

1 **STATE OF ALASKA**

2
3 **DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**
4 **DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**
5 **BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS & LAND**
6 **SURVEYORS**

7
8 **Minutes of Meeting**
9 **November 14-15, 2013**

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11 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, the
12 Board of Registration for Architects, Engineers and Land Surveyors held a meeting August 8-9,
13 2013 in Suite 602, 550 West 7th Avenue, Anchorage, AK.

14
15 **Thursday November 14, 2013**

16
17 **Agenda Item 1 – Call to Order and Roll Call**

18
19 9:00 a.m. The Chair called the meeting to order. Roll call, all present.

20
21 Members present and constituting a quorum of the Board:

- 22
23
 - Eric Eriksen, Electrical Engineer, Chair
 - Richard Rearick, Architect, Vice-Chair
 - Don Shiesl, Public Member, Secretary
 - Kathleen Schedler, Mechanical Engineer
 - Brian Hanson, Civil Engineer
 - Jeffrey Koonce, Architect
 - David Hale, Land Surveyor,
 - Colin Maynard, Civil Engineer
 - Luanne Urfer, Landscape Architect
 - Keith Walters, Mining Engineer
 - John Kerr, Land Surveyor

34
35 Representing the Division of Corporations, Business and Professional Licensing were:

- 36
37
 - Don Habeger, Director (CBPL). (By telephone.)
 - Vernon Jones, Executive Administrator.
 - Eleanor Vinson, Licensing Examiner.
 - Quinten Warren, Chief Investigator.
 - John Savage, Investigator.

42
43 Representing other State agencies were:

- 44
45
 - Diana Parks, representing the Fire Marshall's office.
 - Lloyd Nakano, representing the Fire Marshall's office.
 - Vanessa Wike, PE, representing DEC.
 - Roy Robertson, PE, representing DEC.

1
2
3 Members of the public in attendance for portions of the meeting were:

- 4
5
 - Dale Nelson PE, representing Alaska Professional Design Council (APDC).
 - Craig Bledsoe, PE, representing Alaska Society of Professional Engineers (ASPE).

6
7

8 **Agenda item 2 – Review/Amend Agenda**

9
10 Jones: passed out several items that were received after the Board packets and agenda were
11 mailed.

12
13 **On a motion duly made by Hanson, seconded by Koonce and passed unanimously it was**
14 **RESOLVED to approve the agenda as amended.**

15
16 **Agenda item 3 – Ethics reporting**

17
18 Nothing reported.

19
20 **Agenda item 4 - Review and approve the Minutes of the August 2012 meeting.**

21
22 Kerr: Have grammatical corrections.

23
24 Jones: Give to me and I will correct.

25
26 Maynard: Notes that the data base doesn't always agree with the minutes regarding approved
27 applicants. Asks that the minutes be corrected prior to submission.

28
29 Jones: Asks if the Board would be ok with using the meeting summary as the minutes.

30
31 There was a short discussion with the following points made: the minutes are helpful if you miss
32 a meeting; it's easier for the public to see what was discussed; the minutes should contain any
33 controversial issues. It was decided not to change to the way we do the minutes.

34
35 Chair: Asked Vern to check with Legal about keeping recordings.

36
37 **On a motion duly made by Hanson, seconded by Maynard and passed unanimously it**
38 **was RESOLVED to approve the minutes of the May 2013 meeting as amended.**

39
40 **Agenda item 7 – Regulation updates.**

- 41
42 A) HB 167
43 a. AS 08.48.221 Seals
44 b. AS 08.48.281 Prohibitive Practice
45 c. AS 08.58.341 Definitions
46 d. AS 08.48.331 Exemptions
47 e. AS 08.48.091 Written Examinations

48
49 Jones: Those are still in limbo until the session starts.

50
51 Chair: Asks if anyone has any comments.

1
2 Kerr: Asks if this was introduced base on constituents.
3
4 Maynard: No, Department of Economic Development requested it.
5
6 Kerr: Asks if the Board has had prior discussions on this.
7
8 Jones: HB 167 is the result of 4 to 5 years of work by the Board primarily by Harley Hightower
9 and we just this year got a sponsor for it.
10
11 Maynard: Was thinking of HB 187 when he said Dept. of Commerce requested it. 167 was
12 requested by the Board.
13
14 Rearick: Explains that HB167 contained some language to align our regulations with the Fire
15 Marshall regulations changing (6)(c)(i) from three to four families but that was changed back to
16 four and he doesn't think the Board should challenger that.
17
18 Hanson: Adds that he thinks that was one of the reasons it didn't make it through last year
19 because they got a lot of questions about that.
20
21 Maynard: Adds that there was a lot of push back by the home builders but they still have to
22 submit a four-plex to the fire marshal but don't want the expense of a licensed professional. He
23 doesn't think it's a deal breaker for the Board as the other items on the bill are more important
24 than that.
25
26 Kerr: Asks for an explanation of exemption 10.
27
28 Jones: That's the industrial exemption. If a company is doing something on its own property for
29 its own use they are exempt.
30
31 Kerr: Points out that a survey would affect the properties that border the lot also.
32
33 Hanson: Then it wouldn't be exempt.
34
35 Rearick: It wouldn't be a legal survey it would be a survey they did for in house use.
36
37 Hanson: Sees his point if you're doing a boundary survey of your lot that would affect other
38 individuals so you would not be exempt. But if you're setting building corners, elevations,
39 structural support members or whatever as a land surveyor on your own property for your own
40 company then that would be an exemption. That's what this is saying, but as soon as you start
41 to affect other people around you. If you're surveying on a lot line then you're not on your
42 property, you're on two peoples property.
43
44 Kerr: States that he would not add land surveying to the industrial exemption 10.
45
46 Rearick: Adds that wouldn't supersede the requirement to have a licensed surveyor stamp on
47 any legal documents, land ownership, title transfer, that type of thing they're still going to be
48 required to have a survey stamp. If I was going to build something on my property that required
49 a permit from the city they would probably require a survey.
50
51 Kerr: Introduces a scenario where a construction company is going to re-grade their lot and

1 have their own people do it and there is no oversight and they create a drainage problem that
2 impacts an adjoining property owner because it was done by unqualified people. There is no
3 oversight there but that has great potential to impact adjoining property.
4

5 Maynard: And if that regarding was designed by an engineer they are already exempt and have
6 been as long as we've had a licensing law. He goes on to explain that an electric company that
7 builds a building for its own use by its own employees and no public would be using it would not
8 have to have a licensed architect or an oil company on the north slope wouldn't have to have a
9 licensed architect or engineers to work on their property, most of them would but they are not
10 required to.
11

12 Kerr: Asks what the benefit of the industrial exemption other than it might be politically tasty
13 since you align all these corporations with you and you don't have to fight that battle but what is
14 the purpose of the industrial exemption in Alaska? I think it probably came about because of
15 heavy lobbying by oil companies.
16

17 Maynard: When that section was removed, probably 20 years ago now, 15 years ago, I don't
18 know what bill it was in but nobody realized that it had been taken out until this Board sent all
19 the telecommunications companies letters and electrical utilities. The people who were up in
20 arms the most were the phone companies especially the small phone companies out in the
21 bush. You can chew on our lines and it's not going to kill anybody, we don't need licensed
22 engineers to do all of this. Actually the oil companies didn't really have a problem with it. I
23 worked on trying to get language that said if it has less than 20 volts you don't need a licensed
24 engineer and tried to make this long laundry list and they finally decided we don't want to have
25 this laundry list we don't want to have it period and it went right back in again and there was no
26 way we were stopping it.
27

28 Savage: Adds that most of the time these companies are using engineers from another
29 jurisdiction that happen to be up here working on their project, they are just not Alaska licensed
30 engineers if that makes you feel any better.
31

32 Urfer: Asks what happens 20 years down the road when use of an exempt building takes place.
33

34 Rearick: Explains that when the use of a building changes you are required to re-permit that
35 building, many people don't and they are in violation of the law. When you change the use you
36 are require to get a permit so if you have that situation and they follow the law they are going to
37 get a permit and do any upgrades required. He adds that most states have some sort of
38 exemption like this and NCARB and probably NCEES model law has something like this.
39 Politically it's a very tough thing to try to change. He thinks the idea here was to do a little clean
40 up and be more specific to say if we are doing it for engineering we are doing it for these other
41 disciplines as well. We realize that we try to take this out we won't be able to make any of these
42 changes.
43

44 Hanson: Adds that that was a big discussion at the NCEES Annual meeting. He thinks the
45 move in NCEES is to remove the industrial exemption by getting more people licensed and get
46 more people wanting to be licensed and that's how you're going to get rid of the industrial
47 exemption. This is just kind of a language clean-up; if engineers are going to have an
48 exemption then everyone else is going to have it. You will notice a few other places where we
49 added everyone into this.
50

51 Rearick: Suggests that if we want to try to do this we take it up at another time so it doesn't

1 affect this particular bill.

2
3 **Agenda item 5 – Investigative Report**

4
5 Savage: He asks if everyone got a copy of the investigative report. We're about status quo as
6 far as cases opened, cases closed. We're still not 100% out of the woods on getting this other
7 position hired and freeing me up a 100% but we are moving ahead and making great strides
8 that way. Hopefully by the next meeting I have more to report on that. One thing I would like to
9 reiterate just to project us all and please everyone, take this in the right context. I'm just trying
10 to help myself out and everybody. In removing some of these documents today, that's an issue
11 that we need to take a real close look at where anybody contacts you, and I've beat this dead
12 horse but I'm going to say it one more time. Anybody contacts you saying hey I've got a
13 problem with Joe Schmoe over here doing this or that and you see that it's going to be a
14 possible violation please just stop them and give them my information, let them contact me and
15 I'll take it from there. Same thing being, you know sometimes our office gets crossways with
16 people that have a strong opinion that this is right or that's wrong. There's a venue for that, it's
17 called the hearing process or superior court. If in fact they contact you chances are it's them
18 playing Mom against Dad, me and them have already talked and they don't like the answer I
19 gave them but please stop them, give them Vern's number or give them my number and if they
20 say I've already talked to that idiot and don't want to talk to him again, give them Vern's number.
21 Vern's in contact with my chain of command, my Chief Investigator my Director, whatever, I'm
22 not saying lets hide anything, Vern can turn them on to my Bosses and it can go from there. I'd
23 like to think I'm an open book, what I'm doing and how I'm running my investigation but if
24 someone has a problem there's also avenues they can take for that. If they have a problem
25 with the way I'm running an investigation or whatever and they feel they've been wronged by me
26 or the AG's office didn't give them the answer they wanted or whatever by all means lets shoot
27 them up the chain of command. Let's not, as Board Members, hear what they have to say
28 because 1, that's going to taint you and 2, you're stepping outside of the boundaries as a board
29 member and then it can get sticky so let's just keep each other safe and out of the woods
30

31 Jones: One more point, if you talk to someone outside of the Board you are on your own as far
32 as legal goes. If they think you besmirched their company name or someone decides that you
33 got him fired because you spoke to his boss or whatever, you're open to a civil suit. You're not
34 indemnified if you're outside the Board even though you're a member.
35

36 Hanson: I get contacted all the time, but I had somebody, well I joke because I had my wife
37 actually call me about continuing education and I told her the same thing I tell everybody, the
38 Board doesn't preapprove and you need to use your judgment, she was asking for someone
39 else. But you have to have a consistent message and that's usually you need to talk to Vern or
40 you need to talk to John. Someone may call you and then John may call you to look at the case
41 and you can't because you already talked to someone and you're out.
42

43 Rearick: If someone calls with a question you can refer them to Vern and then Vern can pass it
44 back to whoever would be best to answer it and then that's official.
45

46 Savage: I do that same thing. People call me and it make me feel good but they will ask me an
47 engineering question or a surveying question and I'm like wait a minute, call Vern and he' going
48 to ask you to submit it in writing they're going to get an answer to you. I absolutely back away
49 from anything on the professional level, as you guys well know because I'm always calling you.
50

51 Jones: The safe thing, if you feel you have to answer a question about regulations, quote it right

1 out of the book don't go by memory.

2

3 Savage: That's a scary thing too, you know over the years and especially on the contractor side
4 of the house. I've been misquoted so many times and that's why people, you know, they think
5 why can't you just make this simple and let's just talk about this and I go about my business. I
6 don't like doing that, too many times, I've got another investigator from another agency calling
7 me saying did you tell this guy he could do this and I'm like, no. That's why I say, send me
8 something in writing, I'll answer you in writing and then we have it for the record what exactly
9 was asked and what was answered.

10

11 Chair: Asks if he is seeing any trends.

12

13 Savage: No, as you guys can see we're still healthy commercially up here. We still have a big
14 influx of out of state firms and contracting companies and so forth and I am excited and I'm
15 hoping within the next month or two that I can start doing business as usual like I used to be
16 able to and spend a good two or three days out of the week out in the field hitting all these spots
17 both on the roadway and jumping on a plane and going and hitting areas and I realize that our
18 case load would just explode. I've stopped at job sites and gotten eleven, there was one out in
19 Wasilla last spring, eleven cases out of one stop. So that tells you what's going on out there
20 and its mind boggling when you see that. And it's no one's fault but my own and the offices that
21 there isn't more on here but we've made great leaps and bounds that way. I'm excited what's
22 coming here in the near future, hopefully and I think we'll see as soon as people hear that you
23 guys are out in the field you start hearing that the dating your stamp thing. I didn't think that
24 would ever get under control. But enough people heard about it and were affected by it and so
25 forth and talking about it over a cup of coffee or at the water cooler or whatever that you're
26 seeing few of them now compared to yesteryear. You know yesteryear I couldn't go on a job
27 site that I didn't get half a dozen individuals that didn't date the stamp, oh I thought that was a
28 suggestion, I didn't know we had to do it. So, we'll get there, once we start hitting the streets
29 again and hitting these job sites and getting some of these gypsy outfits in line or back out of the
30 state I think we'll be flying straight. You guys have seen them, you've seen companies out
31 there, you get on the database and these guys have nothing. They have no business license
32 they have no this they have no that and the first thing you get is, I didn't know Alaska required
33 that. Keep that in mind and keep sending things my way. If you do hear of a trend or hear of
34 this or that that's happened, quite frequently a Board Member will call me and say you know I
35 was talking to some guys and this happened here and I can, at a minimum, look at it and see, is
36 this happening, is this a violation? I think we are going the right route. We are going to be very
37 cautious in hiring this individual for these other Boards that I had because what I hope to do, in
38 a perfect world, is start training him on the AELS side of the house so if I get run over by a bus
39 or I'm gone for a week or whatever, things don't come to a screeching halt. I'm always asking
40 Vern can you juggle things for a couple days, I'm going to be away from the phone or whatever.
41 People get antsy, their issue is the most important issue in the world right now and when I'm not
42 there to answer it their calling Board Members or calling the Director or whatever, you know,
43 Savage isn't calling me back type thing, well Savage is gone right now so....

44

45 Rearick: Asks if the Fire Marshall Office is still sending him potential violations.

46

47 Savage: Yes they are. We've had a big turnover there, Tim Fischer and Diana Parks are the
48 only two there, actually Diana Parks is going to be here in a little bit, I believe. She's the Plan
49 Review Supervisor, she took over for Carol Olson, she's top shelf, absolutely top shelf and she's
50 pro this Board. I can't emphasize enough, Kelly Nicoletto, the Fire Marshal, he's pro this Board.
51 He's always helping us out he's always telling his people this, that and the other. Lloyd Nakano,

1 he's the Deputy Fire Marshal, Diana, I believe, is bringing him with today, he's a good man he's
2 top shelf, but those guys are pro us. That forum that happens twice a year with all the Building
3 Officials, that's going to be happening probably in the next three or four months. They invite me
4 every year to that, they allow me to do a presentation, that's invaluable getting our word out
5 there getting all these Building Officials to know that when a guy pushes back on them and says
6 no I'm an engineer, I don't need an architect on this building we never have, we've done this for
7 a hundred years, I can also do plumbing and electrical engineering too by the way. They pick
8 up the phone and they call me. It's not a matter of if I hit that job site I find it because these are
9 deferred jurisdictions, it's not going through the Fire Marshall's Office, it's going through their
10 review and some of those guys are intimidated. They're out there in the middle of nowhere, this
11 might be a neighbor saying this to them, someone in their community, they don't want to ruffle
12 feathers, it's a lot easier to call me and make me the fall guy so to speak. I cannot emphasize
13 enough how helpful the Fire Marshall's Office has been. The Department of Labor, same thing,
14 Al Nagel over there, he's got all his electrical inspectors, plumbing inspectors, his elevator
15 inspectors, boiler inspectors, they're out all over Alaska and I'm always getting calls from them
16 saying have you seen this 10 story building going up in, you know, here or there or wherever,
17 they're always bringing things to my attention. They don't touch AELS stuff but if Mike Kramer
18 is going in to check electrical on a commercial building and he sees there's no electrical
19 drawings or happens to see there are no plumbing drawings but there's a plumbing crew on the
20 slapping together pipe he'll give me a call and say hey I think these guys are flying under the
21 radar and I'll go out there and there's a flip side too. There are times I'll go out there and there's
22 no permit and I'll call Tim Fischer over at the Fire Marshall's Office and say hey these guys don't
23 have a permit, their outside of any deferred jurisdiction and then they jump on the boat. So it's
24 one hand washing the other, they certainly do more for us then we do for them but I give them a
25 call when I see any issues that I think they'll be interested in.

26
27 Hanson: Asks if there has been any movement on the Muni commercial exemption.

28
29 Maynard: That's pretty much killed for now until they come up with another way to do it.

30
31 Chair: Anyone else have any questions for John?

32
33 Maynard: Asks if there has been any movement in the cases at the AG's office.

34
35 Savage: I'm glad you brought that up Colin. That's going to be on my to do list. I know I said
36 last time that I'm going to pull them back and one of them I'm close to pulling back but I need to
37 pull each one of them back and just go another direction. Until things change over there I just
38 can't see it being a good idea to leave those there any longer. If nothing has been done with
39 them yet I can't see that it's going to be so we just need to pull them back and go another
40 direction. There's a few issues, just to let you guys know we've been working with some of the
41 other Boards in our office, with the office of special prosecution and I have one, maybe two
42 cases I think are good candidates for this. But we've been doing very well on criminal
43 prosecution through that office so I think that's the direction I want to go on some of these things
44 just to get them moving again and to get people flying straight.

45
46 Chair: Asks if there is anything this Board can do to support that.

47
48 Savage: No, not really, you guys have been more than supportive and, as Vern would tell you,
49 our higher up's in Juneau see that. When you act professionally and you have good
50 coordination with the Director that in its self speaks volumes. I think a lot of times that's why
51 they are so willing to work with this Board. Our Chief has been kind of under the weather,

1 Quinten Warren, he's another one and he's very pro AELS Board too. It's been a low
2 problematic type Board and that makes his job that much easier. He's behind us 110%,
3 anything that this Board need's, he's going to give them, except bodies. Laughter. Nothing he
4 can do about that.

5
6 Chair: Thank you John any last comments anybody?
7

8 Savage: I'm going to stay for a while and then tomorrow in the morning we have a few business
9 issues and I'll be here then too. I reserved our interview room for today and tomorrow so if you
10 need a room to do reviews in or make phone calls let me know.
11

12 Jones: We have some guests here from DEC and I had intended to put them on the agenda but
13 it slipped my mind so if we could work them in somewhere.
14

15 Chair: Let's do it right now, please introduce yourself.
16

17 White: My name is Vanessa Wike; I work at the Department of Environmental Conservation for
18 the drinking water program. I'm the lead drinking water engineer for the State; I supervise about
19 15 engineers, actually 13 engineers and two that are working on their licenses.
20

21 There has been an ongoing issue with our need, we require the owner of a public water system
22 to provide record drawings of their constructed public water system. We use that for many
23 decisions that we make that are important to the public that is served by that water system. The
24 issue of record drawings has gone on, the documents that I handed out to you go back to 1990.
25 I know it's been going on for decades and decades. For many years DEC required as-built and
26 in 1990 that was changed to record drawings under a different definition. In the early 1990's a
27 work group was put together because the AELS requirement were in conflict with the DEC
28 requirements for record drawings. So there was a work group that I believe the Board was
29 involved with at that time. They did a study, Mr. Tauriainen was the lead of that, and I included a
30 copy of the findings of that work group in the packet I handed out. That, unfortunately, got
31 dropped through changes in administration at DEC. When I took my position in 2006 I tried to
32 re-initiate those changes that would bring us into alignment and we did have a set of regulations
33 that went out to public notice in 2008 and they did not survive the public notice process. There
34 were several consulting engineers who had objection to those in 2008. I tried to use the exact
35 same language that was proposed. Mr. Gilfilian was the last person that was from that work
36 group that worked with us and his findings, I did a brief summary on the front page of the issues
37 the next document down is Mr. Gilfilian's recommendations for update, that's what I tried to put
38 in the public notice. At this point in time our need for engineering verification of constructed
39 systems, and perhaps it's with the term, record drawings. I'm not sure what some of the issue
40 are but some of the consultants are.....we get drawings in with stamps that say, and there's an
41 example in that package, that says we cannot verify the accuracy of anything in this drawing.
42 We understand in some instances where someone comes in and owners changed engineers
43 multiple times or the project's been delayed. We do not expect as-built drawing level
44 certification, we do not. But we do expect reasonable verification based on what they can
45 reasonably see of the system components that are out there. I would like to find the place that
46 the Board is supportive of, that the engineering community is supportive of and I will do my very
47 best finally to push this issue through and find some resolution to it. I know I saw on your
48 agenda, this is Roy Robertson, he is the lead engineer for the Mat-Su borough, I see he is
49 actually...correspondence from him is on your agenda for later this morning. It's an issue that is
50 getting bigger and bigger and we get more and more...we are busier now than we have been in
51 a long time. We do about 600 to 700 engineering reviews a year for 1600 public water systems.

1 The technical complexity of those water systems has substantially increased. It is a pretty big
2 deal if 180 surface water treatment systems but we're only able to inspect about 30 to 40
3 systems a year. We really, really, really rely on what we call record drawings of constructed
4 systems. We recently inspected about 150 of the 180 surface water treatment systems. And
5 the reason we did that is because they weren't what we thought they were in our paper files,
6 they didn't match. There are changes made during construction. We were never advised
7 although we are supposed to be told. Sometimes I think it's because people think it's really
8 irrelevant, you know a (unintelligible) meter is more convenient for the operator if it's hanging
9 over here. It substantially changes the system's ability to operate the system components and
10 can hugely impact their ability to meet their treatment objective. They don't understand,
11 sometimes I think they think its minor plumbing for the convenience of monitoring equipment.
12 Sometimes I don't know why they make the changes. We've had one system reported that we
13 thought had 5000 gallon contact tank and they had 62 50 gallon tanks. Some of these changes
14 put the public health at risk. We would like to know about them and we would like to know
15 about them in a timely enough manner to take adequate steps to protect public health. If you
16 guys could help us in that mission it would be great. I would like to re-convene another work
17 group. I can only speak for the drinking water program but I do know that other sections at DEC
18 have similar issues. I want to be in compliance with AELS requirements. I don't want the
19 consulting engineers to feel like we are expecting more from them than we should. I don't want
20 to do that either so that's my request.

21
22 Chair: I appreciate you're coming in to talk with us. We don't have a lot of time right now we
23 have a scheduled call here at 10 o'clock. Maybe it would be appropriate to make another
24 amendment to the agenda to add another discussion later today.

25
26 White: I can be available whenever you need me.

27
28 Chair: Does anybody have any immediate questions? Does anybody have any suggestions,
29 maybe under new business?

30
31 Jones: New business in tomorrow morning at 9:30am.

32
33 White: I can absolutely make that.

34
35 Chair: We have Don in 5 minutes talking about fees does anyone have any comments?

36
37 Hanson: I know we supported the fee increase but them not being able to account for that 40%
38 increase or whatever, that's ridiculous in my opinion that a corporation or company cannot
39 account for why they had a 40% increase. I think that was the number one comment we got
40 and I don't think we got a single person in favor of the fee increase. Everyone said why are all
41 the other costs staying the same but the Division cost, the indirect is going up substantially.
42 Why is that, they asked it over and over, different people, different organizations.

43
44 Koonce: Asks if we ever got an answer to that.

45
46 Hanson: We asked in February and I saw it in the minutes that we ask and didn't get that
47 answer and they said they would have to hire someone but I don't believe that.

48
49 Maynard: Asks how they came up with that number in the first place. The person that came up
50 with the number should be able to tell us how they did it.

51

1 Hanson: Exactly, i don't what we have to do, or how, I don't want to bite the hand that feeds us
2 but at the same time we have people that want to know.
3

4 Koonce: Asks if the State Treasurer might know.
5

6 Kerr: Suggests we withdraw our support for the fee increase.
7

8 Several people respond that it's too late, it's already passed.
9

10 Chair: Notes that the fee increase had a number of parts some which we supported i.e. the
11 investigator and then there are the administrative costs. We've seen presentations and I've
12 never really felt like they were disclosing everything or presenting it in a way that was full
13 disclosure and I don't know, Vern what's your thoughts?
14

15 Jones: I don't know the system over there is so complicated; right now just getting a quarterly
16 report is taking longer each time.
17

18 Chair: States that it's frustrating and it seems they are trying with the systems they have in
19 place to try and present the information.
20

21 Jones: It's not totally the Division; we're relying on the Admin fiscal section to do some of this.
22

23 Chair: Notes that we've been getting support in the travel area. Maybe we need to just ask the
24 right questions.
25

26 Schedler: Agrees with everything that has been said and she agrees with pushing to get
27 answers but in her gut she doesn't think they know. She thinks its incremental decisions like
28 when you go to Legal you have to pay them. Many years ago that was covered under the State
29 budget and no one had to pay them for services. No one had that burden before, now they've
30 had to take that burden and divide it amongst all State Agencies. She believed it's those
31 incremental decisions that were made and are being made every day that increased that
32 indirect. So what they might be able to do is say how is it different than 10 years ago? What
33 burden did the Board carry 10 years ago verses today. But, can they really explain why the
34 indirect increased and what decision was made. In the smaller window should they be able to,
35 absolutely. Can they? I really don't think they can.
36

37 Chair: That probably hits the nail on the head. The frustration is we don't have control and we
38 would like to have control because it affects us and we ask for answers and last time they talked
39 about buying new furniture and different things they need and it affects us but we don't' have
40 any control over it.
41

42 Maynard: Adds that in the renovation of the investigator spaces we paid based on how many
43 licensees we have not now many investigators we have.
44

45 Call was made to the Director. The Directors secretary answered and we were on hold for a
46 couple of minutes and then got the Directors voice mail. It was decided to call back in a few
47 minutes.
48

49 Maynard: Advises that when every time there was a new fee ASPE would ask for the details
50 and would never get it. Where is the spread sheet, what are the line items?
51

1 Schedler: Yes, the State requires it of other agencies like the University.
2
3 Hanson: Missed the last meeting but saw the budget numbers they presented, they didn't
4 appear to meet what was public noticed. The doubling of the commercial fees met but none of
5 the other fees met what the Board approved or supported, they were actually higher. He did the
6 math based on their spread sheet and number of licensees and corporations and we're going to
7 end up running a \$300 or \$400K surplus. So we went from a \$200K deficit to a \$200K surplus.
8 Remember last time we tried to get them to let us increase the fees incrementally and they
9 wouldn't let us?
10
11 A free for all discussion continued while Jones dialed the Director again.
12
13 Habeger: Good morning, I guess I don't know how to use my new phone.
14
15 Chair: Good morning Don, you have the floor.
16
17 Habeger: Mr. Chairman, thank you, this is sort of just a routine visit but also is a little bit more
18 important than that. I wanted to address the Board regarding fees. First and foremost I want to
19 thank the Board for their work with the Division on the fee setting process. Your support was
20 excellent and I appreciate that and I just wanted to start my comments out with that. On the
21 other hand I had an opportunity to review all the comments from licensees, as I need to do.
22 There were a number of comments from associations connected to architects, engineers, land
23 surveyors that indicated that there was a degree of or perhaps a lack of education on the
24 Division's part. What I hope to accomplish with the indulgence of the Board is to kind of walk
25 through how the Division arrived at their decision and also begin to deliver that message out. I
26 have an appointment next week with one of the associations, I don't know the name off the top
27 of my head, I know Dale Nelson has asked me to address a group. I will be in Anchorage to
28 begin that process.
29
30 Mr. Chair and members of the Board this is kind of my message to the licensees. It's going to
31 take a little bit of time because I have to go back into a little bit of history to explain why I think
32 we are in the position we are and why we ended up with a fairly significant increase in licensing
33 fees. So to begin that process I want to remind the Board of a 2008 Legislative Audit. Going
34 back in time I'm going to read recommendation number one. Sorry for reading but I think it
35 helps set the tone for the rest of the discussion because we have to remember the past and
36 these events. Recommendation number one in this 2008 audit says the Department of
37 Commerce, Community and Economic Development, Division of Corporations, Business and
38 Professional Licensing in conjunction with the State Board of Registration for Architects,
39 Engineers and Land Surveyors should review the registration fees as provided by Statute and
40 consider decreasing fees. The Board has a significant cumulative surplus of revenue. In FY08
41 surplus income is almost twice the 4 year average of expenditures. Additionally the Division has
42 not reviewed Board registration rates since 2005. The last paragraph in this particular section
43 that I want to comment on says based on the Divisions 2005 review Board registration fees
44 were increased for the 2006, 2007 biennium registration period. However the Divisions review
45 was flawed due to unstated revenue information. The Division neglected to include over half a
46 million dollars in registration fees paid through the internet in its analysis. I think professional
47 licensing boards understand that we've been wrestling with this issue; we've been working hard
48 to kind of clean our financial information up. We went through the 10 year audit, excuse me, 10
49 year reconciliation project. We reconciled all of our past reports to the State's accounting
50 system. That work has completed. However, a decision was made, I'm guessing, somewhere
51 in the FY09 time period and the Division and the Board decreased fees to \$125 and it began to

1 decrease that surplus that was talked about in that one audit. Along comes the next couple of
2 licensing cycles the surplus is essentially used up per Statute. And the Statute just as a
3 reminder simply says that annually the Division is to review fees so that revenue and
4 expenditures are approximately equal. One of the conundrums we all face, a couple years ago
5 when we went through the analysis we didn't have our reconciliation project done. We weren't
6 100% sure we knew what the true bottom line was quite yet and even though we talked about a
7 fee adjustment to make sure that we had begun to change the ship, if you will, so we weren't too
8 far in the hole. In the end that recommendation wasn't accepted by those on the State side that
9 review these things. So, kept the fee at \$125 I sent you a report that I'll address in a little bit
10 more detail a little bit later but the report showed we actually ended up FY13 with about a \$260K
11 deficit position.

12
13 All that to say finally that to fill that hole, to work with the Board on the things that you have
14 repeatedly asked for which includes additional travel to the associations and also to comply
15 with, I can't remember the bill number all of a sudden, but I think it was SB16 if I remember
16 right, that increased staffing to the Board, in this case Mr. Savage. So, filling the hole, travel,
17 increased staffing the Division recommended a rather significant fee increase. I think the Board
18 understood that, and again, I appreciate that, but that's where we are at. That's what I'll be
19 explaining as I have opportunity to the rest of your colleagues. There were comments, and I
20 know I shared them with you Mr. Chairman, trying to get your feel as I was trying to make a
21 decision and I don't know if the rest of the board got that, I know there were a number of
22 comments that for some of the individuals saying it's outrageous and what-not and I really did
23 consider that. But in the end balancing that with Statute and mandate I felt that I sort of had to
24 take that direction. So, that message will be going out, as I said and are there any questions on
25 that part, Mr. Chairman or any members of the Board?

26
27 Hanson: I have one Don, this is Brian Hanson. I did get a copy of the comments and I think the
28 number one, beyond this is crazy we don't like the increase, we can kind of discount those a
29 little bit because there's no substance there, but...

30
31 Habeger: Mr. Chairman I don't discount any of them. Oh, I'm sorry, past chairman.

32
33 Hanson: So the other biggest one I saw was kind of the Division expense which you know our
34 Board doesn't control. And we've asked for an accounting of that in the past. How do we go
35 about getting that information? I think that that was the biggest increase that I've seen
36 personally and maybe that other people have seen in reviewing the minutes as well. How are
37 you doing on that front for getting that information?

38
39 Habeger: You know that's an excellent question, Brian and thank you for that. I have been
40 working closely with what I'll call our financial division their true name is Administrative Services.
41 They are support to folks like me. Essentially the State structure is for each Department, they
42 have there, if you will, their Chief Financial Officer housed in that Division. And it was largely
43 through their work that the Legislative Report, actually it was their work that produced the
44 Legislative Report and those numbers and I'll refer to that. The first goal was to meet that
45 timeline as set by the Legislature. Now that that's out we have agreed that we're going to dig
46 into the sub-account level and produce that in a report both for direct expenses and for indirect
47 expenses for each of the programs. So, while we talked about having it out the very first part of
48 November unfortunately we haven't met that time frame yet. But as soon as that gets polished
49 up it'll go out to the Boards. From there I think we can have a more informed discussion and I'm
50 looking forward to that because I recognize that not only is it your industry but it's all the other
51 professionals in our State that are asking essentially the same question. So, it's not that I'm

1 trying to ignore that rather it's getting the processes completed based on the number of
2 requests we're getting for bits and pieces of FY13 information. Does that help Brian?

3
4 Hanson: It does.

5
6 Habeger: So, that's the nutshell of the message. I would like to go to the report real quickly.
7 Hopefully Bernard got it down to the Board.

8
9 Chair: Don we didn't get a copy.

10
11 Habeger: Bernard should have 15 copies of something I just sent out this morning. It went out
12 to the Legislature yesterday. If someone can run up to floor 15 and grab those copies, I'll start
13 talking about it. You'll have an opportunity to look at the information later but I think it partially
14 addresses Brian's question about more information. We're not quite there yet but here's what
15 the report says, and before I go into that I just want to set a little bit of a background for this. In
16 the operations bill HB65 the Legislature put intent language into that bill that asked the
17 Department to begin handing in Annual Reports for each of the professional licensing programs
18 that we help administer. The report asks for additional detail. Some of that detail I think will be
19 very useful to the Board and some of the processes they do to talk about these to make
20 recommendations to the Department. But, you'll see that the report follows the typical pattern
21 that you've seen in your other schedule of revenues and expenditures. You've got the total
22 revenue through licensing fees, you got direct expenses. Direct expense includes the top line
23 which is personnel services costs. Your direct expenses would include Vern, Alicia, in this case
24 Mr. Savage will be 100% attributed to that line here in the future. It's got travel, it's got services.
25 Services are anything that is essentially a short term consumable. That would include
26 Department of Law, expert witness, anything that we might use outside of our direct agency to
27 support investigative activity or other activity that the board may require. Commodities are just
28 that, that longer life expense that is consumed over more than 12 months. So those are the
29 direct expenses. Now here's, kind of, the new pieces that we are providing. You can look at a
30 year over year investigative expenditure line and you can look at the same lines of information.
31 You'll see personnel costs as a direct expense, you'll see expert witnesses, you'll begin to track
32 your legal expenses. Essentially that's anything the Department of Law assists the Board or
33 Division with, typically in the case of regulations, investigations, or defense if that were needed.
34 Defense of a Board decision, that kind of thing and then hearings and mediations, essentially
35 what that is, is the Law Judge in case there is a dispute between the Board and a licensee over
36 a decision and we ask an Administrative Law Judge to oversee or to render a decision based on
37 the evidence, that's that line item. So that's kind of new, its good information. It also includes
38 and we're still going to go into more detail, but it also includes internal administrative costs,
39 essentially that overhead cost that includes our Chief Financial Officer and all that activity of
40 support. It includes IT, those kinds of expenses. It also includes a line for Department costs
41 and that's what we call our senior management team. That's our Commissioner's office etc.
42 You can track that, uh begin tracking that and then State wide costs. We have an enterprise
43 ETS, I can't think of the exact equation for that so I'll use the acronym but what they are is our
44 enterprise system that is responsible for the overall computer system of the State of Alaska.
45 We have our telephone systems, essentially anything the Department of Administration supplies
46 us, HR, payroll support, those kinds of things are aggregated in that column, you can look at
47 that number. I think it's all an attempt, and I think everybody has the same goal, the Boards
48 have been asking for this, the Legislature now has asked for this, the Department wants to get
49 there. Its understanding each of those components and seeing what we can control in the
50 future. So, that's new information, Board Members, I wanted you to be aware of it. I will trust
51 and I will follow-up with a phone call and if you don't have that document, I'll make sure you get

1 it by the end of the day. There is one more thing in that report that is at the request of the
2 Legislature. We think there are more components to a fee analysis, but it's still in there. At the
3 very bottom of that sheet is a fee analysis and essentially the equation looks like how many
4 licensees are there total? If each licensee was to take an equal portion share of the deficit
5 position and an equal portion share of all expenses, what would that single price point be to pay
6 for that program? And that analysis is there and that's at the bottom of the sheet. I think we
7 understand that the true, or boards prefer that having a multitude of, well in your case, a
8 multitude of licenses for various activities depending on what that is and therefore may chose a
9 spread of price points for a license or an application, that kind of thing.

10
11 With that, Board Members, I have nothing else unless there are more questions about fees or
12 yearend reports.

13
14 Schedler: I'm sure you're aware of the volume of information that we get beforehand that we
15 are required to read and prepare and so in this instance the expenditure report, well it's always
16 been something we all focus on so not having it before the meeting is definitely to our detriment.
17 Having you review a report that we don't have and have not had the opportunity to read was not
18 especially enlightening and we really won't have an opportunity to digest it and discuss it our
19 next meeting. So I just wanted to be forthright and state that it puts us in a very difficult position.

20
21 Habeger: Appreciate the comments, I understand where you're coming from and it is so noted.

22
23 Chair: Don, this is Eric, I think you recommend we bear responsibility for our fees and it
24 challenges us to delegate that responsibility without having complete control. And so trying to
25 grasp or understand the areas we don't have control are definitely difficult so it is, I think, noted
26 and appreciate you to supporting us on a lot of these issues and try and work with us to explain
27 those areas to us and I guess maybe a question I have is do you see any recommendation for
28 moving ahead with these recommendations that we can influence or have control of or things
29 that we can work towards to influence and better maintain a stable fee structure in the future?

30
31 Habeger: You know that's an excellent point, and really to maybe respond a little bit better to
32 Kathleen. I understand what you're saying Kathleen. I understand what you're saying Mr.
33 Chair. In this case I am reliant on another Division to produce information. Obviously there is a
34 keen interest to make sure that anything that comes out henceforth is scrubbed. And so we,
35 because of past audits, past comments, are being extra careful in the information that's going
36 out. I realize that one of the downsides to that activity is timeliness. I appreciate the comment, I
37 understand where you're coming from and in response all I can say is that trying to get a handle
38 on this for you, Mr. Chair, and the dialog going forward is a very, very high, if not the highest
39 priority I have as I move forward. So there you go....

40
41 Chair: So noted, so appreciated too. Like I said we are hand in hand, we need to work together
42 and we appreciate your support and look forward to supporting you and my understanding is
43 that you recognize our responsibilities and areas of concern and will continue working on
44 helping us address those areas and providing recommendation to us to us in doing a good job
45 for our registrants.

46
47 Habeger: Thank you for that Mr. Chair. Just a few more comments, if I may, one is travel. I'm
48 not sure if we talked about this before. Certainly the Legislature recognized third party
49 reimbursement. They added \$20K to FY14 so that any reimbursement that comes into this
50 State from a third party i.e. an association, can go directly to the Boards revenue as an offset for
51 the whole or partial expense. Now, one of the things I think we recognize is that a \$20K

1 appropriation which covers all programs does not meet the expected need. When I looked at all
2 of the requests from all of the programs based on the annual reports we were about a \$66K
3 potential in third party reimbursements and \$20K would not adequately meet that need. None
4 the less it's a step in the right direction. The Legislature recognized that and the Division
5 certainly will be looking at this issue very closely. If, indeed, we see \$60K or more of
6 reimbursement coming in I think we can have a dialog with the Legislature saying here's what
7 the Board actually use or receive in revenue, this is what they should have credit for, can we
8 adjust something in the supplemental and going forward. So, I just want you to be aware of that
9 issue and know that we are working on that one as well.

10
11 Lastly is HB 187. I know we've, I think we've talked about it. But very briefly it is a bill that the
12 Department is working on with the Legislature. Essentially it is in a nutshell it's a bill that looks
13 at investigative costs and it asks the Legislature to consider using General Funds to pay for
14 investigative time. Now the thing that that would do is, I realize that the Board and the
15 industries went on record during the session last year saying we are willing to increase fees to
16 pay for that cost but this bill, if it does pass, and the Legislature does fund it based on our fiscal
17 note would pay for each investigator including Mr. Savage in the future as long as the
18 Legislature continues to appropriate funds out of the General Fund and thereby all Alaskans
19 would be paying for that time cost. So, that's what essentially HB187 does. I realize the bill is
20 quite a bit longer than that, most of it is conforming language and what I call the work horse of
21 the bill are really in the first few pages of the bill. In anything that addresses our Central
22 Licensing Statutes, in this case, the address is 08.01.065. Anything that addresses that section
23 is the work horse of the bill. So, that's it in a nutshell, we've discussed it before. I know those
24 lobbyists that work with your industry are aware of it and we've discussed that too. So,
25 ultimately I believe if the bill is going to be successful it will have to be supported by licensees,
26 boards, commissions. So, I guess that's my request for you to consider that and that's where
27 we're at.

28
29 So, that's my presentation, Mr. Chairman, I'm open to any questions.

30
31 Chair: Thank you Director, we recognize your request for support for HB187.

32
33 Hanson: I just wanted to share my experience on your third party reimbursement. It's kind of
34 new to us and I don't expect you to solve it or sympathize with it but I just share this with you. In
35 the past when I used NCEES and they had a funded delegate I would call their travel agent,
36 they would buy my plane ticket, they would reserve a hotel, I would have to pay for
37 transportation to or from and I would get a check for \$100. I was no out of pocket, everything
38 was taken care of. Now we're in this, I guess new interpretation or revised interpretation so I
39 have to buy a plane ticket 6 weeks in advance, I have to reserve a hotel on my credit card, I've
40 got to pay for transportation, per-diem, food etc. So I'm into the State for 2 to 3 thousand dollars
41 for three or four months, essentially loaning the State that type of money for several months.
42 It's a little frustrating as a Board Member to know there's this other easy system out there, and I
43 know you can't necessarily do anything about it right now but I just wanted to share that with
44 you. It is a frustration.

45
46 Regarding 187, what happens if they don't pass that General Fund appropriation for
47 investigators and fi they do, do we get a second investigator then because we've already said
48 we want to pay for our own investigator? Laughter.

49
50 Habeger: I appreciate you putting me in the hot seat. Let me address third party
51 reimbursement, I understand the system still is not perfect. It's third party reimbursement and it

1 is set or how that system is to work is set forth in mandates to the administration through the
2 Department of Administration. So, that's where that's coming from. We've had discussions with
3 them on how we can make it easier, you're right, I don't have an answer for you yet but those
4 discussions and hopefully a resolution will come in the future. Part of those discussions, just so
5 you Board Members know, include using State resources from the get-go and how can we
6 accomplish that. And so, a final resolution on that is not before us today but I expect that
7 discussion will continue until we find some kind of resolution. So that's number one.
8

9 Number two. You know that's a good question. I'll be forthright in what I find interesting in our
10 States time or the period of time we are in in our State is, I think, a general recognition that the
11 cost of government needs to be dealt with. There are a number of things happening across our
12 State that makes that a robust and timely discussion SB 21 for example. We are a part of that
13 cog if you will. And although my Statute allows me to hire folks based on Board needs I'm also
14 being tasked with watching and getting a handle on costs. So, all of those things are
15 happening, do I believe that today I could go out and hire another investigator if it were just kind
16 of the will of the administration, I'm not sure I could do that. So, that's kind of the conundrum.
17 You guys are certainly familiar with how you solved that problem once and it may be that we
18 have to have another discussion like that as we see how the land lays here in the future. That's
19 the best I can do with that one Brian.
20

21 Maynard: I'm assuming if the pass 187 and general funds pay John's salary that then our fees
22 would go down because we would not have that expense and then if they not to fund it then our
23 fees would go up if we wanted to continue having him in our employ.
24

25 Habeger: That's absolutely true. Just so you know John's position is not tied to, let me put it
26 this way, the bill allows a number of funds to carry on the activity. And it really allows for if
27 general funds are not used then what we call receipt supported services i.e. your fees are used.
28 The bill does not in any way jeopardize the investigative activity. That remains, but it really is a
29 vehicle for discussion on we as a State pay for that activity.
30

31 Chair: Thank you for your presentation and we look forward to working with you.
32

33 Maynard: The meeting he was talking is the joint ASCE/APDC meeting next Tuesday at the
34 Moose Lodge.
35

36 Chair: Asks if there are any final comments before moving on.
37

38 Schedler: Noticed that the report is 39 pages long of which we got 3 so there is a website, I
39 would assume to read the report in its entirety.
40

41 Maynard: Approximately \$400K was entered in \$27K budget is the new statewide and
42 Departmental costs that didn't exist before or were hidden internal administrative costs.
43

44 Hanson: I think they were hidden.
45

46 Maynard: Even if you do that it went up 20%.
47

48 Hanson: I believe that \$67K and \$74K is a new cost that we probably weren't receiving.
49

50 Chair: Asks Vern to have a copy of the full report for the next meeting.
51

1 Maynard: It would be nice to know what went into the Departmental and Statewide costs.
2
3 Hanson: They broke out some of the upper stuff but that wasn't what we wanted broken out. It
4 was the indirect where we wanted to see a breakdown. Is it furniture, is it people, is it health
5 care....
6
7 Koonce: Asks if we had a stream of income from the various national organizations in the past.
8
9 Jones: Explains that we were evidently in violation of policy by letting NCEES direct pay for
10 airfare, hotel and per-diem to attend meetings. This is not a regulation, as I understand it, it's an
11 administrative policy. If you want it changed you're going to have to go to the Department of
12 Administration because it's their policy.
13
14 Rearick: Thinks Don told us they were working on changing that policy a meeting or two ago.
15
16 Koonce: Asks if a letter from the Board would help.
17
18 Jones: It couldn't hurt.
19
20 Chair: We have a budget committee, don't we, isn't that one of the standing committees?
21
22 Hanson: Has used the funded delegate program with NCEES several times and it is so simple.
23 You call their travel agent and tell them when you want to leave and when you want to return
24 and they will give you your options and you choose. They ask if you want a car or hotel and
25 reserve a room. Then when you arrive at the meeting they give you a check for \$100 and that's
26 your per-diem. It doesn't matter if you spend 30 dollars or 300, that's your per-diem. You walk
27 away from the meeting with a \$100 check you have to cash and that's it. I believe it took three
28 months to get a check and I was out of pocket \$2200 or something like that.
29
30 There was a short free for all discussion on the costs to attend these meetings.
31
32 Chair: Tasked the budget committee to come up with a list of priorities for the Board regarding
33 indirect expenses, travel and maybe some suggestions on how to move ahead.
34
35 Chair: added Koonce and Hanson to the budget committee and tasked them with writing a
36 letter re the travel policy. Brian will provide past letters on the subject.
37
38 There was a short discussion on past practices, policy etc.
39
40 10:51 a.m. Break
41
42 11:02 a.m. On record.
43
44 Chair: Agenda item 7.A.2 HB 187 does anyone have any discussion?
45
46 I 7.b. Regulation project.
47 1) 12 AAC 36.063 Engineering Education and Work Experience Requirements.
48
49 Maynard: Handed out a document stating his opinion on how to change the regulation. First
50 remove the SE exam from table A and B because we are going to make everybody have a PE
51 before they do the SE exam. Then add a section K, I'm sure the regulation writers will

1 rearrange everything but this is my best guess as to where to put it. So then to be eligible for
2 the SE examination an applicant must currently be licensed as an Alaska PE, and that's any
3 kind of engineer and then have at least two years of professional structural experience. One
4 thing I thought about as I was heading in this morning is, right now we are giving SE's by comity
5 to anybody who has taken an SE I or SE II which was an 8 hour exam that were prior to the
6 current regime where the SE is a 16 hour exam and I'm think we may want to modify the comity
7 section to require that to get comity for an SE once this is adopted you have to have taken a 16
8 hour exam. So they are matching up with the people who are going to be getting it now. But
9 that's an aside, we may have to adjust that here or add it.

10
11 Hanson: Comments that regarding comity you have to meet the requirements that were in
12 effect at the time you became originally licensed. So if you were licensed in 1950 in May then
13 you could come to Alaska and be licensed under what those requirements were. In 1980 if that
14 required a structural I then that's all you have to have. If it's 2014 and we require a 16 hour
15 exam then that's the requirement you have to meet, if it's 2013 then we don't require that so it's
16 Alaska law at the time you were originally licensed.

17
18 Maynard: Ok, I wasn't aware of that. We could say you can't because there was no SE at that
19 year.

20
21 Hanson: We could. You can try that if you want.

22
23 Chair: Asks why the change.

24
25 Maynard: Locally the Structural Engineers Association when we original adopted and now
26 Nationally the National Council of Structural Engineering Associations, their position is that the
27 SE should be post PE license and that it should be different than a regular PE. For one thing
28 it's a 16 hour exam. We are trying to match what Oregon and Washington so we can more
29 readily get reciprocity or California for that matter. If you go to California you're still going to
30 have to take their 4 hour seismic and surveying test and you have to be a civil to be licensed as
31 an SE in California. I think Washington and Oregon it's any PE license.

32
33 Chair: So this is a new exception from our normal experience, education, and exam. Now you
34 have an additional, kind of a fourth leg, you have a pre-existing license plus those other things.

35
36 Maynard: Well you've already has those things to get your PE, once you have your PE you
37 have to have two more years of experience and then take the 16 hour exam which is what that
38 K is. (Referring to new sub para k being added to the regs)

39
40 Chair: So then I gather then that this it to maintain consistency with the other states in our
41 National Council?

42
43 Maynard: It's where the structural engineers would like the states to go. The states closest to
44 us are already there, Oregon, Washington California and Nevada.

45
46 Then I added some sections to the registration in additional branches of engineering because
47 we've been telling people that if you're a civil engineer you can design any structure you want
48 because you were doing it before. Now we are going to say, and I'll get to that in a minute, if it's
49 a significant structure you have to be an SE to design that. Which are what Oregon and
50 Washington have and their almost identical lists for those two states. They are not completely
51 identical but they are pretty close. So those who want to apply for an SE after we adopt this

1 we'll give them 18 months, I said December 31, 2015 assuming that we adopt it next year
2 sometime. And then for the projects I thought we should make it that they submit two projects
3 that are significant structures. Since that is what they will be designing you know not have them
4 send in a couple houses when we're talking about schools and hospitals. There is some
5 confusion out there about the people who now have SE's whether they have PE and SE after
6 their name. Right now everybody is just a PE and a lot of them want to call themselves SE's so
7 we are going to give them another seal that says "Registered Structural Engineer" since it's
8 going to be separate from Professional Engineer. Also that'll make it easier for John to know if
9 they are doing it right or not.

10
11 Then there's the definition of significant structure which is added to the definitions. It's
12 essentially occupancy 3 or 4 buildings out of the IBC that are larger than 4000 square feet and
13 are more than 20 feet in height. So, if it's a small addition to a hospital you don't have to be an
14 SE but if it's, one state had 4,000 square feet and one had 5,000 square feet, I chose the
15 smaller one.

16
17 Then there was a question that came through Vern last week or maybe the week before from
18 somebody in Louisiana who does off-shore oil structures and wants to know if he has to have an
19 SE here to do off-shore structures. Obviously Oregon and Washington don't have that on their
20 lists but I added it, of course that would only apply to off-shore structures that were within three
21 miles of our shoreline because outside the State doesn't cover it's a Federal Statute covering
22 that. So other than the comity issue which I had not addressed and we may not need to
23 address, that's what I'm suggesting that we do.

24
25 Chair: Asks if he is recommending this be put out for public comment.

26
27 Maynard: Suggests it be sent to the regulation people for drafting before we send it out.

28
29 Chair: Asks for a motion.

30
31 **On a motion duly made by Maynard, seconded by Hanson and passed unanimously it**
32 **was RESOLVED to submit the following changes to the regulations specialist and**
33 **request he provide a draft for the Board for consideration at the next meeting.**

34
35 **The following are the suggested regulations to be adopted to make the Structural**
36 **Engineering license supplemental to a PE license and to require the SE license for the**
37 **design and evaluation of significant structures.**

38
39
40 **12 AAC 36.063 ENGINEERING EDUCATION AND WORK EXPERIENCE REQUIREMENTS.**

41 **(a) To be eligible for a professional engineering examination other than the**
42 **Structural Engineering Examination, an applicant must**

43 **(1) have been approved for or have passed the fundamentals of**
44 **engineering examination or had these requirements waived under 12 AAC**
45 **36.090(a);**

46 **(2) apply for examination in a branch of engineering recognized by 12**
47 **AAC 36.990(17); and**

48 **(3) submit to the board satisfactory evidence that the applicant's**
49 **education or work experience or both are equivalent to the requirements set out in**
50 **the following applicable table of education and work experience requirements for**
51 **a professional engineering examination:**

1 (A) for board approval of an application made on or before June 30,
2 2010, an applicant's education and experience must meet the requirements
3 of Table A of this section, as follows:
4

5 **TABLE A**
6

7 (B) for board approval of an application made on or after July 1, 2010, an
8 applicant's education and experience must meet the requirements of Table B of
9 this section, as follows:
10

11 **TABLE B**
12

13 (b) Education for initial registration must be in the branch of engineering in
14 which the applicant seeks registration for full credit to be given. If the education is not in
15 the branch of engineering in which the applicant seeks registration, the board will
16 determine the amount of credit to be given based on comparability with the branch of
17 engineering for which the applicant has applied for registration. An applicant with a
18 foreign degree shall submit

19 (1) a transcript of the applicant's education and if the transcript is not in
20 English, submit a translation into English and a signed and notarized affidavit by
21 the translator of the accuracy of the translation; and

22 (2) an evaluation of the applicant's education from an agency approved
23 by the board unless the applicant's education has been earned at a school
24 accredited by an accreditation agency recognized by the board.
25

26 (c) The minimum work experience required for registration must include

27 (1) two years of responsible charge experience or successful
28 completion of a four-year responsible charge mentoring system, as defined in 12
29 AAC 36.990 and this section. To receive full credit for responsible charge
30 experience, an applicant must gain responsible charge experience while under the
31 responsible control of a professional engineer registered in the United States in
32 the branch of engineering for which the applicant has applied. The board will
33 determine the amount of credit given for responsible charge experience gained
34 under the responsible control of a professional engineer registered in the United
35 States in another branch of engineering based on the comparability with the
36 branch of engineering to which the applicant has applied;

37 (2) responsible charge experience or successful completion of four
38 years of responsible charge obtained within a mentoring system will be
39 considered for credit only if it is gained after the applicant has completed
40 education or work experience or both that are equivalent to the requirements set
41 out in the table of education and work experience requirements for fundamentals
42 of engineering examination in 12 AAC 36.062(2).
43

44 (d) For registration in more than one branch of professional engineering listed in
45 12 AAC 36.990, professional work experience used to qualify for registration in
46 one branch of engineering will be evaluated by the board in considering an
47 application for registration in another branch of engineering. Except as provided
48 in (c) of this section, responsible charge or mentored experience must be entirely
49 in the branch of engineering applied for and may not be counted as responsible
50 charge experience in another branch of engineering or in land surveying.
51

1 (e) Education and work experience may not be accumulated concurrently. A
2 maximum of 12 months' credit may be claimed for a calendar year.
3

4 (f) The board will accept a maximum of two years of credit for professional work
5 experience used in securing registration in land surveying as experience in securing
6 registration in civil or mining engineering.
7

8 (g) Work experience for initial registration must be in the branch of engineering in
9 which the applicant seeks registration for full credit to be given. If the work experience is
10 not in the branch of engineering in which the applicant seeks registration, the board will
11 determine the amount of credit to be given based on comparability with the branch of
12 engineering for which the applicant has applied for registration.
13

14 (h) The board will accept up to a maximum of two years of sub professional work
15 experience for up to one half of the work experience required for registration based on
16 its meeting the definition of "sub professional work 11 in 12 AAC 36.990.
17

18 (i) Notwithstanding (a) - (h) of this section, an applicant authorized by the
19 board to take the examination before 11/20/99, may continue to qualify for
20 the examination under 12 AAC 6.040.
21

22 (j) To meet the mentoring requirements of this section, an applicant must
23 complete four years of quarterly face-to-face meetings with a professional engineer
24 registered in the United States and registered in the same discipline that the applicant is
25 applying for. An applicant shall

26 (1) prepare a report for each meeting on a form provided by the
27 department, which includes

28 (A) a description of what topics were covered during the meeting;
29

30 (B) a statement indicating whether or not it was responsible charge work
31 and if the work was performed according to industry standards;

32 (C) the professional engineer's seal and signature; and

33 (2) submit as a part of the final report a statement from the professional
34 engineer, who served as the mentor, recommending the applicant for registration.
35

36 (k) To be eligible for the Structural Engineering exam, an applicant must:

37 (1) be currently licensed as an Alaska Professional Engineer and

38 (2) have at least 2 years of progressive structural experience (in addition to
39 the 8 years required for a Professional Engineer license).
40

41 12 AAC 36.106. Registration in additional branches of engineering 42

43 (a) A person who holds a current certificate of registration as an engineer in the state on
44 March 11, 2012 may apply under this section for certificates of registration in one or
45 more additional branches of engineering listed in 12 AAC 36.990(a)(1) 7) by meeting the
46 requirements of this section.

47 (1) A person who holds a current certificate of registration as an engineer in the
48 State on (Date of adoption) may apply under this section for registration as a Structural
49 Engineer.
50

51 (b) An application for an additional certificate of registration under this section must be

1 submitted on or before December 31, 2013.

2 (1) An application for registration as a Structural Engineer u under this section
3 must be submitted on or before December 31, 2015.

4
5 (c) An applicant for an additional certificate of registration under this section must
6 submit

7 (1) a typewritten application on a form prescribed by the board, including the
8 references required under AS 08.48.201;

9 (2) the application and registration fees established in 12 AAC 02. 110;

10 (3) verification that the applicant has, within the 120 months immediately before
11 the date of the application, at least 24 months of responsible charge experience as a
12 licensed professional in the branch of professional engineering that the applicant is
13 applying for;

14 (4) the plans or other documents required under (e) of this section; and

15 (5) the letters of reference required under (d) and (e) of this section.

16
17 (d) An applicant applying for an additional certificate of registration under this section
18 must provide two letters of reference verifying the applicant's responsible charge
19 experience required under (c)(3) of this section. The letters of reference must meet the
20 requirements of (t) and (g) of this section.

21
22 (e) An applicant applying for an additional certificate of registration under this section
23 must provide complete plans or other documents of at least two completed projects
24 demonstrating the engineering abilities of the applicant in the branch of engineering that
25 the applicant is applying for. The plans or other documents must be signed, sealed, and
26 dated, and must include necessary calculations and other applicable supporting
27 documents. The plans or other documents must have been dated within the 120 months
28 immediately before the date of application for an additional certificate of registration
29 under this section. The plans or other documents submitted under this subsection must
30 be accompanied by a letter of reference for each project attesting to the applicant's
31 competence on the project. The letters of reference must meet the requirements of (f)
32 and (g) of this section.

33 (1) For the Structural Engineering license, the submitted projects must qualify as
34 significant structures, as defined in 12 AAC 36.990.

35
36 (f) Except as provided in (g) of this section, the letters of reference required under (d) and
37 (e) of this section must be signed and sealed by an engineer who was registered as a
38 professional engineer in a state, territory, or possession of the United States, the District
39 of Columbia, or a foreign country at the time of the responsible charge experience or
40 when the plans or other documents were signed and sealed, and either

41 (1) was registered as a professional engineer in the branch of engineering that the
42 applicant seeks registration; or

43 (2) if the licensing jurisdiction did not register engineers in the specific branch
44 during the period of the experience or when the plans or other documents were signed
45 and sealed, practiced in the branch of engineering that the applicant is applying for.

46
47 (g) If an engineer provides a reference letter under (d) or (e) of this section without a seal,
48 the applicant must provide a statement from the engineer certifying that the engineer
49 held a current registration as an engineer during the period of experience or when the
50 plans or other documents were signed and sealed, and the engineer's state of
51 registration, registration number, and branch of engineering.

1
2 **(h) If requested by the board, the applicant must be available for an interview with the**
3 **board.**
4

5 **(i)The board may consult subject matter experts in the branch of engineering for which**
6 **the applicant seeks registration to assist the board in evaluating the application.**
7

8 **(j) Nothing in this section prevents a registrant from applying under this chapter for a**
9 **certificate of registration by examination or comity in any branch of professional**
10 **engineering listed in 11 AAC 36.990(a)(17).**
11

12 **(k) To remain current, an additional certificate of registration issued under this section**
13 **must be renewed as provided in AS 08.48.231.**
14

15 **12 AAC 36. 1 80.Seal (a) the seal authorized for use by professional architects is of the**
16 **following design or a substantially similar electronic or digital representation of the**
17 **design:**
18

19 **DOUBLE CLICK TO VIEW PDF FILE**
20

21 **(b) The seal authorized for use by professional engineers is of the following design or a**
22 **substantially similar electronic or digital representation of the design:**
23

24 **DOUBLE CLICK TO VIEW PDF FILE**
25

26 **The seal must reflect the branch of engineering authorized by the board. This**
27 **identification is to be placed below the registrant's name and preceding the registrant's**
28 **number on the seal as noted:**

29 **AG - Agricultural engineer EC - Chemical engineer CE - Civil engineer**

30 **CS - Control systems engineer EE - Electrical engineer**

31 **EV - Environmental engineer FP - Fire protection engineer IN - Industrial engineer**

32 **ME - Mechanical engineer**

33 **MM - Metallurgical and Materials engineer**

34 **EM - Mining and Mineral Processing engineer NM - Naval architecture and Marine**

35 **engineer NU - Nuclear engineer**

36 **EP - Petroleum engineer**
37

38 **(c) the seal authorized for use by structural engineers is of the following design or a**
39 **substantially similar electronic or digital representation of the design:**
40

41 **[Seal to be similar to PE seal except with REGISTERED STRUCTURAL ENGINEER in lieu**
42 **of REGISTERED PROFESSIONAL ENGINEER]**
43

44 **The seal must include the branch identifier (SE) followed by the registrant's number, both**
45 **of which must be placed below the registrant's name.**
46

47 **(d) ~~(e)~~ the seal authorized for use by professional land surveyors is of the following**
48 **design or a substantially similar electronic or digital representation of the design:**
49

50 **DOUBLE CLICK TO VIEW PDF FILE**
51

1 (e) ~~[(d)]~~ the seal authorized for use by professional landscape architects is of the
2 following design or a substantially similar electronic or digital representation of the
3 design:
4

5 **DOUBLE CLICK TO VIEW PDF FILE**
6

7 **1 2 AAC 36.1 85. Use of seals (a) a registrant may**

8 (1) not sign or seal a drawing or document dealing with professional services in
9 which the registrant is not qualified to sign or seal by virtue of education, experience,
10 and registration;

11 (2) approve and seal only design documents and surveys that are safe for public
12 health, property, and welfare in conformity with accepted architecture, engineering, land
13 surveying, and landscape architecture standards in Alaska;

14 (3) seal only final drawings, surveys, reports, and required construction
15 documents for which the registrant is qualified to seal and for which the registrant claims
16 responsibility;

17 (4) not knowingly allow the use of his or her seal by another person on a
18 document that the registrant has neither prepared nor reviewed personally;

19 (5) not use the seal or a reproduction of the seal of another registrant on a
20 document, regardless of the intended use of the document;
21

22 (6) not sign a name other than his or her own name over a seal, and may not forge
23 the signature of the individual to whom the seal was issued by the board; and

24 (7) not sign or seal drawings, documents, or other professional work for which the
25 registrant does not have direct professional knowledge and direct supervisory control.
26

27 (b) If portions of drawings, documents, or other professional work are prepared by other
28 registered professionals, a registrant may seal only that portion of the work for which the
29 registrant has direct professional knowledge and direct supervisory control.
30

31 (c) Each office maintained for the preparation of drawings, specifications, reports, or
32 other professional work that will require a professional seal must have a registrant
33 assigned to and regularly employed in that office who has direct knowledge and
34 supervisory control of that work.
35

36 (d) The registrant shall include the date each time the registrant signs and seals a
37 document by electronically or manually inserting the date within the seal or within two
38 inches of the seal.
39

40 (e) The registrant, by sealing final drawings, takes responsibility for related discipline
41 specifications included in the final drawings, unless under AS 08.48.221 the registrant
42 certifies on the face of the document the extent of the registrant's responsibility.
43

44 (f) An electronic image of a signature may be used on the seal if the registrant or the
45 owner of the documents retains an original copy of the documents, accessible for later
46 reference that has either

47 (1) an original hand signature over the seal; or

48 (2) software in place that will automatically remove or modify the electronic image
49 of the signature if the document is modified.
50

51 (g) Drawings or reports regarding the structural systems of a Significant Structure, as

1 defined in 12 AAC 36.990, must be sealed by a Registered Structural Engineer.

2
3 **12 AAC 36.990 Definitions Add**

4 **{43} "Significant structure" means:**

5
6 **{a) Hazardous facilities, defined as: Structure housing, supporting, or containing**
7 **sufficient quantities of explosive substances to be of danger to the safety of the public if**
8 **released;**

9
10 **(b) Special occupancy structures, defined as:**

- 11
12 **(i) Building and other structures whose primary occupancy is public assembly with**
13 **an occupant load greater than 300;**
14 **(ii) Buildings and other structures containing elementary school, secondary**
15 **school or day care facility with an occupant load greater than 250;**
16 **(iii) Buildings and other structures containing adult education facilities, such as**
17 **colleges and universities, with an occupant load greater than 500;**
18 **(iv) medical facilities with 50 or more resident, in capacitated patients;**
19 **(v) Jails and detention facilities; and,**
20 **(vi) All buildings or structures with an occupant load greater than 5000.**

21
22 **(c) Essential facilities that have a ground area of more than four thousand square feet**
23 **and are more than twenty feet in mean roof height above average ground level. Essential**
24 **facilities are defined as:**

- 25
26 **(i) Hospitals and other medical facilities having surgery and emergency treatment**
27 **areas;**
28 **(ii) Fire and police stations;**
29 **(iii) Tanks or other structures containing, housing, or supporting water or fire**
30 **suppression material or equipment required for the protection of essential or**
31 **hazardous facilities or special occupancy structures;**
32 **(iv) Emergency vehicle shelters and garages;**
33 **(v) Structures and equipment in emergency preparedness centers;**
34 **(vi) Standby power-generating equipment for essential facilities;**
35 **(vii) Structures and equipment in government communication centers and**
36 **other facilities requiring emergency response;**
37 **(viii) Aviation control towers, air traffic control centers, and emergency**
38 **aircraft hangars; and**
39 **(ix) Buildings and other structures having critical national defense**
40 **functions;**
41 **(d) Structures exceeding one hundred feet in height above average ground level;**
42
43 **(e) Buildings that are customarily occupied by human beings and are four stories or**
44 **45 feet or more above average ground level;**
45
46 **(f) Bridges having a total span of more than two hundred feet and piers having a**
47 **surface area greater than ten thousand square feet; and,**
48
49 **(g) Off-shore structures exceeding fifty feet in height above the average sea bed or**
50 **ground level.**

51 Rearick: Asks if he derived the list from the IBC

1
2 Maynard: Responds that it came from the IBC occupancy limits and the lists from Oregon and
3 Washington.
4
5 Koonce: Asks about California, Idaho and Nevada have similar regulations.
6
7 Maynard: California and Nevada both have post PE, SE's. He thinks Arizona may have also
8 but is not positive.
9
10 Koonce: Asks if the requirements are the same.
11
12 Maynard: Thinks California only requires all schools and all hospitals but different municipalities
13 may have additional requirements.
14
15 Koonce: Asks if those are related to the type I, II and III.
16
17 Maynard: Basically type III and IV have it as essential facilities.
18
19 Koonce: That's the defining line for us too?
20
21 Maynard: Right, if it's an office building 50ft high you're not going to have to have an SE but if
22 it's 100ft, actually if its more than 45 feet you would have to but if it's a two story you wouldn't.
23
24 Koonce: Asks if that's based on occupant load.
25
26 Maynard: It's height, stories, occupant load and square footage. The square footage applies to
27 the special occupancies or essential facilities. The other ones are just height.
28
29 Chair: Asks if Jun will send it back to the Board or just send it out to public notice.
30
31 Jones: He will send it back to me and I'll bring it to the Board.
32
33 Rearick: Asks if they're licensed by exam they still have to be a PE first then SE later.
34
35 Maynard: Yes. In California it has to be a CE but in Oregon and Washington you just have to be
36 a PE so you do it based on your ME or.....
37
38 Hanson: At the NCEES Annual we spent an hour talking about this and the one thing we heard
39 over and over again was why? Why are structural any more special than any other type of
40 engineer? There is a lot of specialized expertise when it comes to mechanical systems now,
41 electric systems, architectural components. Surveyors use (unintelligible) GIS programs to
42 figure out where they are on the earth. When we originally passed the 16 branches or wherever
43 we are at now, this was one of the things that came up. What's the next step, are we going to
44 make structural special and I think over and over again the answer was no we don't envision
45 changing any of that and then here the grandfathering hasn't even expired and we're getting
46 ready to put out for public comment, I don't have a problem putting it out for public comment I
47 guess we just have to be prepared for the backlash I guess.
48
49 Chair: Has the same recollection but thinks we need to listen to the structural engineers and the
50 public comment will do just that.
51

1 Jones: Points out that one of the provisions will be to extend the grandfathering regulation so
2 anyone who opted not to because they didn't need it will now have to opportunity to get it.

3
4 Maynard: Thinks hear a different thing in that the Board just wanted to get the new regulations
5 in then they would deal with this issue later. This is about the third time I've reported on this and
6 this is the first time I've heard anyone say they didn't want to do this. If we didn't want to do it we
7 should have stopped me at the first meeting.

8
9 Hanson: Doesn't think it's that we don't want to do it but we just need to be prepared for the
10 public's comments. He asks if the Board will get this back before it goes out to the public
11 because there are a lot of changes here and we want to make sure it's right and offers a friendly
12 amendment to that effect.

13
14 Chair: Thinks this would be a good time to think if ideas to make sure people are informed and
15 take the opportunity to comment and suggest that associations meetings would be a good place
16 to start.

17
18 Hanson: Believes that the timeline in the regulation is very important and that we need to give
19 people an opportunity like we did the surveyors with the education change. He thinks this
20 should have a lag time before it becomes effective.

21
22 Rearick: Points out that the date 12/31/2015 is going to be relative to when it does get passed.

23
24 Chair: Are we ready for a vote?

25
26 Maynard: Rereads the amended motion as it was above. It passed unanimously.

27
28 Chair: We are a little behind and we have Mr. Robertson scheduled for 11:00 so we will not
29 jump to item 10 if no objections. He excuses Maynard to go make a lunch presentation to
30 ASPE.

31
32 **Agenda item 10 – correspondence Sent Since August 2013**

33 A) Letter from Chair to Roy Robertson re stamping record drawings.

34
35 Chair: Invites Mr. Robertson to address the Board.

36
37 Mr. Robertson: I'm Roy Robertson I'm with DEC Drinking Water Program. We started getting,
38 well I personally started receiving some record drawings which are required by our 18 ACC 80
39 that had disclaimers on them. Ranging anywhere from we didn't personally do the inspection
40 but based on my engineering experience this is the way it was constructed. And at the other
41 end was we've provided no inspection services we do warranty any of this as accurate or
42 correct. We also have an additional requirement for a report to be submitted during the request
43 for final approval to operate. So it's a record drawing that's sealed by the engineer verifying that
44 it was constructed as it was designed and that no modification have been made or if there are
45 modifications at that time we would review it and determine if it was acceptable or not. I worked
46 for the Mat-Su borough for 4 years and we also had similar requirements for follow-up reports
47 after construction and required that they submit a report that the roads were constructed in
48 accordance with applicable standards and the sub-division construction manual. I have a
49 similar issue there where I would get a sealed report that stated, quoting from one I got, The
50 contractor has demobilized, the owner would like final approval. And that was the sealed report
51 and when it got to the planning board, the assembly, the question they would ask is well did the

1 engineer submit a report? Yes, then it's good. I'm a little concerned with I get a set of record
2 drawings that say that they provide no warranty or guarantee that any of it is correct and that
3 they did not provide any engineering oversight during the construction. We require that they do
4 have responsible charge during construction. Vanessa's packet that she submitted earlier has a
5 stamp on one and in that particular case there was an engineer in responsible charge all during
6 construction (unintelligible) accounts and so he had control over the work being done and
7 payments to the contractor and he still but a stamp on there that was a lot like he had no
8 oversight of the project.

9
10 Koonce: Asks what the inspection process requirement during the installation.

11
12 Robertson: We require that they have an engineer provide oversight we don't specific ways and
13 means on how they inspect we just require that the engineer verify that it was constructed
14 correctly.

15
16 Koonce: Asks if the record drawings that they are certifying, they were the inspector at the time
17 of the installation.

18
19 Robertson: Yes, that's who we expect to do it, not the original designer. I might not have
20 communicated my concerns effectively to the Board and I thought there might have been a little
21 bit of a disconnect so I came here today if you guys had questions. When the responses, the
22 one that's included in this packet it kind of sounded like your interpretation was that we wanted
23 the design engineer, after he was off of the project, to go back and update his drawings and tell
24 us what has changed when he has no control or oversight of it. There can be years between a
25 project being constructed, road designs a lot of times are designed and then it may be 5 or 10
26 years before they actually get around to getting funding for it and then being constructed. So
27 the original design engineer, it's not really feasible for him to have continuous input on that
28 project. For example they had an overpass that's being done for DOT nears Sears out in the
29 valley. I was out there when they noticed that the contractors were tying the rebar with all the
30 vertical rebar in the middle space instead of out at the ends which was backwards from the
31 design and if the tech engineer from the state hadn't caught it that would have been a huge
32 issue. It would have been a change in the design that wasn't recorded and it wouldn't have
33 been constructed in accordance with the design and concrete might have been poured if they
34 didn't happen to have, well, a tech at that point but he was reporting to another engineer who
35 was in responsible charge.

36
37 Koonce: Asks if special inspections are required as part of the permitting of the project.

38
39 Robertson: We have inspections all over the state and we do not provide any inspections
40 during the construction process. We can't guarantee that, I have performed site inspections and
41 found changes contrary to what was in the design.

42
43 Koonce: For instance in the IBC for the Municipality of Anchorage on a project I'm working on
44 you would provide a list of special inspectors that's identified in the IBC that are required for the
45 specific that applies to. So there would be a list of special inspectors for your project. He asks
46 if they follow the IBC.

47
48 Robertson: We do not.

49
50 Rearick: Thinks the problem is that the State requires inspections but there is not a specific plan
51 that's required so what Jeff is saying in the Municipality of Anchorage for building there are

1 certain ones that are required in code and then you've got to have an inspection plan that's
2 submitted to the Municipality and the Municipality can have that signed off on before you start
3 construction. But with the State DEC I don't think there's anything similar I think there's some
4 language that you have to have inspections but really it's up to the owner because we don't fund
5 the project the owner does so the owner chooses to have an engineer go out there twice and
6 not have full time inspection there's no way that engineer can sign-off on that construction being
7 done according to the plans because things happen, get covered up and you can't observe
8 it....craftsmanship too.

9
10 Chair: Well craftsmanship and stuff, it's all part of the inspection too. I think in our mind in
11 generalization post design construction is more of a contractual issue, putting metrics in place to
12 contractually measure performance. The engineer that is responsible for the design is not
13 necessarily responsible for the construction adherence to that design or liable for that. In the
14 longevity for that liability there has to be some kind of a demark for that liability. That's kind of
15 what our concern is and how to hand that off from an engineer to a contractual document.

16
17 Hanson: Has actually done some of these verifications. To him it's a process issue with DEC
18 and not engineering, now there may be some Statute changes that can happen. DEC's got
19 some suggestions that we are going to read through and kind of go over tomorrow. But really
20 what happens is you have an owner of a system that contracts it out to a designer, it may be a
21 mega-shop, it may a Mom and Pop, it could be a water system or a well for a school. But what
22 the DEC is relying on is an engineer, not necessarily the design engineer but an engineer to say
23 that these were the plans, we followed the plans or no these are the changes to the plans and
24 this is how it was constructed. What's happening in the real world is the owner is hiring
25 someone to design it. They design it, they pass it off to whoever is the cheapest to build it and
26 whoever is the cheapest to inspect it and then they go back to the designer three years later
27 and say hey you need to certify this.

28
29 Koonce: The inspector should do that certification.

30
31 Hanson: And that's kind of the process, to me it would greatly simplify everyone's life if DEC
32 received a special inspection or an inspection check list that indicated, number one, when the
33 inspections were going to happen and who the inspector was going to be and who was going to
34 sign-off on the record drawing. So before the system even gets constructed you know, right up
35 front, at least someone's thought about it. Because what we get on the tail-end is, like I said,
36 three or four years later whether it's DEC or AWWU is coming back and saying we are not
37 refunding your \$5K fee until we get these drawings and you need to sign this certification that
38 you inspected it and watched every little component go in and no insurance in the world is going
39 to let an engineer sign that or if they do sign it they're on their own if there's ever a law suit so
40 that's why you get these crazy I didn't verify it, it's not complete, somebody else is responsible
41 for everything, boom, here's my stamp.

42
43 Robertson: There's a good portion of the project that can be inspected though. There's a lot of
44 above ground, we don't require a lot of details on a record drawing, but key information like
45 monitoring points. You can move a monitoring point five feet, you know, here's where we are
46 monitoring chlorine out of this pipe instead of this pipe and it's only this far away it's the same
47 water there's been no treatment in between but that pipe went out of the building, went to an
48 underground tank, had contact time, came back and now you're reading a falsely high pre-
49 chlorine reading.

50
51 Chair: Summarizes and recognizes the responsibilities DEC has and that like Brian said if there

1 was an inspection check list submitted for approval with the application so that everybody was
2 on the same page that these items at these periods of time are your major concern points, I'm
3 not familiar with you systems but there's probably some key areas that are, this should be
4 looked at, at this time. And have everybody agree on who is going to do that and when it's going
5 to happen and make that part of the application and not be the responsibility of some sort of
6 cart-balance thing at the end that's a little bit arbitrary and grey that somebody may or may not
7 have had the authority given them to do the job correctly. Identify what the correct job is up
8 front, attack it that way it probably would be more comfortable for the engineers involved.

9
10 Robertson: We don't want somebody to take credit for more than they did. I would like to not
11 approve a system that had no inspection and can't verify that it's going to be safe.

12
13 Chair: Thinks that the problems is that what happens is that the engineer isn't given the
14 authority or is in a position, or the money to be able to accomplish what you are asking for so
15 that's why they won't sign it. The way the process is there is nothing in place to enable that. So
16 the suggestion is to request more up front in the application process to request an inspection
17 plan that is approved as part of the application for permitting.

18
19 Rearick: This would require owner buy-off as well and then the owner understands they've got
20 to have these inspections and they've got to fund them or they'll never get a permitted system.
21 Because the owners a lot of time they just don't understand that in the end this has to be
22 certified and here's the process. But if they have to sign-off on a document that says we will
23 have these inspections then they can't come back to the original designer and say you need to
24 sign this. Because the designer can say did you have the inspection you said you were going to
25 have?

26
27 Chair: So the owner bears a lot of the responsibility then.

28
29 Hanson: Notes that we will be having a meeting with Vanessa tomorrow and it's right in line
30 with Mr. Robertson's concerns and asks him if he can come back tomorrow.

31
32 Robertson: Yes I think I can be there.

33
34 Hanson: So, ultimately what's going to happen is we'll probably have somebody from this
35 Board or maybe a couple people working with DEC and probably even, hopefully, industry folks
36 to either propose regulation changes, check list changes, inspections, something that can
37 maybe make everybody happy.

38
39 Kerr: Asks if he is authorized to require inspection check lists?

40
41 Robertson: That is one of the items on our check list for new systems or modifications to a
42 system as we need the contact information for the engineer who will be in responsible charge
43 and do the inspections.

44
45 Kerr: Asks if anything happens with this and why is it unenforceable.

46
47 Robertson: A lot of times the systems are constructed before they apply. It's bid that way
48 oftentimes by engineers that I can give you, if I don't come out they can't make me sign it.
49 Some of these are on projects that are visible, they are above ground, they're within driving
50 distance, and they had to drive past the system to be able to get to my office to disagree with
51 me about it. They could have inspected it and its being dragged out 9 months but they won't

1 comment on the fact that a well cap is there that the gradation around the well casing is ok. If
2 you're doing a road you can pot hole a road whether it's every thousand feet, if you don't feel
3 comfortable with the contractor maybe it's every hundred feet. We just ask for what the
4 diameter and the material is of the pipe, not the exact burial depth, the connection, it's fairly
5 general and most of that information they could obtain.
6
7 Kerr: Asks if you have in your system that these things are going to happen do you end up
8 approving the system regardless.
9
10 Robertson: If it goes to an appeal it could. I personally don't if I can't get some verification that
11 it's constructed correctly. If it's not them then it has to be me going out on site verifying that it's
12 a NSF approved pump, that the size of the tank was what was specified and that the cartridge
13 filters are the same housing that was specified.
14
15 Chair: Suggests a regulation change to give more authority, put some teeth into it.
16
17 Kerr: Asks if DEC holding a trump card with the permit doesn't work.
18
19 Robertson: Regulations say you must have a record drawing. So far we've argued for,
20 sometimes months, but we get something that we feel comfortable that, yes I've done due
21 diligence. If it's all above ground we expect you to at least have gone to the site and looked at
22 the above ground construction. It can't just be used as a cost savings, I don't feel like going out
23 there and I don't want to take any credit for what I can't inspect.
24
25 Hanson: As an example, this wasn't on a DEC system but it was on a sewage system, we have
26 taken licensing action on an individual that had signed inspection reports certifying that they
27 inspected the system when they did not. So, that's an example where we would get involved if
28 someone says they signed a certification that says, yes I inspected this septic system for this
29 house and it's all up to snuff and three or five years later the home owner is saying it's broken, it
30 doesn't work and oh by the way the individual never came out and looked at the system even
31 though they signed something. And then the back peddling, well it wasn't really me, it was
32 somebody else, well why doesn't it say this.
33
34 Robertson: We required the record drawings and I would hope that nobody would take a job
35 that made them sign-off on something they hadn't inspected or claimed they hadn't but if they
36 do a record drawing and put on the record drawing that, I did no inspection, I have no idea if this
37 correct it makes it essentially void to us and, but.....
38
39 Chair: Doesn't think we disagree with the concept, it sounds good but it doesn't really happen
40 that way in practice I think is our concern, so, uh.....
41
42 Robertson: Well if we can't enforce, that we can't give you approval if you have a record
43 drawing says you did not do the inspections we have to accept, we can't make them pay for the
44 inspections if we can't enforce that we can't accept it at the end if you don't do the inspections.
45
46 Hale: Notes if a land surveyor does a subdivision plat the give you a certification that you sign
47 and attest too, that you've done a boundary survey. He asks if they can't develop a certification
48 that's required on the record drawings that's specific to what you want.
49
50 Robertson: That's what I did at the Mat-Su Borough, I wrote a letter and handed it to them at
51 the pre-construction meeting that said, I will be performing periodic inspections, and I checked

1 that the top two feet are gravel material, that the top six inches are (unintelligible) material
2 (unintelligible). We have to watch them because they will modify and change it to say, I did not
3 inspect.....
4

5 Hale: Then it doesn't have the certification you require....
6

7 Rearick: Thinks they can develop language to require certain things. As far as vertical buildings
8 go, when we sign record drawings all we're attesting to is that the contractor said they build the
9 building with these changes and they give a marked up set of plans. We're not saying that the
10 contractor building exactly like it is represented in the plans and specs because we're not there
11 24/7 to watch. We may have special inspections that we sign-off on or that an independent
12 inspector does, such as the sprinkler system, fill materials or rebar, what have you and those
13 are attested too as a specific inspection, not specific inspection but they're not saying that every
14 bolt in the building was turned a certain amount of times or anything like that. So, there has to
15 be some separation between what you can observe as an engineer and inspector verses what
16 the contractor is actually building and the contractor needs to attest and build it to what was in
17 the plan. And the engineer can attest to what he observed during whatever sort of pre-arranged
18 agreement for inspections was and there could be specific things that DEC requires the
19 inspector or the engineer to look at what's out there. But, the way it's set up right now it's
20 causing the engineer to just blanket say, the contractor build everything exactly the way that it's
21 in here but there is really not a mechanism for him to say that honestly and verify that. So those
22 are the kind of things we need to talk about tomorrow an.....
23

24 Chair: Adds it's kind of yes/no questions, is this done yes or no, in there an inspection process
25 instead of an overall....
26

27 Rearick: Thinks there are some regulation changes that can happen that will actually meet what
28 you guys are trying to achieve and make so the engineers are in compliance with our
29 regulations.
30

31 Chair: Hopes he is sensing that we support his charge of making them safe systems. We all
32 appreciate that. I think that maybe through the work group that we are working toward
33 tomorrow that maybe through the experience of other people, maybe some examples may
34 come out of that, you can take over to other industries. He encourages Mr. Robertson to return
35 tomorrow and we will continue the discussion with Vanessa and this gives us time to mull this
36 over and maybe have some other ideas. He thinks having a group brainstorming is a good
37 idea.
38

39 Robertson: Thanks the board for their time.
40

41 Chair: Asks if there are any other comments or questions.
42

43 Schedler: Asks if this isn't the same issue that Mr. Miller from Design Alaska brought to the
44 Board.
45

46 Rearick: Up in Fairbanks, yes.
47

48 Schedler: Suggests he might be a good person to have on the working group because he has a
49 working knowledge of the issue.
50

51 Chair: That's a good idea, thank you. He moves on to 7.b.2. regulation changes.

- 1 a. 12 AAC 36.062 Eligibility for the Fundamentals of Engineering Examination.
- 2 b. 12 AAC 36.063 Engineering Education and Work Experience Requirements.
- 3 c. 12 AAC 36.064 Eligibility for the Fundamentals of Land Surveying Examination.
- 4 d. 12 AAC 36.065 Eligibility for Professional Land Surveyor Examination.
- 5 e. 12 AAC 36.071 Standards of Practice for Land Surveyors.
- 6 f. 12 AAC 02.110 Architects, Engineers and Land Surveyors, Fees.

7
8 Jones: Those regulations are presently being reviewed by the Division as part of their PRRF
9 process.

10
11 Chair: Any questions or comments? Item 7.c. Regulations signed by the Lt. Governor.
12 1) 12 AAC 02.110 Architects, Engineers and Land Surveyors, Fees. (This is the fee
13 change submitted by the Division.)

14
15 Jones: That was the fee changes. It was signed by the Lt. Governor and goes into effect at the
16 end of the month.

17
18 Chair: Moving past the break. He things the timing on the break was good.

19
20 **Agenda item 11 – Board Correspondence Received Since August 2013.**

21
22 A) CLARB:

23
24 Hanson: Is glad they made their emails smaller.

25
26 B) NCARB:

27
28 Rearick: Unless it's on the agenda somewhere else where I didn't see it. We're going to end up
29 talking about the Canadian Agreement that NCARB wants us to vote on this time. So, rather
30 than get into all the NCARB a few minutes before lunch I was wondering if we can do it after.

31
32 It was decided to have this discussion after Public Comment.

33
34 Rearick: Asks everyone to review item 9.B.3. before the discussion this afternoon. It's the
35 Mutual Recognition Agreement between NCARB and Canada.

36
37 C) NCEES:

38
39 Jones: On item one about early testing for the PE. I asked the other Board how many allow that
40 and was going to include their responses but didn't get them printed.

41
42 Hanson: Quite a few do and this was an action items at the NCEES meeting and I believe it
43 passed. He believes that this Board voted to not support this at the meeting prior to the last
44 NCEES meeting. He notes that several jurisdictions allow testing right after graduation with no
45 experience. Texas is one of them.

46
47 Jones: Will copy all the responses for the next Board Packet.

48
49 Hanson: Expects to see changes over the next 10 years as jurisdictions shift.

50
51 Koonce: Asks what our position on it was.

1
2 Hanson: We were not in favor of it.
3
4 Chair: Adds that our position was that it was an experience based exam so it's not experienced
5 based if you take it right out of college and don't have experience.
6
7 Koonce: Asks if the National Organization doesn't thing experience is important for the exam.
8
9 Hanson: Explains that they do a PAKS study every couple of years on all the exams and it's
10 licensed, registered professionals that are surveying it tell them essentially what's important,
11 what needs to be on the exam etc. and if industry is telling them what needs to be on the exam
12 then that is what goes on the exam.
13
14 Chair: Thinks this was to increase the pass rate provide an easier path to licensure.
15
16 Hanson: Wouldn't say easier path because you're still taking the exam. He personally supports
17 it. He thinks the goal is to get more people licensed. It's getting one hurdle out of the way.
18 Now that Patty is President of NCEES there's also a move to get more women involved in
19 engineering. Just as an example women graduate they may go work for 4 years and they may
20 work for 10 years but a lot of folks, along the way, like to have a family and then they get
21 separated from the profession. Some do, some don't but that's a hurdle so, then you go away
22 for 3 or 4 years then you've got to come back and take an exam. Now you're 10 years out of
23 school instead of 4 years like their male counterparts. That's just an example of why they want
24 to get more people registered.
25
26 Kerr: Asks if this isn't just combining the fundamentals exam with the professional exam.
27
28 Hanson: That's one of the arguments.
29
30 Chair: Asks if there are any action items.
31
32 Hanson: No, it's just something that's going to be coming back as more jurisdictions move
33 toward it.
34
35 Chair: Any other NCEES comments?
36
37 Hanson: Asks if we got our exam notifications taken care of:
38
39 Jones: Explains that since the regulation change hasn't been approved yet we are still on the
40 manual method. We are not enforcing the deadline. If they get their application to us we are
41 letting them sign up. Basically telling them mail us your application and then go sign up with
42 NCEES.
43
44 Chair: Vern noted that there is some literature over on the table for outreach. He quickly reads
45 through the rest of the items and asks if any require a response.
46
47 Jones: Item D (email from Richard Rogers re mentoring program), E (invite to the APEGBC
48 meeting), G (Letter from Robert Scher re Seismic Hazards), you and I will get together to
49 respond to H. I have a couple of requests for extension to meet the CE requirements. One of
50 them a course full by the time he got to it and he can take the January course but he won't be
51 ready by the end of the month. There was another one, this is what I want to do to meet the

1 requirements but it's not available until January.
2
3 12:02p.m. The discussion was stopped to break for lunch.
4
5 1:02p.m. On record. Roll call, all present except Maynard.
6
7 Chair: OK, we left off on item 9 D. Email from Richard Rogers regarding the mentoring
8 program.
9
10 Jones: Explains that there were two emails on this subject from the same individual asking if
11 another discipline could mentor and also suggesting evolving technology (SKYPE) could
12 replace face to face meetings.
13
14 There was some confusion from the new members on what the mentor program was.
15
16 Jones: Explains that it is a 4 year program to provide a way to document experience when an
17 individual's immediate supervisor is not registered or not registered in the same discipline as the
18 applicant. The applicant finds a mentor in the same discipline that agrees to mentor and they
19 meet quarterly, go over the applicants work and submit reports for the applicants file.
20
21 Hanson: It's on page 17 of your regulations. He then reads the regulation. So under the
22 regulation they cannot use a mechanical engineer if they are applying for electrical. Face to
23 face I would argue, well I guess in the strictest sense would be that it's sitting in the same room.
24 With technology now and video conferencing, there is some benefit to being able to see the
25 individual you're talking with and expressions and.....
26
27 Jones; SKYPE is actually face to face.
28
29 Hale: Thinks it is more important that the mentor be in the same discipline rather than face to
30 face.
31
32 Chair: Points out that the universities are doing education through distance learning and with
33 the distances challenges that our state faces it seems like a reasonable concept. Maybe give it
34 to the Licensure Implementation committee, does that seem like the appropriate committee?
35 Maybe assign a task for the next meeting. It seems like a good topic to address.
36
37 Rearick: That sounds like a good thing to do.
38
39 1:06p.m. Maynard arrives.
40
41 Chair: So, we've got Colin as chair, myself, Don, Rearick, Hanson that seems like enough
42 people.
43
44 Maynard: What am I doing?
45
46 Chair: Explains the assignment.
47
48 Hanson: Do we need to respond?
49
50 Chair: Will respond.
51

1 Schedler: Points out that there is two parts to the question and she is in favor of saying the
2 Board is going to review what face to face means and whether video technology is appropriate
3 to broaden the definition but she is not in favor of an out of discipline mentor.
4

5 Chair: Notes that we have an invitation from APEGBC to attend their meeting and asks Vern if
6 he has any comments.
7

8 Hanson: I got one from APEGGA and they said just come we will pay for everything.
9

10 Jones: Adds that they are lobbying for reciprocity and we can't accept that kind of thing from
11 them. He notes that there was an earlier email asking if he and the Eric could and he had
12 already sent them regrets and that this email was just asking if someone else could come. The
13 meeting has already passed. He adds that we usually get these every year and asks if the
14 Board wants him to request out of country travel next time one is received. They can't say no
15 unless we ask.
16

17 Chair: We will cover that when it comes up. Do we want to move to the Public Comment
18 period?
19

20 **Agenda item 13 – Public Comment.**

21
22 Chair: Invites Dale Nelson to the table.
23

24 Nelson: For the record my name is Dale Nelson, I'm her for the Alaska Professional Design
25 Council Legislative Liaison Committee. Just giving you an update, kind of walk through it pretty
26 fast, a couple of these you have already gone over. As many of you know the 28th Legislature is
27 going to start the 21st of January and of course I'm going through these because it builds up to
28 what we are doing here and then you have your meeting in January 30, 31. We're not going to
29 join you this year we are going to be on the week of...excuse me AGC is going to be on the
30 week of February 3rd and then APDC is going to be Tuesday the 11th and Wednesday the 12th of
31 February. So, we are going to be about two weeks after you guys adjourn. I guess so you can
32 do some travel, for once.
33

34 Jones: It's possible that they may cancel that meeting so we can adjust the Board meeting
35 dates if we need to.
36

37 Nelson: If it doesn't, it's always been great because I said all of that because it gives you a date
38 product progression here and then I've got the APDC's 20014 Legislative action items and of
39 course it's HB167 which is on your agenda. That's the first one we have there and also then the
40 next one we have is HB187 and we've got some work to do on that, probably more me than
41 anybody else to understand what's taking place, what's on. We just did a fees increase or dues
42 whatever they call it and how does this all flow on with the position, I haven't been given a
43 position from the Board anyway yet. But I haven't taken anything to them either, so, Colin sits
44 here so I can ask him for his help, so, that's on our list. The next item that we have on our list is
45 the University of Alaska engineering facilities. I haven't seen where the UAA President and the
46 Board of Regents, what their priorities are and what has been submitted. John Walsh, our
47 lobbyist hasn't given anything back yet, what's been submitted to the Governor so kind of where
48 we're at. There still a need of \$60 plus million dollars out there to finish UAF and finish UAA
49 building. We might have to be going to alternative types of funding. Then the Qualification
50 Based Selection, QBS is another one. We are not looking to push for a bill this time, however,
51 there is an active committee ongoing, right now, it's uh, they've just finished a presentation to

1 the AIA last weekend I think it was and Kathrin Fritz, Juneau and Janet Matheson, Fairbanks
2 and Colin is the lone engineer in that group. I heard it had good reviews. So, we're working on,
3 the goal is to inform, educate and then work toward getting some kind of legislation through that
4 tidies it up and brings it too, so that it's a better understanding of what's taking place. Those are
5 the legislative items that we have on our list right now and I've got a blank spot right there and it
6 usually gets filled in. Other items, Don is speaking next Tuesday at ASCE at the luncheon and
7 his talk is pertaining to the licensing fees increase and HB187. So, we'll have that opportunity
8 and that's going out that the Anchorage branch of the ASCE is the host but it's going out to all of
9 our APDC membership. If your so inclined to attend it's going to be at the Moose Lodge, the
10 doors open at 11:30. He asks if there is anything he needs to add to his list.

11
12 Chair: Thanks Dale. He mentions the discussion with DEC.

13
14 Maynard: Adds that they could be part of the work group.

15
16 Chair: Briefly explains what the discussion was about.

17
18 Nelson: It would be a good opportunity to get some of the APDC members involved a lot of
19 them work in that field.

20
21 Chair: Asks if any member will be attending the meeting that Don is speaking at.

22
23 Maynard: I'll be there.

24
25 Chair: Asks him to report back.

26
27 Maynard: Architects can come too.

28
29 Rearick: Asks what day it was.

30
31 Nelson: Tuesday the 19th at the Moose Lodge, doors open at 11:30. We are expecting a
32 crowd.

33
34 A short free for all followed on the number of attendees, date and time again and the possible
35 frame of mind of the attendees.

36
37 Chair: Thanks Dale for his report. We will leave Public comment open for a while. NCARB item
38 9.B.

39
40 Rearick: Notes that most of the items are just periodic updates on what's going on with
41 NCARB. One specific thing I wanted to go over, at the last meeting they had asked us to review
42 the Mutual Recognition Agreement with Canada. At the NCARB Annual meeting we voted to
43 approve this agreement. In order for them to ratify it they need at least half of the Member
44 Boards to sign-off on the agreement. So, I wanted to talk about that see if we can end up
45 getting a vote one way or another. If this Board wants to sign on and also if there are any
46 conflicts with our regulations. He asks everyone to go to 9.b.3 and really that second page after
47 the e-mail, it's just a letter talking about it. To preface there was a 1994 agreement that this
48 would basically be replacing. I don't know if we signed on to that or not, they made it sound like
49 just about all the Board had except for New York an another one but I never really knew
50 anything about it prior to this. The essence of what this agreement states that NCARB and the
51 Canadian Architectural Licensing Authorities (CALA) have reviewed each other's standards and

1 their methods of internship, testing and experience and basically agreed that they're reasonably
2 the same and the outcome is the same. And in particular it says the new MRA respects
3 changes to both, the IDP and the Canadian IAP as well as the introduction of Canada's own
4 professional exam, the examination of architects in Canada accepts in lieu of the ARE. Right
5 now what we require in our licensing is that all candidates take the ARE whether licensing by
6 exam or by comity. But we also allow under comity that they can have an NCARB Certificate as
7 basically their proof or evidence that they've met the requirement. Basically the way this is all
8 being put forth by NCARB is that they feel, after a lot of deliberation and examination of the
9 Canadian system that it's largely the same. So if we were to sign this we're basically saying
10 that we will license those candidates from Canada that have Canada as their home country,
11 have been a licensed architect in Canada, and I think they have to have at least one year of
12 being a licensed architect, but they don't have to take the ARE and they don't have to go
13 through our IDP because we're basically recognizing that it's equivalent. If somebody gets
14 license in Canada through the Broadly Experienced Foreign Architect program then they
15 wouldn't qualify for this. So they have to be a practicing architect licensed in Canada through
16 the Canadian process. That's basically the gist of it. In looking through our regulation under
17 architect registration by comity we say the board may issue a certificate of registration as an
18 architect to an applicant who 1, documents education, passage of the NCARB Architect
19 Registration Examination, that's the first item and then you come down to c of that section and it
20 says, an applicant for a certificate of registration as an architect by comity under this section
21 may submit a Council Record issued by NCARB to verify the applicant's qualifications including
22 examination results, education and registration in another jurisdiction. So, I think that particular
23 paragraph would allow us to license those Canadian architects provided they had the NCARB
24 Certificate which NCARB would issue to Canadian architects that apply that met the
25 requirements in this agreement. So with that I ask for a discussion
26

27 Hanson: So basically they are going to give them an NCARB Certificate automatically?
28

29 Rearick: They have to apply and show that they have met the Canadian side of it then they
30 would get an NCARB Certificate.
31

32 Hanson: And then they would be qualified under c because they've received the NCARB
33 Certificate. What the process now for that?
34

35 Rearick: Probably the only they would be able to do it is if they took the ARE. They could apply
36 by comity if they were licensed in another state and had taken the ARE. So really the ARE was
37 kind of the big sticking point for a long time and also now with the changes in the IDP. All in all
38 though it's NCARB's opinion that it's equivalent, there's slight differences here and there.
39

40 Chair: What about the reverse direction?
41

42 Rearick: Same thing, Canada would recognize the Americans that wanted to get licensed in
43 Canada as long as they had the NCARB Certificate.
44

45 Jones: Asks if the examination results they use to get their NCARB certificate are the exams
46 they took to get their degree. They are not taking any exams other than what the school gave.
47

48 Rearick: I believe that's correct.
49

50 Chair: In Canada that's similar to the engineers their post exam is more of an ethics exam.
51

1 Jones: It's business practices and ethics, they do the same thing, they rely on their degree to...
2
3 Rearick: Kind of a footnote to this too is that NCARB's moving in the direction of trying to
4 combine schooling, examination and experience as one process. They're trying to get a school
5 and jurisdiction to get onboard with kind of a pilot project along those lines. We could see
6 where the ARE is taken much earlier. Already you can take it earlier, you don't have to
7 complete your IDP before you take the architect examination so they're already making a move
8 in that direction and with the IDP they're making it so now you can achieve your credits for IDP
9 while you're in school verses getting out and then starting your IDP and the period of time that
10 you get it you don't have to work for a company for x amount of time before you can actually get
11 credit. You can be home during Christmas break and get credit towards your IDP.
12
13 Jones: Summer internship?
14
15 Rearick: Yes exactly.
16
17 Chair: Asks if there is a timeframe on any action by us.
18
19 Rearick: Yes, basically they need to get the jurisdictions onboard with it prior to December 31st
20 of this year and they have a Mutual Recognition Agreement form in here that they would like us
21 to approve and sign.
22
23 Chair: Asks what happens if we aren't ready to do that.
24
25 Rearick: We don't have to. We can as a jurisdiction agree to it, not agree to it, we can join it
26 later at another date, we can also if we do join it we can resend it over a 90 day period. So
27 there's nothing obligating us to do anything with this and like I said I think they need 50% of the
28 Boards in order for the agreement to be.....
29
30 Chair: Asks if we have a feel for how our architects feel about it.
31
32 Rearick: Has no idea how the architects in the state feel about it. At the NCARB Board meeting
33 it passed 47 to 3 and I think that New York and a couple other were the only ones that had
34 objection to it.
35
36 Hanson: How are Canadian architect applying now to Alaska?
37
38 Rearick: We don't have a mechanism to license them by comity or any kind reciprocal type of
39 license. They need to go through the process as anybody else.
40
41 Hanson: Notes that the engineers go through the same process as everyone else. He has a
42 question on c.4., registration in another licensing jurisdiction, I wasn't sure if Canada was
43 included as another jurisdiction.
44
45 Rearick: They're not one of the jurisdictions that uh.....
46
47 Hanson: My point is that b. applies to basically getting an NCARB Certificate that includes
48 exams, education, experience and registration in another jurisdiction. So, can we, under our
49 current regulations, even license them if they get that NCARB Certificate? You know if this
50 goes through as an agreement.
51

1 Maynard: The way I read this is that if an applicant has an NCARB Certificate then that satisfies
2 examination which is a.1. and the work experience is a.2. then the current registration is b.2.
3 and I guess work experience is also a.2. So if they have an NCARB Certificate it doesn't matter
4 if it's a Canadian jurisdiction instead of a State.
5

6 Hanson: My point is, they have a proposal here, if we can license an architect under our current
7 regulations with them if they got this, then personally I would support that because we are going
8 to say we agree with this, we have a process that's already in our regulations they can start
9 applying tomorrow and get it passed. Where if our regulations allow for them to apply to us then
10 we ought to have a regulation project before we support it. I guess we could support it and then
11 get a regulation project going
12

13 Jones: Canadians can be licensed as architects as long as they meet the same requirements
14 as any other person in the U.S., they have to take the ARE, and they have to have the
15 experience.....
16

17 Hanson: This proposal is saying they don't have to do that.
18

19 Rearick: The section I quoted was under registration by comity and under registration by comity
20 if you're licensed in another jurisdiction and you have an NCARB Certificate you're golden. If
21 you don't have the NCARB Certificate then there's some other criteria that you have to meet.
22

23 Maynard: Thinks that right now if a Canadian got an NCARB Certificate whether the agreement
24 went through or not, they have the NCARB Certificate, that satisfies the education and all that
25 so all they would have to do is take the ARE and probably the seismic exam.
26

27 Rearick: And this agreement doesn't preclude any special requirements the state has.
28

29 Maynard: That doesn't satisfy these other thing that everybody has to do like the jurisprudence
30 questionnaire.
31

32 Koonce: There are people that work for our firm that have Canadian citizenship, went to school
33 at Montana State, took the ARE, and met all the educational, testing requirements all the intern
34 development program requirements and became licensed in the State of Alaska.
35

36 Rearick: So they basically went through the registration by examination like anybody would.
37

38 Koonce: And all we're saying in this document is that the equivalent process that NCARB has
39 agreed to the Canadians is on equal ground. So, I could apply if I wanted to go to work in
40 Toronto, I could do that anyway right now through comity. But this makes the process uh what
41 do you call it?
42

43 Maynard: Doesn't think a regulation project is necessary, it won't be reciprocity because it will
44 be comity they still have to do the ARE, the seismic exam and jurisprudence.
45

46 Koonce: Doesn't think there is language in our regulations that address this.
47

48 Maynard: There doesn't need to be. They will have the NCARB Certificate.
49

50 Kerr: Reads a portion of the agreement that says the undersigned will not impose any
51 additional educational, experience or examination requirements which is in conflict with arctic

1 engineering.
2
3 Chair: Are we informed enough to make a motion?
4
5 Schedler: Doesn't understand what the benefit of signing the agreement would be.
6
7 Rearick: There's already an avenue for people to get licensed. I think what it's trying to do is
8 it's trying to enhance the cooperation between the two countries to allow people to, not just
9 Canadians that come down here but Americans can go up there because I think we have the
10 same problem with Canadians if they say well the ARE is not the same as the exams that we
11 give then we won't be able to get licensed up there either.
12
13 Schedler: But doesn't this agreement, as this gentleman said, negate our requirement for arctic
14 engineering and seismic?
15
16 Rearick: No it doesn't.
17
18 Maynard: Reads another paragraph that says that the authority may impose compliance with
19 local laws and requirements that apply to all domestic applicants seeking reciprocal licensure.
20 And we require, whether you're from Florida or Alberta that you take the arctic, seismic and
21 jurisprudence. They are no different than anybody else.
22
23 Rearick: It's not intended to supersede any requirements that you have for all your licensees.
24
25 Hanson: We require a social security number don't we?
26
27 Do we?
28
29 Hanson: I don't know, that's a Vern question.
30
31 Maynard: Not if you don't have one, that's just so they can get you if you're not paying for your
32 kids.
33
34 Chair: Asks for a recommendation to move this forward, or get more information or can we
35 make a motion.
36
37 Rearick: I can make a motion and we can vote on whether or not we want to approve this.
38
39 Kerr: Wants to hear what the other architects in Alaska say about it before he votes on it he
40 would hate to do something as a Board that the membership felt was contrary to their best
41 interests.
42
43 Chair: Asks if that is possible.
44
45 Rearick: Will ask AIA to do a membership survey.
46
47 Chair: Thinks that is a good idea.
48
49 Maynard: Has a problem with it because we are not here to protect turf we are here to protect
50 public safety and what the architects think about this has nothing to do with public safety.
51

1 Rearick: Feels that they could have valid comments that effect public safety. And just for
2 reference as far as turf goes under the old agreement I think they said that there has been 300
3 Canadians that have got licensed in the U.S. and there have been 900 Americans that have got
4 licensed in Canada since the beginning of the program in 1994.

5
6 Chair: It seems fairly acceptable by the architectural body.

7
8 Rearick: Will solicit comments and we can vote on next meeting. This will not meet NCARB's
9 objective but that's irrelevant to us and they may already have enough right now.

10
11 Chair: Would feel more comfortable with that process.

12
13 Rearick: One more comment, I believe they said this at the NCARB National meeting when
14 they were talking about was you would think it would be all the neighboring countries that you
15 would get this cross licensure but it's not so, it tends to be the bigger cities whether their
16 neighboring or not. L.A. in California and some other states, Miami, a lot of people doing work
17 there. As far as the turf thing goes, just because we are next to Canada doesn't mean a bunch
18 of Canadians are going to come wanting to do work here and even if they did they are probably
19 more qualified than somebody from Florida.

20
21 Chair: Thinks that is a good direction to go and asks Richard if he has any other NCARB
22 comments.

23
24 Rearick: Mentions that they can start earning IDP credits immediately and they can earn it in
25 small chunks, there a lot more different categories you can earn it from. There are some
26 changes to the Broadly Experienced Architect Program to streamline it a little bit and make it a
27 little bit less expensive so that people won't have to go through the whole process if they didn't
28 need to, to be able to verify their education or work or whatever. NCARB is always evolving and
29 there's always new ways that they are trying to make the profession better and also streamline
30 things and make them easier for people to do as well.

31
32 Chair: Recognizes another guest and asks if he has comments.

33
34 Craig Bledsoe: Introduces himself but is just here to observe at Colin's invitation.

35
36 Chair: Item 9.f. comments re the fee changes. Item g. the Seismic Hazards Safety
37 Commission. He comments that we have talked about his quite a bit and are trying to move it
38 ahead.

39
40 Maynard: Acknowledges that the chair had him to write a letter but he hasn't had a chance to
41 yet.

42
43 Chair: I think that would help kind solidify the movement and give us something to agree to or
44 not. He asks Colin to tell us again what his thoughts on a position are.

45
46 Maynard: Our position is that we do believe that civil an structural engineers are educated and
47 tested on seismic engineering and that if we do adopt this regulation change that makes it
48 supplemental, that significant structures will be designed by somebody who is a structural
49 engineer, not just any civil engineer and we do not believe adding a 2 hour test or a 4 hour test
50 is going to increase the expertise any.

51

1 Chair: Felt that Colin was best informed to draft a statement of that nature for us to make a
2 motion on. It's kind of an important subject I think we're all in agreement.
3

4 Maynard: I can try to get one done tonight and bring it back for tomorrow if you want.
5

6 Chair: Item h. we are skipping for now. Item i. Art Saarloos request for extension to meet CE
7 requirement for renewal.
8

9 Jones: He wants an extension until April to meet the requirements.
10

11 Kerr: Asks if that's within our purview to do.
12

13 Chair: Asks if anyone has any thoughts on how to handle this.
14

15 There was some question as to whether this should be in executive session or not.
16

17 Chair: Asks if anyone has any feeling for why we would grant an exception.
18

19 Kerr: If he's located remotely an making a good faith effort to increase his knowledge that
20 would be a good reason to allow it.
21

22 Chair: Asks if anyone thinks if we grant this it would have any effect on past or future requests
23 of this nature.
24

25 Hanson: We've never granted an exception.
26

27 Jones: He's not asking to be relieved of the requirement he just wants until April to do it.
28

29 Hanson: That to me is an exception because he's asking to do professional surveying without a
30 license.
31

32 Jones: What he is asking for is to be able to renew his license at the end of this year and have
33 until April to meet the CE requirements. He wouldn't be unlicensed he's just asking for an
34 extension to meet the CE requirements.
35

36 A short discussion centered around the fact that he has had two years to do his CE and
37 shouldn't need an extension to meet the requirements. This request doesn't meet any of the
38 criteria in the regulation for an extension. It was also pointed out that there is plenty of time
39 remaining in this period to complete the required CE. It is acknowledged that this is a good
40 course but the CE for this period should have already been done and then he could take this
41 course for next time.
42

43 Chair: Moving on, we covered item 10. I guess we are on item 11, old business.
44

45 **Agenda item 11 – Old Business.**

46 A) Examination Retakes

47
48
49 Walters: Reports that this has been on the agenda for a while and refers the Board to the
50 research included in the packet. He feels that our present system is meets our mission goal
51 and no change is needed.

1
2 Maynard: Feels that with CBT they will be able to take it up to 3 times a year without re-
3 approval and it will probably be the same when the PE goes to CBT. He thinks it will be a non-
4 issue.
5
6 Hanson: Gets the opposite take on CBT. They could fail it three times the first year and if they
7 then fail it two times the second year then they have to reapply.
8
9 Schedler: Asks if anyone has a sense of what the statistics are in retakes. She mentions that
10 this came up when reviewing an applicant who was on their 4th or 5th attempt.
11
12 Jones: This came up because you were reviewing an applicant's third application. They had
13 already failed it 10 times and you asked why we keep letting them take it.
14
15 The discussion continued with the points being made that it is not the Boards mission to make
16 people pass the exam and that there are many reasons why someone may not be able to pass,
17 experience base not broad enough, raising children, too busy to study properly etc.
18
19 Jones: Recommends that once all the exams have shifted to CBT that the requirement to
20 reapply be dropped. Once approved an applicant is approved until they pass it.
21
22 Schedler: Asks what the final decision is.
23
24 Chair: Thought that the gist of the conversation was to leave it as is.
25
26 Schedler: Asks if that is how everyone feels.
27
28 Jones: Suggest that if everyone isn't in agreement that some make a motion for a regulation
29 change and see if it is voted up or down.
30
31 Chair: Or we could keep the committee active.
32
33 Schedler: Doesn't think that letting someone keep taking the exam 5 or 10 times speaks well of
34 the profession. She doesn't think that the Medical Board or many of the other boards allow it.
35
36 Chair: Asks how to draw that line.
37
38 Schedler: Suggests that there be a waiting period. If they fail 3, 4 or 5 times they have to wait a
39 year.
40
41 Hale: Compares it to the DUI argument. We have minimum standards and once you have the
42 experience how you pass it is irrelevant. How do you set a number of DUI's?
43
44 Hanson: Points out that the regulations say you may apply for reexamination no more than 4
45 times in 5 years. So, if they fail it 5 times in a year and a half they have to wait 3 and ½ years
46 before they can reapply. He also mentions that with CBT you don't have to be in the state
47 where you apply so someone could fail 5 times in Alaska and then apply through another state
48 and continue to take it.
49
50 Discussion continued with no new points. The final result was that it be dropped from the
51 agenda.

1
2 B) Electronic Signatures.
3

4 Rearick: Thinks this should be shifted to the Registration and Practice committee. He mentions
5 NCARBS new Legislative Tracking tool and there was a state that had some proposed
6 regulations on electronic signatures but he couldn't fine it. But this will be one of the
7 mechanisms he uses to see how other states handle this. He doesn't think this should be an
8 old business item.
9

10 Koonce: Asks if there are any problems or issues with how they are used in this state.
11

12 Rearick: Yes and no. This issue is that we have a requirement to keep an original document so
13 when someone signs electronically what is the original document? Is a print out or is it the
14 electronic document? No one seems to want to look at regulation changes right now. NCARB
15 changed the Model Law to reference electronic signatures but that's about it. Idaho adopted
16 what applies to all their government bodies and we have a section in our, I don't know if it's
17 Statutes or Regulations that deals with electronic signatures but it doesn't necessarily apply to
18 industry. It's dealing more with official documents, banking documents etc.
19

20 Koonce: So this is more than just sealing a plan with your electronic signature.
21

22 Rearick: A lot of people when thinking of an electronic signature are think of an image of their
23 signature that is put on the documents. But it's a bigger issue than that.
24

25 Hanson: It's really a digital signature.
26

27 Rearick: Could that digital signature just be encrypted code, and then what is that original
28 document? Right now we are required to keep a copy of our original document.
29

30 Discussion continued for a few minutes on how to do this with no new points made. The
31 recommendation is to continue to monitor through the regulation and practice committee.
32

33 C) Ethics Regulation
34

35 Hale: Has gone through the requirements of other boards and came up with a list of things then
36 looking at our regulations it seems most everything is already covered. He didn't see anything
37 in our policy document about it so we might want to put something there.
38

39 Jones: You had a good lead in paragraph in the first draft you submitted. That might be
40 something the Board could adopt as a policy.
41

42 Rearick: Thought that the Code of Professional Conduct covered this.
43

44 Hale: Thinks it does too and doesn't think we need to do anything.
45

46 The discussion continued around whether something should be put in policy or in the Guidance
47 Manual and Hale offered to put something together tonight and present it to the Board
48 tomorrow.
49

50 Shiesl: Reminds the board that he did this a couple years ago and came to the same
51 conclusion that it is already covered in regulation.

1
2 Chair: Think about it a bit more and we will talk about it tomorrow when we get to the Guidance
3 Manual. He asks if there are any more topics of discussion before we entertain a motion to go
4 into executive session.

5
6 Jones: Sometime between now and tomorrow you need to review 17B. They want you to
7 weigh in on their regulation change.

8
9 Koonce: There are already committees looking at this, I was on the Anchorage committee,
10 different than the State. They want us to endorse it?

11
12 Rearick: In the past the State hasn't really had a committee per-se. I think they are just asking
13 for a look see.

14
15 Jones: Reads the lead in email that asks the board to review and provide comments.

16
17 Chair: Decides we will review and discuss tomorrow and asks for a motion to go into executive
18 session.

19
20 **On a motion duly made by Maynard, Seconded by Koonce and passed unanimously it**
21 **was RESOLVED to go into Executive Session in accordance with AS 44.62.310(c)(3) to**
22 **review applicant files.**

23
24 2:22 p.m. Off record in Executive Session.

25
26 5:07 p.m. Recessed for the night.

27
28
29 **Friday November 15, 2013**

30
31 9:00 a.m. Meeting reconvened. Roll call, all present.

32
33 Chair: Asks if they need a motion to come out of executive session.

34
35 Jones: You can't make a motion in executive session so when you recessed you were out of it.

36
37 Chair: Asks if there are any additions to the agenda.

38
39 Kerr: States that regarding the DEC certification issue he feels he understands it but got the
40 impression from the discussion that this in an internal issue that they could solve on their own.
41 He asks if that is correct.

42
43 Chair: Thinks that is the Boards interpretation.

44
45 Kerr: Then the question is is there regulation that prevents them from doing that are they
46 mandated to approve these drawings if given this record drawing. Are their hands tied, do they
47 need our assistance?

48
49 Chair: That might be a question for her.

50
51 Hanson: Gives some history. This has been around longer than some of us. The issue here is

1 we've gotten comments from engineers and from DEC on both sides of the fence saying hey it's
2 the engineer, they're saying DEC is asking us to sign something we can't sign, and do we have
3 to sign it? The Board position, as far as I'm ware has always been if you're under contract with
4 that agency or an individual you need to meet their requirements. They are not doing anything
5 wrong by asking them to sign that, I mean it's not a violation of our regulations. So on the other
6 side we were getting DEC, and that was kind of some of these questions, I think 11.a. where
7 Harley had sent a letter so this is 2 or 3 years ago now, basically clarifying the Boards position
8 based on the Statute and Regulations, what they could or couldn't do. This was when Harley
9 was chair so it's been going on at least 3 ½ years and I know it was going on before that.

10
11 Chair: Thinks that was why Mr. Robertson was here. As people turned over in DEC he was
12 following up on some of the correspondence between his predecessor and Harley.

13
14 Maynard: The way I understood it is that we had said the only way you can stamp those
15 drawings is if you know they are accurate. You had to be on the site or gone out an done an
16 accurate as-built. You can't just do it off some drawings that are submitted by the contractor
17 saying this is what I built. Because they are not developed under your direct supervision and
18 you don't know that they are accurate. He refers to a situation where got some as-built
19 drawings on a school and he knew there had been changes that were not reflected on the
20 drawings.

21
22 Kerr: The DEC engineers, I believe, are probably bright individuals and understand that if they
23 have an inspection check list early on as part of their contact this could have an effect, it's not a
24 novel thing so their coming to us instead of simply implementing it. Do they need our
25 assistance doing something to make this work?

26
27 Chair: That might be what we might offer today, maybe that work group idea. We are trying to
28 find ways to be of assistance. I'm not sure we know exactly how to do it.

29
30 Maynard: One thing I thought of yesterday is that they could require that one of the regulations
31 is the contractor will hire an engineer to do an as-built survey of the, it doesn't have to be the
32 one who designed it, whoever they want to hire to do an as-built survey, or record drawing of
33 that and they would go out there and measure everything and see where everything is and
34 stamp that drawing and submit it as an as-built.

35
36 Kerr: But it's outside of the purview of this Board to uh, we can't adopt regulations that are part
37 of the DEC water regulations. What can we do there?

38
39 Rearick: Doesn't think we need to change our regulations. He thinks the problem is on their
40 side and what they want from us is to get some perspective on both the regulatory side, the
41 regulations that we have and perspective as professionals that deal with this issue on the other
42 side. Because they are all on the regulations side and they don't quite know how to solve those
43 issues on the engineering side and what's in conflict with our regulations. So, I don't think we
44 have to take any action on our part. I think it's just offering them some insight.

45
46 Chair: So I think in summary we have reiterated several times that the approach that they keep
47 presenting to us is something that we don't agree is acceptable to our regulations and our
48 registrants so we are kind of trying to get them to try some other methods. I don't think they
49 have found a path that will work yet so I think that is the perspective we might be able to help
50 them with, give them some ideas.

51

1 Maynard: Yes and it could be that they change the regulation to say that on all water systems
2 you'll have an engineer on site all the time or visit once a week or whatever so that they can
3 actually do what they want which is a stamped drawing that says this is accurate.
4

5 Chair: Isn't really familiar with what goes out in the field. He kind of has a sense from the
6 discussion yesterday that they have some oversight issues on these projects which tend to be in
7 most of our work practice, I think, dealt with contractually and either there is compliance or
8 cause and effect in the contract. It either happens the way you wanted or there is a
9 consequence or, vice a versa, a reward. I think that all these ideas they're talking about to kind
10 of add some more detail to their contracts with these permitting processed that they are going
11 through and having some teeth to enforce them to get what they want. Because it sounds like
12 they are having some problems with the end products that are being permitted.
13

14 Kerr: The thing that I don't understand is that they are offering proposed revisions but they are
15 in AAC 18. Are they looking for us to endorse these proposed revisions? I don't quite
16 understand why they are here.
17

18 Hanson: I think what they are looking for, this was a previous work group and it never got, this
19 was a proposed change back in 2007 after years of working together and it never went through.
20 So this, I wish we had a copy of that regulation because their regulations now are, and Harley's
21 letter indicates that they are in conflict with ours. But that was the idea, that they would clean
22 those up.
23

24 Chair: So we think they may need some regulations changes?
25

26 Hanson: Agrees and sees us as more of an advisory role, he doesn't see a Statute or
27 Regulation change on our part.
28

29 Maynard: To help them understand if their regulations meet our standards and what the
30 practice is out there. They may have to change the practice. What it is is that the owners don't
31 want to pay to have an engineering sitting there watching the contractor and the engineer
32 doesn't want to stamp anything he doesn't know is accurate and DEC wants accurate drawings
33 which they're not getting.
34

35 Chair: Asks Hanson if he had any comments on the old drafts.
36

37 Kerr: Before you even go there, Vanessa's request, that formation of an engineering work
38 group, it says here, engineering verification. I don't think that should be addressed. That's an
39 engineering thing that relates to DEC regulations. I don't understand why they're coming here.
40

41 Hanson: Because they've had years of correspondence with us where we're saying your
42 regulations are in conflict with our regulations. We're kind of the middle man here between the
43 engineers and DEC.
44

45 Maynard: And it's similar to the Fire Marshall's letter to us, you know, should we adopt these
46 codes? That's not our bailiwick, go ahead. But we are the architectural and engineering face for
47 the government so if there's an architectural question they send it to us.
48

49 Chair: Thinks we should have some sort of message that we agree on when she arrives, have
50 a plan when she shows up. Or should we just let her go through her discussion and have some
51 open discussion?

1
2 Kerr: Would like to hear what she has to say but like us to pay careful attention to whether it's in
3 our purview to do anything or not. I think we're satisfied with our regulations and they are not
4 going to change. So, that's what I understand and they have to figure out a way to comply.
5
6 Maynard: I think you're right but there not anything that says we can't have one of us sits on
7 their work group to help them through that process.
8
9 Jones: As far as the Fire Marshall request that you mentioned, they have supported changes to
10 our regulations and I think we should at least look through them and say yea or nay, good idea
11 or bad idea. As far as this one I think all they want is for someone from this Board to sit down
12 with them and help them work out something that is acceptable to all sides that is not in conflict
13 with our regulations.
14
15 Chair: If we offer that up who wants to volunteer if we go that route?
16
17 Hanson volunteers.
18
19 Shiesl: Who is protecting the public? They made a comment yesterday that it isn't even the
20 drawings that are the problem it's the systems that are going in. I can speak from experience,
21 when I was director in Wasilla we took over water systems that at best you could say it pumped
22 water and that's about all you could say about it and we called DEC and they said well it your
23 problem now. And we did, we took responsibility but who's protecting the public. It seems they
24 are wrapped around this idea, well we've got the drawings now but it's the system.
25
26 Chair: I think that's the bigger problem, I think you're right.
27
28 Shiesl: They mentioned that yesterday, and to us that's not our concern and I agree that, that's
29 not our concern but I think we should ask them, are you worried about just the bureaucracy of
30 getting record drawings or are you worried about the system being safe for the public.
31
32 Chair: I agree and I think that is why a lot of us have been suggesting that you need to ask
33 more up front. So the plans are more developed, you know exactly what the end result is going
34 to be or should be and then you have a metric to compare whether it has met that or not before
35 you complete the permitting process or issue the final permit, the closure.
36
37 Maynard: What I got from her is that the permitted drawings are fine it's just the contractors
38 there going, why do they have this down here, it probably would work better up here because
39 the operator goes I don't want to bend down to look at that piece of machinery, I'd rather have it
40 up here now knowing that has a problem with the system. Then they don't mark that on the
41 drawing that they ship to the engineer, he assumes it was build right and DEC gets there three
42 years later and checks the contamination and goes this isn't right. He thinks public safety is
43 what they're concerned about, they want them built according to the plans that they permitted
44 and they are assured that the record drawing that comes in is an accurate representation of
45 what was actually there. I think they are just trying to figure out a way to get that so that they
46 are protecting the public safety.
47
48 Koonce: Sounds like they need special inspections concurrent with special activities. That way
49 you have assurances that 1, it's being installed properly and 2, you have somebody signing off
50 on it as you go through verses waiting until it's already installed wrong and dealing with it as an
51 end game.

1
2 There was a bit of a free for all on what would be the special inspections.
3
4 Kerr: This is standard procedure, if you don't inspect you're not going to get what you planned
5 and they have to know that too so is there something preventing them from doing that?
6
7 Maynard: The owners aren't paying for the inspections that are required to get to the end
8 product and if there's not a regulation that says you will do it, they won't.
9
10 Kerr: Ok, so Brian has to work with them to help them develop this to be adopted as regulation.
11 Is that kind of what we are point at here?
12
13 Maynard: And it could be two or three different options that they have.
14
15 Kerr: This is good dialog because now I don't feel like we need to discuss the language of this
16 particular certificate anymore we need to talk about getting it in regulation. It's pretty clear, the
17 industry is, we've all seen it, whatever gets built, you've got to inspect.
18
19 Savage: One thing that put my antenna up yesterday, I don't know if you caught that, when she
20 was saying, and she was saying it in a flippant way but I think she was serious, and we've had
21 this problem at the Fire Marshall's Office, she was saying that some of these individuals were
22 stamping it and the putting that stamp there saying they take no professional liability what so
23 ever for any of the stuff depicted on the drawing. Well we've taken some pretty serious
24 licensing action on people over the years for that. If they're stamping things that they are not
25 accepting any responsibility for at all, you know, just to get it through the system, that's problem
26 number one, number two she's got my card now and hopefully she'll call me when she does get
27 a set of plans like that, you know, that doesn't really solve the problem at hand.
28
29 Hanson: Thinks we've taken action on folks that have received something from somebody and
30 used that in the drawing and said I'm not responsible for this house design, or whatever it
31 happens to be. But when a State agency is requiring an engineer to certify something that they
32 didn't observe and they won't approve the system without the certification, I mean it's kind of the
33 cart before the horse. But I do agree that we have gone after individuals that have put
34 statements like this on design plans where they've said, you know, I didn't really design this but
35 here's the drawing so build it.
36
37 Kerr: Asks what the threshold for stamping something? I often put limitations to describe what I
38 did or didn't do in a certificate. At what point do I become un professional?
39
40 Savage: A lot of people, and it even states in the regulations that unless you state on the face
41 of the drawings what you're not responsible for, there's no problem with that but we've had
42 people, just to get beyond the Fire Marshall's Office or whatever that's going to require a
43 professional stamp, ok, I'll stamp it but I'm also putting a disclaimer there saying I'm responsible
44 for nothing, I think we even has one that said, none of this concurs with engineering standards,
45 or any of the above, I mean it's getting ridicules.
46
47 Hanson: One said the foundation design was provided by the owner. Then the building started
48 to buckle, you get things like that.
49
50 There was a bit of a free for all explaining the various stamps that have been put on drawings.
51

1 Rearick: My perspective from what we heard yesterday, what we know from the past is that I
2 don't think they're quite understanding the roles and responsibilities of all the players in the
3 project. You've got the owner, the contractor, the designer, and the regulatory body. It seemed
4 to me from what we were hearing is that he thought that if the engineer is an engineer of record
5 on the project that they have all the power over the project and they don't. They have very
6 limited power and certainly can't tell the contractor what to do; they can observe deficiencies
7 and the owner can take action against the contractor as far as his contract with him goes. It
8 seems that's a fundamental thing you're trying to solve this and come up with regulations that
9 work.

10
11 Maynard: Shares the way he handled the school project when they requested he stamp the
12 drawings.

13
14 Chair: Good morning, Vanessa thanks for coming. He invites them to join the Board at the
15 table.

16
17 Wike: Asks if they have read the information provided yesterday.

18
19 Chair: We've read it and we've been discussing it a little here this morning. He asks if they
20 have any other thoughts to present to the Board.

21
22 Wike: One of the things I don't think I talked about yesterday was, perhaps, our attempts to
23 deal with this issue since 2007. The first attempt to deal with the issue was to try to put forward
24 the work group's recommendation and try to bring our regulations into alignment with the AELS
25 standards. That was the first thing we tried to do and like I said there were some issues with
26 that and I'm totally ready to try again. If what we had proposed before is still in alignment with
27 what the Board things it should be and 8 years is a long time and I don't know that, that's still
28 good.

29
30 Chair: Thinks that is a good point, there have probably been some changes on both sides so
31 maybe, probably not starting from scratch but definitely take a fresh look at it and see.

32
33 Wike: I think that would be good and I think also, I wasn't involved a lot in that prior attempt but
34 I think trying to make the changes to 18 AAC 80., DEC is a big organization, we oversee a lot of
35 Statutes and Regulations, 18 AAC 80 is only the drinking water regulation. There are also
36 issues with 72 which I can't speak too because I don't represent them. There may be issues
37 with solid waste or air or these other components. There is an administrative chapter
38 regulations that we work under that is 18 AAC 15. It would seem like, perhaps, were I to do this
39 I could talk to the Commissioner and it would seem like it would be better to make it in one
40 place, one time. Rather than to have all these separate chapters that fall in and out of
41 alignment which seems like a less efficient way to do business. So, if I could figure out what it is
42 acceptable and in alignment with the AELS requirements that would be step one. The next
43 step, we realize that a lot of times, you know, we're sort of in a weird place because we're
44 talking primarily to engineers and hearing from them what the owner has told them. The owners
45 often vest a lot of stuff into that engineer and they don't always specific to the engineer what it is
46 they're expectations are and I don't think the owner always knew what their expectations were.
47 So, about 3 or 4 years ago we had a check list and one of those things is from the owner. We
48 want them to sign a form where they specify who will be responsible for providing record
49 drawings. They should at least be able to tell us that, they should have that conversation with
50 the engineer. Too often we are told that is hired says it's not within the scope of my project, I
51 never knew about it, I never heard of this, I can't be expected to go in now and take care of this,

1 I wasn't there for it. We get that, but the owner was supposed to have anointed someone and
2 then we can make sure and we're trying to tie it in so that those expectations are more clear, I
3 think we can do more. I think we might actually try to have a conversation with the owner about
4 our expectations and what we expect them to be telling the engineer. The more engineers you
5 get involved the more of a shell game it gets to be. Because then they say well you're
6 supposed to take of it but you say oh no I was told that the owner said he was taking care of it,
7 oh no, and then we get into this real goo loop and the military situations are the worst because
8 you have multiple owners and multiple engineers for each owner and we have nobody to ask for
9 the drawings. The end result is that EPA has come down on more strongly. They won't release
10 funding now without record drawings. There are many Federal requirements that are coming in
11 on us and we know for a fact that our presumption, that design drawings were pretty much what
12 we expected to see, we know now that's invalid. We did a series of inspections over the last
13 few years and we know we can't do that anymore. So we have been putting a higher premium
14 on getting some sort of validation. There may be different tools available, perhaps, and maybe
15 you guys can educate me here but it feels like the disconnect here is our presumption of record
16 drawings and what we defined in the regulations as record drawings does not mean, the record
17 drawing is not a place where you determine adequacy of a treatment objective or a thing. Your
18 just documenting what is there and that's what we want, documentation of what is there. If there
19 is an issue with adequacy we will talk to the owner or his engineering representative and deal
20 with it. To us it is not a testament to adequacy. The testament to adequacy comes with the
21 design drawing stage where you're presenting what you think is a design that will meet a
22 specified objective. And that seems to be the break, is we hear from consultants that they think
23 that the record drawing is a testament to the adequacy of a design. We were under the
24 impression that a record drawing was a testament to what was physically constructed that could
25 be readily observed. And you can put that one there, we've had multiple statements, and I think
26 that's allow in the AELS requirements that you can put a disclaimer and we've totally accepted
27 that this seal is based on what we can see readily or based on what we were told by a
28 contractor working in responsible charge. All of those things are acceptable. What is less
29 acceptable is when it goes too far to the other end of the spectrum where it basically says you
30 know we don't really know what's there and we can't be held responsible for the accuracy of any
31 of these drawings. And at that point it doesn't meet our definition of record drawings.

32
33 Chair: Just hearing your summary this morning I think it sound similar to what our discussion
34 was and I think we are close to being on the same page on what our goals and objectives might
35 be.

36
37 Hanson: On your record drawings you said something to me that was interesting because
38 basically, and correct me if I'm wrong, you said want somebody basically to verify that it was
39 constructed per the design. You're not verifying the adequacy of the system or that it's going to
40 meet your chlorine levels, clarity levels, treatment objective. You're just saying this is how it
41 was constructed and this is where the engineers get all these odd statements that come out. If
42 your objective is to confirm that it was built per the plans then you don't need an engineer to
43 stamp it. Because an engineering stamping it is saying I was in responsible of this, I controlled
44 the work, I could make changes if I saw an issue or a problem and ultimately I am responsible
45 for the public safety here if something goes wrong.

46
47 Maynard: And it meets code.

48
49 Hanson: Yes and it meets code. And it doesn't sound like that's the objective of the record
50 drawing.

51

1 Wike: Well there are two situations and for those undocumented systems, and by
2 undocumented they are systems that we never had prior knowledge of, they happen, technically
3 it's against Statute to have that happen. Technically everybody is supposed to go through us
4 and we know that doesn't happen. We are not going to deny people the ability to use a drinking
5 water system because they didn't meet a bureaucratic step. Right, I mean they need that water
6 for sanitation, I mean; it would have to be poisonous water for that to ever happen. So we need
7 to find a way to approve things even if they didn't go through the appropriate process. And it
8 needs to be safe enough, and honestly, a non-engineer providing the information, for instance
9 we have a sanitary survey process and the sanitary surveyors don't have to be engineers in this
10 State. And they don't have to be employed by the State. So the information we get from those
11 people is next to useless. We've had people say that something is a green (intelligible) filter
12 and that's not a lie because the filter is green. We've has people misidentify water softeners as
13 filters in pictures. The information is not something we could use for the most simple of systems
14 let alone systems that use higher end technical components, UV reactors and membrane
15 systems and filtration types and coagulation and all of these other treatment components that
16 interact with each other is well beyond their ability to report accurate information that we need to
17 know about and that's why we need an engineer to do it. We need an engineering inspection by
18 people who are qualified to provide us with the technical data that we need to do it. And that's
19 where the system is already constructed. For the systems that we think that are newly being
20 built. We're trying to make sure that the owner passes that responsibility on to an, they need a
21 project manager and I think that they think the State is going to do engineering project
22 management for them and we don't have the ability or the pay to do it. But they think that hiring
23 somebody for a specific task is the same as having somebody oversee the entire project. And
24 that's where all the breaks happen. So we're trying to relate that more and make sure maybe
25 we've had more details on how they're going to provide those record drawings. Make sure we
26 tell the owner, you know, you might need a project manager for this. You know, even the small
27 systems are losing out on these steps but that's where it's happening and those, we should be
28 able to get record drawings from those. If they've hired an engineer to do the design and it's the
29 same guy that went through construction and now he has to provide record drawings, right,
30 even if it's the same firm, I don't think that's an unreasonable expectation. Too often we're
31 being told that, hey look we can't do that anymore and I think it's maybe the break between the
32 owner and the engineer.

33
34 Maynard: I think part of the problem is that when the engineer design's it and he stamps it and
35 this is all good it and it goes to the owner and he hires a contractor and you may never hear
36 about it ever again.

37
38 Wike: I know and that's the systems that are the worst.

39
40 Maynard: And then you get the drawings back and it says this is what I built and, on a school
41 project out in the bush I had one that I knew through (unintelligible) that a whole area had
42 changed and there was no marks on their drawings that were record drawings that I'm
43 supposed to use to create these record drawings. The owners don't want to hire us to go out
44 there and measure everything and make sure that it is accurate. So maybe what your
45 regulation has to do is make sure you say, A. you will hire them to come out and do a final
46 inspection to create these record drawings and owner you'll have to pay for it or B. the
47 contractor has to hire an engineer to do the same thing and these are your only two options.
48 Having the contractor send the information to the engineer to, and I think you probably don't
49 want to have the stamp on it because you're not asking them to do all the things that, that stamp
50 (unintelligible) applies. You have to put this stamp that you want to use that's not an
51 engineering stamp but they are still saying this is an accurate representation of what's there.

1
2 Wike: And maybe that is part of the answer and we have had many issues with what you are
3 saying and some of the worst issues we've had with treatment systems, it does seem like things
4 drop after the design drawings are stamped, they're just done. And what happens after that can
5 be contractors, plumbers, the operators, it is not always clear to me that the engineers are ever
6 involved. Sometimes it was a different engineer that was involved that had a different vision of
7 where this is going that doesn't maybe match the original vision. All kinds of weird things
8 happen and we are trying our best on projects that start today to try to say, hey look, you, the
9 owner, if you don't hire a project manager it's you and you need to make sure that this is
10 followed through to this end level and these are our expectations and if you farm this out to
11 somebody you need to include these expectations in what you prescribe to the person. We put
12 that in regulation the first time out. We wanted inspections and that was part of the conflict. We
13 didn't say that it had to be the engineer. We said it had to be the engineer or the person that
14 would be in responsible charge. So if somebody is working with an engineer in Anchorage and
15 they're out in Bethel and that engineer has a relationship with that contractor, that I believe, is
16 allowed through the Board, so we wouldn't expect that the engineer is on site, we would expect
17 that their person in responsible charge is doing that to the point where the engineer would be
18 able to sign record drawings at the end. But we need both, we are trying to get to the record
19 drawing place. We need a regulation update, probably to get there. I tried it once and I'm
20 willing to try to push that forward again assuming it's still in compliance with what AELS wants,
21 we want that too. But right now I think that the lack of consistency and the bureaucratic
22 requirements, it's sort of been a shell game and we don't get good end product because of it.
23 And that absolutely does result in a risk to public health. The last outbreak was in October and
24 it was campolobacter in an undocumented system out of Juneau and people got sick when they
25 got home, nobody died. But they were able, usually it's hard to trace but CDC found that
26 campolobacter in the tanks and it was a system that had never gone through the plan review
27 process and it's not clear to me that it has gone through any engineering review at all. It would
28 have been easy to address in that process. Legionella was detected on the off-shore platform I
29 think that guy may have died but the lawyers got involved and we don't really know. And that
30 was another easy thing they had chlorinated water but they put the UV after the chlorination
31 point which quenched all chlorine and they had un- disinfected water in their system. So some
32 of these things could have potentially bad effects, some of these things would be very easy to
33 deal with early on. We're trying to get involved earlier on, trying to get the owners more
34 involved, we're trying to help them do project management.

35
36 Rearick: We talked a little bit about this yesterday when you were gone but the Municipality of
37 Anchorage Building Projects has a special inspection program and they require that the
38 contractor, the inspector, the designer and the Municipality permitting all get together, review
39 the inspection program and sign-off on the document before construction begins so that
40 everybody knows along the way that these certain inspections have to happen. The owner
41 knows there's a cost associated with it. The contractor knows they're going to happen so he
42 doesn't cover something up before the inspection can happen and it seems to work pretty well.

43
44 Wike: AWW does an awesome job and, you know I don't play favorites with any of the 1600
45 water systems but I feel very good that my children drink water from the AWW. They
46 (unintelligible) they have good coagulation, they do an awesome job with their system, they
47 really do. I would like to see more people take those steps.

48
49 Koonce: Do they have a model already setup for inspection at critical steps during installation?

50
51 Wike: It varies. ANTHC, I've been working with those guys more often and I'm skipping a

1 meeting because I think this is much more important. We've been going over regularly and
2 we've been trying to stress that they need those things. They don't call them inspectors now
3 (unintelligible) hired observers. But it's still people on site, that's all that we care about. We've
4 had HGPE pipe systems that failed for entire communities not because there's anything wrong
5 with HGPE or the technology but because nobody was overseeing and the pipe was dirty and
6 the welder wasn't calibrated or hot, everything went down from there. So, yes, we're trying to
7 do that and maybe we to do more of it. There is a lot of kickback. Consultants feel like they, in
8 some cases should be able to say it's ok and that's enough. They shouldn't have to justify to
9 the State, right? I do get that, and to a point we try to accommodate that but again, this comes
10 back to owner responsibility. The other thing we're doing, I mean there are 15 of us in the
11 State, and there are no county inspectors. A lot of places have these multiple level protection
12 that the State has to offer for these kinds of systems. There are multiple people involved for
13 these kinds of systems. It's us, that's it, that's all you've got for the entirety of the State and
14 there's 15 of us and the treatment of (unintelligible) and things has become a lot more complex,
15 tremendously technical. There's a lot of complicating factors between the technology that you
16 choose and you have to understand that their going, this treatment technic is going to affect this
17 treatment objective and other things. We want to focus on that. So, the new set of regulations,
18 you know my success at getting things through that administrative hurdle and through AG's
19 office is sometimes tenuous but if the new set of regulations goes out I would like to basically
20 privatize distribution systems to those governments like AWW that do a good job and meet a set
21 of criteria meet all of the basic requirements that we've all agreed to. Then, you do it and you
22 send record drawings and it all comes back to that record drawing step verifying that these have
23 been done accurately and we're not involved then and we can focus on higher priority work. If it
24 works for that I've got some other ideas to do that with because the reality is we're not going to
25 get more people, right? I would like to start moving stuff towards that other end where I feel like
26 we provide a better service. But it's all going to hinge on being able to get record drawings.

27
28 Kerr: It sounds like the bitter pill to swallow is the mandatory inspections. That's what you had
29 trouble getting through before. I'm sure it's because of the cost, traveling, installation expenses
30 but if you're interested in providing the public healthy drinking water, that's where it has to
31 happen, in the inspection stage.

32
33 Wike. And you know we're not going to say, I brought that up, that's an expected part of any
34 project. The fact that we may have done short shrift on it in the past doesn't mean that it wasn't
35 important then too. It doesn't also mean too that an engineer has to be onsite 24/7, right? And
36 that was what people were complaining about was we're going to have an engineer onsite for
37 the entirety of the project and I said no that should be left up to the diligence of the engineer to
38 make a determination about how often he needs to be onsite, what things he needs to inspect.
39 He should be able to set up that inspection plan with whoever he is working with, maybe it's a
40 contractor and they should be able to come up with a plan. It doesn't necessarily mean that
41 you're going to have to pay what is presumed to be a high-priced engineer to sit onsite 24/7 for
42 the entirety of the project.

43
44 Chair: One of the summaries of the discussion points that came up earlier here was that exact
45 idea; bring that to the forefront so that everybody has agreed on before so it's not so much up to
46 the engineer after the contract's been issued. Develop the plan at the beginning so that the
47 owner and the contractor and you folks are all on the same page.

48
49 Maynard: I think if it's mandatory then the engineer will say I have no choice I have to do this.
50 And if it's not mandatory then the owner is going to, well I'm not going to pay for that and then
51 what are you going to do, you have to. Well is it a requirement, no.

1
2 Wike: That was our attempt the first time to put that into regulation and I'd be more than happy
3 to again.
4
5 Kerr: If it's not included in the engineer's proposal the funding isn't going to be available for it in
6 the original engineers estimate and then, of course, it's a very difficult thing because nobody
7 has got grant money to cover the cost of that inspection. So, I think it's critical to get it in the
8 beginning and then the record drawing will fall into place because they will have the elements
9 necessary to do them, it won't be a struggle.
10
11 Wike: We are trying to address that and I totally appreciate that on the other hand the thing that
12 we are also trying to get out to the engineering community, maybe through APDC as well, is that
13 if you are hired to complete a project it wouldn't be a bad idea to ask the owner who will be
14 doing record drawings. Because they will be required of the project and at that point if he says
15 oh, isn't that included, that's always what we hear back from the owner, isn't that included,
16 because he doesn't understand, in many cases, what engineering means for something. He
17 doesn't understand the scope of a project in some cases.
18
19 Kerr: And when these owners are looking for engineers they're often looking at cost and the
20 more diligent engineer that includes that in the cost is not going to get the work.
21
22 Wike: You are right and unfortunately that is indeed what we see is that the people that seem to
23 be able to find a solution to the record drawings and put the needed disclaimers on there that
24 say something like this is based on my best ability, a lot of the times most of the systems
25 structures are above ground. There is very little that is actually hidden of the components that
26 we are interested in and those people don't get the jobs.
27
28 Kerr: So, the bitter pill is that it has to be in regulation or the economics will drive it to be not
29 what you wanted.
30
31 Wike: That was one of my rebuttals when this went out was that this thing would not only, the
32 proposed regulation would put us into alignment with AELS, it would protect public health and it
33 would level the playing field for the people that were bidding on the project. Those were my
34 three rebuttals to it and I am more than happy to try that again. But I do absolutely agree with
35 your statement. There is not always a level playing field and some people take their
36 responsibilities more seriously.
37
38 Maynard: I guess the upshot to kind of maybe wrap this up is that we agree that there is a
39 problem and that there is a way around it. Changing our regulations is probably not the way to
40 do it but we're going to help you with yours. This work group probably should include ASPE or
41 AFWA and ASCE and APDC, well ASCE would probably be the rep from APDC. Cause I don't
42 think the architects really care or the land surveyors but ASCE and there may be some other
43 alphabet soup out there maybe an environmental engineering group that would want to be
44 involved in it. I think if we all put our heads together we can come up with a solution.
45
46 Chair: We mentioned this to APDC yesterday when they were here and they had some ideas.
47
48 Koonce: You already had in previous versions of regulations put forth for approval critical paths,
49 special inspections as a requirement of a permit and it was....
50
51 Wike: We weren't as specific as that. I will tell you that it was less a little of your, because I

1 knew it would be contentious and I wanted it to go through and I just said that you would be
2 expected to meet the requirements of, you would need to be able to sign record drawings as per
3 the AELS definition of record drawings. I didn't even specify our definition because it's messed
4 up and I think we should just use yours, why should we have different regulatory definitions, so
5 that any project going forward would have to have record drawings as specified in AELS and
6 that was the way I put it. And that would have required inspections and stuff and the inspection
7 question did come up and I said yes there would be required inspections. The frequency and
8 the level of detail required would be based on the project and the inspecting engineer or his
9 responsible charge person and it would not include an engineer having to be onsite 24/7. That
10 would be left up to the engineer to make that determination.

11
12 Rearick: Could you come up with regulations though that ties the issuance of the construction
13 permit to the approval of the inspection plan. So they can devise a plan specific to that project.
14 They wouldn't get their permit to construct until that was signed.

15
16 Wike: We've done that, it's not as, it's called a check list and you have to meet these
17 requirements, and right now the only thing that's specifically in there is that they have to tell us
18 who will be the engineer providing as-built drawing and they at least have to tell us who that
19 person will be. We could do more than that we could add more detail there for sure.

20
21 Koonce: The record drawings are the end game but in order to get there you need the meat
22 and it sounds like you're getting a lot of push back.

23
24 Maynard: For structural special inspections, there's a few architectural but mostly structural,
25 you not only have to have an owners letter saying I will be hiring Joe-Blow inspection agency to
26 do the special inspections, they have to submit a plan of what they're planning to do. You know,
27 we are inspecting the concrete but not the masonry or whatever.

28
29 Wike: Yes, I think that is a great approach.

30
31 Hanson: And with some of them just giving them the end, we want the record drawings, that's
32 good enough for others you have to give them the meat. You will do this inspection, and this
33 one, and this one.

34
35 Wike: But I will tell you there is a lot of political push back with us getting to that level of
36 involvement in reviews. People feel like the State is over burdensome and micro managing. So
37 there is going to be a political push back to that regard as well. So, mostly they just like to set
38 forward objectives and hold people accountable if they don't meet them.

39
40 Kerr: When you go to the Legislature or whoever is approving your regulations be sure to bring
41 along 10 samples of water for each of them to drink from...laughter....and ask them
42 (unintelligible) this one has been inspected, this one hasn't. More laughter.

43
44 Chair: Lets wrap this up and hopefully provide good direction. I think during the discussion you
45 recognized our appreciation for your charge and we would like to volunteer one of our members
46 to be part of a work group. We've kind of nominated Brian; Brian has a good history of the issue
47 and has worked with regulations changes in the past so I think he will be a good contact for you.

48
49 Wike: And we would like some representation, like I said I can only speak for the drinking water
50 program but there are some other issues, we have a hard time hiring engineers so some of
51 those positions are vacant that represent those other sections. I can talk to my Commissioner

1 and ask whether we can bring this forward towards resolution.
2
3 Chair: It would be good to get some outline and scope of what the tact is going to be for that
4 group and the objectives to work towards.
5
6 Wike: I think your support will be instrumental in making this reach some sort of conclusion.
7
8 Chair: Thank you. We will move on to item 17 B. review of the 2012 code amendments for the
9 Division of Fire and Safety. Did you folks want to comment on any of this?
10
11 Savage: Introduces Diana Parks, Plan Review Supervisor and Deputy Fire Marshal Lloyd
12 Nakano. Both of them, as I spoke yesterday, have been very supportive of the Board and for
13 those of you who haven't met Chief Quentin Warren here he was a little under the weather
14 yesterday but he is here for a bit today.
15
16 Parks: We are very interested in the Board's opinion about a couple of different things...yes?
17
18 Jones: Asks Ms. Parks to come up to the table to be closer to the mic.
19
20 Parks: We are interested in a couple of pretty basic things. First of all, does the Board feel like
21 it's worthwhile for us to continue with our progress on adopting the 2012 International Codes?
22 Because the bottom line is that our boss has to sell it to the Commissioner who has to sell it to
23 the Governor. And if we don't have the support of the community then, and we've reached out
24 to fires systems people, assisted living, AELS a variety of, everybody that calls on the phone I
25 ask them so that he can simply say that he has the support of all of our customers.
26
27 The other issue that has come up is that we have had several comments on when we adopt the
28 building codes, fire code, mechanical code, in the back there's reference standards for instance
29 NFPA. And in the back because NFPA has different code cycles than the ICC sometimes the
30 most current, for instance NFP13 for sprinklers, maybe there was a 2013 on the market right
31 now but the adopted code only references the 10. And in the past we have always updated that
32 to the most current. There are 10 of them, Lloyd? There's several NVPA's that we adopt the
33 most current codes as opposed to what's in the International Code when we adopt it. What this
34 is beginning to do now that NFPA is rearranging all their standards is when you have a
35 reference in the body of the code that sends you to section 16.2.3.4 in 2010 NFPA, that chapter
36 doesn't exist in the 13 and we've adopted the 13 so now you've got a scramble. So we wanted
37 an opinion from the AELS Board, this is the majority of the people that use the codes on a daily
38 basis. Would it be beneficial to update that handful of codes 13, 72, 10, 25, 750, and.....
39
40 Nakano: And there's a lot more in the International Fire codes.
41
42 Parks: Yes and so how does the design community feel about if we were just to adopt the 2012
43 codes with the reference standards just the way they are and not make a handful of additional
44 standards be a 2013.
45
46 Maynard: I know that the city doesn't adopt any of the reference standards especially on the
47 structural because they have a different cycle. And you can have major changes in code
48 philosophy from one cycle to the next and if you try to marry the 2009 code IBC with the 2010
49 ASEE7 they don't jibe. So if you use the 2009 code you've got to use the reference standards
50 that were made to work with that code. If you want to go to the next set you have to use the
51 next code. So, I don't think, sometimes it's very hard and references don't match. So I would

1 say don't adopt any of the reference standards just leave them as they are. Because that is
2 kind of a unified code system that we know works and then once you get to the 2012 code then
3 all the 2010 and 2011 stuff has been updated and will then match with that. Trying to figure out,
4 ok, well, you know this doesn't quite match up, which is the most stringent because you've got
5 to do that and it's just a nightmare.

6
7 Parks: So, if we adopt them just the way they are without updating that handful of codes it's
8 less confusing. And that's what I've gotten from the systems people, oil and gas are the ones
9 that actually brought it up and that was the question we wanted.

10
11 Now the other part of what has been done in the past is that for selected codes in addition to
12 adopting a more current one for the referenced sections in the building code, some of those
13 codes have been adopted in their entirety. Which, it's been going on for a very long time and
14 nobody really knows why. So the other question is on those codes, and they're basically fire
15 system codes, is it beneficial for you to have that as a reference in its entirety? Or, do you just
16 use the sections that show up in the back of the code where they send you to an NFPA?
17 Because I can tell you from a plan review section we're looking at the reference standards in the
18 back of that section and that's pretty much what we.....

19
20 Schedler: That's as far as we go, I would agree.

21
22 Parks: So adopting them in their entirety is not a benefit to us so much but we want to hear
23 from you before, and Kelly wants to hear from you guys and your opinion before we go forward
24 and we are close.

25
26 Rearick: I think in the section that deals with aircraft hangars there's some NFPA's adopted
27 there and the State limits what it looks at as far as the NFPA standard that it goes to. And
28 there's some verbiage in the amendment to the IBC that talks about that and if you were to just
29 go ahead and adopt the whole thing it would really change what you can do at rural airports.
30 So, that's where as long as there's something in the IBC and the amendment to the IBC that
31 clarifies little bits and that governs over the whole code.

32
33 Parks: Then there is always the opportunity for anyone that if there is a more current code out
34 there and there's something that would be very beneficial for you in this specific instance. We
35 always (unintelligible) we always do that. And that is a handful of times as opposed to creating a
36 burden on the design community that they've got to buy 12 extra books and, you know.

37
38 Schedler: And we're looking for what's in there that we missed.

39
40 Parks: Right, and so anyway that's where we are. You can send me emails; you can tell me
41 what you think.

42
43 Chair: Asks if there are any other questions or discussion.

44
45 Parks: Lloyd and I are putting the polish on it right now and we're hoping to get it, our boss
46 wants it in December to go out for public comment.

47
48 Rearick: I just had one specific little thing and you might not agree but I'll mention it anyway.
49 Minor but significant at the same time.

50
51 Parks: I'm new at this but it's these kinds of things that really do the ah-ha thing and really do a

1 lot so what is it?
2

3 Rearick: It's item 3 and its chapter 1, section 104.2. You've added some language that I like,
4 you've got plans for construction occurring out of state or manufactured off-site must be
5 stamped by an Alaskan State licensed design professional and have a plan review. Where it
6 says, be stamped by an Alaskan State licensed design professional I think it should say or
7 professionals. That way they don't think they can just have a single engineer stamp a set of
8 plans and send it in without the rest of the disciplines.
9

10 Parks: That's easy enough to fix, just make it professionals, very good point. With the activity
11 in the inlet and up on the North Slope and on the Kenai we're getting a lot of out of state
12 (unintelligible) and that's why we had to put that in there. And not only out of state but our of
13 country. So change it to plural.
14

15 Maynard: Do you review drilling rigs?
16

17 Parks: Not the rig itself.
18

19 Maynard: They move around all over the place.
20

21 Parks: Not if it's, well, there was a lot of contention about this a couple years ago when they
22 were going to buy that one for Endicott that was going to be enclosed. And we were of a mind
23 that once you enclose it now you've got an H2 and so we wanted to review it. What it came
24 down to was Dave Tyler at the time was the Fire Marshal and he said a drilling is a drilling rig;
25 we will not review drilling rigs. Now any associated buildings with it, any associated enclosures
26 that are peripheral to it, yes we review those but not drilling rigs. There are a lot new players in
27 the oil industry now up on the slope and they are discovering that things that you can leave
28 sitting out in Texas or Spain or what's the other one over there, France or someplace over
29 there, you have to enclose it up there just to keep the snow off so you can get to it. So, there's
30 been a real culture shock for a lot of them but we do review all enclosures or structures that are
31 going to go on a pad but not the drill. Why? Do you think we should?
32

33 Maynard: I was asked to be an expert witness on a drilling rig that was designed by somebody
34 from outside that was not licensed up here and I wasn't sure whether that was legal or not or
35 who reviewed them.
36

37 Parks: There was a review started on a couple of them and then the Fire Marshal made a
38 decision and said that drill rigs are beyond our purview.
39

40 Koonce: I was on the review committee that did the municipality of Anchorage's option
41 recommendations for the IBC Have you coordinated with Ross Nofsinger? So you guys are on
42 the same page.
43

44 Parks: Yes. On most of the things, we had several meetings with Ross actually it was very
45 helpful to me being new to the process. But there are things that we don't have the luxury of
46 being as specific about certain things as they have the luxury of, because we have to have
47 (unintelligible) all the way to Barrow or Nome or that kind of thing. But generally speaking it was
48 very helpful. I think he was the first person we met with on all this stuff. It was very helpful for
49 us and I think he's going to be my first stop from now on. Anybody else, and if you think of
50 something after it's all over I'm diana.parks@alaska.gov if you need to get ahold of me and we
51 are looking to give this to Kelly the first week of December.

1
2 Koonce: Do you think it'll be adopted in the upcoming 2014 session?
3
4 Maynard: It doesn't go to the Legislature.
5
6 Parks: We are going to do a 60 day comment period then we'll have a little bit of break to get
7 that all put in then it goes to Legal. The problem with Legal is that as long as the Legislature is
8 in session they don't have time for us. So it's probably not even going to be looked at by Legal
9 until after the Legislative session is over so we're looking at, hopefully if everything goes
10 smoothly, adopting next fall. The 2012 and then immediately turn around and start on the 2013.
11 It's getting easier as the National Code understands that we have different issues. So, there are
12 a lot of things we have in amendments that wasn't covered in the code that we've been able to
13 take the amendments out because now it's in the Code. And it's always an option if you think
14 you have a better way or you want to use an alternative or you want to use a newer Code that's
15 always an option to come to us with (unintelligible).
16
17 Chair: Thanks Ms. Parks for her presentation. Moves on to 17A E-mail from Ric Moore re
18 Utility Engineering or locating.
19
20 Jones: Has asked Mr. Moore if he was asking about mapping or the guy who comes out from
21 the city and puts paint spots on your yard and says don't dig there but didn't get a response.
22
23 Chair: 17 C. Brian's bid for Zone VP. He asks Brian if he has any comments.
24
25 Hanson: Advises that at the last meeting of Western Zone they asked for those interested in VP
26 and he kind of volunteered. So it looks like it's going to be me and Pat Tammy from California.
27 Tammy is the past VP and the thing is the Western Zone VP will become the next NCEES
28 President in three years or so. Richard Heieren had suggested to Brian that he visit some of the
29 Boards and get up to speed on their issues. This was sent on to Don to see if he would be
30 supportive.
31
32 Jones: He said he would support what the Board supports.
33
34 **On a motion duly made by Kerr, Seconded by Schedler and passed unanimously it was**
35 **RESOLVED to support Brian Hanson's pursuit of NCEES Western Zone VP.**
36
37 Savage: Suggests that Hanson have a meeting with the Deputy Commissioner and explain the
38 importance of this since he is the one who approves out of state travel.
39
40 Maynard: Suggests that his meeting with the Deputy Commissioner be about the issues like
41 comity and board interests other than just running for office.
42
43 Hanson: Agrees it has to be more than just meeting the people. He adds that it will be a close
44 election and it will be in May in Nebraska.
45
46 Chair: Item 17 D. Email from Ric Moore re State surveying exams to CBT.
47
48 Hanson: Reports that this came out of the Western Zone and the Annual meeting. There was a
49 lot of discussion regarding how many were using CBT and if the exams could be shared etc.
50
51 Jones: Adds that Richard Heieren had talked to him about this and the gist of the conversation

1 was that they were trying to get NCEES to manage a question bank where a portion of the
2 question would pertain to everyone and a portion would be state specific. But I haven't heard
3 anyone from NCEES getting on board.
4

5 Hanson: Adds that it would be states that commonality like the western states.
6

7 Hale: Reports on a committee he was in and it would be grouped by regions with similar laws.
8 There would be a bank of question that each state would contribute to.
9

10 Jones: Advises that it shouldn't be a problem for us because the AKLS belongs to the Board
11 even though Test, Inc. manages it, it belongs to the Board.
12

13 Chair: 17 E. email from Wayne Bolen re stamping requirements for minor changes.
14

15 Maynard: Provides some background using the Muni of Anchorage's system of permitting as an
16 example. Inspectors can send changes they come across that may have been by an RFI to the
17 Plan Reviewers and the make the engineer produce a field change order which sometimes
18 includes a sketch. So Wayne was wondering if all the sketches that are attached to RVI's need
19 to be stamped and typically they are not in my experience. They usually replacement of detail
20 that was already there or on a plan that's already stamped so I'm not sure why we would require
21 these 8 ½ by 11 sketches to be stamped separately. That was his opinion but he didn't want to
22 speak for the Board.
23

24 Rearick: Adds that there is a second part. If you're doing work that has a Fire Marshall Permit
25 would you need to resubmit to them for review and his philosophy that he has taken is that if
26 you're making a significant change that would need to be looked at code wise then it should be
27 resubmitted but they don't want to be bothered with every little change that isn't significant.
28 With the Muni you used to be able to do a field change with the inspector that didn't have to go
29 back through permitting, now they require it go back to permitting.
30

31 Maynard: Adds that it depends on the inspector, some require all RFI's go back.
32

33 Rearick: And those we've been stamping. It's also a bit of protection for the designer of record
34 for example if the contractor makes a change without your review. He's not sure what the
35 solution is.
36

37 Maynard: Part of the problem is what is significant. Some call changing the spelling of a word a
38 significant change and some if you changed the size of a beam and needed calculation that
39 would be significant.
40

41 Rearick: Adds from an inspector or investigator standpoint if you come across a drawing with a
42 significant change that doesn't have a stamp you've got to wonder where that change came
43 from.
44

45 Savage: Says that he just got hit up by the Fire Marshalls office where there was some
46 changes made on the drawings, the building was build and then the doorways and egresses
47 were in totally different spots. Where is our responsibility as far as that goes? It was done by
48 design professionals but it wasn't run through the appropriate review prior to the changed being
49 put into play. So where does that leave us? That's an excellent question. Do you as a Board
50 feel that is below minimum standards when a professional is doing that or what? Where does
51 that leave us?

1
2 Schedler: Thinks it leaves the owner at risk. Because the governing authority always has the
3 authority to require changes so if you went ahead and finished the building and the engineer
4 designed it to code but it wasn't reviewed, the change wasn't reviewed then the authority having
5 jurisdiction has the right to require it to be changed so it leaves the owner at risk to bare that
6 cost. But the engineer designed it according to professional standards.
7

8 Maynard: Notes that up until maybe 10 years ago the Municipality's review of original design
9 documents reasonably met code, it was just kind of an overview. Now they look at every little
10 thing. Once it went out to bid and was starting to be constructed inspectors were supposed to
11 be inspecting to the approved documents. Sometimes they had their own code interpretation
12 and would stop construction and say this doesn't meet code. Well it's according to the
13 approved documents. In theory they are supposed to go back to the reviewer and say I think
14 this is the interpretation then it would come back. It used to be if you were competent enough to
15 get a set of drawings through review you were deemed competent enough to change it slightly
16 or change it and it would still meet code. Now they are looking over your shoulder the entire
17 way. He adds that budget used to allow 20% now it's 30% and he's not sure things are getting
18 any safer.
19

20 Chair: Asks if there is a consensus on an opinion or do we need some direction.
21

22 Koonce: Thinks the regulations already speak to the intent that if you change any exit or a
23 significant component that affects life safety health and welfare of a structure you are obligated
24 to seal that change and there's a regulatory process already in place to deal with that.
25

26 Schedler: And the process will differ from jurisdiction to jurisdiction. She doesn't think it's our
27 place to say all those 8 ½ by 11 need seals, it depends on the jurisdiction.
28

29 Hanson: Regarding your issue, engineers are supposed to if there is a local permitting
30 requirement, 12 AAC 36.185 (2) says basically that you are only going to seal final drawings
31 that are safe for the public and inconformity with accepted architecture, engineering and land
32 surveying standards in Alaska. So if the Fire Marshall requires review of certain things and you
33 as an engineer know that and you purposely avoid that review or make changes and purposely
34 do not give them to the Fire Marshall then you're in violation.
35

36 Savage: That's what my question was. He shares the Fire Marshalls view that a change was
37 made and now we have these plans again and this is not what we approved.
38

39 Hanson: Notes that maybe the engineer made the change and said it needs to go for review
40 and the owner or whoever was in control didn't do it. Then it's up to the AG to decide if it was
41 on purpose or not.
42

43 Koonce: Adds that with modern technology it's pretty easy to make changes whether they are
44 significant or not.
45

46 Maynard: Notes that with all those stamps on those 8 ½ by 11's how easy it would be for
47 someone to copy it. He thinks we should make a policy one way or the other, either requires all
48 of them be stamped or not.
49

50 Rearick: Agrees with Schedler, that a jurisdiction can require some things over and above what
51 we would require and it should be up to them. If a significant change will affect the permitting

1 status of that design then it should go back to the Fire Marshall and get them reapproved and
2 it's not the full blown process it's specific to that change.
3
4 Maynard: Suggests that Vern respond to the email saying there is no State requirement but if
5 the local jurisdiction wants to require it they can.
6
7 Chair: Asks Savage is he wants to speak to the next item re title blocks.
8
9 Savage: Advises that he is getting some push back from all of the out of state plans that are
10 coming in and suggest that if we could put something in the Guidance Manual pertaining to Title
11 Blocks when sealing drawings because it makes our job a lot easier because you can tell if the
12 individual is a sole proprietor or a corporation or whatever and what we are looking for, because
13 some of these guys are getting harder to track down, some of them have changed addresses
14 and phone number several times so if we make people more aware of the requirement to have
15 their Title Block on a set of drawings. He adds that sometimes there is a Title Block and he
16 calls the company and they say no he doesn't work here so you're investigating who is he and
17 who does he work for and this corporation doesn't have a corporate authorization and this guy
18 sealed it and he's not part of the corporation. We need to get back to basics and a good
19 starting point would be to have this in the Guidance Manual.
20
21 Maynard: Suggests he call DOT get them to allow us to put our logo on the drawings again
22 because they don't allow us to put our logo on the drawings, it's all generic you can't put your
23 logo on it but you can put your stamp on it.
24
25 Savage: Isn't that something, you would think that would make their job a lot easier.
26
27 Hanson: What you can put on there is plans prepared by, and the company.
28
29 Koonce: Talks about some of the things they looked at yesterday didn't have a Title Block or
30 even a stamp on some of them.
31
32 Hanson: Talks about some reviews he has done for John where the seals were not dated or by
33 happenstance there was a date within a couple inches of the seal so they were covered but they
34 are not physically writing the date or having auto cad put the date in the seal or right next to it
35 but they happen to stamp it next to the Title Block which has a date right next to it, maybe it was
36 by design maybe it was by accident. We have that, we also have people performing work
37 beyond their license and we can't find them. So it brings up an issue of should we as a Board
38 be requiring the corporation license number on a set of drawings that are prepared by that
39 corporation. We require an individual's license with a stamp but should we also be requiring a
40 corporation number, many states already do. He gives an example of how it would read.
41
42 Kerr: Asks if there is any downside to having the corporation authorization number on the
43 plans.
44
45 Savage: Doesn't think so. He points out that a lot of sole proprietors change to a corporation
46 not knowing that there is a requirement to license the corporation separately.
47
48 Maynard: Thinks that probably there are more firms that are not corporations than are so you
49 won't be able to track them down using those numbers. If you're a sole proprietor or a
50 partnership you don't have to get a number.
51

1 Jones: Only corporations, LLC's or LLP's are required to get a Certificate of Authorization.
2 There are a lot of one man corporations that don't realize they need to get a COA.
3
4 A short discussion noting that the requirements are already how are we going to improve
5 compliance. Savage thinks that use of newsletters, putting the requirement of a Title Block in
6 the Guidance Manual there are a lot of little ways.
7
8 Maynard: Again with DOT or the Corps of Engineers you won't have an address, you may
9 have a name but you won't have an address or phone number or anything else.
10
11 Savage: Notes that we haven't gotten them to the point where they are requiring licenses from
12 everybody yet. (Laughter).
13
14 Schedler: Asks if it would help him to be able to tell up front if someone was associated with the
15 company.
16
17 Savage: Explains how he conducts inspection in the field. When he is in the field he is
18 collecting information then going back and making checks on business licenses, on professional
19 licenses, on corporate authorization and so forth. To be in the field and see ok this is the
20 company and this is their authorization number, two things have already been done. I know the
21 name of the company their authorization number and here is the guy's seal I assume it's current
22 but will check when I get back.
23
24 Schedler: That's what I'm saying at least you know if he is with the company or not.
25
26 Savage: Explains that the problem is people over stamping without following correct
27 procedures. If you're stamping over someone else you have to put your Title Block on there.
28
29 Koonce: Offers that maybe the answer is to have the corporate number of in the case of an
30 individual a phone number. That gives you two references.
31
32 Chair: Sees a couple of avenues. Maybe a research project to see what other states are doing
33 or maybe a regulation project.
34
35 Koonce: Thinks that it may be as simple as amending the language to say that in addition to the
36 date you put your corporate number or, in the case of an individual, contact information.
37
38 Kerr: Doesn't think we can require it to be in the Title Block just be near the stamp.
39
40 Maynard: Maybe we need to require that you have to identify the company that is producing the
41 documents. The site adaptation section does require that they change the Title Block.
42
43 Savage: Acknowledges that it is there but not at the beginning of the process.
44
45 **On a motion duly made by Hanson, Seconded by Kerr and passed unanimously it was**
46 **RESOLVED to evaluate the requiring the corporate authorization on final signed and**
47 **sealed documents.**
48
49 Savage: Thanks the Board and departs.
50
51 Hanson: Asks if he wants to talk about the EIT issue before he goes.

1
2 Savage: That was kind of a Vern issue.
3
4 Chair: Item 17 G. use of EIT and LSIT.
5
6 Jones: Explains that he gets a lot of calls asking about EI, EIT, what does it mean and is it
7 being used properly. He asks the Board to consider requiring it be spelled out such as
8 transportation engineer in training or land surveyor in training so there is no question.
9
10 Maynard: They can't say Joe Blow EIT structural engineer.
11
12 Hanson: That's not what the Board policy says, that's why Vern's bringing it up.
13
14 There was a discussion with the points being made that people shouldn't be able to use the
15 words land surveyor, engineer or architect in their title until they are licensed, that abbreviations
16 are widely used and if you don't know what they mean you should ask. Some argued that use
17 of the words engineer, architect, land surveyor should be ok as long as it was clear that you
18 were not licensed others disagreed. It was pointed out that the AG had determined in the past
19 that the word engineer was widely used and could be used. Now if you were using one of the
20 branches in our regulation that could be argued.
21
22 Schedler: Thinks we should put something in a newsletter stating what is in 08.281.
23
24 Chair: Thinks the idea is that the main thing is not convey the impression that you are a
25 licensed professional. Should they follow up on trying to get a consensus or is leaving it gray
26 good enough?
27
28 Kerr: Has people ask was that person a PE or PLS. There's a lot of knowledge that the P in
29 front makes a difference. He thinks that the focus should not be on discouraging the use of all
30 these other terms but getting people to look for the P in front.
31
32 Hanson: Again states that the biggest question he gets, and Vern gets also, is can a person
33 say, and I think this is something we need to answer, is can a person say John Doe, EIT or EI
34 and then put XYZ engineer after it, under their name? That's really the question or architect or
35 whatever, if they are using EI or EIT can they use the word engineer, or architect or surveyor,
36 that's the question we have to decide as a board.
37
38 Chair: Does anyone have a conflict or see a concern with that?
39
40 Maynard: Thinks we can make a clear distinction that if they use one of the fifteen terms for
41 engineer they are in violation.
42
43 Chair: Even if they use EIT with it?
44
45 Maynard: Even if they use EIT with it. If they use project engineer, transportation engineer or
46 sewage engineer or anything that is not one of those fifteen protected titles then we are not
47 going to harass them.
48
49 Jones: Doesn't see a problem with the use of traffic engineer or civil engineer as long as it's
50 followed by "in training" because once people see the word engineer they ignore everything
51 else but if it's there then they know he is not licensed.

1
2 Koonce: Asks if intern architect is acceptable?
3
4 Maynard: I see it all the time.
5
6 Jones: That tells me that he is an intern, he's not licensed yet.
7
8 Koonce: But it's spelled out that's the crux of the whole point.
9
10 Jones: Yes, spell it out so anybody can understand it.
11
12 Hanson: We are not a title state we are a practice state.
13
14 Schedler: It seem like we should be able to answer those questions and if someone ask me
15 right now I would say I don't know. I now know what the Statute says and I would say no you
16 can't use engineer. She asks if the consensus is that you can use in training.
17
18 Chair: Doesn't think there is a consensus. He thinks the idea is that they don't convey the idea
19 that they are a professional and if they use EIT or they spell it out in training then they are
20 making an attempt to present the idea that they are not a professional. If they leave it as civil
21 engineer or any of the disciplines that we license then that's a clear violation. There are many
22 ways they can represent themselves and however they do that is subject to review if someone
23 questions it then it will be up to John or us and we will have to make that subjective decision at
24 that point.
25
26 Kerr: The beauty of the Statute as written is that is allows for flexibility over time as people and
27 language evolve. It says title or description tending to convey the impression so what it means
28 may be hard to enforce but it also recognizes that there's a lot of different way that you could try
29 to make someone believe that you're a professional when you're not.
30
31 Chair: So what I gather from that is intent, what was the intention of the title they put in there. If
32 their intention was to mislead somebody by putting BSME or whatever, that may be a subjective
33 view but it's the charge of our Board to make that decision.
34
35 Rearick: Points out that they know what PE means but what does in training mean? That really
36 has no definition in here it conveys no level of proficiency. He recognizes that when people
37 have achieved a certain level of education or experience or whatever and it would be nice for
38 them to be able to call themselves something different than just intern the public doesn't know
39 what kind of experience they have.
40
41 Kerr: The public doesn't need to know because that individual is supposed to be working under
42 one of us and we are the ones that are supposed to know. The public just needs to know that
43 they are not a professional.
44
45 Chair: Thinks it's better to convey to the public that we have people in training in some fashion,
46 that they are working towards licensure rather than just working.
47
48 Maynard: Asks if we have a regulation that allows people to use the term engineer in training.
49
50 Jones: We have a policy adopted by the board that says they can and it also says that persons
51 that have an accredited bachelors in architecture can refer to themselves as intern architects.

1 That's a board policy so what I was asking for is to change that board policy to say they have to
2 spell it out, they can't use an abbreviation.
3
4 Rearick: Maybe say they can only use that if they are working under the employ of a licensed
5 professional.
6
7 Chair: Asks if they want to make a motion or do a straw poll to see how everyone feels about
8 spelling it out.
9
10 Urfer: States that there are about 15 different ways landscape architects use and one of them is
11 landscape architect in training and do we want to be consistent across the professions. It
12 makes a difference for someone who has the educational background or someone who is just
13 out there.
14
15 Hanson: The current policy has two terms LAIT or ILA for landscape architect. EIT or EI's for
16 engineers we have two for land surveyors and two for architects
17
18 The Chair asks if anyone has an opinion on spelling out in training. There were several
19 suggestions but the end result was that the present policy stands.
20
21 Chair: Likes the idea of putting this in a newsletter or something to get some education out
22 there on what the policy is.
23
24 Maynard: Asks if we go through the yellow pages and check to see that everyone in there has a
25 license to do what they say they can do.
26
27 Savage: Responds that we did that with business licenses a few years back and we could
28 employ another six investigators with that and people ask about that all the time. Are we going
29 to get everybody? Does a cop get all the speeders, we get what we can.
30
31 Maynard: Asks how many corporation are sending in new corporate authorizations adding the
32 new branches to their COA.
33
34 Hanson: Is aware of quite a few because they want to be able to advertise that. The company I
35 work for was all over that.
36
37 Jones: Adds that a lot of times the business doesn't have full control over what the publisher
38 lists the under. They may list them in several categories that are closely associated without
39 their knowledge.
40
41 Several member disagreed with that and said they call you and ask where you want to be listed.
42
43 Jones: Well be got letters showing that they had requested to be removed from a section and
44 the publisher didn't do it.
45
46 Warren: Explains that when they go after this type of case they have to subpoena the phone
47 company or publisher to get exactly how the company request to be listed. Sometimes it's
48 correct sometimes it's not.
49
50 Hanson: Shares a situation where an agency had a list of licensed engineers and one of the
51 people in his company was listed as a PE when he wasn't and he immediately sent an email

1 asking them to correct the list.
2
3 Kerr: Suggests that having the EIT policy in the Guidance Manual would be a good thing.
4
5 Rearick: Is comfortable with the policy as written and with it being in the Policy and Historical
6 Information document. We just have to remember to consistently enforce it this way.
7
8 Chair: Asks if everyone thinks it should be in the Guidance Manual and that when we get to the
9 Guidance Manual we can discuss further.
10
11 There was some discussion on whether this should go in the Guidance Manual or not since it is
12 policy not regulation. It was given to Luanne and Don to decide what and where to put in. Hale
13 and Hanson volunteer to help.
14
15 Hanson: Asks if we know how many people are on the listserv.
16
17 11:20am Break
18
19 11:30 am On record.
20
21 Chair: Item 17 H. Acquiring control of our budget.
22
23 Maynard: In following this for the last 20 years on the LLC and all the complaints of the
24 Legislature we've never had, the Board has never had control of their funds and never and we
25 can recommend but we're not in charge of it and quite frankly the Division is at the whim of the
26 Legislature too because they can raise the fees to raise x amount of money and the Legislature
27 says you can only spend half of that. But it would be nice to know what they are spending our
28 money on so we can explain it to the licensees.
29
30 Koonce: Asks if that applies to the policy on travel. Am I wasting my time even trying to write a
31 letter? (Everyone thinks the letter should be written.)
32
33 Chair: Thinks we still have the responsibility to voice our concerns. We've heard a lot of
34 discussion at this and previous meetings and it's complex. We answer to the Division then the
35 Division has policies set by Administration and so forth so it's hard to follow the buck so to
36 speak.
37
38 Hanson: Explains that the reason he sent the email, he was not at the last meeting and
39 apologizes for that and notes that in reviewing the breakout for the fees and how they were
40 going to allocate it and the price for each license the motion was in support of the fee schedule
41 that was in the packet and also the motion supported doubling the corporate fee. The fee
42 setting sheet that was provided did not appear to match what went out in regulation. Some of
43 the fees appear to be different and maybe you can speak to that.
44
45 Jones: The Division is in charge of setting the fees. They ask for input from the Boards but the
46 final decision is theirs.
47
48 Chair: Doesn't think it changes our recommendation.
49
50 Hanson: So to close my comment the fees that were approved and have been signed appear to
51 be that we are going to have a surplus and not \$50K or \$20K it appears to be in the hundreds of

1 thousands of dollars. So we end up with this whipsaw effect of, oh, we're out of money \$250
2 just liked happened 6 years ago, oh, we've got lots of money, I don't think we are ever going to
3 be back down to \$125 but we get into this whipsaw of raise it drop it, raise it drop it. It was a
4 little frustrating because the last fee setting period the Board said we want to raise the fees. We
5 know we have a surplus now but we want to ramp into this fee increase to cushion it and kind of
6 smooth it out a little bit. That didn't happen.

7
8 Koonce: Why not?

9
10 Jones: Explains that the last time this Boards increase was included in a regulation change for
11 all the Boards and some of them had increases of several hundred percent and got a lot of
12 political push back and did not go through.

13
14 Maynard: Thinks it came out pretty late too so they didn't have time to fix it so they just dropped
15 it.

16
17 Jones: Agrees, they would have never gotten it changed in time for people to renew. This time
18 Don figures at the end of the year we will be in the hole. So this fee increase is to cover that
19 plus provide for the investigator and extra travel we requested. So over the long term there will
20 probably be a moderate surplus.

21
22 Chair: Thinks we should just move ahead and continue to review it.

23
24 Koonce: Thinks it's a math problem and we should be pretty close to on the money every year.

25
26 Maynard: It would be if one person was doing the math. If the Legislature wants to cut the
27 budget they are going to cut us with everybody else.

28
29 Jones: The problem with keeping it level is you don't know what the indirect expenses are
30 going to be. There are too many variables in there that are going to happen no matter what.

31
32 Chair: Suggests that we continue with our plan and address with a letter.

33
34 Maynard: And educate your Legislators that we are not gas and oil money we are fee money so
35 don't cut us.

36
37 Chair: Let's move on.

38
39 **Agenda item 18 – Committees**

40
41 Special committees.

42 Licensure implementation.

43
44 Maynard: We have the structural regulation. I will send to Vern so he can forward to Jun and I
45 will make the change that the project has to be on a disc or flash drive.

46
47 Chair: Reminds everyone that yesterday we assigned a review of the mentorship program to
48 this committee. He also thinks this is where software engineering was discussed and there
49 hasn't been since last meeting. Vern and I had some ideas on how to collect the information
50 and we will continue on that.

51

1 Maynard: The key point is that we need to be able to define that.

2
3 Chair: We were going to the 24 board that license it and see what their definition is, that's the
4 next step.

5
6 Registration and Practice.

7
8 Rearick: No activity.

9
10 Note: Removed Lent and added Maynard to the committee.

11
12 Licensure Mobility

13
14 Rearick: We talked about the Canadian mobility yesterday. He doesn't know if NCEES has
15 anything going or not.

16
17 Maynard: Kind of on the subject the education committee I'm on is trying to make continuing
18 education requirements more uniform. He notes that the NCEES model law is 30 but we are 24
19 and he doesn't know if that's because the architects are 24.

20
21 Rearick: Notes that last year NCARB changed their model law to require 12 per year and
22 there's no carry over. They are pushing for states to change to that at the end of the year. Of
23 course everyone was doing it different. Some were at your license anniversary and some at the
24 end of the year some in June. He hasn't pushed it with this Board because of the carryover of
25 12 credits. He isn't in favor of carryover but a lot of people appreciate it and there would be a lot
26 of push back. Anyway a lot of the states are going to 12 a year at the end of the calendar year
27 and no carryover.

28
29 Maynard: The education committee did a spreadsheet on who does what and some are on a
30 biennium and some on a tri-annual basis. Some end on your anniversary date some end on
31 what your last name is some at the end of the year it's all over the board. So getting the all
32 consistent is probably not going to happen. But we're going to try and get them a little more
33 consistent.

34
35 Urfer: Informs the Board that CLARB is deeply involved in licensure mobility. They are getting
36 requests from entities from Europe to Asia. She volunteers to serve on that committee when
37 asked by the Chair.

38
39 Jones: Asks where we stand on the Canadian issue.

40
41 Rearick: I'm tasked with trying to get comments from the architectural community.

42
43 Mining and Geologists.

44
45 Hanson: I think we are up to about 40 now.

46
47 Social Networking.

48
49 Hale: Not much has happened. Vern forwarded me an email and I haven't heard back.

50
51 Jones: I spoke to her and she said she would be happy to let you know what the State policies

1 are so we would have something to work with. Facebook seems like a good way to go but I've
2 done nothing with it.

3
4 Hanson: Has done some research as well and will share with Dave. There is a State website
5 that shows who has what whether it's face book or twitter and there's not very many. He
6 doesn't think there is a single policy on this. He has done several projects on it with DOT and I
7 did contact the social networking lady that is in charge of it and there are rules on who can post
8 on the site and whether it's an open site. You don't want people posting whatever on there; it's
9 more of a one way communication. He will send Dave some of the information.

10
11 Enforcement Enhancement.

12
13 Maynard: I'm the chair? I wasn't here in May, obviously we haven't done anything.

14
15 Chair: Directs Vern to remove Lent from Mining and Geologists and Luanne volunteers to serve
16 on that committee.

17
18 Maynard: Wait on the Enforcement Enhancement do we have any charges or can it just go
19 away.

20
21 Kerr: Advises that we were going to write a letter to Don requesting his help in getting some
22 movement on the cases that are with the AG.

23
24 A short discussion resulted in the plan to meet with Don and discuss options to get things
25 moving or at least reports for each meeting on what's happening with the cases, that they are
26 not just sitting in a pile on someone's desk.

27
28 Hanson: Adds that John has actually pulled a couple of cases back because of inaction.

29
30 Maynard: Adds that some of them have been there since 2011 and they are 2009 cases.
31 People have commented if you're not going to enforce the licensure laws why do I bother to get
32 a license.

33
34 Computer Based Testing.

35
36 Chair: Last time we had as task to inform the universities that this was happening. He made
37 contact with UAS and thinks Dave contacted UAA or was going to.

38
39 Hale: I talked to Bill Hazelton but he is no longer the chair.

40
41 Hanson: Talked to UAA engineering before the last pencil and paper exam and had about 20
42 people there. He has also been sharing the information at the ASCE meetings. He was going
43 to meet with the UAA facility but they didn't call back.

44
45 Kerr: Mentions that they had test stations set up at the NCEES meeting.

46
47 Hanson: Adds that the PE exams will be going to CBT also. Not all at once but they will be
48 changing.

49
50 Chair: Should we keep the committee going or strike it. It was decided to strike it.
51

1 Standing Committees.

2
3 Investigative Advisory Committee.

4
5 Chair has had a few calls from John since last meeting.

6
7 Guidance Manual

8
9 Urfer: Reports that at the last meeting she had made the comment that they didn't have
10 anything to do but now they have long list.

11
12 Chair: Glad we could help.

13
14 Shies: Has had a little experience with putting together Guidance Manuals and cautions about
15 putting too much in it. It's over 22 pages now and if it's too large and burdensome people aren't
16 going to read it. So you should only put in there what we as a Board consider important
17 information and he is a little concerned about that and thinks we should review what is already
18 in it to see if there is anything that can be culled out of it.

19
20 Chair: Thinks that is a good idea and the Board will wait for their recommendations.

21
22 Urfer: And we are going to reduce the font. (Laughter)

23
24 Chair: Remembers that we had talked about putting ethics in there and policies are a potential
25 topic and perhaps just a general review of what's the objective and what should be in or not in
26 there. It seems to be a catch all and when there is good information we don't want to lose it
27 always goes in the Guidance Manual and maybe that isn't always good.

28
29 Legislative Liaison

30
31 Maynard: It's fund raising season again so if you get invited go and talk to them.

32
33 Emeritus Status.

34
35 Hanson: Asks if we need to renew Brownfield or Harley for the investigative Advisory
36 Committee.

37
38 Chair: Asks Koonce if he would like to be chair of the committee. He accepts.

39
40 Jones: Advises that since Brownfield and Hightower are not Board members anymore they
41 would not be indemnified against law suits.

42
43 Koonce: If there are issues or tasks associated with it.

44
45 Jones: If they provide an opinion on something and someone takes them to court they are not
46 protected by the state. They are on their own.

47
48 Rearick: NCEES has an emeritus designation but NCARB doesn't.

49
50 There was a discussion on what emeritus status is and how to get it. Basically with NCEES
51 when your term on the Board is over if you want to continue with NCEES you have to nominated

1 by your board for emeritus status.
2
3 Schedler: Adds the policy says Boards will nominate former members for emeritus status to
4 NCEES on a yearly basis.
5
6 It was asked who we have that needs emeritus status
7
8 Jones: We have Brownfield, Heieren and Baker right now.
9
10 Free for all conversation with everyone talking at once.
11
12 Budget Committee.
13
14 Chair: We have Don and Brian and we are going to put Jeff on there and you guys were tasked
15 with a letter.
16
17 Koonce: Asks if the travel is to NCEES, NCARB and CLARB and is he missing anything.
18
19 Hanson: Our quarterly meetings.
20
21 Maynard: And if we use it all up on quarterly meetings we can't go to the others.
22
23 Hanson: There was one year we cancelled our Fairbanks meeting because of travel funds.
24
25 Jones: We didn't cancel it we moved it to Anchorage to save money but that didn't get us
26 anymore travel.
27
28 Koonce: There's been letter and such that have been sent out previously to address this
29 situation. He would like copies of those to get up to speed on the history.
30
31 Jones: Will try to dig them out of the old Board Packets.
32
33 Koonce: Doesn't want to re-hash something that's already been beaten to death.
34
35 Jones: Some of them were sent to a different administration. Don and Sara weren't here yet.
36
37 Koonce: I know Daniel personally so I can have a dialog with him and make sure this thing has
38 the right direction.
39
40 Continuing Education.
41
42 Hanson: Notes that it's coming up this year. Better get them done.
43
44 Jones: Don't be the only Board Member that couldn't renew his license because he didn't have
45 his CE done. (Laughter)
46
47 Maynard: Adds that more importantly make sure you actually have it if you sign that thing that
48 says you have it. You don't want a fraud conviction on your record.
49
50 IDP Liaison.
51

1 Rearick: Had mentioned earlier in the meeting that the IDP was changing slightly and adds that
2 he wants to read the three changes as far as the work experience and as of December 2013 the
3 16th of December they will be able to earn IDP experience credits for valid work through the
4 project work relative experience area regardless of the time spent working on the project. Earn
5 IDP credit for valid work experience acquired over winter and spring breaks while in school.
6 And earn IDP credits for valid experience for working on short term projects. And then it's when
7 they can start earning IDP will change beginning December 16th it'll be the point of eligibility to
8 participate in IDP will be the receipt of a high school diploma or equivalent. So they can start
9 right out of high school working for a firm earning IDP even before they've entered college.

10
11 The blackout period we had this summer is done. They've re-done their website and they have
12 a new website for applicants to go to.

13
14 Chair: That's all of the committee updates. He asks Kathleen if she would like to be on a
15 committee. She defers to next meeting. He wants to give everybody an opportunity to do
16 something the feel passionate about.

17
18 Hale: Asks if we are going to talk about ethics.

19
20 Chair: OK go ahead.

21
22 Hale: Isn't sure where this is going to go or what to do with this.

23
24 Chair: Thinks we have properly identified ethics and whether we need to keep reiterating it in
25 different places is the question. We had talked about putting it in the Guidance Manual. I'll
26 leave it to you guys whether it should go in there or not. He thinks in general we have
27 addressed the issue and we will wait for the Guidance Manual.

28
29 Schedler: Thinks we need to separate the regulations for the Board and the Guidance Manual
30 for the professionals and if we need to refer back to something we can see what that is but it
31 seem like they are all mixed up right now.

32
33 Chair: We were talking about putting them in the Manual but maybe more needs to come out of
34 the Manual and go in the policies. He wants the committee to review that and come up with a
35 recommendation for the Board. He thinks we have ethics covered but it still bares the question
36 should we be doing more?

37
38 Rearick: Thinks what Don said about simplifying the Guidance Manual makes a lot of sense.
39 People get lost in the regulations and don't know that certain things are in there and
40 Professional Conduct is one of those things, it's buried towards the back. So if we can
41 streamline the Guidance Manual, keep in mind that we should be referencing back to the
42 specific regulation or Statutes that we're deriving the information in the Manual from in a concise
43 way. He thinks that will help people then they can go to the Guidance Manual and see here's
44 something on professional conduct and here's the specifics I need to go to this regulation to
45 read it.

46
47 Chair: Trying to remember some of the history recalls that there was a period when we were
48 trying to establish some bylaws for the Board and through the AG's office it seemed that it was
49 appropriate to have bylaws so we ended up with policies.

50
51 Shiesl: We do have bylaws in fact I re-wrote them and they are up front and they are short.

1 Basically I redid what we had. He thinks the bylaws are ok and thinks the problem is when you
2 do something like an ethics thing it's always something comes up. A case up that you've got to
3 address. It's like any legislative body they've got address something the moment it happens.
4 Then a year later it goes away and it's stuck there in the book. It may be a onetime thing and
5 you've got a Statute for that onetime thing. My caution is don't address onetime things.
6 Address systemic things or problems not these things that just come up every once in a while.
7

8 Chair: Thinks that is what the minutes are for, we want to capture something so we don't lose it.
9

10 **Agenda item 19 – Board Travel.**

11
12 Jones: In February we've got the MBA conference in Scottsdale AZ. That's on the 5th of
13 February. WestCarb is in March in San Antonio, Western Zone in Lincoln Nebraska in May.
14

15 Koonce: Asks if Member Board Administrators needs to be on the travel list.
16

17 Jones: Yes. The next NCARB is going to be in Philadelphia in June. NCEES next FY will be in
18 Seattle in August CLARB is only having one meeting next calendar year and that will be in
19 Reston Virginia in September.
20

21 Urfer: Explains that CLARB cut back to one meeting because they had so many Boards that
22 couldn't get funding for travel that they are trying to have one meeting with all members there at
23 once.
24

25 Chair: Asks if we need to discuss the quarterly Board meeting dates.
26

27 Jones: There is a NCEES MBA meeting in Scottsdale in February so I'm going to try to go to
28 that so.....
29

30 Chair: So, leaving it the 30th and 31st is probably a good idea. The May meeting is the 1st and
31 2nd in Fairbanks. He asks if there is any further discussion on Board travel.
32

33 Jones: Having meetings in a week that has a holiday in it is extremely difficult. This week we
34 couldn't ship anything on Monday because of the Holiday we had to wait until Tuesday because
35 we weren't ready Friday because of the crunch. Next November the holiday is on the 11th so
36 that takes a work day right out of the middle of that week. If the week before the holiday is not
37 acceptable maybe we need to move the meeting to the last week of October.
38

39 Schedler: I can't attend on the 6th or 7th. The last week of October is Halloween.
40

41 Chair: How about the 3rd and 4th of November?
42

43 After discussion it was decided to set a tentative date of the 4th and 5th of November for the
44 meeting.
45

46 **Agenda item 20 – National meeting reports.**

47
48 Hanson: Reports on the meeting in San Antonio. Dave Whidmer beat Skip. They did approve
49 early testing for the PE but this Board was not in supported of that. He thinks that was the only
50 thing that they weren't in line with everyone else. There were only 6 or 7 jurisdictions that voted
51 against it.

1
2 Maynard: It was a few more but certainly not close to half.
3

4 Hanson: I'm on the UP and LG committee so if you have any model law questions let me know.
5 We are doing a full review of the bylaws and model law to make them consistent. A lot of
6 jurisdictions get their regulations straight out of NCEES model law. NCEES is pushing the
7 model law engineer if people are familiar with that. We actually had one application here where
8 they checked model law engineer. They way that would work is essentially is NCEES reviewed
9 all their paperwork and checked the box that says they've met the model law engineer
10 requirements that the jurisdiction would just accept them through comity or more like reciprocity
11 I guess if they are already licensed. I know that creates issues for us. We reviewed the
12 application just like we would review it normally but I think NCEES is shifting to more of a global
13 effort or country wide effort of getting people under their prevue to follow their rules.
14

15 Jones: Explains that at one time the Board accepted the model law engineer designation for
16 experience but we found out that that designation is not discipline specific. We had an
17 individual who was getting licensed in an additional branch, I think he was a civil and he wanted
18 a license as a mechanical also and he was a model law engineer based on his civil experience
19 not his mechanical and at that point the Board quite accepting the model law designation. The
20 only thing we take out of the Council Record is education and license and exam verification.
21

22 Maynard: Attended the San Antonio meeting also and is on the Education Committee. They
23 have 7 charges but two of them are major groups. They are trying to get the CE more uniform
24 or get the information out there so it can be accessed more readily. He's not sure if it's up on
25 the NCEES site yet but the plan is to have a map that you could scroll over an see what the
26 requirements are for CEU's or the dates they need to be in or how many years between and all
27 kinds of stuff. There are so many variations. Some are color coded.
28 The other one is the Masters or equivalent it used to be called Bachelors plus 30. Trying to
29 develop standards for what that plus 30 would look like. Obviously if you do 30 hours at a ABET
30 accredited university that will qualify. There is interest in allowing short courses that are either
31 put on by one of the societies or if you work for DuPont they have their own education, they train
32 their employees and it's pretty strenuous but it's also using proprietary information so how do
33 we approve that? With chemical engineers there's a lot of employer specific education that
34 goes on. So they are opposed to this plus 30 all to gather. So we are trying to work with them.
35 At the meeting at Scottsdale in December we're bringing five societies to that meeting to get
36 their opinion on how this would work what we would do. The intent is for NCEES to have a
37 registry; I think it has been called a clearing house in the past. So if ASCE wants to be an
38 approved provider or if Joe Blow engineering education company wants to be an approved
39 provider they would come in and explain how they are going to do this and that they meet all the
40 criteria and the course is going to be at least 40 hours long and a bunch of other stuff. There
41 will be tests at the end so you're not just sleeping through the 40 hours you actually have to
42 learn something and prove that you learned it. And if you want to just approve a particular
43 course you can do that as well. If you're an approved provider you can offer a bunch of different
44 courses. At the ASCE they've got so many that you can't go to a quarter of them. So we are
45 trying to figure out how that will work and of course the problem is that nobody has actually
46 adopted Masters or equivalent yet so NCEES doesn't want to set this up for something that may
47 never happen. So it's a chicken and egg thing.
48

49 Kerr: I also attended and it was an excellent meeting the International presence was impressive
50 to me and one of the best things that hasn't already been discussed is there was a lot of
51 discussion about sharing test questions. The Bureau of Land Management put on a

1 presentation about their Certified Federal Surveyor Program and they have an extensive bank
2 of test questions related to the Bureau of Land Management and they may make those
3 available to interested states or NCEES themselves.
4

5 Urfer: Reports that it was an interesting meeting and had good representation from the different
6 Boards. There were members from Canada there. They are working closely with NCARB on
7 the different issues that their dealing with involving testing and where the professions are
8 overlapping. They had a big strategic planning session for Board to talk about a lot of the
9 issues. One of the interesting things that came out of that was how the different Boards do
10 orientation so that new members when they came on the Board were more up to speed. They
11 kept asking me how Alaska did things. They were very interested in the mentoring program. I
12 had requests from a number of western states that wanted to implement a similar program and
13 wanted more information on it. So they are still looking for how to implement those things, they
14 really like the idea and were awfully impressed with the fact that Alaska had actually gotten
15 there. They were very concerned about enrollment in landscape architecture programs as well
16 as well as folks who actually bother to get licensed. They are trying to increase the numbers
17 because like all the other designs professions they are seeing the number drop. I don't know
18 how they compare, I've been asked that and I've asked for information but haven't heard
19 anything back. They've implemented this new LARE exam and it's given a different way and
20 they've seen a really high success rate on that. And before when I took the exam they were
21 looking at single digit percentages of the pass rate because it was so ambiguous. So I think
22 they've come a long way from where they use to be. There were a couple of big items that
23 came out of the meeting one of them was the definition of welfare. This is in everybody's
24 Statute but it's never really been defined. So they're work on trying to define it and mostly they
25 are working with Colorado and California and they are trying to define under the term of
26 wellbeing so it actually has some relativity to being interpretative. I don't have any more
27 information than that but I thought it was an interesting concept of where they were going. Then
28 the really big thing that came back was they had a really long discussion with lady from
29 California about their licensing and how they have been barraged by a lot of the Asian countries
30 for licensure and because it's so expensive for them to actually come over and take the exam
31 there, can they do it remotely. They are trying to get on equal terms they want their licensure to
32 be equal to the U.S. licensing and once she started to talk about that the whole western
33 seaboard has been barraged by these different professions coming here. I guess they are
34 highly coveted if they can get a license in the U.S. they can go back and really sell themselves.
35 But a lot them (unintelligible) she insinuated that there was some interesting hanky panky going
36 on but I couldn't quite understand where she was going with it. It was kind of an interesting
37 concept as to why the want all these licenses
38

39 **Agenda item 21 – Examiners report.**

40
41 Jones: No report.
42

43 **Agenda item 22 – to do list.**

44
45 Chair: Asks if there is anything on the past to do list that didn't get commented on during the
46 meeting.
47

48 Kerr: Need a refresher on his list of questions for investigator.
49

50 Chair: Asks if that was on enforcement.
51

1 Kerr: Responds it had to do with setting priorities for the investigator.
2
3 Chair: May need to go to the minutes for that. Here there is survey definition and flow chart for
4 the Guidance Manual.
5
6 Kerr: That was handed out.
7
8 Chair: Goes around the room starting with himself and checking off those items completed and
9 adding new items from this meeting.
10
11 Eriksen:
12 Old - Respond to Seismic Hazards Task Force: In committee – ongoing.
13 Software Engineering – ongoing.
14 Respond to Chris Miller re Minutes and Board packet online – will write letter.
15 New - Working with Mentorship regulation project.
16 Meeting with Don re AG’s Office.
17
18 Hale: Old - UAA Outreach re CBT – Ongoing.
19 Professional Code of Conduct/Ethics regulation project – work with Guidance
20 Manual and see where it can be worked in.
21 Social Networking – Ongoing.
22
23 Hanson: Old - UAA Outreach – Done.
24 Response to DEC on 17 A. – will assist DEC as needed.
25 NCEES outreach info to Eric Dave and Kathleen. – Done
26 Letter to DOA re travel policies. – Jeff is taking this one.
27
28 Kerr: Already discussed his items.
29
30 Koonce: New – Budget for travel.
31 Letter re travel policy.
32 Emeritus Status.
33
34 Urfer: Old Guidance Manual – ongoing.
35
36 Maynard: Old Tweak SE engineering project. – on going.
37 Response to Seismic Hazards Task Force – will write letter.
38 New - Letter to AG’s officer re responsiveness.
39
40 Rearick: Old Electronic Signatures – shifted to Registration and Practice Committee.
41 New Canada MRA – solicit input from societies.
42
43 Schedler: Old Outreach to UAF re CBT – Ongoing.
44 Examination retakes – Done
45
46 Shiesl: Old Guidance Manual.
47
48 Walters: Old Examination retakes – Done
49 New Guidance Manual.
50
51 Jones: Old Early testing for PE. – Ongoing he sent a request to basecamp for next meeting.

1 Contact CA Board re underground utilities question – No response from CA.
 2 Social Networking contact to Dave – Done.
 3 CTB info to Kathleen – will retransmit.
 4 Send travel info to Travel08.
 5 New Newsletter update
 6 Respond to 17 F.
 7 Follow up on 17 A.
 8 Respond to 17 E.
 9 Check with Division on retaining recordings.

10
 11 **Agenda item 23 – Read Applications into the Record.**

12
 13 **On a motion duly made by Rearick, seconded by Maynard and passed unanimously it**
 14 **was RESOLVED to find the following list of applicants for registration incomplete with**
 15 **the stipulation that the information in the applicant files will take precedence over the**
 16 **information in the minutes.**

17
 18 *The subsequent terms and abbreviations will be understood to signify the following meanings:*

19 'FE': refers to the NCEES Fundamentals of Engineering Examination

20 'FS': refers to the Fundamentals of Surveying Examination

21 'PE': exam': refers to the NCEES Principals and Practice of Engineering Examination

22 'PS': exam: refers to the NCEES Principals and Practice of Surveying Examination

23 'AKLS': refers to the Alaska Land Surveyors Examination

24 The title of 'Professional' is understood to precede the designation of engineer,
 25 surveyor, or architect.

26 JQ refers to the Jurisprudence Questionnaire.

27 'Arctic course' denotes a Board-approved arctic engineering course

Braun, Kenton Wayne	SE	G'fhr	Incomplete - pending calcs
Bolling, Lee Joseph	Mechanical	Exam	Incomplete - pending an additional 12 months of responsible charge experience
Colquhoun, Jason	Fire Pro	G'fhr	Incomplete - - experience must be certified to be in one branch only
Colquhoun, Jason	Control Systems	G'fhr	Incomplete - experience must be certified to be in one branch only
Curtis, Charles P.	Enviro	G'fhr	Incomplete - pending more detailed calcs

Daggett, Andrew P.	Civil	Exam	Incomplete - pending documentation of 10 months' work experience
Davis, Michael Wayne	FS	Exam	Incomplete - pending 2 years credit hours of Surveying course work in a board approved curriculum; & detailed explanation of work experience
Fawcett, Daniel Wade	Fire Pro	G'fhr	Incomplete - pending calcs
Freas, George C.	SE	G'fthr	Incomplete - pending calcs
Holmgren, Daniel Bennet	SE	G'fhr	Incomplete - pending letter for Holmtown Nursery
Knight, Thomas Craig	PS	Exam	Incomplete - pending ? edu; PS & AKLS
Mayo, Alicia Suzanne	Control Systems	G'fhr	Incomplete - pending documentation of past 24 months work experience specifically in Control Systems
Rahimi, Faramarz	Control Systems	Comity	Incomplete - pending documentation of 24 months' work experience specifically in Control Systems
Thieman, Dempsey Sutton	SE	G'fhr	Incomplete - pending calcs; & sealed letters

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2 **On a motion duly made by Rearick, seconded by Maynard and passed unanimously it**
3 **was RESOLVED to approve the following list of applicants for registration with the**
4 **stipulation that the information in the applicant's files will take precedence over the**
5 **information in the minutes:**
6

Aguilera, Sasha Elise	Civil	Comity	Approved
Ancheta, Debbie Santos	FE	Exam	Approved
Anderson, Andrew Paul	SE	G'fhr	Approved
Arehart, David Brian	Enviro	G'fhr	Approved
Arends, David S.	Architect	Comity	Approved

Arnold, Nicholas Ryan	Civil	Exam	Approved - pending exam; Arctic & JQ
Ayers, III, Kenneth Wayne	PS	Exam	Approved - pending exams
Basic, Michael Mirko	Mechanical	Comity	Approved
Baus, Brian	Civil	Exam	Approved - pending exam; & JQ
Bejarano, Isabella Angelica	Civil	Comity	Approved
Bellino, Peter	Fire Pro	Exam	Approved - pending exam; & Arctic
Berg, Mitchell T.	SE	G'fhr	Approved
Bernier, Jobe Paul	Architect	Exam	Approved - pending A.R.E.; Arctic
Bischoff, Thomas J.	Chemical	Exam	Approved - pending exam
Blain, Roy Thomas	SE	G'fhr	Approved
Bloom, Katie Anne	Enviro	G'fhr	Approved
Brown, James L.	Civil	Comity	Approved - pending transcripts
Byers, Jeffrey N.	Architect	Comity	Approved - pending Arctic & JQ
Campbell, Thomas C.	Enviro	Comity	Approved - pending Arctic
Carroll, David J.	SE	Comity	Approved - pending verification of exams; transcripts; & JQ
Cegelka, Stephen	SE	G'fhr	Approved
Chen, Charles Wei	Civil	Comity	Approved - pending JQ
Chu, Jeannie	Chemical	Comity	Approved - pending verification of exams & registration
Choromanski, Clayton	FE	Exam	Approved
Christianson, Cody Lee	Civil	Exam	Approved - pending exam; & JQ
Cox, Jack C.	Civil	Comity	Approved
Cutler, Michael Timothy	SE	G'fhr	Approved
Czerwonka, Gregory J.	Electrical	Comity	Approved

Dammeyer, Michael	Petroleum	Exam	Approved - pending exam & JQ
Devore, Ashley	FE	Exam	Approved
Ditsworth, Jason Edward	Enviro	G'fhr	Approved
Dolan, Andrew James	Civil	Comity	Approved
Dort, James Benton	Civil	Comity	Approved
Dukes, Erik John	Architect	Exam	Approved - pending A.R.E.; Arctic & JQ
Dusel, Janie G.	Enviro	G'fhr	Approved
Eguires-Lee, David	FE	Exam	Approved
Eisenrich, Brian L.	Electrical	Comity	Approved - pending JQ
Farris, Ann Marie	Enviro	Exam	Approved - pending exam; & JQ
Fierro, Michael Robert	SE	G'fhr	Approved
Findlay, Alan D.	SE	G'fhr	Approved
Frahm, Aaron Ray	Mech	Comity	Approved - pending JQ
Gallo, Douglas	Mechanical	Comity	Approved
Gardner, David E.	SE	G'fhr	Approved
Gehring, Loren Kenneth	SE	G'fhr	Approved
Gladsjo, Garret K.	Civil	Exam	Approved - pending exam; & JQ
Graham, Danny Oliver	SE	G'fhr	Approved
Graves, Paul Marchal	Mechanical	Comity	Approved
Green, Matthew S.	Electrical	Comity	Approved
Grutsch, Travis Paul	Civil	Comity	Approved -Pending Arctic
Grutsch, Travis Paul	SE	Comity	Approved -Pending Arctic
Guerrero Herrera, Juan	FE	Exam	Approved

Guillen, Greg A.	SE	G'fhr	Approved
Haghighi, Kamran	Civil	Comity	Approved - pending verification of FE; & JQ
Harris, Craig Wm.	Civil	Comity	Approved - pending verification of PE exam, registration; & Arctic & JQ
Hayner, Jeffrey Michael	Architect	Exam	Approved - pending A.R.E.; IDP; final fees; Arctic & JQ;
Hiester, Steven C.	Civil	Comity	Approved - pending JQ
Hocker, Benjamin Lane	Surveyor	Comity	Approved - pending AKLS
Hopper, Bruce Edward	SE	G'fhr	Approved
Israel, Alexander J.	Chemical	Comity	Approved
Johnson, Katelynn Marie	Enviro	Exam	Approved - pending exam; & JQ
Kalantarians, Sevak	Electrical	Comity	Approved
Kehoe, Jonathan Paul	Mechanical	Comity	Approved
Kevyuravong, Pisonth	Enviro	G'fhr	Approved
Kienle, Florian J.	Fire Pro	G'fhr	Approved
Liebl, Gregory A.	SE	G'fhr	Approved
Lundin, Robert Theodore	Architect	Comity	Approved - pending JQ
Machata, David C.	Civil	Comity	Approved
Makowicki, Paul R.	Architect	Comity	Approved
Mariani, Raymond P.	Landscape Architect	Comity	Approved
Martin, Zeno	SE	Comity	Approved
Memmott, Jennifer Ann	Civil	Comity	Approved - pending verification of exams & registration
Merriman, William Owen	Architect	Comity	Approved

Miller, Joseph J.	FE	Exam	Approved
Miller, Joseph Thomas	SE	G'fhr	Approved
Mora, Lisa	Electrical	Comity	Approved
Morris, Mark Grinnell	Control Sys & Fire Protection	Comity	Approved
Mott, William Richard	Metallurgical & Materials	G'fthr	Approved
Muniz, Matthew	FE	Exam	Approved
Naderi-Asrami, Hamid Reza	SE	Comity	Approved
Nelson, William J.	SE	G'fhr	Approved
Novakovic, Slobodan	Civil	Comity	Approved
Oblander, Scott Eric	Mechanical	Comity	Approved
Ostling, Charles Høglund	Control Systems	Comity	Approved - pending Arctic & JQ
Parker, Patrick O.	Civil	Comity	Approved
Parkinson, Steven David	Electrical	Exam	Approved - pending exam
Parra, Giovanni Guillermo	Electrical	Comity	Approved
Pearson, Katrina Rae	SE	G'fhr	Approved
Phaup, William F.	SE	Comity	Approved
Quinlan, Thomas J.	Mechanical	Comity	Approved - pending JQ
Rahimi, Faramarz	Mechanical	Comity	Approved
Rein, David	Mechanical	Comity or G'fhr	Approved
Richardson, Ian K.	Civil	Comity	Approved
Ritz, Thomas Alan	Civil	Comity	Approved - pending JQ
Robertson, Roy A.	Enviro	G'fhr	Approved

Roushar, Samuel Stuart	SE	Comity	Approved - pending Arctic
Sandhorst, Steven R	SE	G'fhr	Approved
Schnabel, William E.	Enviro	Comity	Approved - pending JQ
Semlow, Courtney Ann	Civil	Comity	Approved - pending JQ
Shoemaker, Michael John	SE	G'fhr	Approved
Sorbel, Branton Jae	SE	G'fhr	Approved
Stachelski, Patrick J.	Electrical	Comity	Approved - pending Arctic
Stewart, Steven Jack	Mechanical	Comity	Approved - pending Arctic
Stone, Matthew Todd	Enviro	G'fhr	Approved
Sun, Kenneth Tom	Fire Pro	G'fhr	Approved
Swanger, Wallace Shane	Electrical	Comity	Approved - pending verification of PE exam branch; Arctic & JQ
Telado, Jeremiah Noel	Mechanical	Comity	Approved
Thallmayer, Jason Ludwig	Mechanical	Comity	Approved
Veelman, Will	SE	G'fhr	Approved
Wayne, John D.	Surveyor	Comity	Approved - pending AKLS
Weinberger, John Steven	Civil	Comity	Approved
Williams, Derek V.	Civil	Comity	Approved - pending JQ
Wiseman, Matthew	FE	Exam	Approved
Witzmann, Stephen Wm.	Enviro	G'fhr	Approved
Woehrle, Michael D.	Mechanical	Comity	Approved
Wolfe, Eric Kern	Civil	Comity	Approved - pending transcripts

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- 2 **Agenda item 24 – Calendar of Events.**
- 3
- 4 January 30-31, 2014, Juneau

1 May 1-2, 2014, Fairbanks
2 August 7-8, 2014, Anchorage
3 November 3-4, 2014, Anchorage
4

5 **Agenda item 25 – Board Member Comments.**
6

7 Rearick: It was a good Board, having DEC here to express their concerns about how to resolve
8 their issues. I appreciate the discussion we had; the whole Board meeting was a good
9 discussion.

10
11 Koonce: Appreciates the opportunity to be and participate and hopefully I'm able to contribute.
12

13 Schedler: Feels the same, still feels like a new member although I realize there are those that
14 came after me. Hope I can contribute.
15

16 Hale: Good to be her again and glad to be part of it.
17

18 Kerr: Agrees it's good to be and it seem like there is a never ending pile of stuff to do.
19

20 Vinson: Glad to be of help.
21

22 Shiesl: Reminds all that that January will be his last meeting. He put in a letter and asks Vern
23 what his read is on his chances. He will be glad to continue on as long as he is needed.
24

25 Jones: Explains that a member is appointed until replaced so he can serve until another public
26 member is appointed. He adds that they haven't approved new terms for those in the past that
27 have service 1 and ½ terms.
28

29 Urfer: Like all the other new members I'm a little shaky.
30

31 Hanson: Appreciates being here, sorry he missed the last meeting. He appreciates everyone's
32 support for his bid for WestZone VP. There's more to follow on that, I'll have to start
33 campaigning. Richard Heieren has offered to help out with that and mentor me. He appreciates
34 the opportunity to be on the Board and advance licensure for Alaska.
35

36 Jones: Good meeting. He apologizes for getting the packets out late and not tabbed.
37

38 Maynard: Good meeting, there were substantive issues and we came up with some guidance
39 on a couple of things that people get in trouble with.
40

41 Chair: Appreciates everyone's support and thanks everyone for their hard work. It was good
42 meeting and looking forward to the next one.
43

44 12:55 p.m. meeting adjourned.
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Respectfully submitted:

Richard V. Jones, Executive Administrator

Approved:

Eric Eriksen, PE, Chair
Board of Registration for Architects,
Engineers and Land Surveyors

Date: _____