*

- The Committee reviews, suggests, and considers architecture experience-related initiatives as directed by the Board of Directors. Members of the Experience Committee also serve on the Experience Advisory Committee (EAC) which is comprised of the EC and representatives from collateral and allied organizations.
- *Prerequisite for Participation: Be an architect, licensure candidate, or Member Board Executive. Members must be participating in or have participated in NCARB's Architecture Experience Program (AXP) and/or have a thorough understanding of the education and experience requirements for licensure, be a supervisor or mentor of individuals gaining required education and experience, and a commitment to supporting individuals pursuing a career in architecture. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- The EC and EAC meet simultaneously at up to two meetings per fiscal year in addition to planning/homework calls.

### **National Architectural Accrediting Board (NAAB) Visiting Team**

- Serve as a member of a NAAB visiting team. Teams evaluate professional degree programs in architecture against the Conditions for Accreditation established by the NAAB. Teams conduct visits for initial candidacy, continuation of candidacy, initial accreditation, and continuation of accreditation. Interested individuals may be nominated for consideration by the NAAB to be included in NAAB's roster of individuals from which the NAAB establishes accreditation teams. Individuals accepted by the NAAB will remain on that list for a four-year period. The NAAB is solely responsible for selecting Visiting Team members for any visit and all visiting teams must be confirmed by the program.
- *Prerequisite for Participation: Be an architect or future architect. Individuals who wish to be included in the pool must submit your resume to NCARB upon expression of interest and complete a team member nomination form if selected for the pool. Individuals recommended by NCARB to serve in the pool must commit to make themselves available for NAAB Team Member Training, and must be available to serve on NAAB Visiting Teams from January to April and from September to November. Team visits last three to four days depending on the type of visit; generally, visits begin on Saturday afternoons and end on Wednesdays at noon.*
  - Members must have a thorough understanding of the education, experience, and examination requirements for licensure, preferably have participated in NCARB's Architectural Experience Program (AXP), be an educator, supervisor or mentor of individuals gaining required education and experience, and demonstrate a commitment to supporting architecture education and individuals pursuing a career in architecture.
  - The NAAB is especially interested in expanding the number of individuals fluent in other languages, especially Spanish and French, as well as persons from traditionally underrepresented groups.



## Examination Related Committees

### Examination

#### *Council Bylaws Article XII, Section 5.C*

- This Committee shall oversee the research initiatives related to the development, delivery, and assessment of the Architect Registration Examination (ARE) for use by Member Boards. This Committee is composed of the Chairs of the ARE subcommittees and task forces, as well as a limited number of select at-large members necessary to provide insight from the perspectives of educators, recently licensed, and the public.
- *Prerequisite for Participation: Be chair of one of the exam-related subcommittees or task forces, or be an architect or Member Board Member with previous experience on an exam-related subcommittee or task force. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this Committee will meet for three (3) two-day face-to-face meetings, as well as participate in online web meetings. Homework will be assigned prior to each meeting.

### ARE 5.0 Case Study Subcommittee

- This Task Force is responsible for reviewing, editing and creating the case study scenarios and resource documents used in each division of ARE 5.0. Volunteers for this Task Force will be assigned existing case study scenarios and resources to review and coordinate updates to drawings and resources as needed.
- *Prerequisite for Participation: Be an architect or related building systems engineer, and/or have architectural content area expertise in building codes or architectural legal issues. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this Task Force will meet for one (1) two-day face-to-face meeting in the fall, as well as participate in online web meetings. Homework for this Task Force will occur before the meeting; volunteers should expect to spend approximately 5-7 hours on homework per week during the weeks leading up to each meeting. Homework will include the review of graphics, coordination of resources, and editing of existing case study resources.

### ARE 5.0 Forms Assembly Subcommittee

- Members of this Subcommittee are responsible for quality control of the forms assembled to be delivered to ARE 5.0 candidates. Members of this subcommittee may also do review of newly authored items to be used in ARE 5.0. Volunteers for this subcommittee will be assigned to one working group focusing on a division of the exam.
- *Prerequisite for Participation: Be an architect or related building systems engineer, and/or have architectural content area expertise in building codes or architectural legal issues. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this subcommittee will meet for one (1) two-day face-to-face meeting in the spring, as well as participate in online web meetings. Homework for this subcommittee will occur before the meeting; volunteers should expect to spend approximately 10-15 hours on homework.

Divisional work group definitions:

**ARE 5.0 Forms Assembly Subcommittee: Practice Management Group**

The Practice Management division focuses on issues related to pre-contract tasks including negotiation, human resource management and consultant development. Content areas include the management of architectural practice, professional ethics, fiduciary responsibilities, and the regulations governing the practice of architecture.

**ARE 5.0 Forms Assembly Subcommittee: Project Management Group**

The Project Management division focuses on issues related to office standards, development of project teams and overall project control of client, fee and risk management. Content areas include the management of architectural projects including organizing principles, contract management and consultant management.

**ARE 5.0 Forms Assembly Subcommittee: Programming & Analysis Group**

The Programming & Analysis division focuses on issues related to programming, site analysis, and zoning & code requirements. Content areas include the evaluation of project requirements, constraints and opportunities related to the project.

**ARE 5.0 Forms Assembly Subcommittee: Project Planning & Design Group**

The Project Planning & Design division focuses on issues related to the generation or evaluation of design alternatives that synthesize environmental, cultural, behavioral, technical and economic issues. Content areas include the preliminary design of sites and buildings.

**ARE 5.0 Forms Assembly Subcommittee: Project Development & Documentation Group**

The Project Development & Documentation division focuses on issues related to the development of design concepts, the evaluation of materials and technologies, selection of appropriate construction techniques, and appropriate construction documentation. Content areas include the integration and documentation of building systems, material selection, and material assemblies into a project.

**ARE 5.0 Forms Assembly Subcommittee: Construction & Evaluation Group**

The Construction & Evaluation division focuses on issues related to bidding and negotiation processes, support of the construction process, and evaluation of completed projects. Content areas include construction contract administration and post occupancy evaluation of projects.

**ARE 5.0 Item Development Subcommittee**

- This subcommittee is responsible for reviewing, editing and writing items to be used in the divisions of ARE 5.0. Volunteers for this Subcommittee will be assigned to one working group focusing on a division of the exam.
- *Prerequisite for Participation: Be an architect or related building systems engineer, and/or have architectural content area expertise in building codes or architectural legal issues. Members of this committee need to be ready to collaborate in a virtual environment (phone/online) and staff will provide training as needed.*
- It is anticipated that this subcommittee will meet for two (2) two-day face-to-face meetings during the fall, as well as participate in online web meetings. Homework for this subcommittee will occur before each meeting; volunteers should expect to spend approximately 10-12 hours on

homework per week during the weeks leading up to each meeting. Homework will also include the reviewing, editing and creating graphics for associated items.

Divisional work group definitions:

**ARE 5.0 Item Development Subcommittee: Practice Management Group**

The Practice Management division focuses on issues related to pre-contract tasks including negotiation, human resource management and consultant development. Content areas include the management of architectural practice, professional ethics, fiduciary responsibilities, and the regulations governing the practice of architecture.

**ARE 5.0 Item Development Subcommittee: Project Management Group**

The Project Management division focuses on issues related to office standards, development of project teams and overall project control of client, fee and risk management. Content areas include the management of architectural projects including organizing principles, contract management and consultant management.

**ARE 5.0 Item Development Subcommittee: Programming & Analysis Group**

The Programming & Analysis division focuses on issues related to programming, site analysis, and zoning & code requirements. Content areas include the evaluation of project requirements, constraints and opportunities related to the project.

**ARE 5.0 Item Development Subcommittee: Project Planning & Design Group**

The Project Planning & Design division focuses on issues related to the generation or evaluation of design alternatives that synthesize environmental, cultural, behavioral, technical and economic issues. Content areas include the preliminary design of sites and buildings.

**ARE 5.0 Item Development Subcommittee: Project Development & Documentation Group**

The Project Development & Documentation division focuses on issues related to the development of design concepts, the evaluation of materials and technologies, selection of appropriate construction techniques, and appropriate construction documentation. Content areas include the integration and documentation of building systems, material selection, and material assemblies into a project.

**ARE 5.0 Item Development Subcommittee: Construction & Evaluation Group**

The Construction & Evaluation division focuses on issues related to bidding and negotiation processes, support of the construction process, and evaluation of completed projects. Content areas include construction contract administration and post occupancy evaluation of projects.

January 22, 2018

For Release: Immediately

## MEDIA CONTACT

Samantha Miller

202-469-4866

[smiller@ncarb.org](mailto:smiller@ncarb.org)

## Six-Month Countdown to ARE 4.0's Retirement

*Licensure candidates have until June 30, 2018, to test in ARE 4.0.*

Washington, DC—With the retirement of the [Architect Registration Examination®](#) (ARE®) 4.0 around the corner, thousands of licensure candidates have already switched to the latest version, ARE 5.0—and many are finding success with the new exam.

Since the National Council of Architectural Registration Boards (NCARB) launched ARE 5.0 in 2016, candidates have had the option to take ARE 4.0, ARE 5.0, or a combination of both versions to complete the examination requirement. But time is running out for candidates looking to complete the exam in ARE 4.0, which is why NCARB is encouraging test takers to plan their [transition strategy](#) or switch to ARE 5.0 now.

### Exam Candidates Prefer ARE 5.0's Content and Interface



Additional graphics are available on [Dropbox](#).

ARE 4.0, which retires June 30, 2018, features seven divisions organized around different content areas. In comparison, ARE 5.0 features six divisions organized around the phases of a typical architecture project. These divisions also align with the Architectural Experience Program's™ (AXP™) practice areas, an improvement test takers find both refreshing and beneficial.

“The ARE 5.0 tests align very closely with the various phases of project development,” said Austen Conrad, Assoc. AIA, who passed all six divisions in just three months. “As long as candidates have had a chance to work in every phase of a project, they should feel comfortable taking the exams.”

ARE 5.0 also incorporates the latest testing methods, replacing ARE 4.0's vignettes with case studies, hotspots, and drag-and-place questions. The exam will continue to use multiple choice, check-all-that-apply, and quantitative fill-in-the-blank questions.

“While ARE 4.0 divisions are relatively known and predictable after so many years, ARE 5.0 divisions are much better exams—they really test your ability to think and make decisions like an architect,” said recently licensed architect Leah Alissa Bayer, AIA, NCARB, who took a combination of both versions and passed in just five tests.

## Making the Switch to ARE 5.0

NCARB first announced the retirement of ARE 4.0 in 2014, providing candidates with ample time to design a personalized testing strategy. Anyone who has not completed the exam by June 30, 2018, will need to transition to ARE 5.0 to complete the ARE.

To help make the upcoming change as smooth as possible, NCARB has developed a number of [free resources](#), including an interactive [Transition Calculator](#) that shows how ARE 4.0 credits will transfer to the new exam. Candidates can also get real-time help from NCARB experts through the [ARE 4.0](#) and [ARE 5.0](#) communities.

Developed by NCARB, the ARE is used to test a candidate's knowledge and skills, and is required for initial licensure in all U.S. jurisdictions. To learn more about the upcoming retirement of ARE 4.0, visit [NCARB's website](#).

Downloadable graphics are available on [Dropbox](#).

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## About NCARB

The National Council of Architectural Registration Boards' membership is made up of the architectural registration boards of all 50 states as well as those of the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands. NCARB assists its member registration boards in carrying out their duties and provides a certification program for individual architects.

NCARB protects the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects. In order to achieve these goals, the Council develops and recommends standards to be required of an applicant for architectural registration; develops and recommends standards regulating the practice of architecture; provides to Member Boards a process for certifying the qualifications of an architect for registration; and represents the interests of Member Boards before public and private agencies. NCARB has established reciprocal registration for architects in foreign countries.

Visit: [www.ncarb.org](http://www.ncarb.org)


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Facebook: [www.facebook.com/ncarb](https://www.facebook.com/ncarb)

YouTube: [www.youtube.com/NCARBorg](https://www.youtube.com/NCARBorg)

## MEMORANDUM

To: Regional Directors, Regional Chairs, Public Director and MBE Director

From: Gregory L. Erny, FAIA, NCARB, President 

Date: January 4, 2018

Subjects: Member Board Engagement Preceding January Board Meeting

The NCARB Board of Directors will hold its winter meeting on January 17-19 in Florida. As part of NCARB's ongoing effort to provide greater transparency and encourage collaboration between Board representatives and their constituencies, we are providing a summary of topics to be discussed by the Board along with brief descriptions regarding context/intent.

We encourage these calls to occur in the week preceding the Board meeting, in this case the week of January 8. Please let Council Relations Director Joshua Batkin know regarding the date, time, and call information as your engagements are scheduled. In addition, please feel free to invite me and First Vice President/President-elect Dave Hoffman to join you as observers.

### **Summary of Board Discussion Topics**

#### ***Strategic Discussions – topics for review and comment without action being taken***

- *Refreshing the Strategic Plan.* *The Board will be given a first look at data summaries stemming from surveys, focus groups, interviews and other engagements including 2017 Annual Business Meeting Workshop feedback relating to refreshing the current strategic plan. Two sessions will be facilitated by strategic consultants from McKinley Advisors; feedback from the first discussion will inform the initial framing of the refreshed plan, to be reviewed on the following day. The next step will be to conduct further stakeholder engagements and deliver a full draft to the Board for comment in September, followed by polishing and a final review in January 2019, formatting for approval in April 2019, and unveiling at the June 2019 Centennial Annual Business Meeting.*
- *Reviewing Regional Value.* *The Board will review a request from Arizona and a white paper from Region 6 regarding the value of regions. This conversation will serve as preparation for the larger discussion to be held at the March Regional Summit in Wichita, Kansas.*

#### ***Collateral Engagement***

- *Meeting with the Officers and Executive Director of the National Architectural Accrediting Board (NAAB).* *The Board will host NAAB President Judith Kinnard, President-elect Kevin Flynn, and Interim Executive Director Helene Combs Dreiling for an afternoon engagement. This yearly event will provide a forum for both organizations to ask questions and discuss areas of mutual interest and concern.*

#### ***Policy Reviews***

- *Investment Advisor Review of Portfolio Performance.* *The Board will meet with investments advisors from UBS to review the performance of its reserves portfolio and to receive an update*

**Memorandum to Regional Directors, Regional Chairs, Public Director and MBE Director  
Member Board Engagement Preceding January Board Meeting  
January 4, 2018**

*from the Executive Committee regarding possible action on the policy setting minimum targets for the portfolio.*

- *Potential Changes to Board Policies. This year the Board is undertaking a systematic review of Board policies after a review by the Executive Committee. In this session, the Board will review the allowance policy for the President/Chair and the First Vice President/President-elect, and the policy on Board travel and expense reimbursement.*

***Proposed Resolutions – items proposed by Committees/Task Forces for introduction to the membership. Such items, if moved forward, are for Member Board comment preceding and during the Regional Summit. The Board will formally determine in April the content of items that may be placed on the June Annual Business Meeting agenda.***

- *Resolution to Amend the Rules of Conduct – from the Ethics Task Force*
- *Resolution to Realign Health/Safety/Welfare categories for Continuing Education – from the Education Committee*
- *Resolution to Amend the Certification Guidelines regarding EESA requirements for the Education Alternative to Certification – from the Education Committee*
- *Resolution to Amend Bylaws to Reflect Process and Current Practice – from the Procedures & Documents Committee*
- *Discussion with Possible Resolution to Amend Certification Guidelines regarding affirmation of compliance with Code of Conduct as prerequisite to certification renewal – from the Ethics Task Force. The Task Force proposal was contained in a “common charge” given to all committees, and was further discussed in a Town Hall during the December Committee Summit. The Board will review committee feedback along with the Task Force paper to determine possible next steps.*

***Informational Items***

- *Committee, Task Force, and Work Group Reports. Board liaisons will update the Board on activities of volunteer meetings.*
- *Financial Reports. Treasurer Calvani and CEO Armstrong will update the Board on financial statements, the new agreement for collateral funding of the NAAB during calendar year 2018, the cost study of employee hours dedicated to programs and initiatives, and mid-fiscal year trends and projections.*
- *President and CEO Reports. President Erny and CEO Armstrong will update the Board on activities since the last Board meeting.*



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# NCEES

## Meeting Reports & Correspondence

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**SUMMARY REPORT**  
**SECOND MEETING 2017–18 BOARD OF DIRECTORS**  
**NOVEMBER 3–4, 2017**  
**BOSTON, MASSACHUSETTS**

**Consent agenda**

- The board approved minutes from the fifth meeting of the 2016–17 board of directors and from the first meeting of the 2017–18 board of directors. The board ratified the NCEES president’s nominations for ABET Commission representatives and appointment of NCEES emeritus and associate members. The board also approved dues for the Participating Organizations Liaison Council (POLC) member dues of \$300 annually and voted not to assess dues for International Affiliate Organizations members.

**Meeting reports**

- The board received reports from the Engineers Without Borders (EWB) annual meeting; American Society of Civil Engineers (ASCE) annual meeting; ABET board of delegates meeting; and yearly leadership meeting, which includes the leadership of NCEES, the National Society of Professional Engineers NSPE, ASCE, and ABET.

**Committee activities**

- Because no committee or task force for the 2017–18 year had met, board liaisons did not present reports. However, the board of directors did review all committee charges and noted the committee meeting dates.

**Finance report**

- NCEES Treasurer Timothy Rickborn, P.E., presented the year-end financials. Rickborn reported that the Council completed the 2016–17 fiscal year with a surplus of \$5.32 million compared to a budgeted surplus of \$184,652. He explained that nonoperating investment income was booked on September 30, 2017, at a gain of \$4.19 million—for an overall gain of just over \$9.5 million. It was noted that most of the noninvestment gains were due to favorable examination volumes for all examinations.

**Other reports**

- The board received an update on the 2017 annual meeting satisfaction survey results, CEO goals for the year, customer management system, and ongoing outreach events.
- The NCEES Leadership Visitation Program will be continued for the coming year.

**Examinations**

- FY 2016–17 exam volumes

NCEES COO Davy McDowell, P.E. reported the following:

Fundamentals of Engineering (FE)	46,229 (+5.9% compared to FY 2015–16)
Fundamentals of Surveying (FS)	1,081 (+11.2%)
Principles and Practice of Engineering (PE)	29,186 (+18.5%)
Structural Engineering (SE)	2,439 (+7.6%)
Principles and Practice of Surveying (PS)	809 (+5.1%)

### **Examinations (continued)**

- **Calculators**

The board approve the list of calculators that can be used on examinations for the 2018 exam administrations:

- Hewlett-Packard: HP 33s and HP 35s
- Casio: fx-115 models (Casio models beginning with “fx-115”)
- Casio: fx-991 (Casio models beginning with “fx-991”)
- Texas Instruments: TI-30X models (TI models beginning with “TI-30”)
- Texas Instruments: TI-36X models (TI models beginning with “TI-36”)

- **Exam item replacement costs**

The board approved exam item replacement costs for 2018 with \$1,778 for each pencil-and-paper multiple-choice item, \$1,840 for each computer-based testing multiple-choice item, and \$18,558 for each constructed response item; it further approved \$3.4 million in designated assets as replacement costs in the event of a total examination breach.

- **Examinations offered in Saudi Arabia**

The board authorized CEO Jerry Carter to negotiate a new contract with the Saudi Council of Engineers to allow the FS and PS exams to be offered in Saudi Arabia.

### **Outreach**

- CEO Carter shared a list of events that NCEES would be attending or exhibiting in the coming months: Engineers Without Borders (EWB), the Society of Petroleum Engineers (SPE), the Society of Women Engineers (SWE), and the American Institute of Chemical Engineers (AIChE).

### **Future zone meetings**

- The board approved the 2020 combined zone meeting (all four zones) to take place in the Northern Kentucky/Cincinnati area May 14–16, 2020.

### **Contributions**

- The board approved a contribution of \$25,000 to Mathcounts and an additional \$250,000 to EWB (the board had previously approved \$250,000 with the potential of an additional \$250,000 upon the successful completion of benchmarks to show how NCEES has benefited from additional support of EWB activities).

### **Potential Building Expansion**

- COO McDowell presented two potential concept designs rendered by LS3P Associates, as well as estimated costs for each concept. The board discussed the design concepts and the potential of moving to a different location on university property, noting that relocating to a new property with a new building would have less impact on staff during construction and would allow for designing a building to best meet NCEES needs. The board directed CEO Carter to investigate further and report back to the board.

### **Next meeting**

- The next board of directors meeting is scheduled for February 23–24, 2018, in Monterey, California.

**From:** [Jones, Alysia D \(CED\)](#)  
**To:** ["Dave Hale"](#); [John B. Kerr](#)  
**Subject:** RE: Surveying Exam Module Task Force  
**Date:** Thursday, December 14, 2017 2:39:00 PM

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Thank you both!  
Alysia

---

**From:** Dave Hale [REDACTED]  
**Sent:** Thursday, December 14, 2017 1:57 PM  
**To:** [REDACTED]  
[REDACTED]  
**Subject:** Re: Surveying Exam Module Task Force

I agree with John on all of that

Dave

On Dec 14, 2017, at 13:09, [REDACTED] wrote:

**Hi Alysia,**

**I've answered but will revise my answers if Dave sees things differently - Dave please contact me directly if any of my responses don't match your answers.**

**2. Does your jurisdiction include the following in the definition of surveying? Select all that apply.**

Boundary  
Construction staking  
Drainage design incidental to subdivisions  
Geodetic  
Geographic information systems (GIS/LIS)  
Hydrographic  
Photogrammetry/ remote sensing  
Topographic

***All but construction staking.***

**3. Do you require varying experience in the different aspects of surveying for licensure?**

***No.***

**4. Can one get licensed without boundary experience?**

I am guessing the response is no, but wanted to confirm. There is space for comments following this question, so please feel free to include additional information if you'd like.

**Yes.**

**7. What are the topics covered on your state-specific examination? Select all that apply.**

**Drainage design**

**Geodetic**

**Laws and regulations**

**Metes and bounds**

**Photogrammetry/remote sensing**

**Public Land Survey System (PLSS)**

**Riparian rights**

**Other (please specify)**

***All (all are potential topics but I don't know for certain that there are questions in there – I've asked Ken Ayers who administers the question workshops).***

John Kerr, PS, CFedS  
SurvBase, LLC

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**From:** Jones, Alysia D (CED) [<mailto:alysia.jones@alaska.gov>]

**Sent:** Thursday, December 14, 2017 10:19 AM

**To:** [REDACTED]

**Subject:** FW: Surveying Exam Module Task Force

Good morning John and Dave,

I am completing the survey for NCEES Surveying Exam Module Task Force (see email from Davy McDowell below).

I wanted to confirm the following answers before submitting my response. If one of you could respond to my email I would greatly appreciate it.

For your reference, I am including the definition of practice of land surveying in Sec. 08.48.341. I am wondering if any other options than the ones highlighted are included (but described differently) in our definition.

(14) "practice of land surveying" means the teaching of land surveying courses at an institution of higher learning, or any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence of the act of measuring and locating land, geodetic and cadastral surveys for the location and monumentation of property boundaries, for the platting and planning of land and subdivisions of land, including the topography, alignment, and

grades for streets, and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys;

**1. Does your jurisdiction include the following in the definition of surveying? Select all that apply.**

Boundary

Construction staking

Drainage design incidental to subdivisions

Geodetic

Geographic information systems (GIS/LIS)

Hydrographic

Photogrammetry/ remote sensing

Topographic

**2. Can one get licensed without boundary experience?**

I am guessing the response is no, but wanted to confirm. There is space for comments following this question, so please feel free to include additional information if you'd like.

The link to the entire survey is included below if you wish to view it.

Thank you in advance for your assistance.

Alysia

---

**From:** Davy McDowell [REDACTED]  
**Sent:** Thursday, December 14, 2017 7:57 AM  
**To:** Jones, Alysia D (CED) <[alysia.jones@alaska.gov](mailto:alysia.jones@alaska.gov)>  
**Subject:** Surveying Exam Module Task Force

Good morning Alysia,

On behalf of the Surveying Exam Module Task Force and its chair, Bill Karr, P.S., I am asking you to please provide information related to surveying practice and examinations in your jurisdiction.

The task force is charged with evaluating how the Public Land Survey System (PLSS) and metes and bounds are tested on state specific surveying exams. The questionnaire will aid the task force with developing a long-range plan that will be presented for boards to study and to potentially adopt in regards to surveying licensure exams.

If you have any questions, please do not hesitate to contact me either via email, [REDACTED] or by phone 800-250-3196. Thanks.

<https://www.surveymonkey.com/r/3SQ6DFV>

Davy McDowell, P.E.  
Chief Operating Officer

NCEES  
[ncees.org](http://ncees.org)

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2016.0.8039 / Virus Database: 4791/15217 - Release Date: 12/14/17



## NCEES EMERITUS/ASSOCIATE NOMINATION FORM

For all emeritus and associate nominations, please complete the information below and email the completed form to Sherrie Saunders at [REDACTED]. The nomination will be ratified at the next NCEES board of directors meeting and a letter will be sent to you after that meeting.

State Board: \_\_\_\_\_

Date: \_\_\_\_\_

### Emeritus Member Nominations

Name:	Term End Date:

### Associate Member Nominations

Name:	Position:

Board Chair/President Signature: \_\_\_\_\_



**From:**  
**To:**

Jerry Carter

[REDACTED]

**Subject:** South Dakota Legislation  
**Date:** Wednesday, January 10, 2018 6:12:40 AM  
**Attachments:** [SD Legislation.pdf](#)  
[Wall Street Article.pdf](#)

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All:

I wanted to make you aware of proposed legislation that is being introduced in South Dakota to “establish a Compact for the Temporary Licensure of Professionals.” Kathryn Patterson with the SD Board has been keeping me updated on this proposed action along with the local professional societies of NSPE, AIA and CLARB. The proposed process provides a generic method for allowing individuals to obtain temporary licenses to practice in South Dakota and a number of the normal safeguards that are currently required are bypassed through this revised process. Governor Dugaard has been in contact with the Governors of Colorado, Montana, Wyoming and North Dakota asking that they consider introducing similar legislation in their respective states. As has been the case, there is a huge generalization about occupational licensure and the impetus for the proposed change would seem to be economic rather than public protection. I have attached a copy of a press release issued by Governor Dugaard’s office as well as a commentary piece that was authored by the Governor and Alexander Acosta, U.S. Secretary of Labor, which appeared in the January 8<sup>th</sup> issue of the Wall Street Journal.

NCEES will continue to track the moment of this bill and provide support and resources as are permitted to the South Dakota Board.

Let me know if there are questions.

Jerry

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<https://www.wsj.com/articles/make-it-easier-to-work-without-a-license-1515457813>

## COMMENTARY

# Make It Easier to Work Without a License

A multistate compact would lighten the regulatory burden.

By Alexander Acosta and Dennis Daugaard

Jan. 8, 2018 7:30 p.m. ET

These pages often address the problem of excessive occupational licensing. Working together, we hope to take one major step toward reform.

Each state decides how best to protect the health and safety of its citizens, and professional licensure plays an important role. No one wants to be operated on by an unlicensed doctor or share the road with an unlicensed truck driver. But too often, overly burdensome licensure requirements weaken competition without benefiting the public. In 1950, only 1 in 20 jobs required an occupational license. By the latest count, more than 1,100 separate occupations require a license in at least one state. More than 1 in 4 Americans need a license to work.



PHOTO: ISTOCK/GETTY IMAGES

Excessive licensing raises the cost of entry—often prohibitively—for certain careers, locking many Americans out of good jobs. Uneven educational requirements, steep fees and long approval periods foreclose economic opportunity for those who need it most.

Excessive licensing creates barriers to job mobility. Americans don't leave their skills behind when they move to

a new state—but often they face the burden of obtaining new licenses. Hit especially hard are military spouses, who often must relocate as often as every two to three years. That shouldn't mean losing their ability to make a living.

Excessive licensing creates barriers to competition and the use of new technology. Consider telemedicine. It has helped many Americans, especially in rural and other underserved areas, receive treatment based on phone consultations rather than driving hundreds of miles to a clinic. Allowing licensed medical professionals to serve patients via telemedicine may be a solution for struggling hospitals that need to extend their reach into rural communities.

Occupational licensing is primarily a state issue, and states should work together. Meaningful reform has been difficult, in part because states have taken a fragmented approach, making decisions based on their own needs without fully considering national needs. In other cases, reform has been limited to individual industries. Setting standards on a state-by-state and industry-by-industry basis holds back progress—and workers.

That's why we are working on a new approach. This week South Dakota will introduce legislation to establish a Compact for the Temporary Licensure of Professionals—a multistate agreement that would change the presumption of occupational licensing from a roadblock to an open door. The compact would allow individuals who have been licensed in any profession or occupation in other participating states to receive, upon request within 30 days, an in-state temporary license.

That would allow professionals from compacting states to start working immediately and to pursue a permanent license while already employed. We have approached several governors of

1/10/2018

Make It Easier to Work Without a License - WSJ

states neighboring South Dakota about the compact, and their reaction has been universally favorable.

With 6.6 million Americans looking for work, the time for action is now. The compact represents a significant step toward changing how states approach occupational licensing reform. Moving forward, we will continue to identify ways to make it easier for Americans to access family-sustaining jobs.

*Mr. Acosta is U.S. secretary of labor. Mr. Daugaard is the governor of South Dakota.*

*Appeared in the January 9, 2018, print edition.*

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Wednesday, January 10, 2018

## OPINION

# South Dakota Gov. Dennis Daugaard moves to ease professional licensure requirements

by Becket Adams | Jan 9, 2018, 8:24 PM

*South Dakota Gov. Dennis Daugaard has promised his new initiative to ease professional licensing requirements will be a boon to the economy. (AP Photo/James Nord)*

South Dakota Gov. Dennis Daugaard announced an initiative this week that would ease the licensure requirements for professionals moving across state lines.

It's a great bipartisan idea whose time has come.

"Excessive licensing raises the cost of entry — often prohibitively — for certain careers, locking many Americans out of good jobs. Uneven educational requirements, steep fees and long approval periods foreclose economic opportunity for those who need it most," Secretary of Labor Alexander Acosta and Daugaard wrote in a joint [Wall Street Journal](#) op-ed this week.

They added, "Excessive licensing creates barriers to job mobility. Americans don't leave their skills behind when they move to a new state — but often they face the burden of obtaining new licenses. Hit especially hard are military spouses, who often must relocate as often as every two to three years. That shouldn't mean losing their ability to make a living."

To be clear: The call for loosened restrictions should not be mischaracterized as a call for the total abolition of *all* licensure requirements. Most proponents of easing, including Daugaard, still ask that, say, healthcare professionals or operators of heavy, specialized machinery prove that they are qualified for those roles.

The view that Acosta, Daugaard, and other like-minded individuals argue is that



excessive requirements are not only a drag on the economy, but also a roadblock to employment, entrepreneurship, and innovation.

Recall **that a study released this year** by the nonprofit Wisconsin Institute for Law & Liberty found that the states that had a higher number of occupational licensing regulations for ten specific professions also suffered from lower employment in those same professional fields.

To the end of easing up the licensing burden placed on working professionals — and this is the real point of the Wall Street Journal op-ed — Daugaard announced South Dakota would introduce legislation to “establish a Compact for the Temporary Licensure of Professionals.”

As Daugaard and Acosta describe it, the bill would create a “multistate agreement that would change the presumption of occupational licensing from a roadblock to an open door. The compact would allow individuals who have been licensed in any profession or occupation in other participating states to receive, upon request within 30 days, an in-state temporary license.”

“That would allow professionals from compacting states to start working immediately and to pursue a permanent license while already employed. We have approached several governors of states neighboring South Dakota about the compact, and their reaction has been universally favorable,” they added.

Bring it on.

**From:** Jerry Carter  
**To:** [REDACTED]  
**Subject:** U.S. Trade Representative  
**Date:** Monday, January 08, 2018 10:50:17 AM  
**Attachments:** [KPEA Questionnaire.docx](#)

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Alysia, Darren, Mari and Shannan:

The Office of the U.S. Trade Representative (USTR) has been working with South Korean professional engineering societies regarding the provision of the current NAFTA agreement which addresses professional services. The South Koreans have inquired about the potential to enter into mutual recognition agreements with individuals U.S. states regarding professional engineers and we have been contacted to provide assistance. Although the South Koreans are interested in responses from all NCEES member boards, they have expressed particular interest in your four jurisdictions. Attached is a short questionnaire that the South Koreans have prepared which I would ask you to complete and return to me for submittal to the USTR. I think I could probably answer the question for each of your jurisdictions but for accuracy sake, am requesting you complete the form.

The USTR would like your responses within the next two weeks so I would ask you to complete and return to me within that time frame. If there are questions, please let me know.

Jerry

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# QUESTIONNAIRE

for Mutual Recognition Agreement of Professional Engineer

Name :\_

Organization :\_State :\_

Title :\_E-mail address :\_

Cell Phone :\_Date :\_

Please spare a few minutes of your valuable time to answer this simply questionnaire.

## < Part I >

Question	Yes	No	Not sure	Comments :
1. Are you interested in MRA with other countries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Are you interested in MRA with South Korea?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

※ Note : Please write a reason, if you tick "Not sure"

## < Part II >

3. How many countries have been contracted for MRA in your organization?

Example) 2 countries : Korea(March. 10. 2017)

4. Please describe your procedure of MRA with other countries.

Example) Board's approval → renewal of Professional Engineer's Act → governor's approval  
and detailed explanation of each procedure

5. Please describe any barriers for proceeding on MRA with other countries.

Example) Professional Engineer Act/law, Approval for Board of directors, Etc  
and explanation.

6. Please provide a number of Professional Engineer & registered Professional Engineer.

Example) 20,000 / 2,000 as of 2017. Oct

7. Please list a discipline of Professional Engineer.

Example) 00 Disciplines : Civil, Mechanical, ...

8. Any other comments for MRA

Please contact Mr. Sim([jksim@kpea.or.kr](mailto:jksim@kpea.or.kr)) from KPEA(Korean Professional Engineers Association) If you have any questions on this survey form.

**From:** [REDACTED]

**Sent:** Monday, November 13, 2017 4:38 PM

**To:** Jones, Alysia D (CED) <alysia.jones@alaska.gov>

**Subject:** RE: 2017-11 AELS Board Meeting Receipts

Hi Alysia,

The outreach at UAA went well. Brian, Colin, Catherine, Bill, and I were there. Class was in session until about 2:15 so attendance was light for the first 15 minutes. There were roughly 25 students and 5 or 6 faculty (including Rob Lang, Dean, School of Engineering – which includes Geomatics). Brian led the talk. There were lots of questions and I thought that the students walked away with some relevant information. The main topics were: the FS exam, responsible charge, and education vs experience time. We let them know about the relationship between the AK Board and NCEES. They learned that they could log their experience using their NCEES account (and why they should keep the log current).

All in all, I felt like it was time well spent.

John Kerr, PS, CFedS  
SurvBase, LLC



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# Correspondence Sent

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## AELS February 2018 Board Meeting

### Agenda Item 8 – Correspondence Sent

Following the November meeting, the AELS board sent response letters related to:

- November Agenda Item: 7.B. Letter from Jesse Engineering Co.
- November Agenda Item: 7.C. Request for deadline extension for Structural Engineer Registration Application under 12 AAC 36.108
- November Agenda Item 7.D. Questions about playgrounds and landscape architects



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

BOARD OF REGISTRATION FOR ARCHITECTS,  
ENGINEERS AND LAND SURVEYORS

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.1676  
Fax: 907.465.2974

January 8, 2018

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

RE: Request for Variance of the Alaska State AELS Board Date for Closure for the Application for  
R [REDACTED] s a Structural Engineer

Dear [REDACTED]

The Board of Architects, Engineers, and Land Surveyors met on November 8-9, 2017 and discussed a similar request regarding reopening the grandfathering period for structural engineer registration as stated in your letter to the board dated January 3, 2018.

In regards to notification of the changes, we confirmed with Division staff that proper notice, which is set in statute (AS 44.62.109), was followed and a copy of the proposed regulation changes was mailed to all active AELS licensees, including yourself, on October 26, 2015.

The application deadline was set in regulation and it is beyond the board's power to grant exemptions to the regulation. A change in the deadline can only be accomplished by undertaking a regulation project, which is an extensive process taking six months to a year or longer to complete. The board feels there was sufficient notice for this regulation update and has no plans to open a new regulation project related to 12 AAC 36.108.

In an effort to prevent future issues of this nature, you may want to consider subscribing to the AELS ListServ which distributes notifications beyond what is required by statute, as well as deadline reminders. To join the AELS ListServ go to: [http://list.state.ak.us/mailman/listinfo/Commerce\\_AELS](http://list.state.ak.us/mailman/listinfo/Commerce_AELS)

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ [alysia.jones@alaska.gov](mailto:alysia.jones@alaska.gov)).

Respectfully yours,  
BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

A blue ink signature of David Hale, PLS, written over a black redaction bar.

David Hale, PLS  
Chair [REDACTED]



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

BOARD OF REGISTRATION FOR ARCHITECTS,  
ENGINEERS AND LAND SURVEYORS

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.1676  
Fax: 907.465.2974

December 12, 2017

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] al Engineering License

Dear [REDACTED]

The Board of Architects, Engineers, and Land Surveyors met on November 8-9, 2017 and discussed your request to reopen the grandfathering period for structural engineer registration as stated in your letter to the board dated September 21, 2017.

In regards to notification of the changes, we confirmed with Division staff that proper notice, which is set in statute (AS 44.62.109), was followed and a copy of the proposed regulation changes was mailed to all AELS licensees, including yourself, on October 26, 2015.

The application deadline was set in regulation and it is beyond the board's power to grant exemptions to the regulation. A change in the deadline could only be accomplished by undertaking a regulation project, which is an extensive process taking six months to a year or longer to complete. The board feels there was sufficient notice for this regulation update and has no plans to open a new regulation project related to 12 AAC 36.108.

In an effort to prevent future issues of this nature, you may want to consider subscribing to the AELS ListServ which distributes notifications beyond what is required by statute, as well as deadline reminders. To join the AELS ListServ go to: [http://list.state.ak.us/mailman/listinfo/Commerce\\_AELS](http://list.state.ak.us/mailman/listinfo/Commerce_AELS)

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ [alysia.jones@alaska.gov](mailto:alysia.jones@alaska.gov)).

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

David Hale, PLS  
Chair

[REDACTED]





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

BOARD OF REGISTRATION FOR ARCHITECTS,  
ENGINEERS AND LAND SURVEYORS

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.1676  
Fax: 907.465.2974

November 14, 2017

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**RE: P [REDACTED] & Landscape Architects**

Dear [REDACTED],

The Board of Architects, Engineers, and Land Surveyors met on November 8-9, 2017 and discussed the question that you posed regarding whether a landscape architect is required for a playground design. The following is the Board's interpretation of the statute and regulations:

While Alaska regulation 12 AAC 36.069 specifically identifies "outdoor play apparatus" in the standards for registration as a landscape architect, the Licensing Statute 08.48.281(b) states that a person who is not registered to practice landscape architecture may practice landscape architecture "if the services being performed by the person are within the scope of practice authorized by another license that is held by the person." Architects and Civil Engineers have traditionally prepared site plans, including for sites that contain playground equipment, so may design playgrounds. Whether the designer is an architect, civil engineer, or landscape architect, they should have education and experience with playgrounds to design one.

Having said that, if the City and Borough of Juneau, as part of their RFP or as part of their jurisdictional policy wants to require playground or other design to be done by a landscape architect, they are free to do so. However, it would reduce conflicts if that requirement is expressly stated in any RFP.

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ alysia.jones@alaska.gov).

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

David Hale, PLS  
Chair

Cc: [REDACTED]



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

BOARD OF REGISTRATION FOR ARCHITECTS,  
ENGINEERS AND LAND SURVEYORS

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.1676  
Fax: 907.465.2974

November 14, 2017

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**RE: PL [REDACTED] & Landscape Architects**

Dear M [REDACTED]

The Board of Architects, Engineers, and Land Surveyors met on November 8-9, 2017 and discussed the question that you posed regarding whether a landscape architect is required for a playground design. The following is the Board's interpretation of the statute and regulations:

While Alaska regulation 12 AAC 36.069 specifically identifies "outdoor play apparatus" in the standards for registration as a landscape architect, the Licensing Statute 08.48.281(b) states that a person who is not registered to practice landscape architecture may practice landscape architecture "if the services being performed by the person are within the scope of practice authorized by another license that is held by the person." Architects and Civil Engineers have traditionally prepared site plans, including for sites that contain playground equipment, so may design playgrounds. Whether the designer is an architect, civil engineer, or landscape architect, they should have education and experience with playgrounds to design one.

Having said that, if the City and Borough of Juneau, as part of their RFP or as part of their jurisdictional policy wants to require playground or other design to be done by a landscape architect, they are free to do so. However, it would reduce conflicts if that requirement is expressly stated in any RFP.

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ alysia.jones@alaska.gov).

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

David Hale, PLS  
Chair

Cc: [REDACTED]



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

BOARD OF REGISTRATION FOR ARCHITECTS,  
ENGINEERS AND LAND SURVEYORS

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.1676  
Fax: 907.465.2974

Dear [REDACTED]

The AELS Board met in November and discussed your letter dated August 21, 2017, which attempts to clarify the use of the word "engineering" in the title of companies. The pertinent statute is shown below:

*Sec. 08.48.281. Prohibited practice. (a) A person may not practice or offer to practice the profession of architecture, engineering, land surveying, or landscape architecture in the state, or use in connection with the person's name or otherwise assume or advertise a title or description tending to convey the impression that the person is an architect, an engineer, a land surveyor, or a landscape architect unless the person has been registered under the provisions of this chapter or is a person to whom these provisions do not apply, or, in the case of a corporation, limited liability company, or limited liability partnership, unless it has been authorized under this chapter.*

The term "engineer" is meant to mean a professional engineer licensed to practice in the State of Alaska according to Sec. 08.48.341. Definitions. The purpose of the restricted use of the term is to limit companies from offering services to the public for which they are not properly licensed. The AELS Board has at the core of its mission a mandate to protect the public. As such, we are bound to uphold the statutes and regulations that pertain to licensure for Architects, Engineers, Land Surveyors, and Landscape Architects. In this case, the board has reviewed your letter and determined that there cannot be an exemption to the statute in the case of your company, and you will need to incorporate under a name that does not conflict with the Alaska Statutes.

Thank you for your letter, and we appreciate the opportunity to respond to it. Please contact the board should you have any further questions.

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

A handwritten signature in blue ink, appearing to read "Dave Hale".

Dave Hale, PLS  
Chair



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# Correspondence Received

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## AELS February 2018 Board Meeting

### Agenda Item 9 – Correspondence Received

The AELS board received two communications requesting clarification on the following items:

- Is the person designated in responsible charge required to be an employee of the company?
- Can a registered professional still stamp/seal prepared documents if that registrant is not designated in responsible charge?




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Discussion:

# Alaska Initiative for Interior Design Registration

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## Registration for Alaska Interior Designers: Executive Summary

### Reason for this initiative:

- To protect public safety in commercial building interiors
- To identify individuals qualified through education, experience and examination to practice interior design in code-restricted environments

### What this initiative does:

- Creates a recognizable title, ***Registered Interior Designer***, for qualified interior designers in protection of public safety
- Defines the practice of interior design
- Utilizes the national benchmark NCIDQ exam (National Council for Interior Design Qualification) as an application requirement
- Creates voluntary registration for interior designers administered within the AELS board
- Creates continuing education requirements to renew interior design registration
- Provides plan approval authority for non-bearing interior construction or alteration to registered interior designers

### What this initiative does not do:

- Does not restrict any individual or group from calling themselves interior designers or practicing interior design
- Does not require any individual practicing interior design to become a registered interior designer

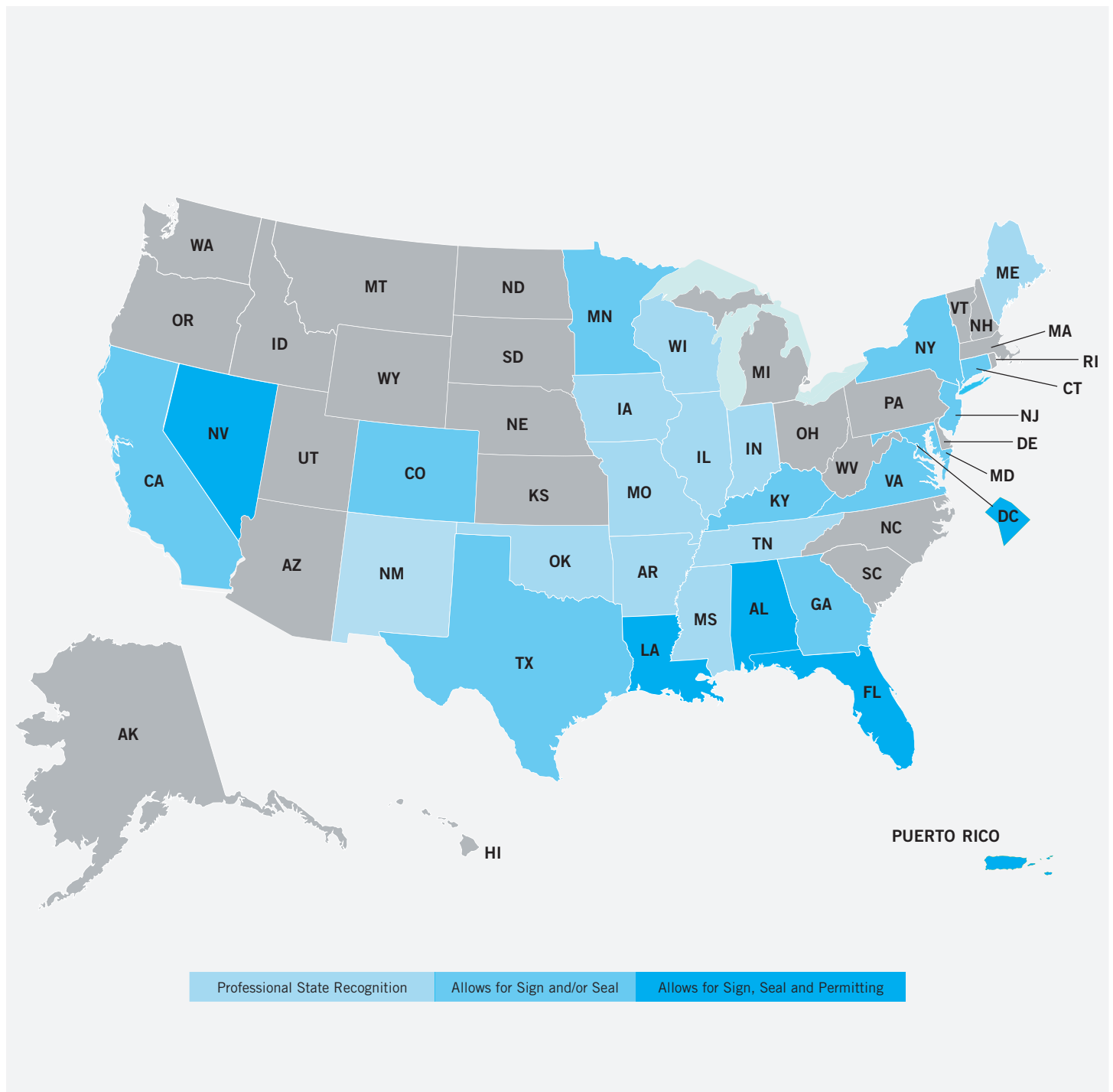
### Benefit to the public:

- Provides an easily recognizable title to identify interior designers qualified to practice in code-restricted environments
- Provides public protection through proper execution of code-compliant interior design
- Provides minimal cost impact to the state if administered through AELS board (to be self-funded through existing fee structure)

### Presentation Contents:

- Interior Design Registration Map
- Impact Sheet on Public Health, Safety, Welfare
- Petition in Support of Initiative
- Summary of Petition Support (as of: 12/7/2017)
- Letters of Support (ASID Alaska Chapter, ASLA Alaska Chapter, Bravo Partners, ITE Alaska Section)

## INTERIOR DESIGN REGISTRATION LAWS



## ASID LEGISLATIVE POLICY

ASID believes that legal recognition of our profession is best achieved through the enactment of legislation that:

Does not limit, restrict or prevent the practice of interior design.

Does not limit, restrict or prevent anyone from using the title “interior design” or “interior designer.”

Allows state-qualified interior designers to use the title “registered,” “certified” or “licensed” interior designer.

Allows state-qualified interior designers to perform additional services related to the practice of interior design as applicable governing jurisdictions deem appropriate for state-qualified interior designers to perform.



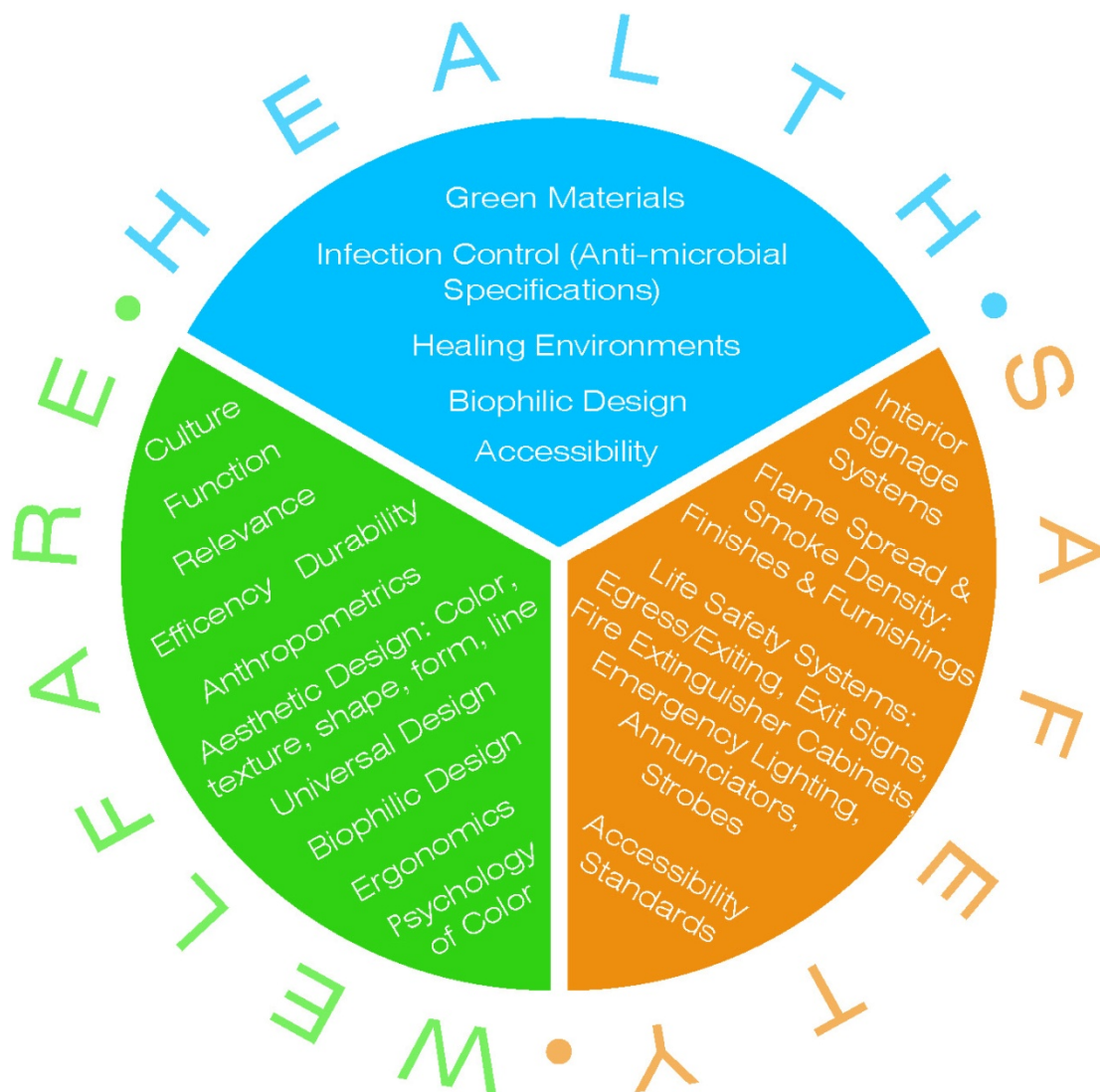
## What Do Interior Designers Do?

Interior designers practice in a variety of sectors including corporate & professional offices, healthcare, hospitality, civic, educational, retail, government, and residential.

To design spaces, interior designers must have knowledge and awareness of building codes, construction materials and methods, specifications, technical drawings, and business practices. Registration of interior designers practicing in these code-impacted environments protects the health, safety, and welfare of the public through knowledge and compliance.

## How do Interior Designers Protect the Public?

The following graphic explains how the practice of Interior Design protects the public health, safety, and welfare:



## PETITION in Support of Registration for Alaska Interior Designers

1. Interior design in Alaska includes residential and commercial practices of interior alteration and new construction design, drawings, and supporting documents suitable for non-bearing construction permitting.
2. While there are many working within the broad definition of the field, there is no clear identification of those with nationally acknowledged credentials whose practices recognize protection of public safety and welfare.
3. Nationally qualified interior designers (NCIDQ certified) have education, skills, and knowledge required to recognize code requirements and ensure their designs and drawings are in compliance with applicable codes to maintain public safety.
4. Colleges and universities have educated interior designers with accredited 4 and 5-year degrees for nearly 50 years, and the national qualifying exam (NCIDQ) has been in place and regularly updated for more than 40 years. Although 27 states in the U.S. recognize interior design as a profession through registration, licensure, or certification, Alaska has not yet taken this opportunity to recognize it in support of public safety and welfare.
5. In recognition of the practitioners who meet national certification standards we support the enactment of registration for interior designers in Alaska and the term “registered interior designer” for those who have attained the national credential (NCIDQ certification) and become registered with the state of Alaska, to be identified to the public.
6. This shall not limit use of the term “interior designer”, nor limit interior design practice by other non-registered practitioners, but shall create a recognizable level of credentialed interior designers competent to protect the public.
7. Practice privileges associated with registered design professionals shall apply, including stamping drawings and sealing for work described above.
8. It is intended the registration be self-funded through registration and renewal fees, and represented by the Alaska State Board of Registration for Architects, Engineers and Land Surveyors.

Please show your support now by signing below to identify the profession, protect the public, and benefit the built environment in Alaska.

I support this Petition!

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signature	title	date
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printed name	email	phone
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home address (for legislative district reference)	city	zip code
---------------------------------------------------	------	----------

Please return signatures to: [bcash@rim-design.com](mailto:bcash@rim-design.com)

## Summary of Petition Support as of 12/7/2017

### Alaska FAIA Leaders

Charles Bettisworth, FAIA  
Harley Hightower, FAIA  
Jeff Wilson, FAIA  
Ken Maynard, FAIA  
Tom Livingston, FAIA  
Larry Cash, FAIA

### Architects

Andrew Weiss  
Armando Deguzman  
Benjamin Wood  
Brian Meissner, AIA  
Brittany Rozier  
Dale Smythe  
Dan Fabrello  
David Popiel  
Deanna Nafzger  
Deanna Wlad  
Doug Green  
Emmanuel Daskalos  
Gaby Ruzicka  
Garrett Burtner  
Genevieve Beloiin  
Jack Danberg  
Jae Shin  
Jason Arnold  
Jason Gamache  
Jason Swift, AIA  
Jennifer Newell  
Jessica Stine, AIA / ASID  
Joann Lott  
Jobe Bernier  
John Weir  
Jon Denton  
Joseph Notkin  
Kenneth Applegate  
Leslie E. Thomas  
Michael Fredericks  
Michael Levison  
Michael A. Prozeralik  
Michelle Gallagher  
Molly Logelin  
Monica Sullivan  
Paul Baril, AIA  
Randall Rozier  
Roy Roundtree  
Sarah Salazar, AIA  
Scott Bohne, AIA  
Scott Brodt  
Sean Carlson  
Sierra Wojcik  
Tara Gallagher  
Tracy Vanairsdale  
Wayne Jensen, AIA

### Interior Designers

Abigale Kay Kron, ASID  
Alisha Weiss, ASID  
Ashley Killian  
Aurora Kassube, ASID  
Barbara Cash, ASID  
Cara Rude, ASID  
Charlene Steinman, ASID  
Chelsey Beardsley  
Dana Nunn, ASID  
Hannah Ford, ASID  
Justin Babcock  
Kelsey Davidson, ASID  
Kelsi Swank, ASID  
Natasha Schmidt, ASID  
Mary Knopf, ASID  
Megan Lierman, ASID  
Melanie Browning  
Melanie Gaubatz  
Melissa Pribyl, ASID  
Nicole Allen  
Tiffany Coffman

### Engineers

Aaron Kennard  
Andrea Morrow  
Andrew Schirack  
Amy K. Mestas  
Angela Smith  
Anna Bosin  
Channing Lillo  
Cheryl Evans  
Christine Swanson  
Christopher Rude  
Colin Maynard, NSEA  
Colin Singleton  
D. Michael Rabe  
Dan Kirsch  
David Aaron Morse  
David Apperson  
David Booker  
Davin Blubaugh  
David W. Diller  
Deanna Nielson  
Dennis Berry  
Dustin Campbell-  
Hutchinson  
Eric Rodgers  
Erica Jensen  
George Vaughan  
Gregory Latreille  
James Amundsen  
Jeffrey Brace  
John Caleb Davis  
Jonathan Hartford  
Jonathan Zak  
Josh Knutson

Kelly Mushovic  
Kelly Yanoshek  
Kristen Keifer  
Laura B. Rogers  
Marit Hartvigson  
Mark Clifton  
Mark Frischkorn  
Mark Graham  
Matt Edge  
Matt Emerson  
Michael Frison  
Michael Quimby  
Nicholas Choromanski  
Ralph DeStefano  
Riley Bronga  
Robert Branch  
Scott Gruhn  
Sean Baski  
Sean Lamb  
Skip Bourgeois  
Soo Loewen  
Steven Kari  
Timothy Hall  
Tracy McKeon  
Troy Feller  
Tyler Keene  
Vincent Valenti  
Wende Wilber  
Willem Van Hemert  
William Nelson

### Landscape Architects

Dwayne Adams  
**Related Industry**  
Angela Kupilik  
Anneleise Tremont  
Bathwell J. Faria IV  
Bruce Johnson  
Claire Mattingly  
Clint Johnson  
Corbett Alles  
Devon White  
Diane S. Armstrong  
Elijah Stine  
Frankie Mack  
James Cawvey  
Jan Cawvey  
Jerod Park  
Jordan Brannon  
Joseph Lurtsema  
Joshua Turner  
Joyce Hancock  
Julia Sover  
Kael Ladergard  
Kathy Alban  
KC Asplund

Kenneth A. Prestegard  
Kimberly Pettit  
Lauren Bullard  
Lauren Lucia  
Leslie Becia  
Lewis Quinn  
Loryn Willhelm  
Mitchell Sosinski  
Pearl-Grace Panteleone  
Raul A. Rovira  
Rod Young  
Sarmite Straatsma  
Susan Willis  
Ted Quinn  
William Lawson

### Letters of Support

ASID – Alaska Chapter  
ASLA – Alaska Chapter  
Bravo Partners  
ITE – Alaska Section

*Note: This summary represents a snapshot of signatures as part of a continuing effort to garner support on behalf of this initiative, and will be updated periodically.*

11/2/2017

Regarding : Alaska Interior Design Registration Initiative

To Whom it May Concern,

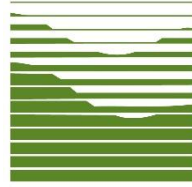
The Board of Directors of the Alaska Chapter of the American Society of Interior Designers, have reviewed the petition in support of Alaska Interior Design Registration. On behalf of the thirty-five interior designers and seven industry partners affiliated with our chapter, we agree to support this petition in the interest of Alaska's public health, safety, and welfare.

We look forward to future progress of this initiative and support the title Registered Interior Designer for those qualified and registered with the State of Alaska.

Sincerely,



*Kelsey Davidson, NCIDQ, ASID  
President, Alaska Chapter of ASID  
PO Box 242324  
Anchorage, AK 99524*



AMERICAN  
SOCIETY OF  
LANDSCAPE  
ARCHITECTS

Alaska Chapter  
American Society of Landscape Architects  
500 L Street, Suite 400  
Anchorage, AK 99501

October 05, 2017

Alaska Chapter  
American Society of Interior Designers  
P.O. Box 242324  
Anchorage, AK 99524

Dear ASID Alaska,

This letter is to provide confirmation that the American Society of Landscape Architects, Alaska Chapter, has reviewed the ASID Petition in support of Alaska Interior Design Registration as presented to our Executive Board, June 14, 2017. On behalf of our 47 Alaska members, the Alaska Chapter Executive board supports the Petition of identifying the Interior Design profession in the interest of protecting the health, safety and welfare of the People of Alaska.

We look forward to future progress of this initiative and the successful Registration for qualified Interior Designer in Alaska.

Sincerely,

Ed Leonetti, ASLA  
President, ASLA Alaska Chapter



9 October 2017

To: American Society of Interior Designers (ASID), Alaska Chapter

Re: Alaska Interior Design Registration Initiative

Dear ASID Alaska,

This letter is to provide confirmation that I have reviewed the ASID Petition in support of the Alaska Interior Design Registration as presented on 9 October 2017, and on behalf of our clients throughout Alaska (and the Pacific Northwest) we have agreed to support this Petition in the interest of Alaska's public health, safety and welfare.

We look forward to future progress of this initiative and support the title Registered Interior Designer for those qualified and registered with the State of Alaska.

Sincerely,

Darrell R Coutts    CTS PMP LEED  
Principal  
Bravo Partners  
7803 – 233<sup>rd</sup> Ave NE  
Redmond, WA 98053



## **Institute of Transportation Engineers - Alaska Section**

P.O. Box 242114, Anchorage, Alaska 99524

September 8, 2017

To : American Society of Interior Designers, Alaska Chapter  
Regarding : Support of Alaska Interior Design Registration Initiative

Dear ASID Alaska,


This letter is to provide confirmation that the Institute of Transportation Engineers, Alaska Chapter, has reviewed the ASID Petition in support of Alaska Interior Design Registration as presented to our membership, September 6, 2017. On behalf of our 115 Alaska members the Board has agreed to support this Petition in the interest of Alaska's public health, safety and welfare.

We look forward to future progress of this initiative and support the title Registered Interior Designer for those qualified and registered with the State of Alaska.

Sincerely,

A handwritten signature in blue ink that reads 'Sean Baski'.


Sean Baski, P.E.  
ITE Alaska Section President



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# Discussion: DOT Standard Drawings - Sealing Requirements

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Dennis Linnell  
Chris Miller, representing DesignAlaska

### Agenda Item 10 - Public Comment

Chair invited the public interested in testifying to do so in the order listed on the sign-in sheet.

Jim Amundson: "Hi, I'm Jim Amundson Chief of Highway Design for DOT&PF Central Region. One of my engineers noticed the proposed discussions having to do with the potential additional sealing on standard design sheets that we regularly include in our design plans and the sole purpose of my comment today is to advise some caution on what steps or how that might proceed because we currently have standard design sheets that have been designed and stamped by a professional. The engineer of record for the individual project is responsible for making sure that those plan sheets are site adapted for the specific project and that is what his stamp means on the front of the plans as the engineer of record. There is not a lot to be gained and a whole lot of cost to be raised if we suddenly have to start going in and have each engineer of record go in and re-engineer all of the details for something that he is about to stamp. And oh, by the way there is no way according to our current board rules for him to simply stamp the plan sheet that has already been stamped by another engineer. Last time I checked that breaks several of your rules. My point of bringing it all up is to advise some caution before we start changing some rules that have been fairly consistently applied across all 14 of the other states I'm licensed in that allow for a standard typical detail that's been engineered and stamped to be inserted into a plan set without further stamping. Thank you."

Jake Maxwell: "Good afternoon, my name is Jake Maxwell, I'm here representing ML&P, Municipal Light and Power here in Anchorage. I got this email late in the day yesterday and had a chance to review it and would like to provide my input of a lot of the easements that are created within Anchorage and some of the surrounding areas aren't required to have a stamp and some of the different conveyance documents. I would like to see that be a requirement and upheld. I know that is only on the surveyor portion, but there are also some other designs in-house that have not been stamped and I am a proponent of stamping policy."

Johnston asked Maxwell to clarify if "in-house" meant by ML&P. Maxwell replied "Yes, correct."

Hanson asked which email Maxwell was referencing. Maxwell explained there was an email that went out on August 2<sup>nd</sup> to several individuals that provided their input about the ramifications of stamping the standard drawings.

Stephen Nuss: "My name is Stephen Nuss, I am the Engineering Division Director for the Anchorage Water and Wastewater Utility. I am here today to talk a little bit about the re-sealing of standard details and standard drawings used for local, municipal and state works." Nuss read the following handout of his testimony to the AELS Board:

*"I have over 19 years' experience practicing civil engineering in the State of Alaska. I have worked on federal, state, tribal and local projects. The last 14 years of my experience has primarily been focused within the Municipality of Anchorage. I am currently the Engineering Division Director at the Anchorage Water and Wastewater Utility, where, with my counterpart Kent Kohlhasse from Project Management & Engineering. I oversee the preparation of standard specifications and details for the Municipality of Anchorage.*

*As an owner, the Municipality needs to have consistency with its construction standards and materials. To ensure this consistency, the Municipality developed the Municipality of Anchorage Standard Specifications (MASS). MASS is the basis for which many smaller communities have modified or adopted as their own standards. MASS contains specifications and standard details/ drawings which are considered a product of the Municipality and which have evolved and been developed by many people over a considerable number of years. In the case of existing standard details, they have proven to be reliable through their years of use. These details are not required to be included in the plan sets of our drawings, nor are they required to be signed and sealed by the responsible professional.*

*Only in the event of modifications from these standards for a project specific application, are the details included in the plans and then sealed by the responsible professional. This is also the methodology used for modifications to our standard specifications.*

1 *I believe the interpretation of state statute provided by AELS to recent email questions related to Alaska Department*  
2 *of Transportation standard details, is incorrect and does not represent the long standing, and legal, use of these*  
3 *details for construction works projects throughout the state of Alaska. I would further argue that engineers should*  
4 *not be held to sealing these standard details because they themselves did not personally prepare the details, oversee*  
5 *the preparation of the details, nor approve the documents for use. The agencies and communities promulgated these*  
6 *standards, mandated their use by the engineer, and approved their use for a given project.*

7  
8 *Thank you for allowing me to testify, and I hope you refine your guidance to reflect the accepted practice within*  
9 *Alaska.*

10  
11 Kerr referenced the email that was first submitted by Fred Park and is the basis for these comments. Kerr read through the  
12 questions regarding stamping of drawings. "For an Alaska State agency, is it legal to use drawings sealed by a professional  
13 engineer on multiple projects?" makes sense for the standard drawings we are talking about.

14  
15 "Use drawings sealed by a professional engineer that are from 20 to 30 years past?" Kerr asked those in attendance if, in  
16 their opinion that was fine as long as they still meet the current standards. Nuss responded "If they are still relevant and to  
17 standard, then yes."

18  
19 Kerr continued "Use drawings sealed by a professional engineer that no longer works for the government agency," what is  
20 your opinion on that?

21  
22 Nuss responded "as long as the agency continues to support their reviews and they have not reached obsolescence, then  
23 yes."

24  
25 Kerr asked if they have a problem with a current engineer reviewing and resealing those. Nuss replied "For the given agency,  
26 no. What we are trying to avoid is having to have individuals like from R&M, etc. go back through and review 200 standard  
27 details and signing and stamping for the same intended use."

28  
29 Johnston asked who determines if the standard details are appropriate for a particular project.

30  
31 Nuss: "The engineer through the signing and stamping of the drawings that reference those details takes overall  
32 responsibility for incorporation of those and only then if those details need to be modified do they include the modifications  
33 within the plan." Nuss mentioned Kent will talk more about the conformance of the plans.

34  
35 Amundson explained as owners of the standard drawings, they regularly review and validate they are still current or update  
36 to reflect current practice.

37  
38 Maynard confirmed that MASS details are not stamped by anyone, so they are not certified by anyone other than the engineer  
39 that references them. However the DOT drawings have a stamp on them. Maynard asked the group if these drawings may  
40 be stamped by an engineer that is deceased, retired, or otherwise no longer with the agency. The group confirmed. Maynard  
41 asked if one of the details were to fail, who would be responsible – the person who originally stamped it or the engineer  
42 who referenced it?

43  
44 Mark Niedhold: "Again, this is Mark Niedhold, I'm the Chief of Design and Construction Standards for statewide and I am  
45 here on behalf of Commissioner Luiken and Chief Engineer Lance Mearig to respond to a number of these and the answer  
46 is we are in a situation where if we do have an issue because there is a public harm that results from something that the  
47 department has delivered that the department - the State of Alaska - is always the primary plaintiff in a situation like that  
48 and... I'm sorry – the defendant in that. A plaintiff certainly has the ability to go after the Alaska Department of  
49 Transportation. The Engineer of Record on the subject project who chose to incorporate that standard drawing and  
50 historically we know that the deep pocket, that the State of Alaska is, if there is a legitimate claim of harm, that something  
51 violated a standard, or was inappropriate to apply in that location or that situation, that the Department – Alaska DOT and  
52 the State of Alaska will be held accountable in that and that is independent of whether or not that drawing was prepared by  
53 a consultant under a previous contract to Alaska DOT to develop that standard drawing, so that's a situation where that  
54 person may still be an active registrant but they are no longer connected with the Department in any manner. It stands with  
55 a past employee who may be an active registrant or is retired, or is deceased – the Department is still accountable under that

1 situation under current TORG practice, so I have no concern about a plaintiff's ability to go back if there was a justifiable  
2 issue there. And if I may, can I hijack this and go back to the question of the seal and the process? Mr. Chairman, is that  
3 permissible?"

4  
5 Chair: "Yes, go ahead."

6  
7 Niedhold: Ok. Our standard drawings are developed – we have a formal peer review process for the development of those  
8 standard drawings and that is a long standing history where those drawings are created typically in our statewide  
9 headquarters office, but sometimes in a regional office, but then they are peer reviewed by journey level registrants in all  
10 three regions. We go through a vetting process in there. When they've completed that process, then we go back and the  
11 designer of record will seal it. It's still not a valid document until it's issued by Chief Engineer's Directive – that would be  
12 Lance Mearig, a former AELS board member, so we have that initial process of peer review and I think Jim pointed out –  
13 it was a bit garbled on the phone, but the ongoing process, every one of those standard drawings is subject to an ongoing  
14 process of peer review whether that's internal in our department, or a consultant that we've hired or a third-party who  
15 proposes to use that standard drawing for their own work. Any one of those situations, anybody could raise their hand and  
16 cry foul if there is an issue, if there's a standards deviation, or something like that. And at that point, that informal peer  
17 review then changes and we go back and we start that formal process again where we go through it. So I have a high level  
18 of confidence and our commissioner and chief engineer have a high level of confidence that that process that we are  
19 addressing that and those that have a registrant – the oldest drawing from 1982 and that drawing still does not show up in a  
20 project unless it is called in by a designer of record and that process is almost exclusively that it is called up through another  
21 plan sheet with that designer of record's seal on it. So, there is a process in place there, but as we continue to use those  
22 drawings, the oldest in our inventory are a menu of drawings from 1982 it's still reviewed for validity and any problems. I  
23 guess I would say one other thing we all know that design is an iterative process and I use the mantra that the last iteration  
24 of the design process – I'm talking about horizontal construction here – but I believe, in my experience with vertical, it  
25 applies - the last iteration of the design process doesn't occur until our construction professionals, and in Alaska DOT of  
26 course, and virtually in every other situation, we have registrants who are in charge of that construction administration and  
27 in charge of that inspection process. They have that final opportunity to evaluate those and ensure it is appropriate and  
28 through that overall system that it is the right detail to be using in the situation and that opportunity to cry "foul" if it's not  
29 and start us back into that review loop. Ultimately Alaska DOT's position or our concern is that we're contemplating a  
30 change that will have a cost and I understand that that cost is not enormous if you think about it on an individual plan sheet,  
31 it's not the one-off concern that I have. Our concern is the cumulative effects of that and when we look at that cost over our  
32 program, over local municipalities' programs, that we understand that that front-end cost means that we'll have less funding  
33 available for the actual improvements that go on the ground. Those improvements that will result often times in public safety  
34 improvements, not just capacity or comfort issues, or whatever, but they are there for public safety. And if we have more  
35 than thirty years of this practice, which we do, if we don't have a demonstrated problem or risk that we're trying to address  
36 then the cost and we don't see a benefit to the change, the only thing we see is a cost and that cost with less improvements  
37 on the ground means that we have less opportunity to address public safety. That is a very big concern and as Jim noted  
38 there are other states and I've queried– we are a member of ASHTO, the Association of State Highway and Transportation  
39 Officials and I went to every one of my counterparts in region 4, which is the western/ northwest region, and I haven't  
40 received responses from everybody, but it is worth noting that the Dakotas, both North and South, Montana, Oregon,  
41 Washington, California, Arizona and Idaho have all confirmed that their current practice are consistent with Alaska DOT's  
42 practice. I'm not one to go and use the argument typically 'well, everyone else is jumping off the bridge, so why can't we,'  
43 but it is a compelling argument when we look at 30 years of practice, with I believe - without a demonstrated problem. And  
44 a practice that is consistent with many other big dogs on the street that are looking at this and that final dovetail back is that  
45 we incorporate those by a project that is sealed. We peer review them at many stages formally and informally and I think  
46 that although 12 AAC 36.185(e) is silent with respect to standard drawings, it talks about the specifications being  
47 incorporated under the seal on the drawing and my question is why is that not applicable for a standard drawing? And if it  
48 is not, then we look at things like the federal sign design specifications which are Federal Highway Administration's  
49 drawings for what the stop sign looks like. Is it our expectation that we squirrel this down the hole and we have to have a  
50 seal on the Federal Highway Administration document that identifies the detail – the standard of what the sign should be? I  
51 realize that is a little bit ludicrous, but I'm trying desperately to make a point there and finally that is - on behalf of  
52 Commissioner Luiken and Chief Engineer Lance Mearig and with concurrence from the City and Borough of Juneau, the  
53 Municipality of Anchorage, the City of Fairbanks, the Kenai Peninsula Borough and the Matsu Borough, I urge the board  
54 to allow the precedence of the last 30 years to remain in practice. So, thank you for letting me get all of that out.

1 Chair thanked Niedhold for his testimony.

2  
3 Maynard asked what prevents the registrant from stamping the drawing at the end of the peer review and removing the  
4 stamp of someone who is deceased or retired? It doesn't cost any more money.

5  
6 Niedhold responded there is nothing that prohibits that and added that he is not proposing that we talk about prohibiting a  
7 practice of a designer of record. He reiterated the informal peer review is an opportunity to cry "foul" at which point they  
8 would go back through the formal process and rejuvenate the drawing and a new designer of record would assume  
9 responsibility for that drawing.

10  
11 Fritz requested some clarification on what Niedhold meant by the practice is the same in other states.

12  
13 Niedhold stated he asked his counterparts in other states "do they had standard drawings, are they sealed, and do they require  
14 a project-specific seal to incorporate those standard drawings or details on their projects?" The answer consistently was "we  
15 do not require them to be sealed individually for each project." He added that responses also indicated the standard drawings  
16 or details are incorporated in a plan set. Niedhold explained the states he previously listed incorporate standard drawings  
17 without a new project-specific seal on those drawings. He also asked the other states if they had a sunset date or formal  
18 process where they automatically go back in if a registrant (a) severs service (b) retires, or (c) is deceased. Niedhold stated  
19 that responses from 3 of the states were identical to Alaska's current practices and indicated they have on-going practice to  
20 look for problems from an engineering standpoint and when they determine there is a problem and the drawing is no longer  
21 valid due to change in standards or policy, etc. then they regenerate the drawing and the designer of record seals it.

22  
23 Hanson stated the MASS drawings aren't stamped, so whoever stamps the project is taking responsibility for those  
24 standards? They are taking on the liability, all the responsibility? DOT drawings are stamped. Hanson asked Niedhold if  
25 these old drawings comply with the current requirements of dated seals.

26  
27 Amundsen responded that all of the ones he is familiar with have dates on the seals. Hanson added that a drawing that is  
28 thirty-five years old may still be relevant. I just want to make sure in your review process that they are meeting current  
29 regulations.

30  
31 Niedhold added signature, seal and date are in accordance with the current regulations.

32  
33 Kerr added, but per our regulations they would need to be a current registrant, which would exclude retired or deceased  
34 registrants. Kerr asked if there was an estimate of the number of drawings that are by people who have severed service, are  
35 retired or deceased. Niedhold said he would count and respond momentarily.

36  
37 The Chair clarified that we are working within current statutes and regulations and are not trying to change anything.

38  
39 Hanson mentioned from an AELS perspective, if John Doe signed the drawing in 1985 and stamped it and there is a problem  
40 with that work, John Doe is on the hook. They are the registrant in responsible charge of that work whether they authorized  
41 it to be constructed or not, they are taking responsibility. So from a liability perspective whether they are alive or dead,  
42 retired or currently licensed they are the ones on the hook.

43  
44 Niedhold responded that Alaska DOT indemnifies and holds harmless the registrants who provide this work for Alaska  
45 DOT with two exceptions:

46 (1) If it is determined that the registrant is gross negligent when they did that work

47 (2) If the work was done by a consultant,

48 So, that registrant regardless of status is protected by the State of Alaska unless it is determined that they were gross  
49 negligent in their duties.

50  
51 Maynard: "But DOT can't give them their license back."

52  
53 Hanson: "There is no such indemnifications in our statutes for any of that."

54  
55 Johnston: "Are you saying that none of your standard drawings are stamped by consultants then?"

1  
2 Niedhold: "No, I am saying that we have a small portion of our standard drawings that were developed by consultants and  
3 have consultant seals on them."

4  
5 Hanson stated that is an unlimited liability whether they have an indemnification clause or not.

6  
7 Chair asked if the State of Alaska is bound by their own regulations or statutes or can they deviate because they think they  
8 can recover from them?

9  
10 Kerr: We are absolutely bound by the state statutes.

11  
12 Niedhold: "The department is looking, because of the silence in the regulations on this issue, to be applied under the same  
13 regulation authority for the specifications - 12 AAC 36.185(e) provides 'The registrant, by sealing final drawings, takes  
14 responsibility for related discipline specifications included in the final drawings, unless under AS 08.48.221...' they take  
15 the registrant by sealing those final drawings, so the drawing that incorporates the standard drawing is the final project  
16 drawing, the final drawing and that is the way we have operated under our statewide standards specifications for the same  
17 thing plus thirty years. This practice has been in place for more than 30 years and I go back to the fundamental question -  
18 do we have a demonstrated problem with this? Because there is certainly a cost. And it's not the cost to Alaska DOT, it's  
19 not the cost to the Board of Registration and it's not the cost to the engineer of record who would be required to do it, but a  
20 cost to the public of the state of Alaska, the public of the municipalities.

21  
22 Johnston expressed her concern regarding the discipline of the person who is stamping the cover sheet stating that the  
23 standard drawing is applicable. She explained she is an electrical engineer and noted that many of the DOT project managers  
24 she works with are not qualified to know whether that drawing is in compliance with current electrical code and defer to  
25 her to identify whether there is a problem and if there is, the expectation is that she would revise the standard drawing and  
26 re-stamp it. Johnston added that if the engineer of record is stamping that the standard drawing is applicable then they should  
27 have responsible charge and full awareness of what they are stamping. She noted if they are not in the same discipline that  
28 could be a concern.

29  
30 Niedhold: "I am going to come back and answer that question. There are two parts - If they, we - our consultants modify a  
31 standard drawing then it becomes a project specific detail and there is no misunderstanding when you modify it, subject to  
32 the AELS regulations and statutes that that needs to be sealed. That's part one. Part two is that we went through an exercise  
33 when Mr. Mark Morris, electrical engineer was on the Board and we addressed the issue of our drawings that include  
34 electrical. And in that dialogue Alaska DOT has modified that, if that plan sheet of record that addresses the lighting design,  
35 the signal design, the [load ???] piece that calls in that standard drawing must be dual sealed. By a civil engineer to address  
36 the lighting foundations and location of where the light goes because of the traffic operation issues, the signal heads. By an  
37 electrical engineer to address that application of electrical engineering principles and concerns on that. The question was  
38 asked and answered by this very board and the Department modified our practice in response to that. So I am not concerned  
39 that that's occurring unless we have folks that are not complying with the requirement and to the best of my knowledge -  
40 Jim and I just had a conversation about that two days ago and we're doing that piece. So they are relying on you, if you are  
41 the electrical engineer that's involved with that lighting design, that piece. Absolutely, they're relying on you and it is  
42 appropriate for you as a consultant to require some cost to say yes it's appropriate to use this standard drawing. And if it's  
43 not, for them to work with you to develop a project specific detail that gets there. Again, we're not looking to prohibit the  
44 practice of changing a drawing and putting a new seal on it. We're concerned about the addition of process to mandate a  
45 compulsory resealing of every one of them every time it's there.

46  
47 Johnston requested some clarification on Niedhold's response. If the standard drawing is not in the discipline of the engineer  
48 of record then co-stamped by someone who is in that discipline applicable to the standard drawing.

49  
50 Niedhold re-clarified: "No. For the lighting design sheets, the traffic design sheets - the signal system that have electrical  
51 components in them, under coordination with the board of registration we have modified our policy to require both a civil  
52 engineer and an electrical engineer seal on those plan sheets. Those plan sheets are the mechanism by which we reference  
53 and incorporate by reference the standard drawings that have electrical on them that are currently sealed by an electrical  
54 engineer or co-sealed by an electrical engineer and a civil engineer.

1 Maynard: "I am not swayed by the fact that DOT has been practicing in violation of the licensing laws for 30 years and  
2 would like to continue to do so, because they don't think there has been a problem yet. If you did it like MASS where there  
3 were no stamps on your typical details and the person who was then stamping the drawings that referred to them and dates  
4 that, I would not have a problem. I have a problem with drawings that are being re-used without the licensee's knowledge,  
5 or permission and then you basically have two people responsible for that one of whom may not even know that he's  
6 responsible for it. That I have a problem with."

8 Niedhold: "I'll come back to that question. Again, is that if that is the board's direction then it is not an enormous task for  
9 us to pull that seal off, it still doesn't make sense and I'm not convinced that it is in violation of our regulations, no more  
10 than the issue of the standard specifications book and in the 2015 version, we have a 2017 version now, but the 2015 version  
11 of the standard specifications had my seal on it and the statement that a registrant has not granted their permission for the  
12 use of that standard drawing – that's the fundamental – it's not the fundamental intent that's the sole intent of that standard  
13 drawing is to be a standard application, and the registrant who sealed it they were aware of that intent. That is was intended  
14 to be used in perpetuity until an issue was identified or a standard changed, to be incorporated into projects. That's the level  
15 of care - that is why we use the peer review process. I respectively with the board, the board is an essential piece of this  
16 machine to assure public safety. My statement is not to continue to violate a practice because I don't believe we were  
17 violating a practice, I believe that we were consistent with it, that we were incorporating that detail, just like we  
18 incorporate... a manhole lid on the job, where we show a manhole lid where we don't design the lid, we rely on the  
19 manufacturer's certification. Just like we incorporate a stop sign on the job where we rely on Federal Highway  
20 Administration's certification that that drawing is according to [???]. That that process is consistent with the regulation that  
21 I identified that is silent with respect to the [standard] drawing, but I believe was the intent of that regulation. And ultimately  
22 I am not saying we should do it because we've been doing it. I am saying that if we make a paradigm shift now the net  
23 effect will be to the negative in terms of public safety because the additional cost on the front end will mean less safety  
24 improvements on the street by the Department of Transportation, by the municipalities and if we do that, if we didn't have  
25 a demonstrated problem that we are going after there wasn't a risk associated with it because there is an entire system in  
26 place to mitigate that risk including the board's ability to go after us and say 'well, you should have never incorporated that  
27 drawing, so we are going to hold you accountable.' Those pieces are already in place, so, but we add process that reduces  
28 the amount of guardrail we can put out there.

30 Chair thanked Niedhold for his comments and moves on to the next person scheduled to testify.

32 Kerr asked Niedhold if he had a number of standard drawings by individuals no longer affiliated with DOT. Niedhold  
33 indicated there are approximately 45 out of 130 standard drawings.

35 Kohlhasse: "Hello. My name is Kent Kohlhasse. I am the Municipal Engineer for the Municipality of Anchorage. I've been  
36 a registered engineer since 1998 and been working in engineering at the federal and state level since the early 90s. Like my  
37 colleagues, I am here to offer commentary regarding the use of standard details, and the question posed to the Board whether  
38 such standard details need to be sealed, and resealed for each use. We became aware of this potential issue just this week.  
39 The Municipality maintains, and promulgates for use on municipal projects, M.A.S.S., the Municipality of Anchorage  
40 Standard Specifications. Many of you are likely familiar with this document. M.A.S.S. contains both specifications and  
41 standard details that are integral parts of the various specification divisions within the document. M.A.S.S. as a document  
42 (which includes the standard details) is incorporated into all municipal capital improvement projects by reference in the  
43 contract documents. The designer of record will reference specific standard details that are applicable to that project. For  
44 example, I examined a recent set of project documents while preparing for this meeting. Then engineer reference several  
45 standard details for manhole and catch basin structures, inlet frames, lids, and expansion joints for installation of drainage  
46 structures, as well as many other elements. By incorporating the standard details into their design, our position is that the  
47 EOR has examined the situation and determined the standard detail is appropriate for the intended use. To piggyback on  
48 what Mr. Niedhold was saying, our view is that 12 AAC 36.185(e) supports that and it reads 'The registrant, by sealing final  
49 drawings, takes responsibility for related discipline specifications included in the final drawings...' and our position is that  
50 M.A.S.S. is embodied in this. Our standard details are clearly a component of the standard specifications, as envisioned by  
51 12 AAC 36.185(e). Furthermore, standard details provide consistency for construction and maintenance of public  
52 infrastructure. Standard dimensions for items such as junction boxes, light poles and bases, manhole frames, storm drain  
53 inlets, and similar items reduce the number and type of replacement structures that must be stocked by MOA Street  
54 Maintenance or AWWU. This results in efficient maintenance practices and a savings of public funds.

1 In addition to the possibility of potentially increased cost of maintaining infrastructure and replacement inventory, the simple  
2 fact is there would be a substantial increase to our design costs by requiring all standard details be sealed and resealed by  
3 the EOR/DOR for each use. Much as Mark said, I am not suggesting in any way that cost-saving should come at the expense  
4 of public safety. Our role, my role, the municipality's role is public safety is number 1, that's our position in the way we do  
5 business... but reviewing our history of successful use of standard details supports our position that our current methodology  
6 does protect the public interest. We did a quick review of M.A.S.S. this week, looking at previous versions and we have  
7 standard details that have been essentially unchanged since the early 70s, which tells us that those details work well and  
8 continue to serve their purpose. We also have a robust system of plan review, construction inspection, and maintenance  
9 observation that provides ample opportunity to improve these standard details as conditions may warrant. In many cases we  
10 don't allow deviation from those standard specifications and details, such as those associated with traffic signal cabinet  
11 wiring diagrams, is not only discouraged, but not allowed.

12  
13 The practice of using standard details is not limited to Alaska as you heard from Mr. Niedhold.

14  
15 In closing, I respectfully submit on behalf of MOA Project Management & Engineering, as well as AWW as Steve has  
16 stepped out - that the current practice regarding standard details is safe, efficient, in the best public interest, and is in  
17 conformance with the intent, spirit, and letter of the AELS regulations. Finally, as I mentioned, we became aware of this  
18 issue only this week, so our request would be that if the Board is inclined to offer an interpretation that differs from what  
19 we present that we be allowed to have more time to research and perhaps provide additional response.

20  
21 Koonce asked if the drawings and details in M.A.S.S. are stamped. Kohlase responded "they are not". Koonce stated that  
22 the engineer who references them takes ownership. Johnston added but they aren't allowed to change. Hanson commented  
23 by listing them on the cover sheet or wherever they are taking responsibility. Koonce noted this is in compliance with 12  
24 AAC 36.185(d).

25  
26 Chair invites David May to testify.

27  
28 May: "I appreciate the opportunity for public comment. I am speaking on behalf of the Kenai Peninsula Borough, the  
29 Purchasing and Contract Department and would like to offer the following comments. First of all we do support the DOT  
30 and their interpretation of the current use of statute. We're concerned - many times the interpretation of statutes have  
31 contingent consequences based up whether it's a broad or narrow interpretation of that regulation. At face value it is only  
32 logical that a new project require competent design by a license professional. The circumstances change, sites vary and  
33 clients usages are different, and codes and construction practices change, and a competent professional can foresee issues  
34 and potential problems that unskilled individuals don't see. Broad interpretation of drawings also includes standard details  
35 that are commonly used and referenced by licensed professionals and others. If adopted this interpretation would change –  
36 this interpretation change would require a licensed professional stamp with signature and date each time a standard detail  
37 was used or referenced in any application or project. Some of the unintended consequences would include the use of standard  
38 details used by municipalities and furnished to citizens to use for compliance in construction of such items as road  
39 extensions, culvert installations, curbs, gutters, etc. Under this proposed interpretation, as I understand it, a municipality or  
40 government agency would be in violation unless a licensed professional signed and dated a referenced standard detail every  
41 time it was provided to the public. I could see that this would confuse the public, require agencies to have licensed  
42 professionals on staff or under contract and would be a significant financial burden to comply with. Current statutes already  
43 require new projects to be designed, stamped, and signed by licensed professionals. Plans examiners and the State Fire  
44 Marshal have been authorized to ensure that any design work is performed by – any design work performed by unlicensed  
45 individuals is not permitted. This proposed interpretation change, in our opinion, is not needed. It does not improve the  
46 level of protection to the public areas of health, safety, or public welfare, it places a significant burden on the public agencies.  
47 It increases the cost to the government and the public in general. It has every appearance of protectionism regulation that  
48 benefits a narrow spectrum of individuals and firms when times are slow, but then when times become, when construction  
49 booms, this same regulation will become very onerous and hard to comply with. In conclusion I request that the current  
50 interpretation of the statute stand as is.

51  
52 Hanson: Does KPB (Kenai Peninsula Borough) have standard drawings and standard specifications?

53  
54 May: "KPB has standard drawings dealing with the road profile, requirements for road construction, for driveway  
55 approaches, for culvert installation that are often used."

1  
2 Hanson: "Are they stamped?"

3  
4 May: "No, they are not."

5  
6 Maynard: "Then you are fine!"

7  
8 Chair invites Dennis Linnell to testify.

9  
10 Linnell: "Yes, thank you. I am commenting on the same issue here and my thoughts are that standard drawings are a product  
11 of the government entity that produces them and that that government entity should be responsible for them, not a private  
12 consultant. These standard drawings often contain maintenance preferences and/or material preferences of that particular  
13 government entity. I believe that they are used with the engineer that stamped those, with their full approval and permission  
14 when they are used and the normal site adaptation. I do believe that what we are doing currently is in the best interest of the  
15 public and that it would cost – that there would be a public cost to do otherwise. I think allowing the government entities to  
16 reuse standard drawings will continue to protect the health, safety, property, and welfare of the public. I think the current  
17 code does not allow such read of standard and I think you guys should be working on revising the code to allow that practice.  
18 Thank you."

19  
20 Chair thanks Linnell and invites Chris Miller to testify.

21  
22 Miller: "I choose not to talk about the standard details. But I would say thank you to the board. This has been a great  
23 interactive meeting, I love to see everyone participate and I can only say for myself that I really loved having the board  
24 packet available for my review it caused me to have several discussions in my office and individually with registrants about  
25 various topics that were clearly called out in the board packet. I made a whole list – I have a whole post it note full of things  
26 that stopped me that were interesting in that board packet, so thank you for that and we'll continue to participate."

27  
28 Chair: Thanked everyone in the room and on the phone for participating.

29  
30 Hanson asked Fritz if CBJs drawings are stamped and she responded that she believed so.

31  
32 The Board returned to discussing Agenda Item 7. CBPL Reports.

33  
34 *7.C. Annual Reports:* Maynard commented that the report looked good. Kerr asked if we were going back to the fee analysis.  
35 The group briefly discussed aiming towards a revenue neutral point and decided to consider it overnight and discuss Item  
36 7.B. again tomorrow.

37  
38 A.Jones reminded the group that a decision regarding subsidizing the AKLS is also needed. The Chair stated we should  
39 absolutely continue to subsidize it. The group discussed the fees associated with professional land surveyor registration.  
40 Hanson noted there has been a history of subsidizing among the license types (renewals, initial, FEs, etc.).

41  
42 The group returns to reviewing the Annual Report. A. Jones explained the presented version is a DRAFT and that the  
43 webmaster and other CBPL staff will be reviewing. Kerr noted that Vern was appointed, not reappointed. Chair noted a  
44 couple tense changes based upon regulations going into effect. The Chair requested all changes be emailed to A. Jones by  
45 Monday, August 7<sup>th</sup>.

46  
47 *7.D. Updated Travel Forms:* A.Jones explained the new travel forms will not impact the board per se, but wanted the group  
48 to be aware that travel is centralized and will be done by Shared Services. She explained receipts are still submitted as they  
49 have been in the past and board members should not be booking their own travel. Koonce mentioned if he had been able to  
50 book his flight earlier for the NCARB conference it would have saved several hundred dollars, and by the time he was  
51 approved by the State, the ticket price was more than what the State would cover. Koonce added that the availability of seats  
52 was also an issue.

53 The Chair mentioned Fairbanks was a similar situation and R. Jones had issues with travel for this meeting.  
54



1  
2 *16.C. Questions RE: Use of Old Standard Drawings:* Maynard stated that following yesterday's discussion, all agencies  
3 that commented during public testimony with the exception of Alaska DOT are doing it correctly. He explained the standard  
4 drawings should not be stamped, and that the person who is stamping the design set, by the fact that they are stamping the  
5 drawings that refer to those details is correct. Maynard said use of drawings from people who are no longer around is a  
6 direct violation of the board's standards. He noted that most of the drawings do not require engineering, but some do and  
7 for those you cannot rely on an engineer that is not involved or possibly even aware of the project to be validating that.  
8 Maynard recommended that they remove all of the stamps and leave it up to the designer to validate those drawings/ details  
9 work for that particular project. Maynard explained that the initial question did not specify they were standard drawings,  
10 and suggested that they be re-stamped during the peer reviews.

11  
12 Johnston brought up the point regarding disciplines and ensuring the appropriate people are consulted on details that pertain  
13 to their discipline/ branch of engineering. Hanson suggested that the regulations be revised to provide additional credit.

14  
15 The board reviewed 12 AAC 36.185(e) "The registrant, by sealing final drawings, takes responsibility for related discipline  
16 specifications included in the final drawings, unless under AS 08.48.221 the registrant certifies on the face of the document  
17 the extent of the registrant's responsibility," and discussed whether or not a revision was needed.

18  
19 The board also reviewed 12 AAC 36.195 Site Adaptation and Field Alterations of Sealed Documents. Hanson noted that  
20 Maynard's initial response implied re-stamping. The board recognized that given the additional information provided during  
21 public testimony and now having a better understanding of what the questions were in reference to, a revised response was  
22 required.

23  
24 The board discussed some cities have standard details that are signed "approved for use" but are not sealed and several  
25 board members provided examples of how they stamp or reference drawings.

26  
27 Slight process change. Already have to modify or take RC by invoking it. Need to clarify in the regulations. Engineer of  
28 record has responsibilities.

29  
30 Johnston encouraged that any information regarding this issue intended for the guidance manual go out for public  
31 comment.

32  
33 The Chair requested Maynard revise his response based on the comments, additional information, and board discussion.  
34 The board's recommendation is for standard details not to be stamped and for the registrant who cites them to take  
35 responsible charge.

36  
37 TASK – Maynard will revise response and send to the board for review.

### 38 39 **Agenda Item 17 Old Business**

40 *17.A.2. – Use of NCEES Record in Applications:* Hanson noted that he didn't have anything to report, but plans to work  
41 on this following the meeting. Fritz asked if this was in relation to Sarena's email about staff approving applicants.  
42 Hanson noted that the topics are related and there has been some discussion about staff approving applications that are  
43 model law, but we are not at that point. Hanson stated he would work on this before the November meeting.

44  
45 *17.A.3 - Licensure Pathway for Software Engineers:* Johnson referred the board to the information in the packet that  
46 related to the last round of this effort spearheaded by former board member Eriksen. Johnson said it is not sufficiently  
47 defined and would need to be revised. Maynard added that he reviewed the software engineering exam was very basic.  
48 Johnston explained computer engineering involves more of hardware design, but that people with a background in  
49 computer science are not required to have the computer engineering side, and are more focused on the programming. She  
50 explained the issue then becomes do you have a computer scientist that is calling themselves a software engineer or are  
51 they a computer engineer with enough programming experience to say they can integrate the two. The board discussed  
52 other branches of engineer that may have programming experience, and Johnston cautioned that a lot of computer  
53 scientists call themselves software engineers and taking on a licensure of software engineers may open up a lot of  
54 questions unless the board is very specific about when it is required. Maynard stated his understanding that the board  
55 would only want to license software engineers that do software that run physical equipment, plants, controls system,



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# Old Business

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## **Possible Guidance Manual Content**

### **“Industrial Exemption” for boundary surveys.**

Exemptions 08.48.331 (a) (10), full text below<sup>1</sup>, is often referred to as an Industrial Exemption. This exemption is limited to practice “involved in the operation of the employer's business only”.

The statute 08.48.331 (a) (10) provides business’ the opportunity to have unlicensed staff perform in-house work when these actions don’t impact anyone other than the business. One example is when public utilities perform professional engineering work on their own plant/facilities and no others are impacted. This exemption does not apply to surveys that delineate the boundaries of land rights. There is no land rights ownership delineation scenario that only impacts the operation of the employer’s business<sup>2</sup> so the exemption does not apply.

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<sup>1</sup> 08.48.331 (a) (10) an officer or employee of an individual, firm, partnership, association, utility, corporation, limited liability company, or limited liability partnership, who practices engineering, architecture, land surveying, or landscape architecture involved in the operation of the employer's business only, and further provided that neither the employee nor the employer offers engineering, architecture, land surveying, or landscape architecture services to the public; exclusions under this paragraph do not apply to buildings or structures whose primary use is public occupancy

<sup>2</sup> No business owns all land rights associated with a parcel of land. Land ownership is possession of the majority of the rights associated with that particular parcel of land. A common analogy is to think of a parcel's land rights as a bundle of sticks – each stick represents a right: such as the right to occupy the property and the right to improve the property. The full bundle of rights is never wholly owned by any one entity. Often public utilities own the rights to construct and maintain utility lines on a portion of the property.

The location of the boundaries of land rights also serves to define the limits of the construction of permanent structures (that limit being lot/parcel boundaries or easements and setbacks offset from the legal lot/parcel boundary). If permanent structures/improvements are built into setbacks, easements, or across lot/parcel boundaries, this would cause harm to the easement user (utility company) that now must work around the structure, or to future owners of the property (or adjoining) who are now burdened with the problem.



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# New Business

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**From:**

**Subject:**

**Date:**

Regulatory Outreach

Friday, January 12, 2018 11:33:05 AM

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Dave,

During the August meeting we discussed the cooperative relationship that we have with the State Fire Marshall's office. I think that is a great template, and I think that we are missing an opportunity by not establishing the same type of relationship with other State and Federal regulatory bodies. Can we add time in next month's agenda to discuss this?

For instance, the ADEC sees a lot of environmental and integrity related designs, reports and plans. In the past, they have made statements accepting industry credentials in lieu of the need for engineering licensing. They simply have no idea of the licensing requirements associated with engineering studies, reports and designs. Obviously, if they are unaware of licensing requirements, then they are unaware that there is a mechanism to raise licensing issues.

I've seen similar issues with the PHMSA and the BLM. They are often frustrated and unlicensed or substandard engineering work that they review, but not aware of a mechanism or pathway to raise concerns with the AELS Board.

I'd also like to discuss industry outreach and communications. I think we need a way to better communicate with end users of engineering services. Much of my exposure is with the (relatively) new independent oil and gas operators in the State. Many either aren't aware of licensing and stamping requirements, or choose to ignore them. We act as client reps or project managers for several of our clients. In the past year, we have had to argue with one of our clients that they couldn't use a Canadian electrical designer (not even a P Eng) to design VFDs on an offshore structure. Until we pointed out the specific regulations, they were convinced that they were in compliance.

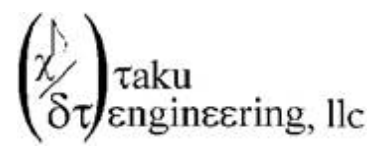
Many of our clients don't recognize the difference between a Canadian P Eng and an Alaskan PE. There is a lot of design work being done in Canada, for Alaska installations.

I'd like to get feedback from the other Board Members and understand what our options are for reaching out to regulators and end users.

Please advise,

Bill Mott

President & General Manager



(907) 632-4932

[www.takuengineering.com](http://www.takuengineering.com)

SEC. 08.48.241 CORPORATIONS, LIMITED LIABILITY COMPANIES, AND LIMITED LIABILITY PARTNERSHIPS

**Sec. 08.48.241. Corporations, limited liability companies, and limited liability partnerships.** (a) This chapter does not prevent a corporation, limited liability company, or limited liability partnership from offering architectural, engineering, land surveying, or landscape architectural services; however, the corporation, limited liability company, or limited liability partnership shall file with the board

(1) an application for a certificate of authorization upon a form to be prescribed by the board and containing information required to enable the board to determine whether the corporation, limited liability company, or limited liability partnership is qualified in accordance with the provisions of this chapter to offer to practice architecture, engineering, land surveying, or landscape architecture in this state;

(2) a certified copy of a resolution of the board of directors of the corporation, the managing members or manager of the limited liability company, or the general partners of a limited liability partnership designating persons holding certificates of registration under this chapter as responsible for the practice of architecture, engineering, land surveying, or landscape architecture by the corporation, limited liability company, or limited liability partnership in this state and providing that full authority to make all final architectural, engineering, land surveying, or landscape architectural decisions on behalf of the corporation, limited liability company, or limited liability partnership with respect to work performed by the corporation, limited liability company, or limited liability partnership in this state is granted by the board of directors of the corporation, the managing members or manager of the limited liability company, or the general partners of the limited liability partnership to the persons designated in the resolution; however, the filing of this resolution does not relieve the corporation, limited liability company, or limited liability partnership of any responsibility or liability imposed upon it by law or by contract;

(3) a designation in writing setting out the name of one or more persons holding certificates of registration under this chapter who are in responsible charge of each major branch of the architectural, engineering, land surveying, or landscape architectural activities in which the corporation, limited liability company, or limited liability partnership specializes in this state; if a change is made in the person in responsible charge of a major branch of the architectural, engineering, land surveying, or landscape architectural activities, the change shall be designated in writing and filed with the board within 30 days after the effective date of the change.

(b) Upon filing with the board the application for certificate of authorization, certified copy of resolution, affidavit, and designation of persons specified in this section, the board shall, subject to (c) of this section, issue to the corporation, limited liability company, or limited liability partnership a certificate of authorization to practice architecture, engineering, land surveying, or landscape architecture in this state upon a determination by the board that

(1) the bylaws of the corporation, the articles of organization or operating agreement of the limited liability company, or the partnership agreement of the limited liability partnership contain provisions that all architectural, engineering, land surveying, or landscape architectural decisions pertaining to architectural, engineering, land surveying, or landscape architectural activities in this state will be made by the specified architect, engineer, land surveyor, or landscape architect in responsible charge, or other registered architects, engineers, land surveyors, or landscape architects under the direction or supervision of the architect, engineer, land surveyor, or landscape architect in responsible charge;

(2) the application for certificate of authorization states the type of architecture, engineering, land surveying, or landscape architecture practiced or to be practiced by the corporation, limited liability company, or limited liability partnership;

(3) the applicant corporation, limited liability company, or limited liability partnership has the ability to provide architectural, engineering, land surveying, or landscape architectural services;

(4) the application for certificate of authorization states the professional records of the designated person who is in responsible charge of each major branch of architectural, engineering, land surveying, or landscape architectural activities in which the corporation, limited liability company, or limited liability partnership specializes;

(5) the application for certificate of authorization states the experience, if any, of the corporation, limited liability company, or limited liability partnership in furnishing architectural, engineering, land surveying, or landscape architectural services during the preceding five-year period;

(6) the applicant corporation, limited liability company, or limited liability partnership meets other requirements related to professional competence in the furnishing of architectural, engineering, land surveying, or landscape architectural services as may be adopted by the board in furtherance of the objectives and provisions of this chapter.

(c) The board may, in the exercise of its discretion, refuse to issue, or may suspend or revoke a certificate of authorization to a corporation, limited liability company, or limited liability partnership if the board finds that any of the corporation's officers, directors, or incorporators, any of the stockholders holding a majority of the stock of the corporation, any of the limited liability company's organizers, managers, or managing members, or any of the limited liability partnership's general partners has committed misconduct or malpractice, or has been found personally responsible for misconduct or malpractice under the provisions of this chapter.

(d) The certificate of authorization must specify the major branches of architecture, engineering, land surveying, or landscape architecture of which the corporation, limited liability company, or limited liability partnership has designated a person in responsible charge as provided in this section. The certificate of authorization shall be conspicuously displayed in the place of business of the corporation, limited liability company, or limited liability partnership, together with the names of persons designated as being in responsible charge of the professional activities.

(e) If a corporation, limited liability company, or limited liability partnership that is organized solely by either a group of architects, a group of engineers, a group of land surveyors, or a group of landscape architects, each holding a certificate of registration under this chapter, applies for a certificate of authorization, the board may, in its discretion, grant a certificate of authorization to the corporation, limited liability company, or limited liability partnership based on a review of the professional records of the incorporators of the corporation, organizers of the limited liability company, or partners who formed the limited liability partnership in place of the required qualifications set out in this section. If the ownership of the corporation is altered, the membership of the limited liability company is altered, or the partners of the limited liability partnership change, the corporation, limited liability company, or limited liability partnership shall apply for a revised certificate of authorization, based upon the professional records of the owners of the corporation, the members of the limited liability company, or the partners of the limited liability partnership, if exclusively architects, engineers, land surveyors, or landscape architects, or otherwise under the qualifications required by (b)(1)-(4) of this section.

(f) A corporation, limited liability company, or a limited liability partnership authorized to offer architectural, engineering, land surveying, or landscape architectural services under this chapter, together with its directors, officers, managing members, manager, and partners for their own individual acts, is responsible to the same degree as the designated individual registered architect, engineer, land surveyor, or landscape architect, and shall conduct its business without misconduct or malpractice in the practice of architecture, engineering, land surveying, or landscape architecture as defined in this chapter.

(g) If the board, after a proper hearing, finds that a corporation, limited liability company, or limited liability partnership holding a certificate of authorization has committed misconduct or malpractice, the board shall suspend or revoke the certificate of authorization. The board shall also suspend or revoke the certificate of registration of any registered individual architect, engineer, land surveyor, or landscape architect who, after a proper hearing, is found by the board to have participated in committing the misconduct or malpractice.

(h) Drawings, specifications, designs, and reports, when issued in connection with work performed by a corporation, limited liability company, or limited liability partnership under its certificate of authorization, shall be prepared by or under the responsible charge of and shall be signed by and stamped with the official seal of a person holding a certificate of registration under this chapter.

(i) *[Repealed, Sec. 54 ch 37 SLA 1985].*

(j) In this section,

(1) "manager" has the meaning given in AS 10.50.990;

(2) "managing member" has the meaning given in AS 10.50.990.





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# Licensing Examiner Report

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## Examiner's Report – February 1-2, 2018

### 1. Applications to be reviewed at February 1-2, 2018 Board meeting:

**Total: 71**(estimated total provided. Will give final count at board meeting)

Comity: 27

Exam: 41

Grandfathering: 0

(Total re-review: 1)

PE: 55 SE: 6

Land Surveying: 2

Landscape Architecture: 0

Architecture: 5

### 2. Registration October 1, 2017 - December 31, 2017

**Total: 79** (total registrations from 01/01/2017-12/31/2017 is: 267)

Individuals: 72

Corporations: 7

Engineering: 55

LLC: 6

Land Surveying: 2

LLP: 0

Landscape Architecture: 1

Corps: 1

Architecture: 4

### 3. FE/FS Examinees

Examination	Jan 1-December 31, 2017	Pass	Fail
FE	235	176	59
FS	11	5	6

### 4. Oct 27th, 2017 PE Examinees – 60 registered

### 5. 2017 AKLS Examinees –

### 6. Verifications completed - 75

### 7. Renewals received October 1, 2017- December 31, 2017: 5251 Individuals/547Firms

### 8. Reinstatements received October 1, 2017- December 31, 2017: 6

### 9. Applications received (all) October 1, 2017- December 31, 2017: 111 (104 Individual/ 7 Firms)

### Additional Comments:



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# Calendar of Events Board Travel

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# 2018 STATE HOLIDAY CALENDAR

## JANUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## FEBRUARY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

## MARCH

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## APRIL

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## MAY

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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## JUNE

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					1	2
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

## JULY

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## AUGUST

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			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## SEPTEMBER

S	M	T	W	T	F	S
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9	10	11	12	13	14	15
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23	24	25	26	27	28	29
30						

## OCTOBER

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	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## NOVEMBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

## DECEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

☐ AELS
 ☐ NCEES
 ☐ NCARB
 ☐ CLARB

## State Holidays

Date	Holiday
01/01	New Year's Day
01/15	MLK Jr.'s Birthday
02/19	Presidents' Day
03/26	Seward's Day
05/28	Memorial Day
07/04	Independence Day

☐ Holiday

State calendar maintained by the  
 Division of Finance,  
 Department of Administration  
<http://doa.alaska.gov/calendars.html>  
 Rev. 07/10/2017

Biweekly employees please refer to  
 appropriate collective bargaining unit  
 agreement for more information regarding  
 holidays.

## State Holidays

Date	Holiday
09/03	Labor Day
10/18	Alaska Day
11/11	Veterans' Day (observed 11/12)
11/22	Thanksgiving Day
12/25	Christmas Day

November 10, 2017

Dear Member Board Member/Member Board Executive,

Thank you for indicating that you would be interested in attending a New Member Board Member/Executive orientation program on a recent survey we sent you. We are pleased to formally invite you to a first-of-its-kind orientation event. This meeting is organized jointly by National Council of Architectural Registration Boards (NCARB) and the Council of Landscape Architectural Registration Boards (CLARB). It will be held on February 8-10, 2018 at NCARB's office located in Washington, DC.

The aim of this orientation is to provide a forum for:

- meeting and building relationships with the community of regulatory professionals,
- learning more about the roles and responsibilities of professional licensing board members and staff,
- gaining a better understanding about how to be successful in the current regulatory environment,
- and hearing about how our national associations can assist your board in its regulatory function.

The agenda will include a half-day session focused on NCARB-specific content on February 8<sup>th</sup>, followed by a networking reception. February 9<sup>th</sup>, will feature a full day session focused on the roles and responsibilities of licensing boards. February 10<sup>th</sup> will be a half-day session focused on CLARB-specific content. For additional information, please see the draft agenda attached.

Travel/lodging/training costs will be covered by CLARB and NCARB and we would appreciate you confirming your participation by replying to this email ([council-relations@ncarb.org](mailto:council-relations@ncarb.org)) by Wednesday, November 22, 2017. We will follow up with more detailed registration and logistical information next month.

We hope you'll be able to participate in this event and would be happy to answer any questions you may have. Please feel free to reach out to Veronica Meadows with CLARB ([vmeadows@clarb.org](mailto:vmeadows@clarb.org)) or Josh Batkin with NCARB ([jbatkin@ncarb.org](mailto:jbatkin@ncarb.org)).

Sincerely,

  
Michael Armstrong  
NCARB Chief Executive Officer

  
Joel Albizo  
CLARB Chief Executive Officer

**Joint New Member Orientation  
February 8-10, 2018  
Washington, D.C.  
Agenda**

**Thursday, February 8, 2018**

This half day session will provide attendees with an introduction to NCARB, an overview of services provided to members to support their regulatory function, NCARB's strategic priorities, annual events to engage in training and leadership development, and opportunities for member board members and member board executives to contribute to the consideration of new policies and programs.

**1:00 p.m. – 4:30 p.m.**

**Architectural Regulation 101**

- I. Welcome and Introductions
  - a. About NCARB
  - b. Strategic priorities
- II. Program Overview
  - a. Examination
  - b. Education
  - c. Experience
- III. Engagement Opportunities
  - a. Annual events
  - b. Committee service
  - c. Leadership opportunities
- IV. Closing Remarks

**6:30 p.m. – 8:30 p.m.**

**Reception**

Join us as we officially kick off the first NCARB/CLARB Joint New Member Orientation. This networking event is designed to provide attendees with an opportunity to meet and connect with new regulators across the country and across the CLARB and NCARB membership.

## **Joint New Member Orientation Agenda**

### **Friday, February 9, 2018**

In this full day session, new members of landscape architecture and architecture licensing boards, as well as public members, will come together to learn more about their regulatory role, explore board best practices, hear about new pressures on licensure and how boards can exercise their voice to educate policy makers and the public on the vital public service role that boards play.

In addition, we will break out for lunch into facilitated discussions based on participants' unique roles as a member board executive, a member board member or public member to discuss questions related to those roles on the board.

**9:00 a.m. – 4:30 p.m.**

#### **New Member/Executive Training**

- I. Welcome and Introductions
- II. Introduction to Regulation: The Work of the Licensing Board
  - a. Importance of regulation to protect the public
  - b. Board structures and procedures
- III. Roles and Responsibilities
  - a. Board best practices

**12:00 p.m. – 1:00 p.m.**

#### **Breakout Session/Working Lunch**

- IV. The Current Regulatory Environment
  - a. Pressures on regulation and opportunities
  - b. Response by the regulatory community
- V. Exercising your voice
  - a. The message
  - b. Best practices

**6:30 p.m. – 9:30 p.m.**

#### **Group Dinner (TBD)**

## **Joint New Member Orientation Agenda**

### **Saturday, February 10, 2018**

This half day session will provide attendees with an introduction to CLARB, an overview of services provided to members to support their regulatory function, CLARB's strategic priorities, annual events to encourage regulatory leadership and opportunities for member board members and member board executives to engage in volunteer opportunities.

**8:00 a.m. – 9:00 a.m.**

**Group Breakfast (TBD)**

**1:00 p.m. – 4:30 p.m.**

#### **CLARB 101**

- I. Welcome and Introductions
- II. CLARB 101
  - a. About CLARB
  - b. Strategic priorities
- III. CLARB Programs Overview
  - a. Examination
  - b. Council Records
  - c. Member support
- IV. CLARB Engagement Opportunities
  - a. Annual events
  - b. Committee service
  - c. Leadership opportunities
- V. Closing Remarks





NCAARB

## REGIONAL SUMMIT

December 20, 2017

Dear Member Board Members and Member Board Executives:

As the Chair of Region 5, which includes Kansas, Montana, Nebraska, North Dakota, Oklahoma, South Dakota and Wyoming, it is my pleasure to invite you to Wichita, Kansas for the 2018 Regional Summit. We are looking forward to hosting you for this event! The Regional Leadership Committee has worked to develop a program which allows significant time and space for discussions about topics that are timely, relevant and address our common goal - to regulate the profession of architecture to protect the health, safety, and welfare of the public.

By participating in the Regional Summit, you will join colleagues from across the country as we discuss the current regulatory climate; learn about the challenges and opportunities facing other architectural regulatory boards; and develop strategies and tactics to be more effective in our roles as state regulators. We will also conduct business that is essential to the governance of the Council by deliberating on the resolutions that will be put forward for consideration at the Annual Business Meeting, and hearing from candidates for national office and learning about their visions for the future of our organization.

A meeting in Wichita would not be complete without taking the opportunity to visit the city's architectural highlights. Wichita is home to two Frank Lloyd Wright buildings – the Frank Lloyd Wright Allen House which USA Today considers one of the “10 great Frank Lloyd Wright home tours” in the nation; and the Corbin Education Center on the campus of Wichita State University, which was one of Wright's last projects and features 27,257 square feet of interior space with an additional 13,000 square feet of sheltered outdoor balconies and terraces. We hope you will join your colleagues for educational tours of these locations.

On behalf of Region 5 and the Regional Leadership Committee we hope you will join us for another educational and enriching Regional Summit.

We look forward to seeing you in Wichita!

Sincerely,

Rick L. Engebretson  
Chair, Region 5  
Member, North Dakota Board of Architects

# MEMBER BOARD EXECUTIVES WORKSHOP

## WICHITA, KS

### MARCH 8, 2018

*The Member Board Executives (MBE) Workshop is designed for board executives and board staff attending the Regional Summit. Member Board Members are not expected to attend.*

**8:30 – 9:30 AM**

#### **Welcome and Introductions**

Welcome

Remarks by NCARB President

Review of Committee Charges

MBE Candidate Speeches

Who's Who Treasure Hunt – Getting to Know You

**9:30 – 10:35 AM**

#### **Disciplinary Database and Disciplinary Trends**

Dissection of the Database

Panel Discussion of current trends, fines and a case study of incidences that were prevented through proactive monitoring

**10:45 AM – 12:00 PM**

#### **Proactive Focus on Reasonable Regulation**

Future of Regulation and staying focused on protecting the public

Boards focus on being strategic and proactive

After the North Carolina Dental Ruling: Responses that are Working

**12:00 – 1:00 PM**

#### **Working Lunch**

Remarks by NCARB CEO – ARE 5.0 Transition, NCARB Certificate and Certification Alternatives

**1:00 – 2:00 PM**

#### **Building Connections within the MBE Community**

Facilitated Question and Answer Session

**2:00 – 4:15 PM**

#### **Breakout Discussions**

The importance of continuing education in preventing public harm

Architecture 101/202 – Overview of the profession and current trends in regulation

**4:15**

#### **Closing**

Recap of Breakout Discussions and Closing Remarks

*The agenda may be subject to change*



NCARB

# REGIONAL SUMMIT

## 2018 NCARB Regional Summit AGENDA

Hyatt Regency

Wichita, Kansas

March 9-10, 2018

### Thursday, March 8

4:00 – 6:00 p.m.

Registration Available

6:30 – 9:30 p.m.

Networking Reception

[Wichita Art Museum](#)

*The Wichita Art Museum brings people, ideas, and American art together to enrich lives and build community. Join over 200 of your colleagues for an evening of networking as we kick-off the 2018 Regional Summit.*

### Friday, March 9

7:00 a.m.

Breakfast for Attendees and Guests

8:00 – 9:30 a.m.

Plenary Session

Welcome

Engebretson/Hoffman

*The Chair of the Host Region and First Vice-President of NCARB will open the Summit.*

President Remarks

Erny

*NCARB's President will offer his perspectives of where we are as a Council and discuss his plans for the rest of his tenure.*

Officer Candidate Speeches

*Candidates for national office will address the delegation, sharing their backgrounds, reasons for seeking office, and vision for the future.*

Introduction of Resolutions

Vidaurri

*NCARB's Secretary will present the resolutions for consideration. Resolutions will be voted on at the Annual Business Meeting in June 2018 to amend NCARB's Bylaws. Each jurisdiction has a vote and it is important that your jurisdiction have influence over the standards and procedures that we utilize to regulate the profession.*

9:30 – 10:00 a.m.

Break



NCA R B

# REGIONAL SUMMIT

10:00 a.m. – 5:00 p.m.

## Regional Meetings

*Each region will caucus to discuss the resolutions for consideration and regional affairs.*

Region 1- Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Region 2-Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia

Region 3- Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Texas, U.S. Virgin Islands

Region 4- Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin

Region 5- Kansas, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Wyoming

Region 6- Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah, Washington

6:30 p.m.

## Regional Dinners

*All regional dinners will be held at the [Scotch & Sirloin](#) restaurant.*

## Saturday, March 10

7:00 a.m.

## Breakfast for Attendees and Guests

8:00 – 9:00 a.m.

## Joint Regional Session

*Members will reconvene to report out from the regional meetings.*

9:00 – 9:15 a.m.

## Break

9:15 – 10:00 a.m.

## Breakout Discussions

*Attendees will engage in breakout discussions across jurisdictions, regions, and board composition on emerging issues that are immediately having an impact on regulatory board's ability to effectively execute their responsibilities as board administrators and board members.*



NCARB

# REGIONAL SUMMIT

Discussion questions will include:

1. What are the regulatory challenges facing your jurisdiction/board/region?
2. Who are the stakeholders and allies that can help to champion your board? How can your board build relationships with these organizations?
3. What are the key messages that will generate a positive message about the regulatory role of your Board?

10:00 – 10:15 a.m.

**Break**

10:15 a.m. – 12:00 p.m.

**Summit Closing**

*Attendees will reconvene in a joint session to share best practices that they have used within their jurisdiction to effectively carry out their duties as regulators, and strategies for enhancing the work of their regulatory board.*

*NCARB CEO and NCARB President will engage in a question and answer session with attendees to outline changes to policies affecting jurisdictional licensing boards.*

Noon – 1:30 p.m.

**Luncheon with Guest speaker**

*Restoration Architect for the Frank Lloyd Wright Allen House and Corbin Education Center will discuss the restoration process for two Frank Lloyd Wright projects located in Wichita, Kansas.*

1:45 p.m.

**Meet in the Lobby to depart for Tours**

2:15 – 5:00 p.m.

**Frank Lloyd Wright Architectural Educational Tour  
(Space is limited and additional fees are required)**

Allen House

[The Henry J. Allen House](#), designed by Frank Lloyd Wright in 1915, was sold by the Wichita State University Endowment Association to the Allen House Foundation in 1990.

The house, which Frank Lloyd Wright considered among his best, is the last of the Prairie Houses and features more than 30 pieces of Wright-designed furniture, all of its original art glass, and several new-for-their-time innovations, such as wall-hung water closets and an attached garage.

This is a walking tour and participants must be able to navigate stairs. Visitors will need to remove shoes or wear booties during the tour.

AIA CE Credits: TBD



NCA R B

# REGIONAL SUMMIT

## Corbin Education Center

The [Corbin Education Center is the](#) most internationally recognized building on the Wichita State University campus. The building was one of the last projects designed by Frank Lloyd Wright, as well as one of the last construction projects completed by the Municipal University of Wichita.

The building was designed to house offices and classrooms; Wright also designed faculty desks, benches, and conference tables for the interior. The Corbin Education Center is made up of two separate buildings connected by an esplanade and features 27,257 square feet of interior space, with an additional 13,000 square feet of sheltered outdoor balconies and terraces. The belvedere roof is 28 feet from the ground, and two 60-foot-tall light needles stand in the center of each building.

AIA CE Credits: TBD



NCARB

# REGIONAL SUMMIT

## FUNDING OPPORTUNITIES

As part of the Council's ongoing commitment to encourage Member Board participation in collaborative discussions, NCARB's Board of Directors has committed funds in the budget for Member Boards to send *up to four* representatives to the Regional Summit.

### Funding Classifications and Eligibility

Every Member Board is eligible to receive funding to send *up to four* representatives to the meeting, as follows:

- Two (2) Funded Delegates: There is no restriction on identification of funded delegates—the member can represent any profession and serve in any position on the board.
- One (1) Funded Public/Consumer Member Delegate
- One (1) Member Board Executive

Identification of Funded Delegates and a Public/Consumer Member is at the discretion of the Member Board.

### What Is Covered Through Funding?

Funded Delegates, Public Members, and Member Board Executives will receive:

Complimentary registration to the meeting.

- Three (3) to four (4) nights hotel stay, depending on the duration needed to attend the relevant meetings
- Roundtrip coach airfare or train fare: NCARB will reimburse you for a 21-day advance coach ticket. Please note that airfares over \$600 require prior approval from the Council's meetings staff.
- Ground transportation to and from the airport.
- Meals not already provided through the complimentary registration fee.

NCARB will not cover the following expenses:

- Items of a personal nature such as laundry, taxes, and movies.
- Costs associated with an accompanying spouse or other family member or guests, such as registration fees, additional airfare, meals, or increased lodging costs.
- Use of a rental car. Charges incurred for rental cars will not be reimbursed.
- NCARB will not reimburse for any additional charges such as choice seating, upgrades, or flight or travelers insurance premiums.

### Conditions for Reimbursement

Funded Delegates, Public Members, and Member Board Executives who receive funding to attend the MBE Workshop, Regional Summit, or Annual Business Meeting must adhere to clear expectations when they agree to accept funding. NCARB's funding policy is as follows:

*By registering to attend this event and accepting funding from NCARB for transportation and lodging expenses, you agree to attend all scheduled events (other than optional social events) unless an emergency or unforeseen conflict occurs (notification to NCARB as soon as the conflict becomes known is necessary). NCARB provides financial support for attending its events for the express purpose of assuring jurisdictional engagement and representation. Budgeting for these funds represents a commitment by the NCARB Board of Directors to utilize the feedback and perspective of its members in maintaining a focus on its mission. Inappropriate absences when utilizing NCARB funding may result in no or reduced reimbursement of expenses based on the time in attendance and/or subsequent ineligibility for NCARB-funded travel.*



NCARB

# REGIONAL SUMMIT

## REGISTRATION, HOTEL, AND TRAVEL INFORMATION

### Registration

All attendees are required to register for the event, including those funded by NCARB Member Board Members and board staff who are not funded by NCARB or their region will be charged the registration fee.

Member Board Members: \$450

Guests (18 and older): \$175

Guests (17 and younger): \$75

The guest fee covers the following items: Icebreaker reception on Thursday evening, breakfast on Friday and Saturday, and lunch on Saturday only.

All attendees should [register here](#).

### Hotel

The 2018 Regional Summit will be held at:

Hyatt Regency Wichita

400 West Waterman

Wichita, KS 67202

Phone: 888/421-1442

When booking your hotel reservation by phone, please be sure to mention the NCARB Regional Summit to obtain the group rate. The room rate for the meeting is \$119 for single occupancy and \$129 for double occupancy per night plus 16.25 percent room tax. The deadline for hotel reservations is **Wednesday February 7, 2018**. After that date, the room rate is not guaranteed. We encourage you to make your reservations soon! NCARB will only reimburse funded attendees for the contracted rates plus applicable taxes.

There are two ways to make your hotel reservations:

**Phone:** 888/421-1442

**Online:** Hyatt Regency Wichita

Check-in is 3 p.m. and check-out is at noon. The hotel is 100 percent non-smoking with smoking allowed in designated areas only. The Hyatt Regency Wichita offers self-parking at \$10 per day plus tax. Valet parking is available for \$14 per day.

**NCARB will make hotel reservations for Member Board Executives attending the meeting based on information provided in the meeting registration process.**

### Travel

Member Board Executives should plan to arrive on Wednesday, March 7 in order to attend the MBE Workshop; all other attendees should plan to arrive on Thursday, March 8. The meeting will end in the late afternoon on Saturday, March 10.





NCARB

# REGIONAL SUMMIT

## **Airport Information/Ground Transportation**

Wichita Dwight D. Eisenhower National Airport (ICT) is located approximately 7 miles from the Hyatt Regency Wichita. Taxi service, Uber and Lyft are available at the airport. Taxi fares are approximately \$20 to/from the airport.

**Funded delegates and funded Public Members are responsible for making their own hotel and travel arrangements and should submit for reimbursement following the meeting.**

To receive reimbursement, the delegate must file an [NCARB Expense Report](#) Form with accompanying receipts within 30 days of the end of the Regional Summit. Reimbursements will be issued within 20 days of NCARB's receipt of a completed Expense Report Form. Expense reports and receipts should be emailed to Lourdes Lagasca at [Lagasca@ncarb.org](mailto:Lagasca@ncarb.org).



NCA R B

# REGIONAL SUMMIT

## MORE ABOUT WICHITA, KANSAS

**Expect the unexpected in Wichita!** Explore art museums, hands-on exhibits, Old West and Indian artifacts. Dine at more than 1,000 restaurants. Shopping choices abound with eclectic shops, antique stores, and open-air shopping centers. When it comes to dining, shopping and playing...Wichita has something for everyone!

**Hotel** – Hyatt Regency Wichita (located on the Riverwalk) – Experience the Hyatt's convenient downtown location, within walking distance to the Intrust Bank Arena, Wichita's Old Town and Delano Entertainment Districts which feature 100+ restaurants, shops, clubs, theaters, galleries, and museums. The Hyatt's guest rooms feature downtown and river views. The Hyatt Regency has a FREE hotel shuttle from the airport. Simply call 316-293-1234 when you land and the hotel shuttle will gladly pick you up and bring you to the hotel. We encourage you to take advantage of this fantastic service. In addition, Uber is available and a popular option for getting around in Wichita. See more at <https://wichita.regency.hyatt.com/en/hotel/home.html>

**Airport** – Wichita's Dwight D. Eisenhower National Airport (ICT) offers nonstop air service from 12 U.S. cities on about 34 daily flights on six major airlines. This convenient location is only a 10 minute drive to downtown Wichita.

### **Sightseeing/Entertainment in Wichita**

Hop-on Hop-off the FREE Q-Line Trolley which conveniently stops right at the Hyatt Regency. Jump on the FREE Q-Line Trolley to connect to restaurants, bars, hotels, museums, and entertainment venues throughout downtown. Ride the whole route once for a scenic view of downtown (about 20 minutes) then decide where you want to stop. Check with the concierge for routes and times.

**Old Town District:** See why the American Planning Association called the Old Town red-brick warehouse district in downtown Wichita a "Top 10 Great Neighborhood." You'll find eateries and retail shops along with venues for movies, music, comedy, and live productions all within walking distance. Old Town has become a destination sought out for its restaurants, shops, clubs, theaters, galleries and museums.

**Historic Delano District:** Delano sprang up as a Cowtown at the end of the Chisholm Trail and quickly gained a reputation as a place where trail-weary cowboys could take their rest and recreation in the many saloons and brothels. Learn more about Delano's colorful history here. Today Delano is home to dozens of unique shops, art galleries, restaurants, and nightlife.

**Museums:** Let the 33 museums in Wichita take you to distant cultures, days gone by and the edge of space. You'll discover what Wichitans already know – the city's museums are world class. Enjoy several museums right on the Arkansas River including, the unique architecture of Exploration Place – Science Center, the iconic "Keeper of the Plains" at the Mid-America All-Indian Center, Wichita Art Museum, or Botanica & the Wichita Gardens.

**Performing Arts, Sports, and Entertainment:** Wichita has an active performing arts community and we will be in the heart of the city around the hustle and bustle of "March Madness." The Hyatt Regency is conveniently located near several entertainment options. The city is sure to have something for everyone.



NCARB

# REGIONAL SUMMIT

**What's up in Wichita?** We encourage you to check out the Wichita CVB website at [www.visitwichita.com](http://www.visitwichita.com) or download the Visit Wichita App Today! In addition, click on the "Events" tab to view the many events going on while you're in Wichita.

**We look forward to your participation at the 2018 Regional Summit!**

Please contact your regional Executive Director if you have additional questions:

- Region 1 - Dawne Broadfield [necarb1@gmail.com](mailto:necarb1@gmail.com)
- Region 2 - Barbara Rodriguez [brodrig100@aol.com](mailto:brodrig100@aol.com)
- Region 3 - Jenny Owen [exec@scncarb.org](mailto:exec@scncarb.org)
- Region 4 - Glenda Loving [ncarb4@gmail.com](mailto:ncarb4@gmail.com)
- Region 5 - Bonnie Staiger [bonnie@scgnd.com](mailto:bonnie@scgnd.com) or Stacy Krumwiede [stacy@scgnd.com](mailto:stacy@scgnd.com)
- Region 6 - Gina Spaulding [region6wcarb@gmail.com](mailto:region6wcarb@gmail.com)

## NCEES Western Zone Interim Meeting

<b>Meeting Summary</b>	
<b>Location</b>	The Modern Honolulu 1775 Ala Moana Boulevard Honolulu, Hawaii 96815
<b>Meeting summary</b>	The zone interim meeting is held each spring. The primary purpose of the meeting is for representatives from the licensing boards to hear and discuss reports from the NCEES board of directors, CEO, and standing committees and task forces. The work of the committees and task forces results in motions that will be presented for Council vote at the annual meeting in August. Zone meeting delegates have the opportunity to ask questions and discuss possible annual meeting motions, and they are encouraged to take pertinent information back to their boards for further discussion. Additionally, delegates from the zone will provide individual board updates and elect a zone vice president and assistant vice president.
<b>Meeting dates and agenda</b>	April 5–7, 2018 The business meeting begins at 8:00 a.m. on Friday, April 6, and concludes at 11:45 a.m. on Saturday, April 7. The awards luncheon follows on Saturday. A draft business meeting agenda follows on the next page. A full meeting agenda will be posted at <a href="http://www.ncees.org/zones">www.ncees.org/zones</a> when registration opens.
<b>Registration fee</b>	\$400 delegates Meals include Thursday's welcome reception; Friday's breakfast, lunch, and dinner; and Saturday's breakfast and lunch.
<b>Hotel room block rate</b>	\$239/night plus taxes (currently 14.962 percent combined), single or double occupancy There is no resort fee. The rate includes benefits such as complimentary Internet in guest rooms, two bottled waters per room daily, and access to the fitness center and pools.
<b>Airport ground transportation costs</b>	The Modern Honolulu is eight miles from Honolulu International Airport. There are several ground transportation options available, including shared-ride shuttles (\$30 round trip) and taxi service (approximately \$45 each way). More information about these and other options will be posted at <a href="http://ncees.org/zones">ncees.org/zones</a> when registration opens.
<b>Hotel parking costs</b>	Valet parking is available for \$35 (plus tax) per day with in/out privileges. Self-parking is not available at the hotel.
<b>NCEES funding summary</b>	The Council will pay the meeting registration, travel, and lodging expenses for up to three nights (April 5–7) for three delegates. Following the meeting, each funded delegate will also receive a check for \$225 to cover incidentals.

## **NCEES Western Zone Interim Meeting**

### **Honolulu, Hawaii**

### **April 5–7, 2018**

### **DRAFT Meeting Agenda**

#### **Thursday, April 5**

3:00–6:00 p.m.	Registration desk open
5:30–6:00 p.m.	First-time attendee reception
6:00–7:30 p.m.	Welcome reception
7:30 p.m.	Dinner (on your own)

#### **Friday, April 6**

7:00–8:30 a.m.	Breakfast
7:00 a.m.–Noon and 1:00–5:00 p.m.	Registration desk open
8:00 a.m.–Noon	Business session 1
	<ul style="list-style-type: none"><li>▪ Call to order</li><li>▪ Invocation</li><li>▪ Pledge of Allegiance</li><li>▪ Welcome</li><li>▪ Roll call of member boards</li><li>▪ Introduction of guests and attendees</li><li>▪ Review of schedule for the day</li><li>▪ Call for additional agenda items</li><li>▪ Appointment of Resolutions Committee</li><li>▪ Approval of zone annual meeting minutes</li><li>▪ Zone financial report</li><li>▪ Zone committee reports<ul style="list-style-type: none"><li>○ Site Selection Committee report</li><li>○ Awards Committee</li><li>○ Leadership Development Committee</li><li>○ Nominating Committee report (elections on Saturday morning)<ul style="list-style-type: none"><li>▪ Nominations for zone vice president<ul style="list-style-type: none"><li>○ Remarks from candidates</li></ul></li><li>▪ Nominations for zone assistant vice president<ul style="list-style-type: none"><li>○ Remarks from candidates</li></ul></li></ul></li></ul></li><li>▪ NCEES officer and CEO reports<ul style="list-style-type: none"><li>○ President Patrick Tami, P.L.S.</li><li>○ President-Elect James Purcell, P.E.</li><li>○ Treasurer Timothy Rickborn, P.E.</li><li>○ Chief Executive Officer Jerry Carter</li></ul></li><li>▪ NCEES committee and task force reports<ul style="list-style-type: none"><li>○ Advisory Committee on Council Activities (ACCA)</li><li>○ Committee on Education</li><li>○ Committee on Examination Policy and Procedures (EPP)</li><li>○ Committee on Examinations for Professional Engineers (EPE)</li><li>○ Committee on Examinations for Professional Surveyors (EPS)</li><li>○ Committee on Finances</li></ul></li></ul>

- Committee on Law Enforcement
- Committee on Member Board Administrators (MBA)
- Committee on Uniform Procedures and Legislative Guidelines (UPLG)
- Special Committee on Bylaws
- Surveying Exam Module Task Force
- Technology Task Force

Noon–1:15 p.m. Luncheon with a speaker from the Kaneohe–Kailua Wastewater Conveyance and Treatment Facility Project

1:30–5:00 p.m. Business session 2: NCEES committee and task force reports (continued)

5:00–8:30 p.m. Dinner at the Battleship Missouri Memorial (transportation provided)

**Saturday, April 7**

7:00–8:30 a.m. Breakfast

8:00–9:30 a.m. Breakout forums

- Engineering
- Surveying
- Members board administrator

10:00–11:45 a.m. Business session 3

- Elections
  - Zone vice president
  - Zone assistant vice president
- Forum reports
- New business
- Invitation to 2019 Southern/Western Zone joint interim meeting (May 16–18 in Boise, Idaho)
- Other
- Adjournment

Noon–1:30 p.m. Awards luncheon

- Awards presentation
- Resolutions Committee report
- Closing comments