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

8
9 **MINUTES OF THE MEETING**
10 **November 1-2, 2018**

11
12 By authority of AS 08/01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled
13 meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held on Thursday,
14 November 1st – Friday, November 2nd at KPB Architects, Anchorage, Alaska.

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

17 The meeting was called to order at 9:02 a.m. by AELS Chair Colin Maynard.

18
19 Board members present, constituting a quorum:

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

30
31 Board members excused by the Chair:

32 Catherine Fritz, Architect
33

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

35 Alysia Jones, Executive Administrator (in-person)
36 John Savage, Investigator (in-person)*
37 Melissa Dumas, Admin Officer (telephonically)*
38 Jun Maiquis, Regulation Specialist (telephonically)*
39 Marilyn Zimmerman, Paralegal II (telephonically)*
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41 * Attended portions of the meeting.

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43 The following members of the public attended portions of the meeting:

44 Bader Diab (telephonically)
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II. Review/Amend Agenda

Board reviewed the meeting agenda. A. Jones noted an error with the agenda numbering for items XXVI. New Business and above.

John Kerr joined the meeting at 9:03.

AELS_11.01.2018_A: 00:00:04

On a Motion duly made by Hale, seconded by Koonce and approved unanimously, it was RESOLVED to approve the agenda.

AELS_11.01.2018_A: 00:00:32

III. Ethics Reporting

The Chair said he had attended the CLARB Annual Meeting held in Toronto at the end of September. He also stated that he is serving on NCEES' Advisory Committee on Council Activities (ACCA), which is scheduled to meet the first week of January in Miami.

Urfer stated that she had spoken with a sub-group of the ASLA – Alaska Chapter about the potential statute change regarding landscape architecture.

Johnston stated that she is the Student Activities Chair for the Institute of Electrical and Electronics Engineers and has had six trips this fall related to this role.

The Chair commented that he had attended the AIA Alaska Chapter meeting as marketing for his firm, but also did a presentation on AELS and NCARB since Koonce and Fritz were unable to attend.

The Chair, Kerr, and Wallis also attended the NCEES Annual Meeting held in Scottsdale, AZ as the board's delegates. Mott attended the meeting as a first-time attendee.

IV. Review/Approve August 2018 Meeting Minutes.

The Chair asked if the board had any additional comments that were not included in the current version. No additional comments were provided.

On a Motion duly made by Hale, seconded by Koonce and approved unanimously, it was RESOLVED to approve the minutes as presented.

AELS_11.01.2018_A: 00:02:50

V. Investigative Report

Savage asked the board if there were any questions concerning the report. The Chair requested clarification on items pending litigation being indicated by italics and the lack of italics. Savage confirmed it was standard language and there were no items pending litigation. Savage explained there has been some movement to standardize the reports across all programs and noted the work on the AELS Investigative report and sanctioned guidelines over the past several years.

1 Kerr commented that there appeared to be quite a bit of activity. Savage said this used to be his catch up
2 time, but that has not been the case this year. Savage added that he is no longer being asked to assist with
3 other programs and believes he'll be able to conduct more site visits and catch up soon.

4
5 Kerr asked Savage if he had any recommendations related to outreach based upon the issues he has seen
6 recently. Savage responded that any outreach is helpful. Savage recommended the board reach out to home
7 builder associations, noting an increase in members getting involved in commercial work. Savage suggested
8 board members and/or staff attend meetings in order to educate them beforehand and mentioned that it
9 would have a positive impact on "street work". Savage said the Fire Marshall's Forum as another good
10 outreach opportunity, along with any outreach to the deferred jurisdictions.

11
12 Savage reported that the Investigative unit is nearly fully staffed and that he has been assisting with training
13 some of the new staff. The Chair said there were questions at the AIA meeting about outreach to the Fire
14 Marshall's office and he had responded that the AELS Investigator does a lot. The Chair said one issue that
15 came up at the AIA meeting was related to a plat plan being marked up and then turned in again. The Chair
16 explained that was illegal, and said several attendees were surprised. The Chair recommended Savage speak to
17 the planning department. Hale said they are accepting plot plans that haven't been surveyed and clarified that
18 it is not the planning department, but the Development Services Department. Hale said he talked to the
19 Director as a surveyor because there was an issue with the ZBEA (Zoning Board of Examiners and Appeals).
20 Hale explained ZBEA only deals with variances related to buildings and encroachments. The Chair suggested
21 Savage reach out to the Development Services Department.

22
23 Savage added that the city was accepting plans that were sealed, but there was a disclaimer that they don't
24 accept responsibility for anything in the drawings. Savage stated the issue had been straightened out. The
25 Chair noted that several attendees at the AIA meeting did not know about the corporate authorization
26 information being required on the title block, or a registrants' duty to turn someone in if they see someone
27 doing something they shouldn't be doing. Johnston requested a copy of the presentation the Chair gave at the
28 AIA meeting.

29
30 TASK: AJ will send the AIA presentation to board, once it is provided by the Chair.

31
32 The board returned to the Investigative Report. The Chair commented on the number of cases since the last
33 meeting and the timeliness of their being closed. Savage explained that numbers are assigned once all required
34 documentation is received.

35
36 The board thanked Savage for the report.

37
38 *AEELS_11.01.2018_A: 00:19:01*

39 ***V. A. Home Inspection***

40 The Chair directed the board to the Deputy Director's comment that the Board cannot add the statement "A
41 licensed design professional may only do inspections in accordance with their license," to the website. The
42 Chair explained the exemption in the Home Inspector Statutes and Regulations was not intended to allow any
43 architect or engineer to do an entire home inspection, but make sure they could continue to do what they
44 were doing if it was at a house.

1 Savage said architects and engineers have been exempt from the home inspector laws for the past 14 years or
2 more and advised the board to get an opinion from the Attorney General's (AG) Office if they wished to
3 pursue it further. A. Jones said the board would need to update the AELS statutes and regulations to directly
4 address home inspections. Kerr referred the board to 08.48.221 Seals and stated that the board has the
5 authority to regulate the use of the seal whether it is in a home inspection or anywhere else. Johnston asked
6 for clarification on whether the home inspection report was actually sealed by the architect or engineer. Kerr
7 and the Chair confirmed the report must be sealed, signed and dated per Sec. 08.18.

8
9 Savage asked the board if there was anything in the AELS statutes and regulations that indicated they cannot
10 do home inspections. The board discussed current enforcement practices related to this issue. Savage again
11 recommended the Board obtain an AG's opinion. The Chair said he was there when the language was
12 adopted and said the intent was to allow people who were licensed to continue to do that kind of work. Kerr
13 directed the board back to Sec. 08.48.221(a) Seals and read the following excerpt:

14
15 "The registrant, by affixing the registrant's seal to final drawings, specifications, surveys, plats, plates,
16 reports, or similar documents, and by signing the seal, certifies that the documents were prepared by
17 or under the registrant's direct supervision, are within the registrant's field of practice, or constitute
18 design work of minor importance."
19

20 Kerr explained that if you are expecting a home heating system and you are a structural engineer you are not
21 practicing in your area of expertise. Mott asked the board if there was a sense of the magnitude of the issue.
22 Savage suggested it would be a huge issue and said there are a number of architects and engineers that make a
23 living off of doing home inspections.

24
25 The Chair reiterated that licensees need to be working in the area of their expertise. Johnston said she
26 routinely sees civil engineer home inspections providing electrical inspections and added that they are trained
27 to do that through their home inspection training, not within the purview of their civil engineering license.
28 A. Jones direct the board members to the language in 08.18.156 that indicates parameters for some of the
29 other exemptions, but that the language (e.g. "within the scope of that license") is not included for Sec.
30 08.18.156(3).

31
32 Koonce stated that it is a house, which is exempt from AELS statutes and regulations (Sec. 08.48.331 (a)(6)).
33 Kerr explained that an architect or engineer can obtain a home inspector license, or if they choose not to do
34 that, they need to seal the report. Koonce stated that an architect can build a brand new home and that is not
35 regulated by the AELS board, so why can't someone with those same credentials inspect it?

36 Kerr responded that the home inspectors' statutes require the report to be sealed. Several members explained
37 that if the architect or engineer did not seal the home inspection report as required by Sec. 08.18.156, then
38 that individual would be in violation of the home inspector laws. Koonce asked who regulates the home
39 inspectors. Several members responded that it is a non-boarded program within the Division.

40
41 The board discussed the home inspector certification process and pursuing the certification rather than using
42 their architect or engineer seal. Savage requested the board provide a position letter that the AELS staff can
43 bring to the Division Director, Chief Investigator, and AG's Office for comment.

44
45 Admin Officer Melissa Dumas and Accountant III Marylene Wales joined the call.

1
2 Johnston asked the board to look at Sec.08.18.156(4), which mentioned engineer and architects in training.
3 The board reviewed it and determined that since the report was still signed by the registered engineer or
4 architect reference in item (3), updates to item (4) were not required.
5
6 Kerr recommended adding “in accordance with 08.48...” to Sec. 08.18.156, but recognized it would require a
7 statute change.
8

9 The Chair responded that there are statutes (Sec. 08.48) regarding seals and the Home Inspector Statues
10 (08.18) do not change that. The board agreed to draft a position letter as Savage suggested.
11

12 *AELS_11.01.2018_A: 00:33:05*

13 **VI. Division Update:**

14 The Chair invited Dumas to speak. Dumas walked through the fourth quarter report with the board. She said
15 everything is trending as expected given the reduction of fees and expenditures appear consistent. Dumas
16 noted the expected deficits in non-renewal years and a surplus during renewal years.
17

18 Dumas explained the department as a whole only gets \$50,000 in allowable 3rd party reimbursement per year.
19 Koonce asked about the \$50,000 cap on third party reimbursement. Dumas explained that was a legislative
20 decision and said the AELS program is seeing the majority of that currently. Kerr asked about the rationale of
21 the cap. Dumas responded that she did not want to speculate and offered to look into it more if the board
22 wanted additional information.
23

24 Dumas and the board talked about membership fees for national organizations and the benefits and services
25 the board receives through membership.
26

27 Maynard commented that he was surprised that the licensing revenue was so low, given the small adjustment
28 in fees.
29

30 The board thanked Dumas for the report and returned to *Agenda Item V.A. Follow up: Home Inspection*
31 *Exemption Discussion*. The Chair stated that he would draft a letter tonight for the board to review during
32 tomorrow’s meeting.
33

34 *AELS_11.01.2018_A: 00:43:40*

35 **V. B. Background Checks**

36 A. Jones explained she did some research based upon Kerr’s question following a law enforcement session at
37 the NCEES Annual Meeting. A. Jones said she reached out to other jurisdictions for information regarding
38 how many jurisdictions do background checks and provided the board with a breakdown of the information.
39 Savage added that the jurisdictions that are doing checks are much larger organizations and have a lot more
40 staff and capacity to conduct these background checks. Savage said they do run background checks if
41 someone answers “Yes” to the general information questions on their applications and are in contact with
42 other jurisdictions. Kerr asked if licensing staff could handle it. Savage responded that there is a lot of liability
43 and indicated that only investigative staff would likely be provided access to those sorts of programs. Kerr
44 thanked A. Jones for the thorough response.
45

VII. Correspondence – SENT

The board reviewed correspondence sent since the August 2018 meeting.

A. **Response: Engineering by Alyeska Pipeline – Giessel.** The board had no additional comments.

B. **Response: ADEC Requirements for Record Drawings – Clark & ADEC**

TASK: A. Jones will reach out to ADEC for a status update.

C. **Response: PE Education and Work Experience** - A. Jones explained there was no official letter, but staff communicated with Mr. Evans, following the board’s review of his education and experience and determined he met the requirements and was approved for to take the PE exam.

D. **Response: Industrial Exemption Discussion** – The Chair said the board provided a response to Mr. Moe, Cc:ing ML&P, which generated a letter from the Municipality of Anchorage to Robert Auth at the Attorney General’s Office. The Chair stated that Mr. Auth provided a response that supported the board’s original response.

E. **Response: Standard Drawing Discussion with AK DOT&PF** – The Chair said there has been no official response to the board’s letter, but that AK DOT&PF appear to be making efforts to update drawings. Johnston agreed that efforts are being made and added that it just takes time.

F. **Response: NCEES Exam Discussion** – Flynn. The Chair reminded the board this letter was in response to the request to adjust regulations related to the minimum passing score for the PE exam. The board granted Mr. Flynn one more opportunity to pass the exam with his current application, and determined the current regulations regarding the PE exam should remain as-is.

G. **Response: AHERA Stamping Requirements** – The Chair noted that the board had requested language be added to the Guidance Manual regarding this topic.

VIII. Correspondence – RECEIVED

A. **Follow up: Industrial Exemption Discussion** – The Chair explained that the first item was submitted to the board at the August 2018 meeting and the board decided to postpone responding until an official response, reviewed by the AG’s office had been provided.

The Chair said the letter discussed under Agenda Item VII. D. should sufficiently address the questions in Mr. Moe’s email dated July 16, 2018. The Chair noted there was an additional question submitted to the Board on September 20, 2018 regarding attaching a pole line or joint-trench and asked for comments from the board.

Investigator Savage left the meeting at 10:02 a.m.

Hale expressed his concern with work being done on the company’s property and then that work is being sent out for people to use. The Chair explained that once it gets off of the main line or feeder line, the line to the pole needs to be stamped by a licensed engineer. Johnston indicated that may not always be the case and provided an example involving a transformer. Johnston recommended looking at where the National Electrical Code ends and where the National Electrical Safety Code starts as a way to determine if it is the utility or not. Several board members agreed with Johnston’s approach.

TASK: Johnston will draft a response to VIII. A.

1 The board took a short break.

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4 *AELS_11.01.2018_B: 00:02:09*

5 **IX. Comment Review of Proposed Changes to 12 AAC 36.060, .061, .103, .105 and .110**

6 The Chair stated that the public comment period closed on Wednesday, October 24th. The board received
7 only one comment and noted that there may have been some confusion between the NCARB Record and
8 NCEES Record. The Chair speculated that if the board decided to require an NCEES Record in the future,
9 there would likely be similar parameters related to the date after which it would be required.

10
11 The Chair mentioned there was an issue a couple weeks ago regarding whether someone needed to apply for
12 a PE license and and SE license and the Chair stated that there is nothing in the regulations that requires
13 them to apply for both as a comity applicant. A. Jones asked for confirmation that an SE applicant is required
14 to have a PE license, but that the PE does not need to be an Alaska license. The Chair and several board
15 members confirmed. The Chair further clarified that if they only want the SE license in Alaska, then they can
16 only do significant structures, and are not able to do the other civil stuff.

17
18 **On a Motion duly made by Koonce, seconded by Urfer and approved unanimously it was**
19 **RESOLVED to approve the regulation project as public noticed (12 AAC 36.060, .061, .103, .105, and**
20 **.110).**

21
22 The board thanked Fritz and Koonce for all their hard work on this regulation project.

23
24 *AELS_11.01.2018_B: 00:06:41*

25 **X. Statute and Regulation Working Session Part 1**

26 **A. 12 AAC 36.185** – The Chair explained draft language had been provided previously and members had
27 expressed some concern regarding the language, so he recommended the board walk through the language
28 word for word. A. Jones mentioned Mott had provided grammatical corrections, but no additional content-
29 related comments had been received since the August meeting.

30
31 The Chair explained the changes will clarify multiple registrants may be designated for each discipline on a
32 corporate authorization; who is authorized to seal documents for a corporation, LLC or LLP; and move
33 language from 12 AAC 36.185(c) regarding registrants in each office to a new section.

34
35 Kerr expressed concern with the statement “this does not relieve the individual or individuals in responsible
36 charge from responsibility for the work delegated to the other employee. ...” because it transfers issues to
37 someone who is on the certificate of authorization (COA), but may not have been involved with the
38 delegation of the work to the employee. Hale commented that in his office there are two people on the COA,
39 but all licensed staff stamp work for which they are responsible. Johnston indicated the process in her office
40 is similar. The Chair asked if there was a letter providing authority to stamp on behalf of the company. Hale
41 responded that by law he is allowed to stamp work that he is responsible for and did not see the need for an
42 additional letter.

43
44 Kerr recommended a letter stipulating chain of command be required in order to protect other persons
45 designated in responsible charge on the firm’s COA. The Board discussed whether a letter should be required

1 or if that may be too burdensome. Johnston and Mott recommended that the decision to have a chain of
2 command letter be left up to the individual company. The board decided to leave the draft language as-is.

3
4 The board reviewed the proposed new section 36.140, which pulled language regarding registrants in each
5 office out of 12 AAC 36.185 Use of Seals. Mott said he agreed there should be someone in responsible
6 charge in each office, but said he was struggling with why you would require a registrant, but not one for each
7 discipline being practiced in that office. The Chair said there are administrative and legal ramifications of
8 being registered that every registrant is supposed to know and can make sure other staff are obeying and
9 complying with.

10
11 Several board members clarified that the registrant is not expected to oversee the technical aspects of those
12 working in a different discipline or profession, but general compliance with AELS statutes and regulations.
13 The Chair added that the unlicensed staff members should be getting the mentorship over technical aspects
14 from an appropriate registrant, who may not be located in the same office.

15
16 Johnston and the Chair noted that registrants have completed the jurisprudence questionnaire and have been
17 working in the field for at least 4 years and are familiar with how the system works and what you are
18 supposed to do and not do.

19
20 The Chair asked about including the board's interpretation of the term "office". Several members
21 recommended putting the language in the Guidance Manual as well as the Regulation FAQs form.

22
23 Kerr commented that the proposed regulation updates provide a reasonable degree of protection for the
24 public. The Chair stated that the requirement to have a registrant in every office is not new, but the proposed
25 changes are to address requests for clarification on these requirements.

26
27 The board discussed the possibility of adding the word "in" to indicate physically present in the office at least
28 20 hours a week.

29
30 **On a Motion duly made by Koonce, seconded by Hale and approved unanimously, it was**
31 **RESOLVED to public notice proposed changes to 12 AAC 36.135, .140 and .185 as modified.**

32
33 TASK: The Chair will provide A. Jones with the updated version of the proposed changes and completed
34 Regulation FAQ worksheet.

35
36
37 *AEELS_11.01.2018_B: 00:32:10*

38 **B. Revisions to LA language** – Urfer explained that the updated version contained comments from an
39 individual who recently participated in the mentoring program. Urfer said the individual stated that four face-
40 to-face meetings were very difficult to coordinate, and asked the board to consider revising the requirement
41 to allow two of the four required meetings to be conducted remotely.

42
43 The Chair and A. Jones responded that the board had previously determined at the May 2018 meeting that
44 "quarterly face-to-face" meetings includes virtual meetings, as long as an appropriate virtual meeting tool was

1 utilized. The Chair continued that the tool must allow for both the work product and individuals to see one
2 another.

3
4 Urfer asked if the regulations needed to be updated to provide that clarification. Koonce and Kerr suggested
5 the Guidance Manual, and/or the Board Policies document as being a more suitable location. A. Jones
6 volunteered to update the mentoring form to include the clarification. The board agreed adding the
7 information to the form would be most appropriate.

8
9 The board discussed comments regarding reviewers being licensed and noted it would be in conflict with
10 current statutory exemptions. Urfer said she believed that was not the person's intent to have requirements
11 for review of landscape architecture drawings that are not required for engineering, architecture, or land
12 surveying drawings.

13
14 The Chair requested a clean copy for the board to vote on tomorrow. The board discussed whether or not to
15 move forward with the landscape architect regulations updates or to wait until the statute changes have been
16 approved.

17
18 Maiquis recommended the board wait for the statute update before pursuing the regulation changes. The
19 board agreed. The Chair suggested the Legislative Liaison Committee reach out to the Commerce Committee
20 Chairs regarding the statute change.

21
22 TASK: A. Jones will update the mentoring form, FAQs, and board policy documents to clarify face-to-face
23 meetings may be conducted virtually.

24
25 TASK: A. Jones will provide the board with a clean copy of the landscape architecture statutes to vote on
26 tomorrow.

27
28 *AELS_11.01.2018_B: 00:44:10*

29 ***C. AS 08.48.055 Delegate authority to staff-*** A. Jones reported that she had reached out to other
30 jurisdictions and gathered information on how staff are able to approve applications. A. Jones explained staff
31 that it is fairly common for staff in other jurisdictions to handle application approvals, but that policies and
32 procedures varied widely. A. Jones provided several examples of processes in other jurisdictions including
33 staff members (licensing examiners) that are professional engineers and can therefore approve work
34 experience and a process in which a staff member has the authority to approve a reciprocal license (similar to
35 comity) if an applicant meets certain criteria (e.g. NCARB Certificate).

36
37 A. Jones noted some jurisdictions submit applications to board members as they are completed, rather than
38 holding them until a quarterly meeting. A. Jones reminded the board that they had previously considered this
39 and determined that the multi-disciplinary makeup of the board would provide an additional burden on
40 certain members of the board based upon their discipline and/or profession.

41
42 Koonce requested clarification as to whether we were looking at one profession or all professions. A. Jones
43 responded that she had tried to obtain information related to all of the professions to determine any and all
44 possible options. The Chair noted that NCEES does not require responsible charge, and we require that to be
45 verified. The Chair added that it appears it may only work for the architects by comity that hold an NCARB

1 Certificate. Urfer added that the twenty-four months of responsible charge is a requirement for the landscape
2 architects as well, so it would not be possible for staff to approve landscape architect applications either.
3 Koonce commented that he had a discussion with board members from Oregon at an NCARB meeting who
4 indicated that staff handle applications unless there is an issue. The Chair said he did not have a problem with
5 delegating approval for staff to approve architect registrations if the architect has an NCARB certificate, but
6 believed that was the only type of application it would work for. Koonce agreed and said the number of
7 architect applicants did not warrant pursuing a statute change and change in process at this time. Maiquis
8 confirmed that a statute change would be required.

9
10 The board weighed the benefits against the time and effort and determined to leave the process as-is and not
11 pursue a statute change to delegate authority to approve applications that met certain criteria.

12
13 The Chair and Koonce thanked A. Jones for looking into the matter.

14
15 *AELS_11.01.2018_B: 00:51:44*

16 **D. 12 AAC 36.050 (b)(1) Clarify documentation requirements** - A. Jones requested the board confirm
17 current processes and requirements for exam applicants that are approved to take the PE exam. A. Jones
18 explained that currently staff approve exam registrations in NCEES E3 system if the applicant has been
19 conditionally approved by the board. A. Jones reminded the board that applicants may be conditionally
20 approved even though there are outstanding items. A. Jones provided examples of typical missing documents
21 including the jurisprudence questionnaire and Arctic Course completions. A. Jones explained 12 AAC
22 36.050(b)(1) specifies “ALL missing supporting documents are due at least five days before the deadline for
23 examination registration set by NCEES.” Koonce commented that all missing documents were required prior
24 to registration, not necessarily before an exam. A. Jones confirmed that was the current process.

25
26 Koonce asked about exam format changes. The Chair responded that engineering and surveying exams are
27 being transitioned to computer-based-testing, but approval is still required in E3 for the majority of exams.
28 The Chair added that some will continue to be offered only twice a year and NCEES will continue to set
29 registration deadlines. Koonce recommended specifying what constituted supporting documents or add
30 language to indicate it excludes the jurisprudence questionnaire and arctic course.

31
32 The board discussed conditional approval and determined the current process is appropriate.

33
34 TASK: The Chair will draft language for 12 AAC 36.050 that is more in alignment with current practice.

35
36 *AELS_11.01.2018_B: 00:58:59*

37 **E. Terminology Updates** - The Chair asked the board to submit any terms that require further clarification
38 and/or definitions to A. Jones. The Chair encouraged board members to include any proposed definitions as
39 well.

40
41 TASK: All board members will submit terms to A. Jones, who will then compile and submit to the Chair.

42
43 TASK: The Chair will draft definitions for the submitted terms for the board to review at the January
44 meeting.

2 Regulation Specialist Marilyn Zimmerman joined the meeting. Maiquis left the meeting.
3

4 **XII. Retired License discussion** – The Chair invited Zimmerman to speak. Zimmerman referred the board
5 to the memo sent to the board in October 2016 from former paralegal Charles Ward, which presented some
6 possible issues the board would have if they allowed a registrant to retire their license in response to a
7 continuing education audit.
8

9 Zimmerman explained in the past she has explained to the licensees that they may retire their license, but that
10 it does not preclude them from resolving the continuing education audit. Zimmerman asked the board to
11 consider the memo and decide how they wished to move forward with these types of situations.
12

13 The Chair recalled the board’s discussion of this topic at the August meeting and stated that the board
14 decided to allow the person to retire the license as long as they signed the letter or other documents indicating
15 that they understand if they ever wished to reactivate their license, they would need to supply documentation
16 for the period for which they were audited as well as the one immediately preceding the reactivation.
17 Zimmerman agreed. A. Jones asked if this process needs to be reviewed by the Chief Investigator.
18 Zimmerman said she could get the Chief Investigator’s opinion on it and move forward from there.
19

20 The Chair requested Zimmerman use whatever format she deemed appropriate to get it done as efficiently as
21 possible within the Division’s standards. The board thanked Zimmerman for her assistance with this matter.
22

23 **XIII Executive Session**
24

25 **On a motion duly made by Johnston, seconded by Koonce and passed unanimously it was**
26 **RESOLVED to go into Executive Session in accordance with AS 44.62.310(c)(3) to review**
27 **disciplinary case number 2018-000507 with Alysia Jones and Marilyn Zimmerman.**
28

29 The board went into Executive Session.
30

32 At 12:02 p.m. the board was back on the record and recessed for lunch.
33

35 The Board reconvened at 1:28 p.m. Roll call, all present except Fritz, excused by the Chair.
36

37 **On a motion duly made by Koonce, seconded by Kerr and passed unanimously it was**
38 **RESOLVED to approve the consent agreement for case number 2018-000507.**
39

40 TASK: A. Jones will contact CE providers to verify information indicated on certificates of completion.
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42
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1 *AELS_11.01.2018_C: 00:08:22*

2 **XVI: Special Project: Website Review**

3 The board walked through the AELS web pages and provided suggested updates to A. Jones. Several
4 members indicated that it was reasonably easy to navigate and contained useful information. Kerr pointed out
5 that the side bar occupies 1/3 of the page and a significant amount of the links are unrelated to AELS. Kerr
6 added that it is a lot of real estate that could be used for AELS items. Several board members also
7 commented on the amount of background space.

8
9 TASK: A. Jones will compile the list of updates and submit to the appropriate Division staff to update.

10
11 *AELS_11.01.2018_C: 00:31:05*

12 The board jumped to XXV. Old Business and reviewed the outstanding items on the August To Do List,
13 which included revisions to the guidance manual and follow up with other agencies.

14
15 *AELS_11.01.2018_C: 00:35:09*

16 **XIV. Public Comment**

17 The Chair asked if anyone was on the line for public comment. Hearing none, the Chair recommended
18 proceeding to the next item on the agenda and returning to public comment if anyone joined the meeting to
19 testify.

20
21 *AELS_11.01.2018_C: 00:35:29*

22 **XV. Application Review**

23 The board began reviewing fifty-seven applications for registration, which included thirty-five by comity,
24 nineteen by exam, and two SE by grandfathering (12 AAC 36.108).

25
26 *AELS_11.01.2018_C: 00:38:51*

27 The board returned to *XIV. Public Comment*.

28
29 Mr. Bader Diab called in to ensure he had satisfied the board's requirements for his Fundamentals of
30 Engineering Examination Waiver. The Chair explained that the board would be reviewing applications for the
31 remainder of the afternoon and that staff would follow up with him if anything was outstanding. Mr. Diab
32 explained that much of the past 20 years of experience has been in the U.S., but the period the board
33 requested additional documentation from was overseas and he believed he had obtained all the verification he
34 was able to for that timeframe. The Chair thanked Mr. Diab for calling in and explained the board was in the
35 process of reviewing applications. Mr. Diab remained on the line as the board returned to reviewing
36 applications.

37
38 *AELS_11.01.2018_C: 02:20:04*

39 The board reviewed Mr. Diab's application and discussed possible documentation he could provide to verify
40 the missing timeframe. Mr. Diab replied that he would try to compile and submit the requested
41 documentation to the board through AELS staff.

42
43 *AELS_11.01.2018_C: 03:09:34*

44 **XVI. Recess for the day**

45 The board recessed for the day at 4:34 p.m.

1 Friday, November 2, 2018

2 *AEELS_11.02.2018_A_00:06:54*

3 **XX. Reconvene and Roll Call**

4 The Board reconvened at 8:20 on Friday, November 02, 2018. Roll call, all present except Fritz, excused by
5 the Chair.

6
7 **XXI. Application Review continued.**

8 The Chair presented the board with an application that had previously been determined to be incomplete.
9 The Chair said he had reviewed the NCEES education standards and walked the board through the
10 requirements and applicant's credits based upon his transcript. The Chair said the applicant provided
11 information of another individual that had completed a similar program at the same university and was
12 approved for registration by this board. The Chair said based upon his review of the NCEES education
13 standard, he was not sure the education for the other individual should have been approved.

14
15 R. Jones asked if the individual was a comity applicant. The Chair responded it was an exam applicant. Kerr
16 asked if there was a reason they wouldn't have to meet the education standard. The Chair responded that the
17 board gave someone else approval for the same degree five years ago. Kerr commented that it was not
18 appropriate to lessen the requirements because there had been a mistake previously. Several board members
19 indicated they agreed. Hale said that the board should follow the requirements. Johnston agreed, saying that
20 would be the most defensible position for the board to take.

21
22 The Chair asked the board if they would accept the degree as a non-ABET accredited degree, or not accept it
23 and he needs additional education. The board discussed the areas of deficiency being outside the engineering
24 course requirements and the university's accreditation. Kerr recalled the board previously discussing whether
25 the university was legitimate or not. Kerr said he had contacted the Director of Private Postsecondary
26 Schools with the New Mexico Higher Education Department who confirmed the school was not legitimate.

27
28 Anderson noted the applicant also had an Associate's degree from another university. The board discussed
29 the possibility of having the applicant get an education evaluation from NCEES. Johnston read the
30 description of the NCEES Credentials Evaluation from the NCEES website:

31
32 "An NCEES Credentials Evaluation compares a licensure candidate's college-level education to the
33 NCEES Engineering Education Standard to evaluate if it is comparable to a typical US-based
34 engineering degree. If your college-level coursework meets the standard, your evaluation report will
35 indicate this. If it does not, your report will indicate any areas of deficiency."

36
37 The Chair read a notice that stated the American Century University, formally Century University had closed
38 its doors on May 1, 2018.

39
40 At Kerr's request, A. Jones pulled up the email correspondence from Michelle Casias of the New Mexico
41 Higher Education Department to Mr. Kerr regarding the university's accreditation. Kerr read the response
42 aloud to the board:

1 “Based on our records, American Century University has never successfully obtained accreditation
2 from a United States Department of Education recognized accrediting body. American Century
3 University is not authorized to operate in the state of New Mexico.”
4

5 Koonce recommended including the correspondence with Ms. Casias in the letter to the applicant and agreed
6 with the suggestion to have NCEES evaluate the education. Mott asked about NCEES process and several
7 other members explained that the evaluation process is quite indepth and looks beyond the transcript. Mott
8 expressed his concern about it being a futile effort and the board ending up having the same discussion at a
9 future board meeting. The Chair said if NCEES accepts the education as equivalent then he would feel
10 comfortable approving the education.
11

12 Kerr asked the Chair if he would accept it, even though the university was never accredited. The Chair replied
13 that the current AELS Statutes and Regulations do not stipulate the university must be accredited.
14

15 TASK: The Chair will write a letter to the applicant requesting an NCEES Credentials Evaluation be
16 completed.
17

18 The board discussed remaining applications. A. Jones reported that the board was waiting on responses from
19 two verifiers and would notify the board if she received those responses during today’s meeting.
20

21 TASK: A. Jones will follow up with Mr. Diab regarding the board’s request for additional documentation.
22

23 *AELS_11.02.2018_A. 00:24:02*

24 **XXII. Statute and Regulation Working Session Part II**

25 The Chair asked if there were any statute or regulation changes that the board was working on that were not
26 addressed during yesterday’s working session.
27

28 The board reviewed the clean version of the AS 08.48.331(b)(1) and AS 08.48.341(15). The Chair and Urfer
29 said they would work on finding a sponsor and coordinate with APDC and ASLA on getting the statute
30 change through and then follow up afterwards to update related regulations.
31

32 **On a motion duly made by Koonce, seconded by Hale, and approved unanimously it was**
33 **RESOLVED to modify AS 08.48 regarding landscape architecture in accordance with the document**
34 **in our (Nov 2018 board) packet and be put forth to find a legislative sponsor.**
35

36 *AELS_11.02.2018_A. 00:41:46*

37 **XXIV. Special Presentation: Structural Engineer Exam by C. Maynard**

38 The Chair explained that the following presentation was done by Ed Houston who was the Chair of the
39 NCEES Structural Exam Committee for a number of years. The Chair explained the history of the exam,
40 which started in Illinois in 1915. The Chair commented that Illinois exam pre-dated NCEES and NSPE. The
41 Chair explained the evolution of licensing requirements for schools and hospitals, and discussed state specific
42 exams. The Chair said Washington adopted a eight hour, state specific, structural exam in 1936, which was
43 revised to a sixteen hour exam in 1963. The Chair noted that Washington and Oregon worked together to
44 develop the sixteen hour Western States exam in 1986 that Idaho and Nevada later adopted. The Chair said
45 Illinois wrote a sixteen hour exam and recommended NCEES write a national structural exam, and in 1985

1 NCEES offered the first SE I exam. The Chair said NCEES first offered the SE II exam in 1987 with the
2 intent that NCEES' two day exam would meet the sixteen hour exams required by the individual states.

3
4 The Chair explained that seismic content was added to the exam in 1993. In the late 90s through mid-2000s
5 several western states transitioned to NCEES national exam.

6
7 The Chair explained that in Alaska, an individual can be registered as a civil if they complete the SE I exam.
8 The board discussed discipline specific states vs. non-discipline specific states. The Chair explained that in
9 several states the SE license is a post-PE license.

10
11 The Chair mentioned changes in the IBC codes and that Alaska was one of the early adopters.

12
13 The Chair commented that there have been several task forces established to evaluate the exams and walked
14 through the format of the exams. Module 1 is gravity forces and Module 2 is lateral forces, high winds and
15 high seismic. The Chair explained that the SE II exam was geared for states that have high winds and/or high
16 seismic.

17
18 The Chair explained why there is an eight hour civil-structural exam and a sixteen hour structural exam. The
19 Chair said the Civil-Structural exam is a basic structural exam that would apply to every state. The Chair said
20 the sixteen hour exam includes the high seismic and high wind categories. The Chair noted that Alaska is the
21 only state that has both high wind and high seismic.

22
23 The Chair said the SE I and SE II exams are included in the transition to computer-based-testing and is
24 scheduled to transition in 2024.

25
26 The board thanked the Chair for the presentation.

27
28 *AELS_11.02.2018_A. 00:57:54*

29 **XXV. Old Business**

30 **A. Review August To Do List** – Johnston stated that the pole attachments question still needed to be
31 addressed and said she had researched the Pole Attachment Act, which is in the United States Code. Johnston
32 read excerpts of the act that indicated a state shall not regulate the rates, terms, or conditions pole
33 attachments. Johnston expressed her concern with the board proceeding based upon yesterday's discussion,
34 stating that it may be in conflict with the Pole Attachment Act. Johnston added that it is also fairly standard
35 practice for utilities to do the work described in Mr. Moe's email correspondence (*Agenda Item VIII.A*).

36
37 The board discussed the term "conditions" and what the term may include licensure requirements or not. The
38 Chair commented that a legal opinion may be required. The board determined an AG's opinion would be
39 appropriate.

40
41 TASK: Johnston will provide information to A. Jones to forward on to the AG's Office.

1 *AELS_11.02.2018_A. 01:01:41*

2 **B. Guidance Manual** – A. Jones explained a new version was available in OnBoard that included comments
3 from Anderson and Kerr. The board reviewed the updated version. The Chair asked the board to allow A.
4 Jones to move forward and publish this version. The Chair commented that that the board may decide to
5 update the manual every couple of months and/or as necessary. Johnston recommended keeping a list of
6 errata at the beginning of the document so people can easily identify what has changed. Several members
7 agreed. Koonce asked Urfer about the definition of landscape architecture. Several members explained that
8 the manual reflects the current regulations and that language would be updated if and when it goes into effect.

9
10 TASK: All board members were asked to provide comments to A. Jones by Friday, November 15th.

11
12 TASK: The Chair requested A. Jones provide a clean copy to the board.

13
14 Koonce asked A. Jones for a timeline for posting this updated version. A. Jones anticipated publishing by
15 early December. The board discussed publishing hard copies and decided to post-pone until it had gone
16 through a few iterations.

17
18 *AELS_11.02.2018_A. 01:10:38*

19 **XXVI. New Business**

20 **A. Arctic Course Review** – The Chair asked if anyone wanted to take on review of the courses. Johnston
21 said this topic recently came up at a UAF Civil Engineering Advisory Committee meeting because they are
22 having difficulty finding professors to teach it. Johnston said there are three courses at UAA, one at UAF and
23 a couple at UW, and the courses are not all equivalent. Johnston stated that the committee is looking to the
24 AELS board for guidance on what criteria is important, since it is a requirement for registration. Johnston
25 said based upon her own experience taking the course, very little of the content was relevant to the discipline
26 of electrical engineering and believed that may be the case for some of the other disciplines.

27
28 The Chair responded that he had similar thoughts since the board added additional disciplines.

29
30 Johnston suggested the course content be updated to include multi-cultural aspects, logistical considerations,
31 and other “soft skills”. The Chair responded that the Northern Design course offered by UAA contains those
32 topics and is taught by design professionals who have at least twenty-five years of experience.

33
34 The board discussed the goal of arctic course and determining if the current offerings are meeting the intent
35 as well as if the course is relevant for all disciplines. Johnston suggested the board determine some core
36 guidelines and that the courses do not need to be equivalent, but need to include those key elements.

37 Johnston expressed some concerns about the UW offerings based upon individuals that have taken those
38 courses. Mott said it has been over twenty years since he took the course and suggested the courses be
39 audited by members of the board in order to have first-hand knowledge of the content and make informed
40 recommendations. Mott agreed with Johnston’s point about incorporating “soft skills” and said those are
41 critical pieces that often times are risk issues and get people in trouble. Johnston said there should be a
42 minimum content that is required for all disciplines.

43
44 The Chair explained that the architects started the Northern Design class with engineers that they work with
45 because they were tired of learning about things that were not relevant to architecture. The Chair said he had

1 thought about approaching the society for petroleum engineers and the chemical engineers and ask them to
2 create a class that they believe cover the subjects that are of important to their disciplines and working in the
3 cold. Mott commented that there was a lot of overlap between chemical and the arctic engineering course he
4 took.

5
6 Johnston asked about the possibility of offering a test similar to the Jurisprudence Questionnaire rather than
7 requiring a course. The board discussed the option and determined it would be extremely problematic given
8 the range of disciplines and professions. The Chair commented that he believed there was material in the
9 course that was relevant regardless of the applicant's discipline, but agreed that a more in depth look at the
10 courses and key components was necessary.

11
12 TASK: The Chair will draft a response to Mr. Hanson.

13
14 TASK: Anderson & Mott volunteered to review the arctic course materials. A. Jones will provide Anderson
15 and Mott with the course documentation submitted to the board in 2017 for the routine review.

16
17 The Chair noted that he had a conflict of interest since he teaches a portion of the Northern Design class at
18 UAA.

19
20 *AEELS_11.02.2018_A. 01:30:43*

21 Kerr asked to circle back to regulation projects and suggested the board add language specifying a degree
22 needs to be from an accredited university. The Chair said the only concern he foresaw was that would not
23 address foreign degrees and recommended Kerr start a regulation project and bring research and thoughts
24 before the board at the January meeting.

25
26 Koonce asked if there was any follow up with Investigator Savage related to yesterday's discussion of the
27 home inspection exemption. The Chair stated that he wanted to conduct some additional research before
28 drafting the letter.

29
30 TASK: The Chair will research home inspection legislative history and draft a letter for the board to review.

31
32 **On a motion duly made by Kerr, seconded by Urfer, and passed unanimously, it was**
33 **RESOLVED to start a regulation project to add language clarifying requirements for acceptance of**
34 **degrees that are non-foreign and non-ABET accredited.**

35
36 Kerr agreed to chair the committee. The Chair offered to assist Kerr with the project.

37
38 *AEELS_11.02.2018_A. 01:37:17*

39 **XXVII. Committee Updates**

40 **Investigative Committee** – The Chair asked if members were assisting Investigator Savage. Several
41 members indicated they had been working with Savage on investigative issues.

42
43 **Licensure mobility** – Koonce said he did not have anything new to report, but agreed with Kerr's
44 recommendation of adding language to specify a post-secondary program needed to be accredited.

1 The Chair suggested striking the compilation of criteria for applications to be approved by staff, given the
2 board's decision to forego pursuit of a statute change to AS 08.48.055.

3
4 **Outreach** – The Chair stated that he had presented at the AIA meeting and was surprised by the number of
5 registrants that were not aware that the corporate authorization needed to be on their drawings and the need
6 to report illegal activity. The Chair recommended a representative of the board present at next year's meeting.

7
8 TASK: The Chair will provide the final version of the PowerPoint presentation to A. Jones to post on
9 OnBoard.

10
11 The Chair said he did a presentation at ASPE and is scheduled to present at the UAA mechanical engineers
12 wrap up course. The Chair said he would be discussing licensure requirements and professional involvement.
13 The board discussed getting on a future agenda for AGC. The Chair indicated he would follow up with ICC.

14
15 Kerr said he recently received a call from AK DOT&PF regarding stamping of parcel exhibits. Kerr
16 recommended scheduling outreach with Juneau AK DOT&PF staff in conjunction with the January meeting.

17
18 TASK: A. Jones will contact AK DOT&PF and extend an invitation for January.

19
20 Hale stated that it puts consultants in a very tricky situation and provided an example of recent situation
21 involving parcel exhibits, the municipality, and AK DOT&PF. Hale explained consultants generate final
22 deliverables which need to be stamped by law, but AK DOT&PF is not allowing them to be stamped and will
23 not accept them if they are stamped.

24
25 Hale requested that the board help address the issue. Johnston recommended having policy letters or
26 something similar and make this type of information more accessible, rather than having the information
27 buried in meeting minutes. The board discussed posting response letters, to increase visibility and promote
28 consistency. A. Jones suggested the format be changed to a position paper rather than a copy of a personal
29 response letter and/or redacting the contact information. Kerr recommended adjusting the response process
30 to having a personalized cover letter that refers to an included position paper which can then be posted on
31 the website. Several members agreed a neutral format would be preferable.

32
33 TASK: The Chair will draft a letter to AK DOT&PF regarding parcel exhibits.

34
35 Johnston mentioned ASPE Fairbanks chapter invited the board to speak at one of their meetings, if travel is
36 approved for Fairbanks for the May 2019.

37
38 A. Jones explained there was a potential issue related to firms not meeting licensing requirements for all three
39 sections (Corporations, Business and Professional Licensing). A. Jones requested the board's approval to send
40 out a courtesy letter notifying firms of the potential compliance issues.

41
42 Kerr asked for more information about the issue. A. Jones explained that several companies (corporations,
43 LLCs and LLPs) have the corporate entity, but they are lacking the Certificate of Authorization or business
44 license.

1 The Chair stated that staff should be able to respond immediately. A. Jones indicated that staff do respond in
2 a timely manner when issues arise, however the courtesy notice to several hundred firms will require some
3 coordination with the Corporations and Business Licensing sections.

4
5 **Guidance Manual** – Urfer noted the progress being made with the Guidance Manual. Koonce said he
6 provided some additional information regarding certificate of authorization information on final drawings.
7 Urfer offered some grammatical suggestions.

8
9 TASK: Kerr will work with Hale on rearranging some of the content related to land surveying and would
10 provide A. Jones with an updated draft.

11
12 TASK: The Chair will check code office information

13
14 TASK: A. Jones will provide a clean copy for final review.

15
16 **Legislative Liaison** – The Chair stated that the committee will work on finding a sponsor for the statute
17 change for landscape architecture updates and encouraged board members to let their legislators know it was
18 coming.

19
20 **Emeritus Status** – The Chair said Brian Hanson is currently serving on an NCEES committee. A. Jones
21 confirmed that emeritus status does not need to be renewed.

22
23 *AELS_11.02.2018_A. 02:00:25*

24 **Budget** – Koonce said he appreciated the clarity of yesterday’s financial report. The Chair stated that he was
25 surprised by the decreased and expressed his interest in seeing how many registrants lapsed. A. Jones
26 suggested the board review the renewal information in the Licensing Examiner’s report.

27
28 **Continuing Education** – A. Jones reported that she is slowly working on continuing education audits and
29 indicated her intent to complete all audits by the end of November. A. Jones thanked the board for their
30 assistance and said she will continue to bring ones to the board as needed.

31
32 *AELS_11.02.2018_A. 02:03:02*

33 **XVIII. National Organization Updates & Travel**

34 **A. Upcoming Meetings** – The board confirmed dates for next meeting is January 30-31 in Juneau. The
35 Chair stated that he will not be able to attend and asked Vice Chair Koonce to run the meeting.

36
37 **NCEES Board Presidents Meeting** - The Chair stated that he and A. Jones plan to attend the NCEES
38 Board Presidents Meeting and MBE meeting in Atlanta in February 2019.

39
40 **NCARB Regional** – Koonce stated that he would be unable to attend. Kerr volunteered to attend in
41 Koonce’s absence. Fritz will attend as the other board member, R. Jones plans to attend as the public
42 member, and A. Jones will attend as the MBA.

1 *AEELS May Meeting* – Several board members expressed their interest in having the meeting in
2 Fairbanks. R. Jones later requested the board consider adjusting the dates to the end of April. The board
3 decided to finalize the May meeting dates at the January meeting.

4
5 *NCEES Western Zone* – The Chair explained that the zone meeting was a time to learn about the
6 resolutions being put forth for at the annual meeting and is important in preparing for the voting that
7 occurs at the annual meeting. The Chair, Johnston, Kerr, Mott, and Hale expressed their interest in
8 attending. The Chair reported that there is now separate funding for MBAs to attend. A. Jones will attend
9 as the MBA. The Chair recommended the funded delegates be determined at the January meeting.

10
11 *NCARB Annual* – Koonce, Fritz, R. Jones, and A. Jones plan to attend.

12
13 *AEELS_11.02.2018_A. 02:08:23*

14
15 **B. CLARB** – The Chair said the annual meeting was heavily focused on attacks to licensure. The Chair
16 commented that there were also several discussions regarding pacts between states, and he had suggested
17 they look at their out-of-state licensees, identify any concentrations, and pursue pacts with those states.

18
19 *AEELS_11.02.2018_A. 02:10:35*

20 **C. NCARB** – A. Jones reported that the MBEC committee meeting helped develop a continuing education
21 audit review form, worked on developing sessions for the MBE workshop held in conjunction with the
22 Regional Summit, and mentioned the development of a new online license verification tool that has been
23 extremely useful for staff. A. Jones said NCARB staff recently did a one-on-one training with staff on
24 transmittals.

25
26 The Chair added that a lot of attendees at the CLARB meeting were interested in the fact the AEELS
27 board is a multi-disciplinary board, and how the different professions work together on issues.

28
29 Koonce mentioned NCARB has developed a disciplinary database and that NCARB is working to
30 populate it. Koonce reported that the A.R.E. 4.0 is no longer available and that there has been positive
31 feedback regarding A.R.E. 5.0. Koonce said WCARB officers are participating at a higher level and
32 getting involved at the national level.

33
34 The Chair added that there was a vote at the CLARB meeting to get rid of the regional representation on
35 the Board of Directors for a more experienced-based structure and it lost by one vote. Urfer said it is
36 very East Coast and Metropolis-oriented, and was grateful that the current structure remained.

37
38 Kerr asked if there are any issues that the board needs to consider for voting. Koonce indicated that
39 those would be discussed at the regional meeting in March and voting would occur at the annual meeting
40 in June.

41
42 A. Jones said that Fritz is currently serving on the regional strategic planning committee and they are
43 trying to finalize the strategic plan.

44
45 *AEELS_11.02.2018_A. 02:17:30*

1 **D. NCEES** - The Chair reported on the NCEES Annual Meeting that was held in Scottsdale in August. The
2 Chair noted there was only one contentious issue involving the Board of Directors wanting to give
3 \$500,000 a year to Engineers without Borders and the incoming president responded to a question
4 regarding whether the BOD had the authority to do that which led to a motion limiting the BOD's ability
5 to give away money without membership approval. The Chair announced David Cox was the new
6 Executive Officer and the outgoing CEO, Jerry Carter would be assisting with the transition through the
7 end of the year.

8
9 The Chair noted an issue with the ICOR (Inter-organizational Council on Regulation) attachment and
10 summarized that the statement explained the Council for Interior Design Qualification officially joined
11 ICOR.

12
13 TASK – A. Jones to upload ICOR statement to OnBoard.

14
15 Kerr added that the discussion regarding modules for the land surveying exam is on-going and will likely
16 relieve some of the burden of a state specific exam.

17
18 Koonce asked if there was an update on the outreach to transnational surveyors and potential applicants.
19 Kerr said outreach is ongoing, but noted that NCEES has disconnected themselves from that because
20 recruiting people is not core to their mission. Kerr said the outreach has been taken over by the National
21 Association of Professional Surveyors (NAPS).

22
23 The Chair added that representatives from the Canadian, Japanese, Korean, and Egyptian engineers
24 were at the NCEES meeting. The Chair said NCEES offers the FE and PE in all of those countries, but
25 that NCEES does not have any Mutual Recognition Agreements like NCARB does.

26
27
28 *AEELS_11.02.2018_A. 02:24:27*

29 **XXIX. Licensing Examiner's Report**

30 The board reviewed the report. Mott asked about the number of applications. A. Jones responded there was a
31 dramatic drop in applications and explained the board typically reviews eighty to one hundred and forty
32 applications at any given meeting. The Chair added that the number of applications will likely increase for the
33 February meeting based upon the NCEES exam registration deadline for the April exam. The Chair explained
34 February and August meetings typically see a higher number of applications and noted that the board may see
35 that level out over the next several years due to the transition of NCEES exams to CBTs.

36
37 Koonce asked about registration renewals. A. Jones said that staff are still receiving renewal applications at a
38 low but steady rate. The Chair commented that it would be interesting to see how many are still lapsed.

39
40 TASK: A. Jones will pull information regarding how many licenses are still lapsed.

41
42 Koonce asked A. Jones about the number of overall licensees. A. Jones reported that there has been a slight
43 increase based upon data she recently submitted to NCEES as part of their requirements for determining
44 membership dues. Koonce asked why there was a decrease then in the revenue. The board discussed the
45 decrease in fees and requested additional information.

1
2 The Board discussed the market for engineering and architecture and the potential for that having an effect
3 on registrations.

4
5 TASK: A. Jones will research and follow up with the board regarding why the revenue is lower than expected.
6

7 Kerr asked if we could notify people by email that their COA. A. Jones said the Department recently released
8 a new online feature called MY LICENSE that will allow people to renew online, update contact information
9 and opt-in to receive electronic notices about renewals and other important news in lieu of paper
10 communications. A. Jones explained that MY LICENSE was rolled out in May and the new online renewal
11 would be available for the next renewal cycle. A. Jones added that applicants will also be allowed to submit
12 and check the status of their applications through MY LICENSE
13

14 Kerr asked if companies get information when their COA has lapsed. Kerr asked about sending additional
15 notices. R. Jones explained that a lot of firms are out of state and typically they won't renew their license until
16 they have a job to bid on in Alaska.
17

18 *AELS_11.02.2018_A_02:32:36*

19 Kerr requested the board discuss the term "managerial content" as it relates to continuing education. The
20 Chair agreed that there are two statements within the continuing education requirements that are not in
21 harmony. He explained one statement says the board allows it and another statement in the regulations says
22 the continuing education must be health, safety, and welfare, and asked the board to consider where those
23 two intersect.
24

25 R. Jones commented that courses related to managing an effective business that offers these types of services
26 would be appropriate because if a company is not managed properly that could affect the public. The Chair
27 asked if the board would be okay with someone taking twenty-four hours of management courses.
28

29 R. Jones said the board could consider limiting the amount of hours of managerial content. Johnston
30 commented that managerial content may be the most relevant type of courses for someone who doesn't do
31 technical work anymore, but manages the company. The Chair asked if they are stamping drawings. Johnston
32 said they may be if the work was within their knowledge base. Kerr respectfully disagreed, stating if they need
33 a stamp then they need the underlying skills and that is what continuing education is for. Kerr said while the
34 managerial content is critical for them to effectively run a business and safely provide those services, they
35 need to maintain the technical skills as well. Johnston noted that there are limitations in other categories (e.g.
36 publications, involvement in an organization) and suggested the board consider something along those lines.
37

38 Kerr asked if the board could agree that managerial content related to those skills required to effectively
39 provide those professional activities defined in Alaska Statutes 08.48 or does the board feel any managerial
40 content is acceptable.
41

42 Hale said the CEO of his company is a PLS, but he is not surveying now and most of his classes would likely
43 be managerial. Hale added that the CEO does not stamp anything now. Hale said the staff stays proficient in
44 the technical skills, while the CEO is in charge of orchestrating the entire organization to make sure it is all
45 professional level work.

1
2 Mott said he is torn because he spends a fair amount of time and resources training staff on cost estimating
3 and other topics that fall under good business practices, that he believes are beneficial for his staff to be
4 trained and become competent in. Mott added that he would not advise his staff to count that type of
5 training as continuing education. Kerr asked where the line is.
6

7 R. Jones asked the board how often financial issues, and cutting corners have caused harm to the public. Mott
8 said the options provided to a client should all be technically appropriate. Koonce asked if other states have
9 already addressed this. A. Jones responded that there was a discussion at NCARB's MBE committee meeting
10 regarding this topic and said other jurisdictions that do not pre-approve courses, also struggle with this issue.
11 A. Jones said some of the jurisdictions put parameters around the content types and/or delivery methods.
12

13 Hale reminded the board to consider the career path of the individual and acknowledge that the type of
14 continuing education courses may change as that person's job changes. Hale argued that a registrant should
15 be modifying courses based upon what they are doing to most effectively protect the public.
16

17 The board reviewed the criteria listed under 12 AAC 36.510(g)(1-5) regulations and the document entitled
18 *Instructions for Meeting Requirements of Continuing Education for Architects, Engineers, Land Surveyors and Landscape*
19 *Architects.*
20

21 Mott said he does not feel he can be any less technical in his profession, but that he just needs those other
22 skills as well now. Mott added that he agrees managerial courses and best practices do affect technical
23 solutions.
24

25 Johnston reminded the board of the registrant that had taken several safety courses that were geared towards
26 protecting himself rather than the public. The Chair said he believed a project management course that helps
27 ensure you are turning out a well-coordinated product would be acceptable, but did not believe a course on
28 how to run an accounting software would qualify. Mott responded that there needed to be a clean break
29 between qualifying and non-qualifying content. Kerr directed the board to the continuing education criteria
30 outlined under 12 AAC 36.510(g)(1-5) and noted that it specifies that the content must be relevant to the
31 practice of architecture, engineering, land surveying, or landscape architecture. Kerr reiterated that he
32 managerial content cannot exist without relevance to the professions. Mott responded that it still leaves a gray
33 area. Kerr said the applicant needs to be able to demonstrate how the managerial content meets the five
34 elements of 12 AAC 36.510(g)(1-5). Kerr said if a registrant can demonstrate that connection he would
35 approve it.
36

37 Kerr recommended requiring additional explanation be provided by those registrants that submit courses
38 where the relevancy is questionable. Johnston agreed with the approach rather than the current process where
39 staff is doing the majority of the leg work. Several members agreed. Mott asked A. Jones how the continuing
40 audit affects staff time. A. Jones responded that she spends a significant amount of time looking up course
41 information on websites, contacting course providers, and reaching out to board members for guidance. A.
42 Jones said she does request additional information directly from registrants, but that the level of
43 responsiveness varies greatly. A. Jones offered to draft a form letter that requests the registrant provide an
44 explanation of how a particular course or courses meet the criteria in 12 AAC 36. 510(g)(1-5).
45

1 Mott expressed his support of a form letter and said that the responsibility to justify the relevancy should be
2 on the registrant and not A. Jones. Several board members agreed. Koonce advised A. Jones to send the
3 information to a board member if there is still any uncertainty after the response is received.

4
5 The board discussed course content that is part of the job vs. related to the profession. Kerr said the language
6 is already in the regulation. Koonce agreed and recommended A. Jones proceed with developing a form
7 letter.

8
9 TASK: R. Jones offered to draft the language for the form letter requesting further explanation on how
10 continuing education courses meet the criteria outlined in 12 AAC 36.510(g)(1-5).

11
12 The board recommended adding the information to the guidance manual. R. Jones suggested including a
13 statement such as “If disapproved by board, be prepared to provide additional justification.”

14
15 The Chair said there is an organization that approves CE providers, who make sure the courses meet certain
16 standards and noted there may be an opportunity for the board to indicate that if courses are certified by X,
17 then it is approved. Mott provided examples of providers that would likely be on the list and some of the
18 course offerings from those organizations that are not acceptable.

19
20 Koonce asked if the MBE committee had a form that the board may be able to use. A. Jones explained that
21 the form was more of an evaluation form to be completed by the registrant who took the course. The Chair
22 noted that NCEES offers a continuing education repository for engineers and surveyors to utilize.

23
24 Koonce said he liked R. Jones statement about justifying your continuing education and recommended it be
25 put in the Guidance Manual.

26
27 Johnston suggested providing a template to track their continuing education credits. The Chair said the form
28 is available on the website. Johnston recommended expanding the form to include additional fields and
29 converting it to an excel spreadsheet.

30
31 TASK: A. Jones will look at updating the Continuing Education form and developing an excel template.

32
33 TASK: A. Jones will work with R. Jones on adding continuing education information to guidance manual and
34 CE website.

35
36 TASK: The Chair requested that all board members review the CE website. A. Jones will add CE
37 requirements under new business.

38
39 A. Jones mentioned she has noticed discrepancies between the amount of carry forward listed on renewal
40 applications and what is documented on the Continuing Education Report. A. Jones explained that she has
41 been reviewing registrant files and working with them to confirm carry forward amounts, and then
42 documenting the hours/courses that are eligible for carry forward.

43
44 R. Jones recommended putting the responsibility on the registrant to indicate which courses they submitting
45 for the audit and which hours/courses they intend to carry forward.

1
2 The board discussed the possibility of getting rid of the carry forward option. The Chair said some states
3 require an hour of ethics and asked the board if they were interested in considering that. Johnston responded
4 affirmatively. A. Jones said that in other jurisdictions, the regulatory board teaches the ethics course. The
5 board agreed to discuss continuing education at the January 2019 meeting.

6
7 *AELS_11.02.2018_A. 02:32:36*

8 The board took a short recess.

9
10 *AELS_11.02.2018_B. 00:00:42*

11 **XXX. Read Applications into the Record**

12
13 **On a motion duly made by Elizabeth Johnston, seconded by Dave Hale, and passed**
14 **unanimously, it was RESOLVED to find the following list of applicants for registration by comity**
15 **and by examination INCOMPLETE with the stipulation that the information in the applicants' files**
16 **will take precedence over the information in the minutes.**

17

FIRST NAME	LAST NAME	COMITY/EXAM	LICENSE TYPE	BOARD DECISION
BRYANT	BURGIN	EXAM	LS	INCOMPLETE
KEVIN	ERICKSON	EXAM	EC	INCOMPLETE

18
19 **Note:** The board received additional clarification they requested regarding Mr. Erickson's application and his
20 application was conditionally approved before the meeting adjourned.

21
22 **On a motion duly made by Elizabeth Johnston, seconded by Dave Hale, and passed**
23 **unanimously, it was RESOLVED to APPROVE the following list of applicants for registration by**
24 **comity and by examination with the stipulation that the information in the applicants' files will take**
25 **precedence over the information in the minutes.**

26

FIRST NAME	LAST NAME	COMITY/EXAM	LICENSE TYPE	BOARD DECISION
COLIN	FLYNN	COMITY	ME	APPROVED
ERIC	FOX	COMITY	CE	APPROVED
GREGG	HAMM	COMITY	CE	APPROVED
DANIEL	HERTRICH	COMITY	SE-GPA	APPROVED
CARRIE	JOHNSON	COMITY	SE-GPA	APPROVED
KRISTINA	LUHR	COMITY	CE	APPROVED
JEFFREY	MANZETTI	COMITY	ARCH	APPROVED
TED	SCHILLING	COMITY	ME	APPROVED
JOSEPH	SHEPHERD	COMITY	MM	APPROVED
M. HEATH	STEPHENS	COMITY	CS	APPROVED
SAVA	WHITE	COMITY	CE	APPROVED

1 On a motion duly made by Elizabeth Johnston, seconded by Dave Hale, and passed
 2 unanimously, it was **RESOLVED** to **CONDITIONALLY APPROVE** the following list of applicants
 3 for registration by comity and by examination with the stipulation that the information in the
 4 applicants' files will take precedence over the information in the minutes.
 5

FIRST NAME	LAST NAME	COMITY/EXAM	LICENSE TYPE	BOARD DECISION
CHRISTOPHER	ALBRIGHT	COMITY	ME	CONDITIONAL
GRACE	AMUNDSEN	EXAM	CE	CONDITIONAL
ANGELINA	ANDERSON	EXAM	ME	CONDITIONAL
SETH	ANDERSON	COMITY	CE	CONDITIONAL
MASOUD	BABAEI	COMITY	CE	CONDITIONAL
MELISA	BABB	EXAM	LA	CONDITIONAL
LEAH	BURON	EXAM	LA	CONDITIONAL
BENJAMIN	COX	COMITY	CE	CONDITIONAL
WILLIAM	CULVER	EXAM	EC	CONDITIONAL
AUGUSTUS	DRAKE	COMITY	ME	CONDITIONAL
SARAH	FAFARD	COMITY	ME	CONDITIONAL
JOHN	FATSEAS	COMITY	ME	CONDITIONAL
OLIVER	FLESHMAN	EXAM	ME	CONDITIONAL
JOSEPH	FONG	COMITY	ME	CONDITIONAL
MICHAEL	GIBBS	COMITY	CE	CONDITIONAL
CLAIRE	GIBSON	COMITY	CE	CONDITIONAL
DENNIS	HANSEN	EXAM	ME	CONDITIONAL
KAREN	HARTEL	COMITY	CE	CONDITIONAL
BRIAN	HAZLIP	COMITY	CE	CONDITIONAL
ELIOT	JORDAN	EXAM	FP	CONDITIONAL
ROGER	KITCHIN	COMITY	CE	CONDITIONAL
DANIEL	KOCH	EXAM	CE	CONDITIONAL
SCOTT	LIND	COMITY	EE	CONDITIONAL
BENJAMIN	LOEFFLER	EXAM	ME	CONDITIONAL
CHRISTOPHER	MARQUIS	EXAM	CE	CONDITIONAL
MATTHEW	MOLSBERRY	COMITY	ARCH	CONDITIONAL
MICHAEL	MORGAN	COMITY	ME	CONDITIONAL
DAVID	MORSE	EXAM	SE	CONDITIONAL
KENNETH	O'CONNELL	COMITY	CE	CONDITIONAL
JUSTIN	PENFIELD	EXAM	EV	CONDITIONAL
MATTHEW	PHILLIPS	COMITY	CE	CONDITIONAL
NATHAN	PIES	COMITY	ME	CONDITIONAL
RANDALL	ROZIER	COMITY	ARCH	CONDITIONAL
DANEL	SCHIPMAN	COMITY	EE	CONDITIONAL
DOUGLAS	SCHOPP	EXAM	CE	CONDITIONAL
JANICE	SIMMONS	EXAM	CE	CONDITIONAL

KELVIN	SIMONSON	EXAM	EE	CONDITIONAL
ROBERT	SPIVEY	COMITY	CE	CONDITIONAL
AMY	THATCHER	COMITY	CE	CONDITIONAL
MAX	TSALA	COMITY	CE	CONDITIONAL
TONY	VU	COMITY	EE	CONDITIONAL
REX	YOUNG III	EXAM	CE	CONDITIONAL

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AEELS_11.02.2018_B. 00:04:15

XXXI. Board Tasks

A. Jones reviewed list of tasks for the meeting and will distribute the November 2018 To Do List to the board following the meeting.

AEELS_11.02.2018_B. 00:10:20

XXXII. Board comments

Board members thanked one another for the productive discussions and expressed their appreciation for diverse opinions and having multiple perspectives and professions on the same topics. The board thanked Koonce for hosting the AEELS board and staff for their work.

The Chair commented that the board is finally starting to tackle issues that have been outstanding for a while and said some of the work will have to happen in between board meetings and directed everyone to send items through A. Jones.

R. Jones requested the board consider moving the May meeting to the last week of April. Kerr asked the board to consider moving the meetings to the middle of the month versus beginning of the month. The Chair asked everyone to review their schedules and decide at the January meeting.

The board discussed travel to Juneau for the January meeting and the possibility of scheduling meetings with legislators about the statute change.

A. Jones commented that she received the additional information requested for Mr. Erickson’s application. Mott agreed to review.

AEELS_11.02.2018_B. 00:24:02

XXXIII. Meeting Adjourns

The AEELS November 2018 Board Meeting adjourned at 11:53am.

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Respectfully submitted:



Alysia D. Jones, Executive Administrator

Approved:



Jeffrey Koontz, Vice Chair
Board of Registration for Architects, Engineers, and Land Surveyors

Date: 1.31.2019