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

9
10 **MINUTES OF THE MEETING**

11 **May 3-4, 2018**

12 By authority of AS 08/01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a
13 scheduled meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held on
14 Thursday, May 3rd and Friday, May 4th at KPB Architects, Anchorage, Alaska.

15
16 **I. Call to Order/Roll Call**

17 The meeting was called to order at 9:01am by Dave Hale, Chair.

18
19 **Board members present, constituting a quorum:**

20 Jennifer Anderson, Civil Engineer, Environmental Engineer
21 Dave Hale PS, Surveyor
22 Catherine Fritz, Architect
23 Elizabeth Johnston, PE Electrical Engineer, Fire Protection Engineer
24 Richard "Vernon" Jones, Public Member
25 John Kerr, PS, Surveyor
26 Jeff Koonce, Architect
27 Colin Maynard, PE, Civil Engineer, Structural Engineer
28 Bill Mott, PE, Chemical Engineer, Metallurgical and Materials Engineer
29 Luanne Urfer, Landscape Architect
30 Fred Wallis, Mining Engineer

31
32 Attending from the Division of Corporations, Business, and Professional Licensing were:

33 Alysia Jones, Executive Administrator
34 John Savage, Investigator

35
36 The following staff attended telephonically for portions of the meeting:

37 Melissa Dumas, Administrative Officer
38 Heather Noe, Licensing Examiner

39
40 The following members of the public attended portions of the meeting:

41 Chris Ottosen, in person
42 Bob French, in person
43 Peter Beardsley, telephonically
44 Nefertari Carter, telephonically

1
2 **II. Review/Amend Agenda - 9:02 a.m.**

3
4 **On a Motion duly made by John Kerr seconded by Colin Maynard, and approved**
5 **unanimously, it was RESOLVED to accept the updated agenda.**
6

7 **III. OnBoard Software Training**

8 A. Jones walked the board through the new online software solution, OnBoard to ensure
9 everyone was logged in and able to access the meeting materials. The board also utilized the
10 action feature to create and vote on several motions.
11

12 **IV. Ethics Reporting**

13 The Chair, Maynard and Kerr reported they had attended the NCEES Western Zone meeting
14 held in Honolulu, April 5-7.
15

16 Johnston, Mott and A. Jones reported they had attended the NCARB/CLARB Orientation for
17 New Member Board Members and Executives held in Washington, D.C., Feb 8-10.
18

19 The Chair, Fritz, R. Jones and A. Jones reported they attended the NCARB Regional Summit in
20 Wichita, March 8-10.
21

22 **V. Review/Approve February 2018 Meeting Minutes**

23
24 **On a Motion duly made by Colin Maynard, seconded by Jeff Koonce and approved**
25 **unanimously, it was RESOLVED to approve the minutes with minor corrections.**
26

27 **VI. Investigative Report**

May_3_2018_A_00:01

28 Savage said the Chair plans to meet with the new chief Greg Francois to discuss AS 08.48.055,
29 which specifies the department in consultation with the board, shall employ two persons who are
30 not members of the board with one serving as the Executive Administrator and the other as
31 Investigator for the board.
32

33 Savage mentioned former Chief Investigator Al Kennedy departure was crushing to the Division.
34 The Chair asked if Kennedy's departure impacted Savage's ability to work on AELS cases.
35 Savage said people are being hired and some are moving on after only a few months. Savage
36 indicated a lot of the experienced staff have moved on. The Chair said they will meet with
37 Francois and have a friendly conversation about the history and reasons why the board worked to
38 get the two staff positions for the AELS board in statute.
39

40 Maynard explained historically there had been multiple investigators assigned to AELS cases,
41 but the board did not feel it was getting the services it needed and decided to go to the legislature

1 with the issue. Savage clarified there were 3 ½ investigators and stated he believed there is
2 currently an appropriate workload to keep that many investigators employed. Maynard indicated
3 having additional resources would allow investigative staff to be more proactive and conduct site
4 visits. The Chair said he wanted to make sure everyone was aware of what was happening and
5 the discussion that would take place with the Division's Chief Investigator.

6
7 In regards to the Investigative Report, Savage said there was an increase over the past few
8 months related to the recent renewal cycle. Maynard asked for clarification on the
9 Review/Complete items on the report. Savage explained those were typically related to a "Yes"
10 response on the application. R. Jones asked if Savage is able to conduct site visits. Savage
11 responded he has not been able to get out as much as he used to, and hopes that will change soon.
12 Johnston asked if he is able to visit sites outside the Anchorage area. Savage stated he does do
13 road trips to reach other areas, but that going to other areas of the state (e.g. Southeast or around
14 Fairbanks) requires a travel request. Maynard said when the board met in Fairbanks, Savage
15 would typically schedule site visits in conjunction with board meeting in that location.

16
17 The board discussed their responsibility to inform Savage if they see something. Savage said the
18 Fire Marshall's office and other entities also notify his office if they become aware of an issue.

19
20 Johnston said the State Fire Marshall removed their person in Fairbanks and commented on the
21 lack of coverage of other areas outside of Anchorage. Koonce asked if Savage visits the western
22 part of the state. Savage said he has not, but indicated he would like to schedule a time to review
23 that area.

24
25 Kerr asked if there was an opportunity to roll the visits into our outreach program. Kerr said the
26 board now has a line item in the budget for outreach and asked if we can keep going in that
27 direction and use that line item to also cover investigate site visits. Fritz suggested scheduling
28 Savage and a board member on a conference agenda, such as the Associated General Contractors
29 of Alaska conference, which would not require travel, but Savage's participation and possibly
30 that of a board member to actively be involved with the conference, instead of just attending.
31 Fritz added there are some venues that would require minimal travel, and would be excellent
32 outreach opportunities to make various audiences aware of the rules.

33
34 Savage mentioned the Department of Labor has also been a great asset and explained their
35 electrical, boiler, and plumbing inspectors have contacted Savage when they see issues. Savage
36 said these other groups are helpful, but reiterated there is nothing like "boots on the ground" and
37 walking up to a site and requesting to review plans, see permit, etc.

38
39 R. Jones asked Savage to explain to the new board member how to handle complaints. Savage
40 explained if anyone calls a member directly, the board member should stop the individual, and

1 direct them to Savage. Maynard explained the board may need to be the jury somewhere down
2 the road, and cannot know anything about it. The board also discussed the role of a reviewing
3 board member on an investigative case.

4
5 Fritz asked Savage to clarify what “unlicensed practice/architect” meant on the Investigative
6 Report. Savage explained that statement typically refers to a case where someone was trying to
7 be an architect who is not registered with the state. Kerr commented that there appeared to be a
8 large amount of license application problems and did not recall seeing those in the past. Savage
9 explained, the increase is due in part to the board’s request for more detailed explanations in the
10 Investigative Reports coupled with a higher amount of applications submitted with “Yes”
11 responses to the general questions.

12
13 *May_3_2018_A_20:36*

14
15 **VII. Division Update**

16 The board moved forward to discuss agenda item VII.B. while they waited for Division staff to
17 call-in to discuss the FY 18 3rd Quarter Report (agenda item VII.A.).

18
19 **B. Annual Report FY 18** – A. Jones explained the annual report is due at the end of June and
20 requested the board review the FY 17 annual report as a reference. The Chair requested we
21 include travel information for the investigator’s site visits. A. Jones stated estimated travel costs
22 for the investigative sweeps were included in the FY 17 report and that she would follow up with
23 Savage to see if he planned to conduct any before the end of the fiscal year.

24
25 The Chair asked everyone to review the report and to submit all anticipated travel requests to
26 staff. A. Jones also asked the board to send any anticipated outreach activities to her so she can
27 include those in the annual report. The Chair urged the board to determine compelling reasons to
28 hold meetings in Juneau and Fairbanks that go beyond the importance to licensees and the
29 public.

30
31 The Chair asked Urfer to provide a report on CLARB.

May_3_2018_A_23:23

32
33 **VIII. National Organization Reports**

34 **A. CLARB** - Urfer reported CLARB is currently focused on trying to get members to apply to
35 serve on committees, and mentioned they are restructuring. The Chair asked if Urfer is serving
36 on any committees or boards for CLARB and she responded the organization appears to be
37 targeting larger jurisdictions with a higher volume of landscape architects. Mott mentioned at the
38 NCARB/CLARB orientation, there was a lot of discussion about deregulation in other
39 jurisdictions. Johnston mentioned they are having their first international CLARB meeting in
40 Toronto this September in order to make comparisons between Canadian and American model

1 laws. Johnston also noted that CLARB will do a model law comparison between a jurisdiction's
2 governing documents and their national organization model law. Johnston said following the
3 comparison, CLARB will provide a tool that highlights similarities and differences, and includes
4 recommendations because the closer jurisdictions are to their model law, the more defensible
5 they are.

6
7 Melissa Dumas, Administrative Officer for the Division of Corporations, Professional and
8 Business Licensing joined the meeting telephonically. The board returned to agenda item VII.
9 Division Reports.

10 *May_3_2018_A_26:48*

11 **A. FY 18 Quarterly Report** – Dumas introduced herself for the record and walked through the 3rd
12 quarter report. Dumas noted the board had a reduction in fees. Fritz asked for more details about
13 the legal services line items 3088 and 3094. Dumas stated she would review and email A. Jones
14 additional details in response to Fritz's question. Mott asked about total revenues.

15
16 Mott asked Dumas if she knew what percentage of licensing revenues are anticipated to come in
17 during the 4th quarter. Dumas provided an estimate and the board discussed trying to have a
18 year's worth of expenses as their surplus, and looked at both renewal and non-renewal years.

19
20 The board thanked Dumas for calling-in.

21
22 *Note: Dumas provided additional information via email later that afternoon, which explained*
23 *3088 costs included costs for Megyn Greider's attendance and legal services during the*
24 *November 2017 board meeting and 3094 were for hearing services associated with OAH# 17-*
25 *0839-AEL-Timothy Ingraham.*

26
27 *May_3_2018_A_26:48*

28 The board returned to discussing **VII.B. FY 18 Annual Report.**

29
30 A. Jones said she would notify the board once a draft was ready for review and comment. The
31 board discussed board meeting travel requests. A. Jones explained statements of support from
32 local chapters were included in the travel request for the May meeting, and reminded the board
33 of the statewide travel restrictions and that meeting outside of the most cost-effective location is
34 not in compliance with the Division's policies.

35
36 TASK: A. Jones will provide a list of dates for all FY 2019 meetings.

37
38 The board discussed potential outreach audiences, including IBC meeting, professional societies,
39 code-enforcement, contracting agencies, students, and legislators. The group also discussed how
40 to incorporate those outreach activities into the annual report and quarterly meeting travel

1 requests. The board asked A. Jones to submit the travel request for all four board meetings at the
2 beginning of the fiscal year.

3
4 Fritz requested the board consider ways to streamline the application review process in order to
5 free up time during the quarterly meetings for other activities and discussions. Maynard
6 explained the volume of applications may even out over the next few years as the NCEES exams
7 transition to computer-based-testing and a more flexible schedule.

8
9 The board continued to discuss challenges related to travel to and from conferences as well as
10 issues with accessing lodging due to delayed flights.

11
12 TASK: The Chair requested A. Jones provide a copy of the Division travel policy.

13
14 Urfer requested the travel request for the CLARB Annual Meeting, be submitted as soon as
15 possible to avoid any issues. A. Jones agreed to submit the request as soon as she receives the
16 official invitation and agenda from CLARB.

17 *May_3_2018_B_00:15*

18
19 **C. Board Member Self-Evaluations** – A. Jones asked each board member to complete the
20 evaluation form and submit it to her along with travel receipts. She agreed to email the form to
21 the board following the meeting.

22
23 **D. Travel Updates & Reminders** – Given the previous discussion regarding travel, the Chair
24 asked if there were any additional comments. The board had no additional comments.

25
26 *May_03_2018_B_02:39*

27 **IX. National Organization Reports**

28 The board returned to agenda item IX. Before moving on to NCARB updates, Urfer added that
29 CLARB is also focused on outreach to potential applicants and encouraging licensure.

30
31 **B. NCARB** – Fritz summarized 5.0 ARE is in effect, and 4.0 is being phased out. Fritz noted she
32 is working on the strategic planning committee for the western region, which is looking to align
33 its mission and vision with what's important to the region. Johnston added there are 110,000
34 licensed architects in U.S, and only 65,000 are AIA members, so NCARB believes they have a
35 role to fill in reaching out to those that are not members. Johnston also mentioned NCARB has
36 an assigned point-of-contact for each board (jurisdiction). Koonce mentioned the value of
37 certificate was a big topic of discussion at the Board of Director's meeting. Fritz said there is a
38 continued debate about its value and whether NCARB is responsible to the member boards or the
39 certificate holders. Koonce also mentioned a lot of states are adjusting their term limits.

1 Fritz mentioned California was not represented at the NCARB Regional Summit because of
2 political issues. Johnston added in regards to the certificate, NCARB can customize what we see,
3 and add information that is state specific. Johnston said they also track AXP hours and are
4 working on a way to also track continuing education. Fritz thanked Johnston for the information
5 and wished she had been eligible to attend the training as well. Johnston noted that A. Jones had
6 compiled a detailed report of the Orientation. A. Jones noticed the report had not been uploaded
7 to the board packet and uploaded it to OnBoard during the meeting for the board members to
8 view.

9
10 A. Jones commented that NCARB has significantly improved its customer service and has been
11 very responsive to requests for assistance from AELS staff.

12
13 *May_03_2018_B_10:20*

14 **C. NCEES** – Maynard reported NCEES CEO is resigning and they are in the process of
15 reviewing applications for his replacement. Maynard said Brian Robertson of Colorado was
16 elected as the Western Zone Vice President and Scott Bishop of New Mexico was elected as
17 Assistant Vice President. Maynard said committee updates were non-controversial and language
18 mirroring the model law structural engineer designation will be included in the appendix so
19 jurisdictions that wish to license structural engineers separately can utilize that language.

20
21 Maynard mentioned NCEES recently sent out a survey to help determine what should be
22 included on the fundamentals of engineering and fundamentals of survey exam. Maynard noted
23 inconsistencies related to structural engineering, stating it was not included in the list of
24 engineering disciplines, however structural questions were included in the exam. Maynard said
25 the meeting was informative and mentioned changes to the transition to computer-based-testing
26 (CBT) schedule. Maynard notified the board that the software engineering exam would be
27 eliminated following the October 2018 administration due to low enrollment of the past several
28 years. Kerr added the main discussion of the Surveyors' Forum at the Western Zone meeting
29 focused on developing a separate module for public lands for the PLS exam. Kerr said a
30 committee was formed to look into the topic which led to a discussion on the possibility of other,
31 more in-depth modules including hydrographic surveying, aerial-based surveying, and GIS. Kerr
32 said the group also looked at tailored modules to cover topics currently included in state-specific
33 exams. The Chair added the module approach allows for a lot more flexibility and would help to
34 promote licensure mobility. Both Kerr and the Chair indicated the more in-depth modules were
35 still several years out and anticipated discussions to continue. Kerr added NCEES now offers a
36 tool for tracking, storing, and transmitting continuing education material.

37
38 The Chair requested the board skip ahead to Agenda Item XII. Correspondence Received, Item
39 F. as there were two guests in attendance to hear the discussion on that item and the board was
40 currently behind schedule.

1
2 ***XII. Correspondence Received***

3 ***F. Stamping Requirements for AHERA projects*** – The Chair asked Mr. French and Mr. Ottosen
4 to introduce themselves. French and Ottosen work for EHS Alaska, which does hazardous
5 material consulting. French stated it was his understanding that hazardous materials drawings
6 need to be stamped to be included in part of a design package and asked the board if the hazmat
7 drawings are required to be stamped by a professional engineer or architect, or if can they be
8 stamped by a person who has the training (AHERA certification), which is required by the EPA.
9 French stated the discipline for hazardous materials “falls through the cracks” and said it is not
10 specifically included in the disciplines currently regulated by the board. French noted
11 environmental engineering is the most closely related field, but stated that discipline often deals
12 with site contamination and not with construction. Ottosen explained the impetus for bringing the
13 matter before the board was that French is planning to retire in a few years and they are trying to
14 figure out what the actual requirements are. Ottosen said he did not see anything in the Alaska
15 statute and regulations. Ottosen mentioned there are requirements set out in federal regulations,
16 but explained there are no stringent education or experience requirements for this type of work.
17 Ottosen added states are allowed to have their own additional requirements, beyond what is
18 stipulated in the federal regulations.

19
20 Maynard said when he first received the question from staff, he felt it needed to come before the
21 board and had requested it be added to the agenda. Maynard said he did a little research and said
22 the environmental engineering test does include some questions on asbestos, lead paint, etc., but
23 that it is one small portion of a much larger exam. Maynard stated it might be possible to handle
24 it similarly to fire protection engineers, and update statutes and/or regulations to allow AHERA
25 designers to do work that particular work in addition to an engineer or architect that has the
26 expertise to do stamp hazmat drawings.

27
28 Several board members commented they had never seen an architect stamp those types of
29 drawings. Johnston stated that, in her firm, an architect does stamp drawings dealing with lead-
30 based paint removal.

31
32 Anderson asked if they are locating different materials on the drawings based upon sample
33 results that they obtained. French and Ottosen responded yes. Anderson then asked if they have
34 drawings in hand, review the data, and then mark up the drawings to indicate whether or not it
35 tested positive for lead, asbestos, PCPs, etc. Ottosen and French stated they are marking the
36 drawings and quantifying. French added that their work involves showing what is there, what
37 needs to be removed, etc. French said similar to Alaska, Washington does not have anything
38 specific, but in the last decade they developed an AHERA designer stamp that looks like a
39 professional stamp, and is used by individuals that have the AHERA training and certification.

1 Johnston asked if AHERA is just asbestos and noted this is a broader question. French confirmed
2 that AHERA is just asbestos and added that there aren't federal requirements for the other areas.

3
4 Anderson said in her experience and practice, it has always been a scientist, engineer, or
5 AHERA-certified person signing off of those drawings, but explained they are not stamped.

6
7 The Chair asked if it should be regulated. Fritz said it should be clearly regulated, and added that
8 she could see how it could be considered under architecture because of the relation to buildings,
9 but stated to her knowledge there is nothing in an architects education, experience, or
10 examination that relates to this type of work and it would be a stretch under the current
11 framework of architecture.

12
13 Ottosen commented there is no formal training for this type of work, and expertise comes from
14 experience. Ottosen said AHERA certification requirements only involve a few courses. Mott
15 agreed a lot of the knowledge and expertise is based upon experience.

16
17 Ottosen said a lot of people don't want the liability and that is why they contact companies, such
18 as theirs, with individuals who are AHERA certified. The Chair said the board does not handle
19 certifications and needs to determine if this should be regulated by a board and then what would
20 it fall under. The board discussed potential disciplines and fields of practice that the work would
21 fall under, the importance of professionals having the expertise to stamp that type of drawing,
22 and how that may change depending upon the material in question.

23
24 Ottosen clarified that they are doing building surveys, so they are looking for hazardous building
25 materials. Maynard asked if there was a certification for lead-based paint. Ottosen stated the EPA
26 has regulations for removal of lead-based paint for certain activities and that both he and French
27 are certified to do that type of work. Ottosen said he does not foresee a reason to regulate that
28 since there is already a process in place at the federal level with lead risk assessors and lead
29 inspectors.

30
31 Fritz stated she would not be interested in getting involved in certifications, but asked French and
32 Ottosen if they believed the work falls within a discipline regulated by the board or is a
33 certification adequate. French stated he did not feel it needs to be regulated by the board, and
34 believed there could be an exception for this type of work, similar to fire protection. Maynard
35 explained fire protection exemptions are in statute and asked if they would like to have
36 something in statute or regulation that says notwithstanding all these other things, if you have
37 these certifications, you are qualified to do this type of work? Ottosen indicated that it would be
38 nice to have legal backing. French said he wasn't sure it needed to be in statute, but agreed that it
39 would provide clarification on something that has not been addressed previously.

1 Koonce asked how hazardous materials regulated in Washington, Oregon, or California. French
2 said it is the same situation where it is not specifically addressed. Koonce asked if there was any
3 other regulatory board other than OSHA that provided oversight. French responded EPA and
4 OSHA. Kerr asked if there is any hazmat plan reviewer and what protects the public?
5

6 Koonce explained there is a two-step process and likened it to a designer-contractor relationship.
7 Koonce explained one group identifies hazardous materials and then another company, that is
8 certified to do the abatement work in accordance with OSHA and EPA, completes the work.
9

10 French and Ottosen said they require inspections to be signed by the appropriate, certified
11 individuals.
12

13 Fritz asked about stakeholder groups and suggested the board do some review of this topic and
14 take comments. Ottosen said there are five to six companies that do this type of work in Alaska.
15 French said some of the companies are stamping, while others do not.
16

17 Anderson said based upon the information presented at this time, she does not see the need for a
18 PE to stamp it. R. Jones suggested adding it to our statutes under exemptions. Mott stated as a
19 licensed engineer you are required to only work within an area that you are competent, follow a
20 certain ethical code, and rely on a third party group to manage the qualifications of personnel and
21 expressed his concern regarding uniform qualifications, uniform requirements, and uniform
22 capabilities for this type of certification.
23

24 Fritz reviewed the current exemptions and indicated designers of fire detection or suppression
25 systems is specifically addressed, and stated there was nothing in Section 08.48.331 that could be
26 inferred that hazardous material certification was part of an existing exemption.
27

28 Maynard said if it doesn't fall under the definition of any of our fields of practice then we don't
29 govern it. R. Jones suggested adding some language to the definition of environmental
30 engineering and including a clause regarding individuals that are appropriately certified are
31 exempt from licensure.
32

33 The Chair asked if Anderson would be willing to look into the issue more closely and suggested
34 she work with R. Jones given his background and knowledge with the AELS board and
35 regulation updates.
36

37 TASK: The Chair asked Anderson and R. Jones to review and determine where the most
38 appropriate place would be to address the concern.
39

1 French and Ottosen said they brought the matter to the board because they felt it was important
2 and current regulations were not clear on this point. The board agreed and thanked French and
3 Ottosen for bringing the issue before the board.

4
5 *May_03_2018_B_55:07*

6 The board went back to Agenda Item X.

7
8 **X. Outreach Reports**

9 Maynard said he spoke to UAA students during the electrical engineering wrap-up course earlier
10 this spring and mentioned he typically speaks to the mechanical engineering wrap up course, but
11 stated due to changes in staffing, he will likely be speaking with that group of students during a
12 planning/ project management course in the fall.

13
14 Kerr and the Chair presented at the AK Survey and Mapping conference and will be presenting
15 at the Alaska Arc users group. Kerr mentioned they met with the president of URISA, and said
16 overall the outreach regarding the practice of land surveying has been very productive and
17 increased understanding. Wallis asked how the talk with DNR went and Kerr responded they are
18 much more knowledgeable now and the presentation was well received.

19
20 Wallis mentioned his company had been bringing students into the mines.

21
22 *May_03_2018_B_55:58*

23 **XI. Correspondence Sent**

24 The Chair summarized the responses sent to items listed under Correspondence Received on the
25 February 2018 meeting and asked if the board had any questions.

26
27 R. Jones asked if the board received a response from UAA regarding the FE exam. Maynard and
28 A. Jones explained the letter had only recently gone out and A. Jones stated she would notify the
29 board of any responses received.

30
31 **C. Response: Sealing requirements and municipalities.** The Chair explained, the individual who
32 had initially brought the question to the board had requested a letter be sent to the Municipality
33 of Anchorage about requirements to stamp certain documents and legal descriptions. The Chair
34 said he has spoken with the municipal surveyor about this topic and learned their lawyers are
35 looking into the matter right now. The Chair recommended waiting to see what the findings were
36 before sending a communication from the board. Kerr suggested sending the letter now regarding
37 the board's position before they come to a final decision. The Chair explained the topic is legal
38 descriptions for encumbrance of property or some transfer of property and the exhibits that
39 accompany them. The Chair explained that typically both are stamped and they go into the legal

1 document. The board discussed temporary permits, temporary easements, permanent easements,
2 and an actual transfer of property, and how the documents are still final even if it is temporary.

3
4 Maynard said he receives requests to stamp calculations and the guidance manual clearly states
5 calculations are not final and only final documents need to be stamped. Maynard said a report or
6 memo may be stamped with calculations attached. The board discussed the stamping of field
7 logs. The Chair and Kerr stated they are stamped and have been used in court.

8
9 The Chair reiterated the discussion before the board is in relation to documents that are being
10 recorded. The Chair asked if the board was comfortable moving forward with this
11 correspondence. Kerr stated their legal interpretation is not going to change the board's
12 perspective, but that the board's perspective may change their legal perspective. The Chair
13 agreed to draft the letter, but wanted to ensure that it was the board's decision, and requested that
14 a motion be made.

15
16 Mott asked to return to the discussion about calculations and why they were not final documents.
17 Maynard said no one is building anything off of your calculations. Several members disagreed.
18 Maynard referenced the guidance manual which says calculations cannot be final documents.
19 Several members indicated the information in the guidance manual may require a revision or
20 further clarification. Mott stated calculations are likely to be the most engineering thing you may
21 do in the whole design. Maynard argued that you create a report or a plan based on those
22 calculations. Kerr asked if you can hand someone your calculations and they will do something
23 based upon that information. Fritz offered the example of performance specifications and
24 mentioned more and more manufacturers are obligated to produce something according to
25 calculations. The board determined calculations lack the context of what they mean so a cover
26 sheet or report is required to explain what to do based on those calculations, and stamping that
27 cover sheet would be appropriate. Fritz commented that the industry is changing, and explained
28 there were times where a master builder just did everything and figured it out in the field, and
29 now we design everything, bid everything, and then construct it. Fritz added there are so many
30 choices on how to do things and stated she could see instances where calculations could be the
31 product of the engineer or even the architect.

32
33 The Chair brought the discussion back to the initial topic and reiterated that the letter would
34 address the topic of final documents that are being recorded as legal descriptions and the exhibits
35 to support those descriptions. The Chair said Kerr is drafting a motion for the board to consider.
36 The Chair stated that he and Kerr are very close to the source on this topic and suggested
37 someone else bring the motion forward. Maynard, Johnston, and Fritz responded the Chair and
38 Kerr have the most expertise and felt it would be appropriate to come from one of them.

1 *May_3_2018_B_1:08:42*

2 The board returned to the agenda and discussed the possibility of postponing Agenda Item XIII.
3 Presentation – NCARB Education Guidelines until Friday pending confirmation of NCARB
4 staff’s ability to reschedule.
5

6 *May_3_2018_B_01:10:39*

7 Based on the time, the Chair requested the board move to Agenda Item XII and suggested
8 discussing simpler questions before the lunch break and saving the more complex topics for
9 later.
10

11 **B. Question: Mentoring Program** – A. Jones explained an individual pursuing registration in
12 Alaska as an industrial engineer is interested in the mentor program and is asking if it is
13 acceptable to have face to face meetings virtually, since there is only one licensed industrial
14 engineer in Alaska.
15

16 Johnston said given the limited number of licensed individuals that can act as a mentor in this
17 discipline, she recommended the board be flexible. Johnston also recalled the board’s discussion
18 regarding remote supervision at the February meeting and encouraged the board to be consistent.
19 Maynard agreed if it is acceptable to oversee a project remotely, then it should be acceptable to
20 conduct the mentoring program remotely as well, as long as all the requirements are being met.
21

22 Wallis mentioned he has a peer that he has been encouraging to pursue his license in industrial
23 engineering and asked about work experience being verified by a mining engineer. The board
24 reviewed the regulations regarding the board’s authority to determine the amount of credit given
25 for responsible charge experience gained under the responsible control of a professional engineer
26 in another branch of engineering than what the applicant has applied for.
27

28 The Chair asked if anyone felt we should not allow virtual meetings, provided all the
29 requirements listed in 12 AAC 36.063(J) were met. Johnston asked if the board’s response would
30 differ if the discipline was more common. Several members indicated they felt virtual meetings
31 were acceptable given current technology, regardless of the discipline.
32

33 The Chair explained A. Jones would be assisting with the correspondence to ensure more timely
34 responses and requested the board provide more detailed information of what needed to be
35 included in response letters.
36

37 R. Jones asked if the regulations specified “face to face” and whether or not the regulations
38 needed to be modified. A. Jones confirmed 12 AAC 36.063 (J) specifies “face to face”. The
39 board discussed the use of various virtual meeting tools and believed the current regulation was

1 adequate. The Chair requested A. Jones specify in the letter “face to face” meetings includes
2 virtual.

3
4 Nefertari Carver from NCARB joined the meeting telephonically for Agenda Item XIII.
5 Presentation – NCARB Education Guidelines. Fritz suggested moving the presentation to Friday
6 rather than trying to fast forward through the information, especially given the complexity of the
7 topic. Carver agreed to reschedule for Friday and left the meeting.

8
9 Kerr read a draft of the motion regarding clarification of the term final documents as stated in AS
10 08.48.221. Johnston asked for clarification regarding some of the language and the board
11 determined some potential misinterpretations based upon the proposed language.

12
13 The Chair requested the board consider revisions and continue the discussion later.

14
15 The board recessed for lunch at 12:10 p.m.

16
17 The board reconvened at 1:33 p.m.

18 *May_03_2018_C_00:20*

19 **XVII. Public Comment**

20 Peter Beardsley joined the meeting telephonically and requested an opportunity to address the
21 board on Agenda Items XII.F. Stamping Requirements for AHERA Projects and XII.A.
22 Engineering Scope of Practice. Beardsley stated he is the President and CEO of Nortech, and is a
23 registered civil engineer and environmental engineer in Alaska. Beardsley said Nortech does
24 similar work to EHS and commented he thought the earlier discussion regarding AHERA
25 projects was good. Beardsley offered to provide input to the committee assigned to follow up on
26 XII.F. Beardsley said from his perspective, the important thing to keep in mind is the difference
27 between a technical report and design drawings. Beardsley explained there is a mechanism in
28 place to include a hazmat report showing the project location and sample results as supplemental
29 information without having to stamp them. Beardsley added that, alternately, the information
30 could be brought into the documents and stamped. Beardsley said he is not sold on using the
31 AHERA project stamp and thinks there are approaches, as mentioned above, where the
32 information can be included as supplemental. Beardsley said he has a degree in environmental
33 engineering, but was registered before the board licensed environmental engineers and therefore
34 had to take the civil exam and obtain an extra year of experience. Beardsley commented the
35 design philosophy that goes into engineering is a much deeper philosophy than a technical
36 certification such as that of an AHERA designer. Beardsley reiterated his position that design
37 documents should be stamped and technical reports don’t need to be stamped by an engineer, but
38 indicated they need to be signed by someone who is able to advise on that item.

1 The Chair thanked Mr. Beardsley for his comments and suggested he email A. Jones his contact
2 information to be shared with the committee members for Item XII.F.

3
4 In regards to Agenda Item XII.A., Beardsley stated he is pleased to see the Department of
5 Environmental Conservation's HR staff asking about this topic because in his opinion, many of
6 the things DEC approves are not reviewed by an engineer and he believes they should be.
7 Beardsley mentioned they have an engineering plan review process for water and wastewater
8 systems and those are not always approved by an engineer. Beardsley said he wants DEC to hire
9 more engineers, and encourages DEC to do that and noted that as engineers, we stay in the area
10 of our expertise and if expanding the scope allows more engineers to be eligible for these
11 positions that is a positive thing.

12
13 The Chair thanked Mr. Beardsley for his comments and invited him to stay on the line since the
14 board would be discussing that item next.

15
16 The Chair confirmed no one else wished to testify and directed the board to return to discussing
17 Agenda Item XII.

18 *May_03_2018_C_06:50*

19 **A. Question: Engineering Scope of Practice** - The Chair asked the board for their opinion.
20 Maynard said if the position is called "Environmental Engineer" then it needs to be an
21 environmental engineer, but if they have a more generic term such as "Engineer I/II" then there
22 is a little more flexibility. Maynard reiterated an engineer must work within their area of
23 expertise. Fritz suggested reviewing and addressing each of the questions posed to the board.

24
25 The board reviewed the following questions:

26 *1. What licenses are a related branch of engineering? More specifically, can civil, mechanical,*
27 *or chemical engineering be considered related branches of engineering to environmental?*

28 Fritz read aloud the description provided in Mr. Robertson's email: "design or review
29 Wastewater Treatment facilities, pumping stations, sewer systems, storage facilities, and water
30 supply and distribution systems," and asked what types of engineers, other than environmental
31 would be allowed to do that work?

32
33 Johnston responded all of those (civil, mechanical, and chemical) plus industrial. The Chair said
34 it is a component part and they are all responsible for different parts. Several members indicated
35 whoever has the appropriate training would potentially qualify.

36
37 In response to the first question, the Chair summarized it depends upon who is doing the work,
38 and the *type* of work that that registrant is certifying, reviewing, or stamping, but potentially any
39 of these are related branches of engineering.

1 2. *Is an employee/ subordinate with an ABET accredited B.S. in Civil, Chemical, or Mechanical*
2 *engineering allowed to perform environmental engineering under the direct supervision of a*
3 *person registered as an Environmental Engineering? Several board members responded of*
4 *course. Maynard added under statute there is an exemption for people who work under a licensed*
5 *person and the exemption would apply to this situation. Fritz said her interpretation of the*
6 *question was whether or not the cross-discipline experience was acceptable and if you have a*
7 *B.S. in one branch of engineering, that it is acceptable to obtain experience under a registrant of*
8 *a different branch. The board discussed the experience and noted it would still need to meet the*
9 *requirements laid out in Table B under 12 AAC 36.063, and may mean they need an additional*
10 *year of experience.*

11
12 3. *Is an applicant with an ABET accredited B.S. in Civil, Chemical or Mechanical engineering*
13 *eligible to sit for the Environmental Engineering exam and become licensed as an*
14 *Environmental Engineer provided they work under the direct supervision of an Environmental*
15 *Engineer and meet the experience requirements of 12 AAC 36.063. The board stated the response*
16 *is similar to the response for question 2.*

17
18 4. *Is there significant incidental practices and overlap between the Civil, Mechanical, Chemical,*
19 *and Environmental engineering? For example on a water or wastewater treatment plant, would*
20 *it be likely to see a Civil design the structure, a Mechanical design the pumping works, a*
21 *Chemical engineer work on the treatment and corrosion control chemistry?*

22 The board discussed overlap for incidental practices. Maynard commented the example provided
23 is a perfectly good way to have a project run. The Chair recommended including a reminder that
24 professionals stamp what they are allowed to stamp, what is in their area of expertise, and
25 suggested that be considered when dividing up a project.

26
27 Fritz suggested revising the response to question 1 to include something that indicates there are
28 multiple ways to reach a design and review of the things you want done, and to stress areas of
29 expertise and the fact that one person may not be able to do everything you want.

30
31 The Chair directed the board to review the email correspondence from HR staff which
32 specifically asked “if the segmenting of the PE into disciplines limit the work of an engineer to
33 primarily the scope defined in their discipline...” Maynard responded affirmatively, adding you
34 can do work of minor importance of other disciplines, if you have the capabilities to do that
35 work.

36
37 TASK: Maynard agreed to review the letter.

38 *May_03_2018_C_20:41*

39 **C. Question: Licensure requirements for Cathodic Protection Services** – Mott stated for the
40 record that this is a large part of what he does for a living and mentioned he knows the

1 individual, but that the individual and company information had not been provided to him when
2 A. Jones initially sent him the question. Mott explained cathodic protection is basically
3 controlling corrosion on pipelines, tanks, or offshore structures, and is part of the practice of
4 corrosion engineering. Mott said the certificates are issued by the National Association of
5 Corrosion Engineers (NACE). Mott explained corrosion engineering is a subset of materials
6 engineering. Mott stated the board regulates materials engineering and in his opinion you should
7 be a licensed materials engineer, chemical engineer, or electrical engineer, because those are the
8 engineers that have the expertise to actually understand what's going on. Mott added that the
9 certifications have changed over the years, and the exam to obtain certification was fairly simple
10 ten years ago, whereas the exam is now much more robust. Mott said you can't discern when a
11 cathodic protection specialist took the exam, and added NACE does the certification, but does
12 not regulate the practice. Johnston asked about continuing education requirements for NACE
13 certification. Mott confirmed there is a course required to maintain certification, but explained it
14 is not directly linked to cathodic protection, and could be any aspect of corrosion.

15
16 The board also looked at the title of the company because it included the word engineering and
17 confirmed that the company cannot contain the word "engineering" since the individual is not
18 licensed in Alaska. Johnston reiterated Mott's point, that we do regulate this profession and
19 agreed that the individual should be licensed. Mott stated the individual's argument was that
20 Alaska does not license "corrosion engineers" and restated it is a subset of materials engineering.
21 Mott explained cathodic protection as the application of an electrical current to a structure to
22 keep it from corroding. Several board members agreed that it falls under the practice of
23 engineering.

24
25 The Chair summarized the discussion, stating that corrosion engineering and cathodic protection
26 does fall under our professional licensure.

27
28 Mott said this is a problem in Alaska, and people are able to offer these types of services as
29 consultants, but are not licensed. He explained the regulators and the customers don't necessarily
30 know what they are getting is not appropriate for the job. Johnston added that the ramifications
31 are delayed.

32
33 The board discussed proposing the individual change the name of this company, Mott stated that
34 is only masking the issue. The board then discussed the use of the term specialist and how it did
35 not change the fact the work still falls under the practice of engineering.

36
37 TASK: Bill will review letter.

38
39 *May_03_2018_C_31:31*

1 **D. Request: Land Surveyor DOB information** – The Chair explained staff received a request for
2 date of birth (DOB) information to support the hypothesis that the population of Alaska
3 registered land surveyors is aging. Maynard asked if they want DOB information associated with
4 a particular person. The Chair and A. Jones confirmed names and other identifying information,
5 would *not*, be included in the spreadsheet, only year of birth and location information (city, state,
6 zip code).

7
8 The Chair commented his appreciation for the individual’s concern about the future of the
9 profession, but indicated he was unsure if the amount of time to complete the task was worth the
10 effort. A. Jones explained the initial request was forwarded to the Division’s paralegal staff as a
11 FOIA request, however because it is not a list we already maintain, the Division was not
12 obligated to produce it. A. Jones said the individual is still interested in obtaining the data, which
13 would require a directive from the board. Kerr stated it would be interesting to see the data, but
14 was uncertain how the data would guide any action. The board discussed if this information
15 might be available through a professional society. A. Jones explained the task would likely take
16 several hours as staff would need to access each of the 426 active land surveyor records because
17 the DOB field is not currently included in queries.

18
19 Kerr stated having an adequate supply of qualified individuals is in the best interest of the board,
20 and asked the board if this contributes to that end. The board discussed the request and what
21 information could be provided. A. Jones confirmed that any list we would provide would go
22 through the Division’s paralegal staff and reiterated the list would only include birth years and
23 location information such as zip codes.

24
25 The board determined they had no issue with dispensing the information as long as it was
26 sanitized and delegated the task to be completed at the Executive Administrator’s discretion.

27
28 TASK: As time allows, AELS staff will compile DOB information of all active land surveyors.

29
30 *May_03_2018_C_39:54*

31
32 **E. Feedback: From URISA-Alaska on guidance manual draft language** – The Chair explained
33 Kerr had sent out draft guidance manual language to several organizations for review, and
34 received feedback from URISA, which includes GIS professionals and planners. The Chair said
35 they have been doing a lot of outreach with people who use UAVs and GIS to explain licensure,
36 the definition of land surveying, and what the law says. The Chair explained this is part of the
37 response they have received from groups. The Chair stated there are some concerns about
38 encroachment and some people are a surprised by the information. Kerr added the draft language
39 that was distributed had been previously reviewed by the board for consideration in the guidance
40 manual. Kerr noted URISA provided some good feedback and mentioned the language regarding

1 machine control was updated in response to the comments he received from URISA. Kerr
2 indicated the process also increased awareness with their membership.

3
4 *May_03_2018_C_42:59*

5 **G. Request: Recognize Forest Engineering/ Logging Engineering** – Maynard mentioned he did
6 some research related to this request and found only Oregon State has an ABET accredited forest
7 engineering program, and Oregon is the only jurisdiction that licenses forest engineers, and
8 Oregon has their own exam for forestry engineering. Maynard explained civil and agricultural
9 engineers have done logging in Alaska for decades. Maynard said it is a narrow focus and did not
10 see a compelling argument to add it to the list of branches of engineering regulated by the board.
11 The Chair said the description provided in the request looked like a combination of civil
12 engineering and surveying, and mentioned he had done a lot of work with the forest service that
13 involved civil engineers and surveyors on site.

14
15 The board discussed the extensive process to change a statute and what would be required for a
16 regulation update. The board determined there was no compelling argument to add forest
17 engineering.

18
19 TASK: Chair will review letter.

20
21 **H. Question: Sealing change orders** – The board discussed the question and several members
22 indicated sealing depends on the significance of the change. Maynard mentioned varying
23 requirements depending upon jurisdiction and mentioned the municipality vs. fire marshal’s
24 office. Fritz stated it is an issue of the *practice*, and recommended any significant design changes
25 previously not included should be stamped, but that a minor clarification about a detail may not
26 need to be stamped. The Chair restated the questions and the board indicated it would be at the
27 discretion to the person sealing it.

28
29 TASK: Fritz agreed to review the letter.

30 *May_03_2018_C_51:34*

31 **I. Question: Certifying condominium plats** – The Chair stated the certification example
32 provided was different than the standard statement he is used to seeing. The Chair also noted in
33 the example provided, a land surveyor is being asked to certify “the structural components and
34 mechanical systems of each building are complete,” and indicated a land surveyor would not be
35 qualified to make that statement. Several members agreed. The Chair mentioned seeing other
36 statements that certify the appropriate process has been followed and someone else who is
37 qualified submitted things. Maynard said an engineer should not sign that either unless they have
38 been on the job site twenty-four hours a day. The Chair explained there is a process for
39 submitting all of the required documents and some come from an engineer. Maynard argued you
40 can’t certify it, the Chair responded you can certify that the process has been completed. Fritz

1 said you *can* certify if you so choose, but it might be unwise. The Chair directed the board to
2 review the included reference materials: Alaska Statutes Sec. 34.08.090 Creation of common
3 interest communities and Sec. 34.08.170 Plats and plans. The board reviewed the statutes. The
4 Chair explained it is a certificate of completion that states all of the statutes have been adhered
5 to. Maynard asked what the structural components and mechanical systems have to do with the
6 plat. The Chair stated the surveyor can say if the required documents have been submitted.

7
8 The board returned to the initial question: “Can a RLS certify this and NOT be in violation?”
9 Maynard suggested notifying whoever is governed by this statute that they are requiring
10 architects, engineers, and land surveyors to do something that legally they cannot do. Maynard
11 stated an entire design team should be signing off of this and one registrant cannot certify the
12 whole thing because a large portion may be outside of his or her area of expertise and discipline.
13 Fritz asked if you can say it, but just not stamp it. The Chair explained the more generic
14 statement that he is used to basically requires a registrant to sign that all the requirements have
15 been adhered to. Fritz commented if registrants stamp it they are stamping professional
16 responsibility for the components for which they are professionally licensed to design and
17 oversee. The board discussed the statement and discussed contacting whoever was responsible
18 for enforcing these statutes.

19
20 TASK: The Chair asked A. Jones to research the statutes noted above and determine a point of
21 contact for the board. The Chair stated the response to the individual who brought the question to
22 the board be that surveyors should not be stamping documents with the certification of
23 completion statement provided by the individual.

24
25 The board prepared to transition to application review. Kerr asked to read the revised motion
26 related to final drawings before moving on. Kerr reminded the board the motion was related to
27 parcel plats, exhibits, legal descriptions, etc. Kerr read the motion. Several board members
28 indicated they would need to review it in writing before commenting. Kerr agreed to provide
29 copies for the board to review later.

30
31 *May_03_2018_D_00:00:07*

32 **XVI. Instructions for Reviewing Applications**

33 A. Jones went over the process for reviewing applications.

34
35 **XVI. Application Review**

36 The board began reviewing the 82 applications for registration.

37
38 The board recessed for the day at 5:00 p.m.

1
2 **Friday, May 4, 2018**

3 *May_04_2018_A_00:03:06*

4 **XX. Reconvene meeting/ Roll call**

5 The Chair called the meeting to order at 8:22 am.

6
7 **Board members present, constituting a quorum:**

8 Jennifer Anderson, Civil Engineer, Environmental Engineer

9 Dave Hale PS, Surveyor

10 Catherine Fritz, Architect

11 Elizabeth Johnston, PE Electrical Engineer, Fire Protection Engineer

12 Richard “Vernon” Jones, Public Member

13 John Kerr, PS, Surveyor

14 Jeff Koonce, Architect

15 Colin Maynard, PE, Civil Engineer, Structural Engineer

16 Bill Mott, PE, Chemical Engineer, Metallurgical and Materials Engineer

17 Luanne Urfer, Landscape Architect

18 Fred Wallis, Mining Engineer

19
20 Attending from the Division of Corporations, Business, and Professional Licensing was:

21 Alysia Jones, Executive Administrator

22
23 The following staff attended telephonically for portions of the meeting:

24 Heather Noe, Licensing Examiner

25
26 The following members of the public attended portions of the meeting:

27 Kelsey Davidson, ASID

28 Barbara Cash, ASID

29 Cara Rude, ASID

30 Mary Knopf, ASID

31 Maurice Brown, NCARB

32 Marta Zaniewski, NCARB

33 Nefertari Carter, NCARB

34 Martin Smith, NCARB

35
36 **XXI. Application Review continued**

37 The board continued to review applications.

38
39 *May_04_2018_A_01:32:00*

40 Anderson brought an item before the board for discussion related to a previous applicant’s
41 request to change her license type. Anderson explained a currently licensed civil engineer had a
42 lot of correspondence in 2013 with previous staff regarding which PE exam to take. The

1 individual applied to the board to take the environmental exam, but ended up taking and passing
2 the civil exam, and was issued an Environmental Engineer license in 2014. Anderson stated that
3 the registrant did not notify anyone it was a mistake when it was initially issued and is now
4 requesting her license to be changed to Civil instead of Environmental. Anderson expressed her
5 concern that the individual has been practicing as an environmental engineer for the past four
6 years, and noted the individual has had two opportunities to renew and potential correct the
7 registration type. Urfer commented that the application came to the board around the time they
8 were revising the branches of engineering. The board discussed the work being done under the
9 current license and determined it was appropriate under an environmental or civil registration.
10 Maynard suggested we correct the error. Anderson restated her reservation given the length of
11 time it took for the individual to bring it to the board’s attention and wondered what the impetus
12 is at this point was to change it.

13

14 The board agreed that the issue was an administrative change and asked A. Jones to
15 communicate that to the registrant and determine the best way to issue the civil engineer
16 registration and discontinue the environmental one.

17

18 **On a motion duly made by Elizabeth Johnston, seconded by Colin Maynard, and**
19 **approved unanimously, it was RESOLVED that Katelyn Acker shall have her PE license in**
20 **civil upon relinquishment of her environmental license to the board.**

21

22 TASK: A. Jones will notify the registrant and correct the license type.

23

24

May_04_2018_A_01:43:54

25 **XXII. Presentation: Alaska Initiative for Interior Designer Registration**

26 Barbara Cash, Cara Rude, Mary Knopf, Kelsey Davidson – Cash introduced everyone and
27 thanked the board for the regulation questionnaire provided following the February 2018
28 meeting. Cash highlighted the updates made to the information packet. Cash explained of the
29 eight states listed, the top four require registration and have permitting privileges, and the bottom
30 four are voluntary. Cash stated twenty-seven states recognize interior designers, however she
31 noted wide variations in the language and level of recognition (registration, licensure, and
32 certifications). Cash said there were three jurisdictions that were closest to how Alaska would
33 approach registration: Washington, D.C., Florida and Nevada.

34

35 The Chair asked Cash to summarize the impacts to the public. Cash directed the board to page
36 two of the packet, which included positive consequences and negative consequences. Cash
37 explained they are focusing on “Registered Interior Designers” who work in code-impacted
38 environments, and this is a distinction to allow interior designers practicing in residential
39 environments to continue to practice in non-code impacted areas. Fritz expressed her concern
40 regarding the use of the terminology “non-structural, code-impacted environments” as

1 potentially inferring some things do not have code requirements. Fritz stated everything has code
2 requirements. Fritz explained AELS statutes and regulations include exemptions that specify
3 circumstances that do not require registration, and recommended their language model that
4 approach. Cash agreed it could be structured that way and stated the group defaulted to using the
5 phrase “protection of public safety”. Maynard added that residential is already outside of the
6 AELS board’s purview.

7
8 Urfer recommended not using the landscape architecture language as an example and encouraged
9 the interior designers to model the language of the other professions regulated by the AELS
10 board.

11
12 The Chair asked the group about sponsorship. Cash explained ASID Alaska Chapter is working
13 with lobbyist Dave Parrish, to help identify a sponsor.

14
15 Fritz reminded the group of her request at the February meeting for them to look at the definition
16 of architecture and identify what is distinctly different about interior design as opposed to
17 architecture. Cash responded the profession of interior design has developed over the years and
18 explained in states where interior designers are registered, there are separate standards and an
19 architect cannot call themselves an interior designer unless they meet those standards. Cash
20 mentioned the Unified Facility Criteria and Whole Building Design Guide, two broad-based
21 guidelines that recognize interior design as a specialty.

22
23 Johnston commented the Federal government has similar requirements for registered
24 communications distribution designers that typically overlap with electrical engineering, but they
25 want that specialty certification.

26
27 Fritz asked, in the event of a practice act to add interior designers, would architects only be able
28 to practice if they have the qualifications of interior design. Rude explained it was a citing from
29 those sources and likened it to the relationship between architecture and landscape architecture,
30 where architecture still encompasses that, but not all projects have an architect, and some scopes
31 just require a landscape. Rude said some projects only hire an interior designer and it would
32 protect those scopes of work and projects that don’t have an architect on them.

33
34 Fritz explained the difference with landscape architecture, at least in Alaska, was that it created a
35 bridge between civil engineering and some aspects of architecture, and it does not prohibit those
36 who are competent professionals in those areas to continue to practice within their area of
37 expertise. Fritz reiterated that what she, and the board, is looking for in regards to interior design
38 is the unique responsibility that is not already covered by a profession currently regulated by the
39 board. Fritz explained the practice has a responsibility to the health, safety, and welfare of the

1 public and the unfilled need must be clearly articulated to show a direct impact on health, safety,
2 and welfare.

3
4 Maynard disagreed, stating we are not here to protect turf, but rather protect the health, safety
5 and welfare of the public. Maynard provided the example of fire protection engineering, in which
6 fire protection engineers existed and where capable of performing certain work that fell under
7 electrical engineering. Maynard stated interior designers are already doing work, and suggested
8 registration would give us a mechanism for ensuring they are qualified to do that work.

9
10 To provide additional background on landscape architecture, Urfer explained there was a request
11 by the federal government to have licensed landscape architects on projects and initially
12 everyone was from out of state because Alaska did not register landscape architects. Cash said it
13 has not elevated to that point in the language, but mentioned they are looking for NCIDQ or
14 licensed. Cash said there are so many acronyms and mentioned being able to say a “registered
15 interior designer” would help clarify the qualifications to the public.

16
17 Fritz requested the board try not to use derogatory terms and acknowledge there are differences
18 in opinions about whose responsibility it is, not who has the right to do it. The Chair reminded
19 the board and guests that the board is here because they have to be licensed, not because they
20 want to be and asked that everyone keep that in mind during discussions.

21
22 Cash commented that the practice of landscape architecture may have bridged architecture and
23 civil engineering, but the two were already doing that work. Koonce explained federal work
24 requires licensure on a much higher and broader level. Koonce said you have to have those
25 credentials to do that work. Koonce said the reason is the protection of the public and the
26 credentials ensure that. Koonce encouraged the group to convey that to the board and legislature.

27
28 Fritz recalled yesterday’s discussion of cathodic protection and whether it fell under the practice
29 of engineering. She explained the board determined it did fall under our regulations and an
30 individual should be licensed to do that work in Alaska. Fritz commented based on that
31 discussion, if you are doing interior design that falls under the practice of architecture, you
32 should pursue architectural registration. Fritz also mentioned the prior day’s discussion regarding
33 forestry engineering and the board’s determination that the scope of work was already covered
34 by another discipline and there was nothing unique about forestry engineering that warranted it
35 being added to the current list of branches of engineering. Fritz explained these are the types of
36 discussions and debates within our industries and encouraged the interior designers to be
37 prepared to articulate and defend how interior design is a unique practice outside the area of
38 architecture and why it needs to be regulated.

1 Koonce recommended talking with peers from the eight states they identified previously to see if
2 they have any strong, valid arguments or points that could be used to support the group's efforts.
3 Cash said the fact that twenty-five U.S. states and jurisdictions are already regulated, titled, or
4 licensed interior designers sets a precedence. Cash said she sees it as an opportunity to more
5 clearly define, understand, and regulate a practice that does affect public health, safety and
6 welfare.

7
8 Koonce mentioned nationally, regulation is going in the opposite direction, with several states
9 experiencing deregulation.

10

11 The Chair asked what compelled the states that have licensed interior designers to do so. Cash
12 said the practice of interior design has been elevated over the years with degree programs,
13 accrediting bodies, testing bodies, and continuing education requirements, and explained it is
14 already functioning as a practicing profession. Cash stated because of that, jurisdictions are
15 seeing the need to address it and integrate it into their regulatory system.

16

17 Fritz cautioned the group to be clear when asking for signatures, speaking with legislators, etc.
18 that they are requesting a *practice act* and that only four other jurisdictions have a practice act,
19 and of the four, only three have components Alaska interior designer registration would model.
20 Cash reiterated there are vast differences within those four and said they would carry forward the
21 required registration. Fritz agreed, stating the practice act is the most relevant piece for people to
22 understand.

23

24 The Chair asked if there were any issues or lawsuits that compelled the regulation in another
25 jurisdiction. Cash noted one state cited fire issues and the loss of lives in public buildings due to
26 non-compliant interior finishes or furnishings. Knopf stated this was an area that differentiated
27 interior designers, noting architects are not trained on furniture and finishes the way interior
28 designers are.

29

30 Fritz indicated those were the unique distinctions she was encouraging the group to identify.
31 Cash stated it is up to an architect how far into that granular level they was to delve, but
32 confirmed that the level at which interior designers work. Fritz added architects are trained as
33 generalists, which is reflected in their education, and practice tends to be specialized. Fritz said if
34 there is a compelling life safety issue related to interior finishes and furnishes that is the evidence
35 that will build a case for a niche that interior designers are uniquely qualified to address.

36

37 Kerr encouraged the group to identify other problems or issues that interior design is solving.
38 Cash responded plans are submitted by non-registered professional that does not have any
39 qualifications or credentials. The board discussed potential situations where that may be

1 acceptable and where a professional would be required. Davidson mentioned interior designers
2 are often hired to fix things because it was not done correctly the first time around.

3
4 Cash shared some examples of issues that Dana Nunn had compiled including misplacement of
5 resilient flooring in a medical facility. Mott recommended asking ASID for assistance in putting
6 together statistics on deaths, costs, etc. to justify their position.

7
8 Fritz asked the group what their timeline was for the statute change. The group indicated they
9 would like to see something introduced during the 2019 legislative session.

10
11 The Chair thanked the group for coming. The group thanked the board for the opportunity to
12 speak.

13
14 *May_04_2018_B_02:59*

15 **XIII. Presentation – NCARB Education Guidelines**

16 NCARB staff Nefertari Carter and Martin Smith joined telephonically.

17
18 Fritz explained the presentation was a result of discussions regarding updates to the Architect
19 Registration by Comity Requirements and the realization that an orientation on the basics of
20 NCARB would be beneficial for the board. Fritz acknowledged the presentation was created by
21 NCARB staff with a few modifications made by her.

22
23 Fritz walked through the presentation and pointed out that our requirements for initial
24 registration are distinctly different compared to comity registration. Fritz said Alaska has
25 allowed differences in the education and experience and we don't require comity applicants to
26 meet the NCARB record requirement.

27
28 Maynard asked for clarification on the education requirements for comity applicants. Fritz
29 confirmed they are not required to have a NAAB accredited degree and explained that NCARB,
30 and profession as a whole, recognizes and wants alternative paths, and now there are education
31 alternatives. Fritz added that AELS' current regulations do not require comity applicants to
32 complete the AXP if they are registered in another state that did not require the AXP.

33
34 Maynard explained engineers must have an ABET degree or something that is evaluated. R.
35 Jones clarified, if they don't have any ABET degree, they are required to have additional years of
36 experience.

37
38 Fritz stated architect comity applicants have alternatives, whereas exam applicants are required
39 to have an NCARB record. Fritz continued with the presentation, noting that the regulations
40 referenced the *NCARB Education Standards* and explained those have changed into a more

1 comprehensive education guideline that outlines the education requirements for initial
2 registration. Fritz mentioned the regulations (12 AAC 36.061 Architect Education Requirements)
3 needed to be updated to reference the new education guidelines. Fritz commented that the new
4 guidelines are very clear on what the requirements are and also explain the AXP (internships,
5 credit for work, etc.).

6
7 Fritz explained the two options initially brought before the board were to (1) adopt the NCARB
8 standard including the guidelines and record requirement OR (2) have the board do it
9 themselves, which would require the board to administer their own requirements. Fritz stated the
10 expectation was that the requirements in Option 2 would mirror new applicants because the
11 inequity, or loophole that Fritz previously identified was that it is harder to obtain initial
12 registration as an architect in Alaska than by comity. Fritz reiterated her belief that it is unfair
13 and opens the board up to liabilities to have this inequity. Fritz explained if the board decided to
14 manage it themselves, it would involve managing the six experience areas, and reminded the
15 board that they had previously indicated they were not in favor of taking on that tasks, when the
16 tasks were already being adequately managed by NCARB.

17
18 Fritz reviewed the examination leg of the requirements and discussed the A.R.E. with the other
19 board members.

20
21 Fritz explained the NCARB certificate and how it is used for licensure mobility. Fritz stated
22 when her and Koonce review applications with an NCARB certificate, they still verify the artic
23 requirement and jurisprudence questionnaire, but NCARB has already verified the education,
24 experience, and examination either through the traditional route or an alternative route.

25
26 The group discussed foreign architects and mutual recognition agreements. Smith clarified that
27 there are mutual recognition agreements with Canada, Australia and New Zealand, but that
28 Mexico is part of a Tri-national agreement, which is a different process. Fritz thanked Smith for
29 the clarification and explained how beneficial it is to be able to rely on NCARB, who has all of
30 the tools to verify the information.

31
32 Maynard clarified that he never had any questions about whether the NCARB certificate was
33 worthwhile or not, but he questioned how people are not meeting our standards, since they have
34 to meet the standards in Alaska at the time they received their initial registration, and did not
35 understand what the loophole was.

36
37 Fritz explained there is an “or” in the architectural registration by comity regulations that the
38 board will be reviewing later, and the “or” says if you have worked somewhere else for two
39 years and someone will write a letter then you are in. Maynard responded engineer regulations
40 do not include that wording and restated his concern with requiring comity applicants to go to

1 NCARB and get their blessing. Maynard said engineer applicants have the option to provide an
2 NCEES record, but that it is not a requirement. Fritz explained someone needs to evaluate
3 equivalent and it either needs to be this board or the board needs to rely on NCARB. Fritz said
4 we have to go in and assess the “equivalent” at the time of registration, which may require
5 looking at a non-NAAB degree and looking at the course descriptions. Fritz believed that type of
6 review by the board would be arbitrary and potentially outside of the board’s area of expertise.
7 Koonce said they are trying to address the validity of the other license. Fritz added NCARB has a
8 mechanism now to track and evaluate education and experience. R. Jones asked if NCARB
9 would evaluate a degree obtained fifteen years ago based on the standards at that time or today’s
10 standards. Smith explained if someone is coming to NCARB today for certification, they need to
11 meet today’s standards, but if they were certified back in 1996 they would have met the
12 certification requirements of that time, and as long as they maintain an active license with that
13 certification it stays current. Maynard explained that is the issue he has with requiring someone
14 who was licensed 20-30 years ago, who met the NCARB certificate requirements at that time,
15 but did not get one, would now be required to go to NCARB and meet today’s standards. Fritz
16 clarified that the most recent proposal included a date that aligned the requirement for an
17 NCARB record with the earlier regulation change that required NCARB records for exam
18 applicants. Fritz explained the intent is not to deny people who have been practicing for 30 years,
19 or make it onerous, but to bring forward a standard for the three-legged stool from this time
20 forward.

21
22 R. Jones explained when the comity regulations were updated, the board decided to leave the
23 NCARB record requirement for exam applicants was because in order to take the A.R.E., an
24 applicant must start an NCARB record. The thought was that older registrants would retire and
25 over time it would not be an issue, because younger applicants would all have a record.

26
27 Fritz said part of the issue is that thinking does not exist in other jurisdictions. Fritz said she has
28 seen two such comity applicants come through that had no intention of working outside Alaska,
29 but went to another state for initial registration. Fritz said applicants are already maintaining
30 NCARB records because of the A.R.E. and AXP, so requiring them after 2011 should not be a
31 big deal. Fritz added that the update would also release the board from having to interpret
32 transcripts and other documentation. Koonce explained they (him and Fritz) are not comfortable
33 doing the education equivalency analysis because it is burdensome and subjective and would like
34 to have a qualified 3rd party do that analysis.

35
36 Fritz and Koonce explained the industry as a whole wants there to be multiple paths, however the
37 dilemma is the evaluation of those alternative paths, which could be at the discretion of the
38 reviewing board member at that time. Fritz stated NCARB has created a system to evaluate
39 alternative paths and she expects over the next several years other jurisdictions would be
40 updating their regulations to utilize that standard as well.

1 Smith explained boards do not want to be doing all of the validation, particularly in regards to
2 education, and previously relied on the EESA evaluation, for people who did not have a NAAB
3 degree. Smith said the EESA was a lengthy and expensive process that required the applicant to
4 obtain additional schooling. Smith said NCARB was charged to look at the education the
5 applicant has and determine equivalencies. Smith explained someone with a non-NAAB, four-
6 year architecture-related degree would have to complete two times the AXP, be licensed for
7 three years, and have no disciplinary action before they are eligible for NCARB certification.
8 Smith stated those without an architecture-related degree must submit a dossier with examples of
9 work that they've completed as architects or in an architectural firm that fulfill the areas that are
10 missing in their education. Smith explained architects around the country volunteer to review the
11 dossiers and determine what areas the candidate is missing. Smith added that a lot of people are
12 excited and utilizing this alternative path.

13

14 The Chair commented that having a national standard is good for the applicant as well as the
15 public because it is not as subjective as current processes. The Chair agreed that it is not
16 appropriate for board members to vet classes they don't really know much about. Koonce stated
17 his preference to remove that burden from the reviewing board member.

18

19 Fritz explained based on the current draft of the regulations, reviewing board members would
20 still see the two letters option for anyone that was registered prior to 2011. R. Jones said he could
21 accept the change requiring two times the AXP for a four year degree that was a non-NAAB, or
22 making them go to NCARB if they have less than a four year degree. R. Jones restated that his
23 concern was requiring someone who has been practicing for 5-10 years, who only has a four year
24 degree spend \$1100 to have someone say "Yes, you are okay." Fritz responded that they don't
25 have to do that currently and that would not be required under the proposed revisions. The board
26 discussed reviewing two time the AXP and Fritz explained Alaska would have to set up a
27 framework to evaluate work experience, a mechanism for tracking hours and a reporting system.
28 Fritz noted the each of the six categories contain multiple tasks that would each need to be
29 evaluated. R. Jones asked why the supervisor couldn't sign off on what the individual had done.
30 Fritz responded it was a possible.

31

32 Johnston commented that she does not see a lot of value in the letters of reference we receive for
33 engineer by comity applicants, and believes it is not a defensible process.

34

35 Fritz asked Carter to explain some of the fees associated with an NCARB record. Carter
36 responded she would have to confirm the exact amounts, but stated anyone currently taking the
37 A.R.E. or AXP will have an NCARB record, so therefore anyone we would transmit a record for
38 reciprocal registration would have an NCARB record on file and there would be no additional
39 effort to make the record active. Fritz clarified her question, and asked if NCARB could facilitate
40 a candidate needing to document AXP through NCARB and report back to the AELS board.

1 Smith explained if they are an architect, an architect record holder has to pay the cost for a
2 certificate to open up a record, and they would go through the process of documenting their
3 experience and getting the state to release exam scores, if they took the exam prior to us having a
4 record of them, and submit transcripts. Smith said if they don't have a NAAB degree, they have
5 an opportunity to choose one of the educational alternatives, or they can have what we call a buff
6 record, which is something that doesn't have a certificate. Fritz asked about the cost of the
7 record. Smith responded \$1100 to have a record established after you are an architect in one of
8 the 54 jurisdictions. Maynard asked when NCARB started requiring a record to take the A.R.E.
9 Smith stated that NCARB began requiring a record 3-4 years ago when they switched over to the
10 new system, which also manages exam registration. Maynard stated there may be some people
11 who fall in between the 2011 regulation updates and NCARB's transition to requiring a record to
12 take the exams.

13

14 The Chair said there is a lot of discussion regarding fees and said it costs money to be licensed
15 and there is a benefit associated to it. The Chair did not feel it was a good use of the board's
16 time, especially given that the board is comprised of volunteers, to focus so much attention on
17 fees.

18

19 Urfer indicated landscape architect registration requirements are in a similar situation and
20 encouraged the board to update the regulations to clarify the requirements.

21

22 Johnston asked for clarification that the proposed updates would require an NCARB record, but
23 not an NCARB Certificate. Fritz responded yes and explained for comity applicants reviewing
24 board members just need to be able to verify they have satisfied the alternatives. Fritz
25 commented that it will still be up to the board to review the record and determine if our
26 regulations allow them to be licensed or not.

27

28 Kerr asked if there are state's that have low standards for architecture. Carter said each state
29 creates their own rules, and indicated fifty jurisdictions require just the AXP, and four
30 jurisdictions have additional requirements. Carter added all jurisdictions, except for two require
31 applicants to have completed a NAAB degree before they are eligible to take the A.R.E. Smith
32 commented every state has some variation of education, experience, and examination
33 requirements and in all instances, if someone does not have a NAAB degree they are required to
34 have additional experience to make up for what's missing in their education.

35

36 The board thanked the NCARB staff for being so accessible and sharing their expertise.
37 Carter and Smith left the meeting.

38

39 Based upon the discussion, the board decided to jump ahead to Agenda Item XXIII. B.1 to
40 discuss the proposed updates to architectural registration regulations.

1
2
3 **XXIII. Old Business**

4 **B.1. Regulation Project Updates – Updates to 12 AAC 36.061, .103 and .110** - Fritz noted
5 several housekeeping updates including removal of “seismic requirement” and reference to
6 “NCARB Education Standard, 2010”. The board then reviewed the proposed updates to 12 AAC
7 36.103. Fritz summarized again the two options presented the board and the board’s request at
8 the February meeting to address concerns about requiring older applicants to obtain an NCARB
9 record. Fritz explained the current proposed updates include a date, which matches the effective
10 date of the regulation updates requiring an NCARB record, so applicants who received initial
11 registration prior to that date may still submit two letters of reference to verify their experience.
12

13 The board discussed the process for updating the regulations.
14

15 **On a motion duly made by Catherine Fritz, seconded by Colin Maynard and**
16 **approved unanimously, it was RESOLVED to proceed with public notice of 12 AAC**
17 **36.060, .061, .103, and .110 to address architectural registration by comity, modifications to**
18 **references of NCARB Education Standards and obsolete seismic requirements.**
19

20 The Chair thanked Fritz for all of her hard work on the regulation project.
21

22 R. Jones asked about the seismic requirement and whether it was still in the A.R.E. Fritz
23 responded there may be questions, but confirmed it was no longer a distinct area. R. Jones asked
24 how we are going to meet the seismic requirements. Fritz explained those requirements have
25 already been met by adopting the NCARB standard for the A.R.E.
26

28 **B.2. Regulation Project Updates – Updates to 12 AAC 36.105** – Maynard said the purpose of
29 this regulation project was to look at comity registration for structural engineers, but in
30 reviewing the regulations he determined additional updates. Maynard explained currently, the
31 regulation states registration by comity may be granted for engineers if the applicant is registered
32 based on education, experience, and examination requirements that the Board deems equivalent
33 to that required by Alaska Statute and Regulation at the time the applicant was first registered.
34 Maynard noted a strict interpretation of that means no one registered prior to March 11, 2012 in
35 one of the nine engineering disciplines added on that date would be eligible for comity, because
36 they could not be licensed as such in Alaska prior to that. Maynard proposed adding some
37 language to address that issue.
38

39 In regards to the structural engineering registration, Maynard indicated the SE is a post-PE
40 license, and current regulations allow people who received a PE or SE license based only on

1 taking the 16-hour exam between March 11, 2012 and September 9, 2016 to be licensed as an SE
2 in Alaska. Maynard provided suggestion on how to handle the various examinations applicants
3 may have taken.

4
5 The board reviewed Maynard’s proposed revisions to 12 AAC 36.105 and recommended moving
6 forward with the updates. Fritz asked Maynard if he anticipated objections to the updates from
7 registrants and/or applicants. Maynard responded some people might not agree that an individual
8 should receive a civil license off of an SE I or SE II exam. Several members supported the
9 recommended changes.

10
11 **On a motion duly made by Colin Maynard, seconded by Jeff Koonce and approved**
12 **unanimously, it was RESOLVED to public notice changes to 12 AAC 36.105.**

13
14 *May_04_2018_B_01:16:34*

15 **B.3. Regulation Project Updates - Updates to 12 AAC 36.185(c)** – Maynard explained the
16 proposed updates to 12 AAC 36.185 includes revisions as well as moving some language to a
17 new, more appropriate section (12 AAC 36.140). Issues to be addressed with the proposed
18 regulation updates include:

- 19 • Whether there is only one individual in responsible charge for each discipline or whether
20 there may be more than one as part of a corporate authorization.
- 21 • Whether any employee of an authorized entity may seal documents or only the person(s)
22 listed on the corporate authorization. The new language codifies the answer determined at
23 the February 2018 meeting that the form is the case.
- 24 • Codifies the board’s previous interpretation of whether there has to be an individual in
25 each discipline in every office.

26
27 Mott said he anticipated a lot of feedback from registrants, particularly on the definition of
28 “regularly employed”. Johnston asked if we have a definition of “office”. Fritz stressed the
29 general need and importance for a regulation update process as practices modernize. Urfer added
30 that the board also needed to recognize changes in technology. Koonce asked what the harm is in
31 clarifying the statement and putting it out for public comment. Johnston agreed public comment
32 would be beneficial and asked for clarification on how the proposed regulations would relate to
33 remote offices. The board discussed the term office and the Chair asked why there is a
34 requirement that we work out of any office, and stated that is not the point of licensure. Kerr said
35 the goal is to have appropriately supervised employees.

36
37 *May_04_2018_C_00:00:06*

38 Maynard said it is onerous to require companies to have a registrant of every discipline in every
39 office. Several board members agreed. Koonce agreed it should be extracted out of 12 AAC
40 36.185 Seals and placed elsewhere.

1
2 The Chair thanked Maynard for providing the board with a starting point.

3
4 TASK: A. Jones will email the board a word version of the proposed updates to 12 AAC 36.185
5 for review and comment.

6
7 **C. Guidance Manual** – A. Jones stated the version included in the packet was the same as the
8 version provided at the February meeting. The board discussed potential updates. Fritz asked
9 about distributing it to building officials, the Chair and A. Jones confirmed that is still the intent,
10 but it needed to be vetted by the board. Kerr indicated additional revisions were required to the
11 practice of land surveying section based upon the URISA feedback. Koonce asked if the version
12 provided was on the website. A. Jones explained the version on the website was from August
13 2016 and the one provided in the board packet is a DRAFT version. A. Jones proposed
14 incorporating information from correspondence the board has sent into the manual. The Chair
15 agreed an archive of the correspondence should be maintained for future board members to
16 reference.

17
18 TASK: A. Jones will send a word version of the Guidance Manual for the board to review and
19 comment.

20
21 Maynard stated it would be helpful to have a table of what the education and experience
22 requirements have been over the years to reference during application review. The Chair
23 suggested having staff attach relevant regulations to applications if applicable. Several board
24 members indicated that would be helpful.

25
26 TASK: A. Jones will compile education and experience requirements into a reference guide for
27 board use during application review.

28
29 Fritz requested the board return to Agenda Item XXIII Old Business and review the regulation
30 process information included in the board packet. A. Jones stated she would work with the
31 Division’s Regulation Specialist on the ones the board move forward with.

32
33 *May_04_2018_C_00:10:28*

34 **XXVII. New Business**

35 **A. Regulation project proposal: Terminology revisions** – A. Jones said she added this item to
36 the agenda based upon previous discussions regarding terminology and the confusion with the
37 use of terms such as responsible charge. She recommended the board consider undertaking a
38 review of the AELS statutes and regulations to identify which terms should be updated and/or
39 required clarification.

1 The Chair volunteered Maynard.

2

3 TASK: Maynard agreed to put together a preliminary list by the next meeting.

4

5

May_04_2018_C_00:12:49

6 **B. Regulation project proposal - AS 08.48.281(b), AS 08.48.331(11)(b), AS 08.48.341(15), 12**
7 **AAC 36.069 and 12 AAC 36.109** – Urfer explained the landscape architect registration language
8 has similar issues to that of the architectural registration and the current definition of landscape
9 architecture is extremely outdated and does not align with the definitions of the other professions
10 regulated by the board. Urfer added that CLARB’s record does not match what we do and said
11 there are lots of pieces that do not match up for registration by comity. Fritz suggested looking at
12 the current model law and comparing it against our current regulations to identify disconnects.

13

14 The Chair recommended Urfer do some analysis and put together a summary and/or proposed
15 updates to present at the next meeting.

16

17 The board discussed how over the past twenty years, the profession of landscape architecture has
18 developed into a distinct discipline that can now be more appropriately described. Maynard
19 commented there are no provisions in the registration by comity regarding examination of
20 licensure requirements based upon when the applicant was first licensed. Urfer said that is an
21 issue she is currently struggling with.

22

23 Koonce asked if it would be appropriate to emulate the proposed revisions for the architects, with
24 some wordsmithing. Several members agreed.

25

26 Urfer expressed her concern with linking to CLARB certification and what happens if CLARB’s
27 requirements change. Fritz responded that for NCARB, she feels it is low risk, and the benefit
28 outweighs the risk. Maynard agreed that the landscape architect registration by comity
29 regulations should be fixed.

30

31 The Chair asked Urfer if she needed any assistance to begin this regulation project. Urfer
32 indicated she would appreciate another board members insight. Fritz recommended R. Jones
33 because of his historical knowledge of the board. Maynard also volunteered to assist Urfer.

34

35 TASK: Urfer, R. Jones and Maynard will review statutes and regulations pertaining to landscape
36 architecture and put together an initial draft of proposed changes for the August meeting.

37

38

May_04_2018_C_00:26:28

39

1 The board returned to the motion regarding parcel exhibits, parcel plats, and legal descriptions
2 and reviewed Kerr’s most recent draft. R. Jones asked where this information will be posted.
3 Kerr answered it would be included in the letter to the Municipality of Anchorage, previously
4 discussed under Agenda Item X. C. as well as the guidance manual.
5

6 **On a motion duly made by John Kerr, seconded Colin Maynard by unanimously, it**
7 **was RESOLVED that AS 08.48.221 Seals (b) as it applies to Parcel Exhibits, Parcel Plats,**
8 **and Legal Descriptions be clarified as: Final drawings, specifications, surveys, plats, plates,**
9 **reports or similar documents described in AS 08.48.221 Seals (b) that are referred to in this**
10 **paragraph as “professional works” includes, but is not limited to, Parcel Exhibits, Parcel**
11 **Plats, Legal Descriptions, and similar professional works that may or may not be part of**
12 **other documents. For the purpose of this clarification: If the professional works are not**
13 **identified as “Preliminary”, “Draft”, or equivalent, then they shall be considered “Final” in**
14 **the context of AS 08.48.221 and are required to be sealed.**
15

16 TASK: The Chair agreed to write the letter.
17

18 **XXVI. Executive Session** 19

20 **On a motion duly made by Colin Maynard, seconded by John Kerr and passed**
21 **unanimously it was RESOLVED to go into Executive Session in accordance with AS.**
22 **44.62.310 (c)(3) to review continuing education exemption request from Richard A.**
23 **Hancock. We invite the Executive Administrator Alysia Jones to join.**
24

25 At 1:20p.m, the board came out of executive session and were back on record.
26

27 **On a motion duly made by John Kerr, seconded by Colin Maynard, and passed**
28 **unanimously, the AELS board exempt Richard A. Hancock (AELC8484) from continuing**
29 **education requirements in accordance with 12 AAC 36.530 for the January 1, 2016 through**
30 **December 31, 2017 registration period.**
31

32 TASK: A. Jones will notify Mr. Hancock of the board’s decision.
33

34 *May_04_2018_F_00:01:33*

35 **XXVIII. Elections of Officers**

36 The board held elections for the offices of Chair, Vice Chair, and Secretary. The board discussed
37 the additional duties of the officers. Koonce stated it has been the practice of the board to spread
38 the work around and rotate between the professions.
39

1 Koonce respectfully declined and deferred until next year due to personnel reasons. Maynard
2 volunteered to be Chair.

3

4 Kerr nominated Colin Maynard for Chair, Jeff Koonce for Vice Chair, Elizabeth Johnston for
5 Secretary and Fred Wallis as Sergeant at Arms. The board voted and the nomination passed
6 unanimously.

7

8

XXIX. Committee Updates

9 **Licensure implementation** – Koonce noted there was nothing additional to report other than
10 what had previously been discussed during national organization updates. Maynard explained the
11 initial purpose of that committee was to assist with the implementation of the additional
12 disciplines of engineering and could probably be dissolved. Fritz agreed, stating they were also
13 done with the updates related to AXP and A.R.E. 5.0., which were part of the committee’s initial
14 charges. The board agreed.

15

16 Fritz suggested establishing a new special committee on outreach. The Chair recommended
17 updating the land surveyor outreach committee to “Board Outreach”. The board agreed.

18

19 The Chair asked if the board had any additional outreach they wished to discuss. Johnston said
20 she was asked to serve of the UAF College of Engineering Advisory Committee. Johnston stated
21 she thought it would be a good idea for a member of the AELS board to serve on the committee
22 and is considering it. Wallis said he also received the same request.

23

24 The board discussed facilitating an outreach involving AGC and code officials. Fritz expressed
25 her interested in having the board coordinate an event involving these groups. Johnston
26 suggested the board plan something with ICEE if/when they meet in Fairbanks. The board also
27 discussed coordinating with APDC and the Legislative Fly-In event to coincide with the
28 February meeting. A. Jones noted if the interior designers proceed with their practice act it will
29 be important for the board to be in Juneau during the legislative session.

30

31 Koonce said Nevada publishes a document called the “Blue Book” as part of their licensure
32 outreach and encouraged the board to review that document and finalize our guidance manual to
33 use with our outreach to building officials and the State Fire Marshall’s office. Urfer suggested
34 including zoning officials and agencies as well.

35

36 Maynard mentioned he typically has someone from his office present at the AIA convention and
37 suggested the board get on the agenda.

38

39 Johnston asked if there was a standard presentation that could be utilized by board members
40 conducting outreach. A. Jones said she had checked with other programs in the Division to see if

1 there was a template the board could utilize, and indicated there was not a template and based on
2 recommended the board developing its own.

3
4 **TASK:** Maynard volunteered to put together a standard deck that could be adjusted based upon
5 the audience and/or focus.

6
7 Kerr mentioned the board has two standing open invitations to present at the ASPLS Conference
8 and URISA user group in Fairbanks.

9 *May_04_2018_F_00:16:52*

10
11 The board moved on to Standing Committees.

12
13 **Investigative** – A. Jones reminded board members to respond to Investigator Savage’s requests
14 promptly because he cannot move forward until a board member has reviewed it. Koonce
15 mentioned the reviewing board member needs to recuse themselves from a vote if the issue were
16 to come back before the board.

17
18 Johnston asked not to be contacted for electrical, because she would rather evaluate it when it is
19 comes before the board. The Chair explained that the board would still be able to get her input,
20 but that she would not be able to vote. Kerr encouraged Johnston to consider being involved
21 early on to ensure it is a valid case. Maynard commented in the six years he has been on the
22 board there has never been anything that has gone to trial. Several members agreed that it is
23 much easier and a better use of board members’ time to deal with the issues upfront, so Savage
24 can move in the right direction from the start.

25
26 **Licensure mobility** – Koonce said there is a lot of discussion regarding mutual agreements.
27 Maynard said licensure mobility is a big topic at NCEES meetings and that Nevada and
28 Wyoming recently signed a mutual agreement, and other states are interested in signing on as
29 well. The board talked about the arctic course and other requirements in Alaska. Johnston
30 commented at the NCARB meeting, she learned nearly fifty percent of jurisdictions allow staff
31 to approve some of the applications. Johnston asked about the possibility of implementing that
32 type of process with AELS, so the board could focus more time on discussing issues. Johnston
33 suggested the committee evaluate the application review process. Koonce stated as we become a
34 more global economy, we will see more international integration of disciplines.

35
36 The board discussed the possibility of delegating certain types of comity applications to staff. R.
37 Jones explained the idea was brought before the board by his predecessor and suggested if the
38 board was willing to accept model law certificates, NCARB certificates, etc. then staff could
39 handle those.

1 Maynard said we would need to check with legal on how to appropriate handle the approval
2 process.
3
4 Koonce agreed to continue to chair the licensure mobility committee and evaluate the application
5 review process. Koonce said he could provide the checklist for architects and requested other
6 members provide checklists for engineers, surveyors and landscape architects.
7
8 TASK – Koonce, Wallis, Urfer, and Hale will work on putting together criteria for staff
9 approved applications for the next board meeting.
10
11 TASK – A. Jones will check with LAW on how the appropriate process for staff approval of
12 certain applications.
13
14 **Emeritus Status** – Fritz asked why there was a committee for this item. Koonce and R. Jones
15 clarified that it is not emeritus status for this board, but that it is required for members who are
16 currently serving on national organization committees, to be eligible to serve out their term
17 because it extends past their term on the AELS board. The Chair stated it is on the standing
18 committee list as a reminder to check at each meeting if any action is required.
19
20 **Budget Committee**– Koonce stated there was nothing to report.
21
22 **Legislative Committee** – Fritz said she emailed Representative Sam Kito and spoke with his
23 staff following the discussion on HB90 at the February 2018 meeting. The Chair stated that he
24 had spoken with Representative Kito and Kito indicated he was going to pull HB90 along with
25 the QBS (qualifications based selection) bill.
26
27 The Chair recommended the board utilize Fritz more for the Legislative Committee since she is
28 located in Juneau. Fritz agreed.
29
30 **Continuing Education** - R. Jones stated that he had assisted A. Jones with reviewing audit
31 submissions. A. Jones explained initial notices were mailed on April 18, 2018 to five percent of
32 registrants. A. Jones stated 306 registrations were flagged, but that only 263 letters were sent due
33 to the remaining registrations were still lapsed as of April 18th. A. Jones explained the forty-three
34 lapsed registrations are still flagged and if/ when they renew they will receive an audit notice.
35
36 Maynard asked how many registrations lapsed following the renewal.
37
38 TASK- A. Jones will query the number of total lapsed licenses following the 2018-2019 renewal.
39

1 R. Jones recommended A. Jones check with the Division to ensure the five percent quota is met
2 and how to handle late renewals in regards to requiring submission of continuing education
3 documentation. The board discussed the audit process and centralized regulations related to
4 registration renewal.

5 TASK – A. Jones will confirm five percent quota is met and process for late renewals.
6

7 Fritz asked A. Jones about the findings of the audit to date. A. Jones stated she is just beginning
8 to receive responses, and did an initial pass of twenty submissions. A. Jones said she referred
9 four to R. Jones for review and his findings were in line with her determinations. A. Jones
10 explained she would bring anything questionable to the board for review. Fritz asked if people
11 were completing far beyond what was needed. A. Jones indicated there was some carry forward,
12 but in general people were close to the required twenty-four hours. R. Jones mentioned a
13 common issue is that people will cite carry over but not provide the documentation.
14

15 **XXX. Licensing Examiner Report**

16 A. Jones reported there were 81 applications reviewed at this meeting. Maynard and Johnston
17 requested the report breakout the engineer applications by discipline in addition to the number of
18 comity versus initial.
19

20 TASK – A. Jones will notify AELS Licensing Examiner to update the report to include engineer
21 applications by discipline.
22

23 Kerr asked for clarification on Certificate of Authorization Amendments. A. Jones explained
24 amendments can include changes to corporate, LLC or LLP name, owners, persons in
25 responsible charge and authorized fields of practice.
26

27 Mott asked how many Certificate of Authorizations lapsed following the renewal.
28

29 TASK – A. Jones will notify the AELS Licensing Examiner to update the report to include
30 information regarding number of lapsed Certificate of Authorizations.
31

32 A. Jones reported there were eight AKLS examinees, including seven in Anchorage and one in
33 Juneau. Kerr said he received feedback regarding the tables being too narrow and unable to
34 accommodate the books and reference materials. A. Jones asked the board for recommendations
35 for locations stating the options at the Atwood were classroom style, with the narrower training
36 tables or conference tables, which had been an issue the previous year.
37

38 Anderson, who had proctored the exam in Anchorage, said the room did not have a clock in the
39 room and examinees have to turn in their cell phones. Anderson added there was training next

1 door that was rather loud. A. Jones indicated the examinees had provided similar comments and
2 she would work on finding a more appropriate location for next year's exam.

3
4 *May_04_2018_F_00:57:09*

5 **XXXI. Read Applications into Record**

6
7 **On a motion duly made by Colin Maynard, seconded by John Kerr and passed**
8 **unanimously, it was RESOLVED to APPROVE the following list of applicants for**
9 **registration by comity and by examination with the stipulation that the information in the**
10 **applicants' files will take precedence over the information in the minutes.**

11
12 List of Applicants Approved for Registration:

KEVIN	ALLEN	DERRICK	WYKA
WILLIAM	AYERS	DING	YE
SCOTT	BARNDT	DAVID	ZAMBRANO
RAYMOND	BENJAMIN		
BILLY	BENNET JR.		
CHRIS	BOYD		
JONATHAN	BRAMELY		
SETH	BURWASH		
JACOB	CLARK		
JOSHUA	CROWE		
BRADLEY	DAVIS		
PAUL	FRENCH		
MICHAEL	HAHLBECK		
JAMES	KINSLOHR		
SANG	LEE		
ADAM	LEITH		
ANDREW	MATTIE		
CHAD	MCMULLEN		
STEPHEN	PARMENTIER		
PAUL	PATTERSON		
MICHAEL	PYSZKA		
BRADLEY	RICHARDSON		
NICHOLAS	ROCCO		
ANTHONY	ROOS		
MARK	SAMS		
LANCE	SAVANT		
NICK	SHAUER		
JOHN	SOMMERS		
TED	TRENKWALDER		
ANDREW	TRIPP		

MELISSA VAN BAALEN
JEFFREY WHEELER

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2
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6
7
8
9

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

List of Applicants CONDITIONALLY APPROVED for Registration

FRANK	ATAIYAN	STEVEN	TRUBY
ANDREW	BENOIT	HABIB	UR-REHMAN
SCOTTEN	BLAIR	COLIN	WEBB
MORGAN	BRUNO	MATTHEW	WOODS
NATHAN	CARLSON		
THARETH	CASEY		
ERIC	CHAMBERS		
CLAYTON	CHOROMANSI		
LEONARD	CHRISTOPHERSON		
KRISTINE	COLBORN		
CODY	COX		
GORDON	DUFSETH		
KENNETH	EICHLER		
JAMES	ELLINGTON		
PATRICK	GAYNOR		
CHAD	GIPSON		
SUSANNE	GROBLER		
DARREN	HIPPENSTIEL		
STERLING	HOOKE		
JEFFREY	KAZMAIER		
GENE	KLOW		
BRIAN	LOGAN		
GORDON	METH		
MONA	METWALLY HASSONA		
JIFENG	PENG		
LISA	RICHESON		
BRENDA	ROSS		
HEATHER	SEALY		
MARVIN	SILVA		
RICHARD	SIVILS		
MATHEW	STAUBLIN		

MARTIN STODDARD
ERIC STRONG
CAROLYN TALLANT
V. ANDREW TAN

1 **On a motion duly made by Colin Maynard, seconded by John Kerr and passed**
2 **unanimously, it was RESOLVED to find the following list of applicants for registration by**
3 **comity and by examination INCOMPLETE with the stipulation that the information in the**
4 **applicants' files will take precedence over the information in the minutes.**

5
6 Applications for the following were determined to be INCOMPLETE:

WILLIAM CULVER
BADREDDIN DIAB
MARK EVANS
JAMES FOURTNER III
NICHOLAS GEORGELOS
STEVEN LINDHOLM
GABRIELA RUZICKA
SAMUEL WOOLFOLK

7
8 *May_04_2018_F_01:01:44*

9 **XXXII. Review Calendar of Events/ Board Travel**

10 The Chair requested travel for board meetings for the entire fiscal year (August 2018 through
11 May 2019) be submitted at all at once. The board discussed submitted travel requests for
12 Anchorage for the August and November meetings, Juneau for February, and Fairbanks for May.

13
14 TASK – A. Jones will provide a list of dates for all known upcoming CLARB, NCARB and
15 NCEES meetings. A. Jones reviewed criteria for funded delegates and for NCEES first-time
16 attendees for the annual meeting.

17
18 A. Jones notified the board of an invitation to the CLARB/ASLA Licensure Summit in late June
19 and confirmed it would be third party funded. The board directed A. Jones to proceed with
20 submitting a travel request for Urfer to attend.

21
22 The board discussed attendance at upcoming meetings. The board determined Maynard, Kerr,
23 and Wallis will attend the NCEES Annual Meeting. Maynard stated that they are discussing
24 separate funding for the Member Board Executives to attend.

25
26 The board discussed dates for the November 2018 and February 2019 meeting.

27
28 *May_04_2018_F_01:14:48*
29

