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

6  
7 **MINUTES OF THE MEETING**  
8 **January 30-31, 2019**  
9

10 By authority of AS 08/01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled  
11 meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held on Wednesday,  
12 January 30<sup>th</sup> – Thursday, January 31<sup>st</sup>, in Juneau, Alaska.

13 *AELS\_01.30.2019\_A – 00:01:15*

14 **1. Call to Order/Roll Call**

15 The meeting was called to order at 8:03 a.m., by Vice Chair, Jeffrey Koonce.

16 Board members present, constituting a quorum:

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

28 Board members excused by the Vice Chair:

29 Colin Maynard, PE, Civil Engineer, Structural Engineer (Chair). Maynard attempted to call in, but was unable  
30 to hear the discussion and signed off.  
31

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

33 Alysia Jones, Executive Administrator (in-person)  
34 Heather Noe, Licensing Examiner (in-person)\*  
35 John Savage, Investigator Jun Maiquis, Regulation Specialist (in-person)\*  
36

37 Julie Anderson, Commissioner  
38 Sara Chambers, Division Director (in-person)\*  
39 Melissa Dumas, Admin Officer II (in-person)\*  
40 Greg Francois, Chief Investigator (telephonically)\*  
41 Jun Maiquis, Regulation Specialist (in-person)\*  
42 Marylene Wales, Accountant III  
43 Marilyn Zimmerman, Paralegal II (in-person)\*

44 *\* Attended portions of the meeting.*  
45

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

- 2 Brian Hanson (telephonically)
- 3 Chris Miller (telephonically)
- 4 Dana Nunn (in-person)
- 5 Mary Knopf (in-person)
- 6 Barbara Cash (telephonically)
- 7 Kelsey Davidson (telephonically)
- 8 Robert A. Perkins (in-person)

9 *AELS\_01.30.2019\_A – 00:02:12*

## 10 **2. Review/Amend Agenda**

11 Koonce asked the board to review the agenda. A. Jones reported that the Standard Drawing discussion  
12 scheduled for Thursday, January 31<sup>st</sup> was cancelled due to a letter received by AK DOT& PF Chief Engineer  
13 Ken Fisher, which was added as “C” under *Agenda Item 8. Correspondence Received*. A. Jones stated that the board  
14 had also received a response from DEC after the agenda and board packet had been posted (*Agenda Item 8.*  
15 *D.*) Kerr requested an item be added under *Agenda Item 24. New Business* to discuss certificate of authorizations  
16 as it relates to municipalities, state entities, etc.

17

18 **On a Motion duly made by John Kerr, seconded by Elizabeth Johnston, and approved**  
19 **unanimously, it was RESOLVED to modify the agenda to add New Business item – Discussion on**  
20 **government entities performing AELS activities requirement to obtain or not obtain a certificate of**  
21 **authorization.**

22 *AELS\_01.30.2019\_A – 00:05:26*

23

## 24 **3. Ethics Reporting**

25 Johnston said she attended the UAF College of Engineering Student Advisory Committee meeting last week  
26 and that the discussion had included the artic engineering course.

27

28 Urfer mentioned she has been talking with the Alaska chapter of the American Society of Landscape  
29 Architects about the proposed legislation to update the definition of the practice of landscape architecture.

30

## 31 **4. Review/Approve November 2018 Meeting Minutes**

32

33 **On a Motion duly made by Elizabeth Johnston, seconded by Dave Hale and approved**  
34 **unanimously, it was RESOLVED to APPROVE the minutes of the November 2018 meeting.**

35

36 Koonce asked the board to skip down to *Agenda Item 7. Correspondence Sent* and while they waited for Greg  
37 Francois and John Savage to join the meeting telephonically.

38

39 Due to a discrepancy in the listed start time of the meeting, Catherine Fritz arrived at 8:12 a.m.

40

41 *AELS\_01.30.2019\_A – 00:06:39*

42

43

## 44 **7. Correspondence Sent**

1 **A. Letter to AKDOT&PF RE: Professional Seal Requirements** – Hale asked the board if it was  
2 appropriate to resend the letter given the timing of the letter and change in commissioners. Several members  
3 indicated the other recipients had remained in their positions. Johnston said the board already provided its  
4 opinion and thought it would be perceived as aggressive to resend. She advised following up if it continues to  
5 be an issue. Kerr agreed. The board determined it was not necessary to resend the letter at this time.

6 *AELS\_01.30.2019\_A – 00:11:33*

7 **B. Board Priorities** – A. Jones explained Boards and Commissions requested information from each board  
8 and commission on priority areas and needs for the coming year to assist with the transition to the new  
9 administration. A. Jones said she provided a summary of the AELS board’s priorities based upon the  
10 information contained in the FY18 Annual Report.

11 *AELS\_01.30.2019\_A – 00:12:15*

## 12 **8. Correspondence Received**

13 **A. Response from UAA RE: Fundamentals of Engineering Examination** – Hale reminded the board  
14 they had sent a letter to UAA encouraging them to require students to take the FE prior to graduation. The  
15 board reviewed the response from UAA and determined no additional follow up was required.

16  
17 **B. Request for Guidance on EIT vs. EI** – Hale said the board no longer governs EITs, and stated that he  
18 did not think the board could provide any guidance on the title. A. Jones confirmed as of May 2017 the board  
19 no longer regulates FE/FS exam applicants.

20 *AELS\_01.30.2019\_A – 00:13:59*

21 Chief Investigator Greg Francois and AELS Investigator John Savage joined the meeting telephonically.  
22 Koonce welcomed Francois and Savage and invited them to speak.

23  
24 *AELS\_01.30.2019\_A – 00:14:33*

## 25 **5. Investigative Report**

26 Savage announced Richard Boothby had recently been named as the new Fire Marshal. Savage provided the  
27 board with an overview of Mr. Boothby’s career and said he would like to invite Boothby to an upcoming  
28 board meeting. The board agreed.

29  
30 Savage said complaints have been sky rocketing lately. He also encouraged the board to approve the guidance  
31 manual as it would greatly assist him in moving forward with his work.

32  
33 Savage also reminded board members to respond to his calls so that he can keep cases moving. Savage added  
34 that he tries to spread out the work load and would like to avoid over burdening those members who are  
35 more responsive to his requests for assistance. He also reminded board members to stop people from  
36 complaining to them directly and advised the board members to direct those individuals to contact him and  
37 file a complaint.

38  
39 Fritz mentioned that the board did cover filing complaints and the implications of complaining to board  
40 members at their *Meet the Board* outreach event on Tuesday and planned to relay the same information at  
41 Thursday’s outreach.

42  
43 Savage thanked the board for getting the word out and expressed his appreciation. Savage said individuals  
44 submit an email and are confused when he follows up to confirm where to send the complaint packet. Fritz

1 commented that based upon Savage’s explanation of the process, the link on the Division website may be  
2 misleading. Savage agreed. Fritz thanked Savage for the information and indicated that she would  
3 communicate that information during tomorrow’s outreach.

4  
5 Savage asked the board if they had any further questions. There were no further questions. Koonce thanked  
6 Savage for his report.

7  
8 TASK: Alysia will speak with John Savage and Division staff about the possibility of updating the language  
9 on the website related to filing a complaint to more accurately explain the process which involves completing  
10 a complaint packet.

11  
12 Paralegal staff Marilyn Zimmerman joined the meeting.

13  
14 *AELS\_01.30.2019\_A – 00:23:01*

#### 15 **6. Retired License Discussion with Chief Investigator**

16 Chief Investigator Greg Francois introduced himself and said he looked forward to meeting the board in-  
17 person at a future meeting. Francois said he wanted to ask the board’s position on situations where a  
18 registrant is under investigation and wishes to retire his/her license in lieu of any disciplinary action.

19  
20 Savage stated that there may be instances where it does not make sense to incur the costs of conducting a full  
21 investigation on an individual who submits an application to retire his or her license. Francois explained it  
22 may become an issue if that individual then decides to go to another state to get licensed. Francois and Savage  
23 explained that the registrant’s record is flagged if he or she tried to renew and/or reinstate in Alaska.

24  
25 Francois asked the board if they had any problem with that process. Kerr responded that is a very good  
26 question. Fritz stated that if the investigation is not completed, they cannot assume the individual was guilty,  
27 stating that the investigation is what determines if it was or was not a valid complaint. Francois clarified that  
28 an investigation is an allegation only – nothing has been proven true at this point in time. Francois added that  
29 these are handled on a case by case basis and wanted to make sure everyone is on the same page. Francois  
30 said the reviewing board member can always request a full board review on a certain matter and reiterated  
31 that the situation is very uncommon. Francois said he believed that the process of flagging the record with an  
32 appropriate alert is sufficient and would allow the matter to be addressed if the individual attempted to  
33 reinstate or apply for licensure in the lower 48 in the future.

34  
35 Johnston said people’s memories fade, documents are not always retained, and expressed her concern with  
36 simply flagging the registrants record. She said a registrant might get caught and if we don’t investigate  
37 because they have opted not to retain their license and then they go on to another jurisdiction, they may do it  
38 again. Johnston added that it would be a disservice to other jurisdictions and said if it is such a rare case there  
39 should be no difference in how other investigations are handled. Johnston said she did not believe we should  
40 be waiving things due to the perceived financial cost just because the person said they won’t practice in  
41 Alaska anymore.

42  
43 Fritz asked what is the financial impact and is the board in a position where conducting the investigations in  
44 these instances would be a problem. Fritz stated she agreed with Johnston and that the board has an  
45 obligation to complete the investigation and let the chips fall where they may. Hale said he also agreed and

1 provided examples regarding continuing education, where they have flagged it and if they bring it out of  
2 retirement they have to complete the continuing education for both periods and that is a good solution for  
3 that case, but if it is a full on investigation you may lose a lot of information as staff and board members  
4 change, etc.

5  
6 Kerr said he hasn't heard anything that he does not agree with. Kerr said it is important to know if someone  
7 is in good standing and you can't retire your license unless you are in good standing. He added that you won't  
8 know that unless you follow up on those complaints. Kerr added that the board would not be doing their due  
9 diligence if they just set those investigations aside.

10  
11 A. Jones circled back to the scenario of a registrant going to another state and explained that if the individual  
12 is registered in multiple states, they may not be required to provide a license verification from Alaska. A.  
13 Jones said even in Alaska, a comity applicant is only required to submit verification of current registration in  
14 one other jurisdiction and explained it was possible for the individual to just not submit Alaska and other  
15 states would not be aware of the situation. Kerr said it is in the public's best interest as well as the person  
16 filing the complaint to have a finding on that complaint. Fritz added that if it only happens rarely there can't  
17 be too much of a cost impact.

18  
19 Koonce asked how many licenses fitting this situation are being retired annually. A. Jones responded that for  
20 the October – December 2018 quarter there was 1 retired license, but that it had been in good standing at the  
21 time of retirement. A. Jones added that there are currently two requests to retire that were provided as  
22 responses to the continuing education audit. Koonce asked if they were active cases. A. Jones responded the  
23 two requests were pending the outcome of the today's discussion and the board's decision.

24  
25 Fritz said based upon today's discussion, the issue pertains to both renewals and retired licenses. Fritz  
26 summarized that if a complaint was filed and the person decided not to renew or retired, that the proposal is  
27 to flag the record, but ultimately the issue is dropped and that person could move to another state or they  
28 may not even know that someone has made a complaint because their license is lapsed. Fritz said she believed  
29 the bottom line is that it is our responsibility is to follow through and complete the investigation. Hale asked  
30 Savage and Francois if there is a compelling reason not to investigate other than the fiscal consequences.  
31 Francois reiterated that these are very infrequent and recommended that they be handled on a case by case  
32 basis. He added that the reviewing board member could make a decision based upon the circumstances and  
33 they can go from there. Koonce and the board thanked Francois and Savage for their time.

34  
35 Francois, Savage and Zimmerman left the meeting.

36  
37 *AEELS\_01.30.2019\_A – 00:35:35*

38 The board returned to the prior discussion on *Agenda Items 8.B. Request for Guidance on EIT vs. EI*. Mott said he  
39 receives a lot of feedback on this topic. Mott explained that once you graduate from law school you can call  
40 yourself a lawyer, and suggested that an individual should be able to call him/herself an engineer, but not a  
41 "Professional Engineer" until he or she is licensed. Mott said there is a tendency for people to think an  
42 "Engineer in Training" or "Engineering Intern" has not completed schooling and a perception to the public  
43 and clients that his company is putting non-degreed staff on their jobs.

1 Koonce stated that in architecture it used to be intern, but now it's designer or a variety of other terms, but  
2 that you cannot call yourself an architect until you are licensed.

3 Mott asked what the limitations were and commented that the way the code is written you cannot present  
4 yourself as an engineer at all. Johnston mentioned the recent ruling regarding Mats Järnlström and the Oregon  
5 Board of Engineers. Fritz and Hale directed the board to look at the definitions in the AELS Statutes and  
6 Regulations. Fritz read the following excerpts from AS 08.48.341:

7 (7) "engineer" means a professional engineer;

8 (13) "practice of engineering" means professional service or creative work, the adequate performance  
9 of which requires the specialized knowledge of applied mathematics and sciences, dealing with the  
10 design of structures, machines, equipment, utilities systems, materials, processes, works, or projects,  
11 public or private; the teaching of advanced engineering courses in institutions of higher learning; the  
12 direction of or the performance of engineering surveys, consultation, investigation, evaluation,  
13 planning, and professional observation of construction of public and private structures, works, or  
14 projects and engineering review of drawings and specifications by regulatory agencies; "practice of  
15 engineering" may by regulation of the board include architectural building design of minor  
16 importance, but it does not include comprehensive architectural services;

17 Johnston brought up the point that there are people working for utilities that are practicing engineering, but  
18 are not required through our exemptions to be licensed. Hale responded that there is a distinction between  
19 what they are called internally (within a company) and externally (interacting/ offering services to the public).

20 Fritz said that she always felt it was directly related to the definitions of the practice and you are doing these  
21 things that fall under the practice of engineering, or the practice of the other professions, then you can't call  
22 yourself an engineer unless you are licensed. Hale said there have been cases where people have advertised  
23 themselves as professionals on their websites and they are not, and those websites have been shut down.  
24 Johnston reminded the board of the hot air ballooning company that had been discussed at a previous  
25 meeting and said they were allowed to have engineering in their name because the board did not regulate  
26 aeronautical engineering.

27

28 Kerr circled back to the case in Oregon and said that it would be nice to have a legal counsel at the board  
29 meetings for these types of discussion. R. Jones asked the board members if they identify themselves as an  
30 engineer or if they use the discipline. Several members responded that it depends upon the situation and that  
31 on projects, but most indicated that they specify the discipline and/or that they are a professional engineer.  
32 R. Jones then asked what would be the issue with allowing someone to use the term engineer since most  
33 distinguish themselves as a professional engineer. Several board members responded that it is against the law  
34 and indicated that the statute would need to be changed to allow that.

35

36 Fritz stated that there is a third reference in the statutes and read AS 08.48.341(17):

37 "professional engineer" means a person who has been legally registered as a professional engineer by  
38 the board;

39 The board discussed the possibility of updating the definitions. Wallis said once an individual passes the  
40 fundamentals exam he or she is considered an EIT. Fritz added that it goes back to the whole three-legged  
41 stool which is the basis for our licensure. If you call yourself an engineer, architect, etc. right out of school  
42 there is an assumption by the public that you are ready to practice.

1  
2 Johnston said she is okay with individuals using the term “engineer” once they’ve completed school, but took  
3 issue with Canadian’s using “P.Eng” in Alaska and how that is confusing to the public. Johnston agreed with  
4 Fritz that clarification is required. Mott circled back to the public perception of an EIT. Fritz disagreed  
5 stating that the public likely does not understand what EIT stands for. Hale said it seems self-limiting because  
6 if you are going to utilize professional services, there is going to be a stamp involved, and a review process,  
7 and the individual working on the project has to be working for someone that can stamp it. Hale stated that it  
8 does not appear to be a problem. Mott responded that he has seen it come up numerous times. Urfer  
9 suggested EITs could include their degree on their business card. Anderson said the use of “project engineer”  
10 is prevalent with the Army Corp of Engineers, based on their organizational structure. The board discussed  
11 exemptions.

12 Urfer offered that it could be that it just related to the use of “engineer” within the AELS Statutes and  
13 Regulations rather than defining the term engineer to mean a professional engineer ubiquitously.

14 The board reviewed the *Board Policies and Historical Information* document which contained a section on titles  
15 for interns.

16  
17 Fritz suggested getting an opinion on the usage of the term engineer. Fritz said even though the Federal  
18 government is exempt from licensure, if they are using the term engineer that can be extremely confusing to  
19 the general public. Fritz said they are allowed by law to practice without licensure, but added that she is not  
20 sure they should be able to use that title. Johnston stated that Federal employees can use the term engineer if  
21 it appears in their job title. R. Jones commented that they are outside our jurisdiction, Fritz and others  
22 acknowledged and Mott add that there are lots of other organizations and companies that use the term.

23  
24 Koonce asked for a volunteer to respond the request. Hale recommended the response explain the board  
25 can’t provide guidance on what to call those individuals, and provide information on what they can’t call  
26 themselves.

27  
28 Urfer offered that it could be interpreted that the definition of “engineer” in the AELS Statute is just related  
29 to the use of the term “engineer” within the AELS Statutes and Regulations rather than defining the term  
30 engineer to mean a professional engineer ubiquitously. Several members agreed.

31 Hale circled back to the initial request for guidance regarding engineers in training and engineer interns,  
32 explaining that the board can only regulate what the board is authorized to regulate and advised the board not  
33 to give advice on titles it does not regulate.

34  
35 *AELS\_01.30.2019\_A – 01:02:37*

36 Brian Hanson joined the meeting telephonically.

37  
38 Fritz stated that the response to the request for guidance is clear, but indicated that some additional input  
39 regarding titles in general may be required and recommended the board reach out to Investigator Savage for  
40 his interpretation.

41  
42 TASK: A. Jones will draft a response to Ms. Doggett regarding the request for guidance on titles and submit  
43 to Fritz for review.

1  
2 TASK: A. Jones will update the *Board Policies and Historical Information* document to remove *G. Titles for Interns*  
3 from *II. General Board Policies*.

4  
5 Mott asked for clarification about types of engineering and use of terms that refer to engineering that the  
6 board does not regulate (i.e. software engineering, etc.) Kerr responded that if they are not doing work under  
7 the definition of “practice of engineering” or the definitions of the specific branches regulated by the board  
8 then they could use those titles.

9  
10 *AEELS\_01.30.2019\_A – 01:09:34*

11  
12 Kerr recommended the board request assistance from the Attorney General’s Office to develop a statement  
13 regarding the use of titles that would be suitable for inclusion in the Guidance Manual. Several members  
14 agreed. While Kerr drafted the motion the board moved on to Agenda Item 8.C.

15  
16 *AEELS\_01.30.2019\_A – 01:10:41*

17 **8. C. Response from AKDOT&PF RE: Standard Plans** – The board reviewed the letter from Chief  
18 Engineer Kenneth Fisher indicating the department’s compliance with the board’s recommendations.  
19 Johnston stated that they had already removed outdated drawings from their website. Johnston noted that the  
20 department is tracking the costs associated with these changes and indicated that this item may come back to  
21 the board. Several members indicated they would be interested in seeing the cost information, but determined  
22 no additional follow up was necessary at this time.

23  
24 **8. D. Response from AKDEC RE: Potential Conflict in Regulations**

25 Koonce provided some background on the matter explaining that it was related to record drawings and a  
26 there was some concern with the standard phrase for the conditions for issuing the record drawing. Fritz  
27 stated that they are requiring As-Builts to be stamped. Mott reiterated that they typically don’t stamp As-  
28 Builts. Fritz read an excerpt of the letter and said it appears they are asking the board’s suggestions and  
29 indicated that the board might consider recommending a regulation change. Koonce asked if there was a  
30 board the AEELS board should reach out to. A. Jones responded that there is not a board and recommended  
31 working with the department’s regulation specialists. Fritz clarified that there appears to be a statute and  
32 regulation. Johnston said based upon her reading of the letter they may not want to change because they rely  
33 on that stamp as verification and to protect public health.

34 Fritz suggested there be something added to the contractor licensing regulations that says the contractor  
35 certify that they have built it in accordance with the design. Mott said if you are an engineer, you are stamping  
36 it to say you designed it, not that it was built that way. Koonce explained they are requiring it be stamped by a  
37 registered engineer saying it was built in accordance with the drawings. The board discussed possible options  
38 including revising the regulation to remove the seal requirement, requiring some type of certification from the  
39 entity who constructed it, or if they are going to maintain the seal requirement, then they need to require that  
40 person be involved in the construction process. Kerr stated that the board has provided this guidance over  
41 the past eight years and recommended reviewing prior communications and directing them to consider the  
42 recommendations previously provided by the board. Several agreed.

43 TASK: Koonce requested A. Jones pull previous letters.

1 TASK: Maynard review the response letter and provide comment. Koonce will discuss w/ Maynard following  
2 the meeting.

3 *AELS\_01.30.2019\_A – 01:24:05*  
4

5 **On a Motion duly made by John Kerr, seconded by Catherine Fritz and approved**  
6 **unanimously, it was RESOLVED to obtain an AG prepared summary of the Supreme Court decision**  
7 **on Järllström vs. the Oregon Board (OBEELS) regarding protected terms relative to Alaska Statutes**  
8 **and Regulations in a form suitable for inclusion in the Guidance Manual.**

9 The board took a short break.

10 Board members Luanne Urfer and Jennifer Anderson were excused to meet with Senator Chris Birch about  
11 the statutory changes regarding the definition of the practice of landscape architecture.

12 *AELS\_01.30.2019\_A – 01:34:34*

### 13 **9. Division Update**

14 Melissa Dumas and Marylene Wales from the Division of Corporations, Business and Professional Licensing  
15 joined the meeting to review financials with the board. Dumas explained indirect costs were divided into  
16 three buckets: statewide, departmental, and division. Dumas explained statewide indirect costs include costs  
17 such as leasing and telephone; departmental costs include IT and HR services, and division indirect costs  
18 include things like processing of payments and other administrative costs. Wales explained the breakdown of  
19 cost by actual licensees for program divided by total licensees (all programs) for the Division. Dumas further  
20 explained the difference between non-personal indirect and personal services indirect.

21  
22 Dumas stated there were no surprises in regards to expenditures, but noted some travel reimbursements had  
23 not yet been added. A. Jones added that there would also be expenses for assistance the board received from  
24 Department of Law. Mott and others expressed concern with FY19 revenue. Dumas directed the board to  
25 look at the fee analysis in 2017, and explained the overall goal is to have one year of surplus. Several board  
26 members indicated their preference to keep the balance at 1 million. Dumas indicated the Legislature and/or  
27 Legislative Audit may find issue with that.

28  
29 Dumas and the board discussed potential changes to travel policy. Koonce asked who to speak to about  
30 travel restrictions. Dumas recommended submitting the travel request as soon as possible and providing a  
31 strong justification for why it needs to be in person. Koonce stated at this meeting they have over 92 board  
32 packets to review and are collectively trying to learn each other's professions in order to better assist one  
33 another with reviewing applications that may not be within their profession. Koonce and the Board thanked  
34 Dumas and Wales for the report.

35 *AELS\_01.30.2019\_A – 02:03:14*  
36

### 37 **11. Old Business**

38 **11. A. Review November Meeting To Do List** – The board reviewed the tasks from the November 2018  
39 meeting. A. Jones said there were a couple outstanding letters of response from the November meeting and  
40 encouraged the board members assigned to provide responses as soon as possible.  
41

1 Johnston responded that she wanted to discuss the request for clarification related to pole attachments again  
2 with the full board before responding. She summarized the questions were related to pole attachments and  
3 explained initially there was some concern whether this would fall under the Pole Attachment Act, which the  
4 board had received confirmation that it did not. Johnston said there is still a question regarding the industrial  
5 exemption and how many layers down it goes. She added that there may also be variations in the response  
6 depending on the type of utility (e.g. electrical vs. water, etc.).  
7

8 The board discussed several scenarios and believed two utilities sharing a trench, and/or pole was not an  
9 issue, but that if the pole attached to an individual property owner vs. another utility then a registered  
10 professional would be required. Hale asked for clarification, stating that the exemption is for the employer's  
11 business only and talked about the common practice of sharing poles. Hale reiterated that to fall under the  
12 exemption, it may not affect the public. Fritz suggested using the language from the exemption in the  
13 response. Johnston said she appreciated everyone's input and believed she could provide a response based  
14 upon this additional discussion.  
15

16 TASK: Johnston will draft a response to Mr. Moe's question regarding trenches and pole attachments.  
17

18 *AEELS\_01.30.2019\_A – 02:14:53*

19 A. Jones introduced Regulation Specialist Jun Maiquis and AEELS Licensing Examiner Heather Noe. The  
20 board welcomed both Maiquis and Noe to the meeting.  
21

22 *AEELS\_01.30.2019\_A – 02:16:15*

## 23 **11. B. Regulation Projects**

### 24 **11. B. i. Review Comments on Proposed Changes to 12 AAC 36.135, .145, & .185**

25 Koonce asked about the process for posting comments following the meeting. Maiquis explained the  
26 comments are all public record and the board may choose to post them. Johnston asked if they were included  
27 in the public version of the board packet already. A. Jones responded that they were not since the packet was  
28 posted prior to the closing of the comment period. Johnston suggested the board provide responses to some  
29 of the comments as there appears to be a misunderstanding regarding the proposed changes.

30 Koonce stated the following individuals responded to the proposed changes to 12 AAC 36.135, .145 and  
31 .185:

32 Ron Pearson responded on December 26, 2018.

33 Burton Bomhoff also responded on December 26, 2018

34 Stephan C. Paliwod provided comments on January 13, 2019.

35 Gary L. Tams responded on January 16, 2019.

36 Nikolas Rodes commented on January 22, 2019.  
37

*AEELS\_01.30.2019\_A – 02:20:17*

38 The board reviewed Mr. Pearson's statement. Hale responded that the board is mandated to protect the  
39 public, not to protect the profession. The board agreed.

40 The board considered Mr. Bomhoff's statement. Mott and Johnston identified a couple points of possible  
41 misunderstanding between individual professional licenses and certificate of authorizations for corporations.  
42 The board agreed the comments warranted a response.

43 TASK: Koonce asked A. Jones to draft responses to the public comments for Koonce to review.

1 Fritz offered clarification on Mr. Bomhoff's comment, stating the responsibilities of the corporation do not  
2 change or diminish the responsibility of the individual registrant in any way. Hale recommended saying  
3 requirements and responsibilities of the corporation (LLC or LLP) do not diminish the responsibilities of the  
4 individual licensee.

5 Kerr stated that the proposed changes were designed to help accommodate some of the address some of the  
6 improvements and changes in technology, and ability to communicate between offices. Kerr added that the  
7 intent of the update was to acknowledge and accept some of those methods.

8 Johnston mentioned that Mr. Bomhoff's last point was in regards to continuing education. Fritz suggested the  
9 response to the continuing education comment explain that it was not part of the proposed changes and  
10 invite him to testify on the topic during public comment periods at the quarterly meetings.

11 The board reviewed Mr. Paliwod's comments. Mott responded that the proposed changes do not allow a  
12 registrant to be in technical responsible charge of anything outside his/her license and expertise. Mott stated  
13 the reason for the registrant in each office was to ensure the individuals in the office are following the laws.  
14 Johnston clarified that the board's position that supervision can be done remotely and referenced the board's  
15 recent determination that virtual face-to-face meetings for the mentor program met the board's requirements.

16 Kerr reiterated that it does not diminish the responsibility of the registrant that is in responsible charge,  
17 despite their location. Fritz added that the proposed changes do not affect definition of responsible charge.

18 The board reviewed Mr. Tams comments. Kerr recommended if there is a specific issue where an individual  
19 is not in responsible charge of the work he or she is sealing then the AELS Investigator should be contacted.  
20 Hale agreed. Fritz recommended reminding Mr. Tams of his responsibility to report and suggested that  
21 section of the regulations. Kerr recommended the response also explain that there is nothing in the proposed  
22 changes that diminish the responsibility of the stamping registrant.

23 The board reviewed Mr. Rodes comments and discussed the possibility of confusion between individual and  
24 corporations again.

25 Kerr said he didn't think any of the comments uncovered anything that would change the board's language.  
26 Mott said that we aren't mandating an additional layer of supervision, just clarifying what should already be in  
27 place. The board reconfirmed their desire not to try and define office. Fritz recommended explaining that the  
28 proposed changes do not mandate an additional layer of supervision and agreed the board should not try to  
29 define the term office. She explained it is more the function and tasks of the practice, and that the board's  
30 goal is to recognize the multiple ways that technology allows the practice to be accomplished within the  
31 statutes and regulations.

32 Hale stated that the definition of office is so dynamic that he advised the board not get in the business of  
33 trying to define it. Several members agreed. Johnston pointed out that the current language includes the term  
34 "office". The board discussed the importance of *what* you are doing vs. *where* you are working. The board  
35 discussed revising 12 AAC 36.145 to remove the term "office".

36 The board discussed the purpose of the Certificate of Authorization as being able to offer practice and to  
37 ensure that licensed professionals are leading the corporate activities for architecture, engineering, land  
38 surveying and landscape architecture. The board debated the relevancy of the section and what components  
39 were critical.

40 *AELS\_01.30.2019\_A-02:50:41*

1  
2  
3 R. Jones reminded the board that technology was very different when the regulations were drafted. Koonce  
4 asked if the issue is the term “office”. Hale responded that it may not be relevant and indicated that there is  
5 language in other areas of the regulations that speaks to responsible charge and asked if it matters where the  
6 work is being done. Koonce asked if changing it to place of work would resolve the issue. Several members  
7 responded it would not.

8  
9 Fritz asked the board to circle back to some of the core questions. She asked if anyone thought the Certificate  
10 of Authorization was not needed. All agreed that an entity offering these services needs to be regulated to  
11 ensure they have the appropriate expertise. Fritz reminded that the goal of the proposed updates was to  
12 provide clarification based upon advancements in technology and acknowledge the way people do work has  
13 changed.

14  
15 The board reviewed the proposed changes and the overall intent of the changes.

16 Urfer and Anderson rejoined the meeting. Koonce summarized that the current proposed changes look to  
17 repeal 12 AAC 36.185(c), where it is out of context, and create a new section to clarify the intent of that  
18 section was to have a registrant in each office to ensure compliance with laws, rather than needing a registrant  
19 of each discipline. Koonce read the following excerpt from the proposed changes to 12 AAC 36.135(3)(B):

- 20 (i) The individual or individuals in responsible charge of a discipline may grant other employees,  
21 who are registered in that discipline, the authority to seal drawings on behalf of the  
22 corporation, limited liability company, or limited liability partnership. This does not relieve  
23 the individual or individuals in responsible charge from responsibility for the work delegated  
24 to the other employee.  
25

26 Hale asked if that covers it. Koonce indicated he felt it did and recommended striking 12 AAC 36.185(c) and  
27 foregoing the addition of the new section, 12 AAC 36.145. Several members expressed concerns with rubber  
28 stamping. Koonce said there is a process in place if one suspects that is happening. Johnston added that 12  
29 AAC 36.185(g) requires the business information (certificate of authorization number, project address/  
30 location, etc.) be on the documents, which would help address the issue.

31  
32 Fritz said the additions to 12 AAC 36.135(B) help reinforce the intent. Koonce reiterated that the board’s  
33 intent is to withdraw the new section (12 AAC 36.145).

34  
35 Johnston asked about the clarification regarding multiple registrants of the same discipline, but that you have  
36 to have at least one. Koonce suggested 12 AAC 36.135(B)(i) implied that, but Johnston argued that the use of  
37 “individual or individuals” may be interpreted to mean sole proprietor and individuals could refer to the  
38 different disciplines.” Kerr and Fritz directed Johnston to AS 08.48.241(a)(3) which states:

- 39 (3) a designation in writing setting out the name of one or more persons holding certificates of registration  
40 under this chapter who are in responsible charge of each major branch of the architectural, engineering,  
41 land surveying, or landscape architectural activities...

42  
43  
44 Fritz suggested additional clarification could be provided in the guidance manual or through FAQs. Kerr  
45 asked if the board could make minor changes. Maiquis responded that small technical changes could be made

1 without requiring the proposed changes to be re-noticed. Fritz restated 12 AAC 36.135(3)(B)(i) and asked if  
2 that language was not adequate. Mott recalled that discussions on the topic at previous meetings showed  
3 there were some companies where everyone is listed, even though they are all of the same disciplines, while  
4 other companies designate one registrant per discipline. Mott said it clarifies that you can do it either way.  
5 Several members expressed their concern with adding additional explanation.  
6

7 Koonce stated that he would notify Maynard to allow him the opportunity to weigh in on the changes and if  
8 he did not receive a response by tomorrow, the board would table it until the next meeting.  
9

10 *AELS\_01.30.2019\_B – 00:28:26*

11 Koonce asked the board to skip ahead to *Agenda Item 12. Executive Session.*  
12

13 **On a Motion duly made by John Kerr, seconded by Elizabeth Johnston and passed**  
14 **unanimously, it was RESOLVED to go into Executive Session in accordance with AS 44.62.310(c)(3)**  
15 **to review disciplinary case number 2018-001009 with Heather Noe, Alysia Jones & Marilyn**  
16 **Zimmerman included in the session.**  
17

18 *AELS\_01.30.2019\_B – 00:33:13*

19 *AELS\_01.30.2019\_C – 00:00:37*

20 The board came out of Executive Session and returned to the Agenda Item 11.B.v.  
21

22  
23 *ii. 12 AAC 36.050(b)(1) - Clarify documentation requirements* – A. Jones explained that this was a  
24 carryover from the November 2018 meeting, at which she had requested guidance from the board related to  
25 this regulation and current processes. A. Jones said the board confirmed current processes and Maynard had  
26 agreed to draft language that was more in alignment with the staff's process.  
27

28 TASK: A. Jones will follow up with C. Maynard regarding draft language.  
29

30 *AELS\_01.30.2019\_C – 00:01:37*

31 *iii. Terminology updates* – A. Jones reported that she had not received any terms from the board  
32 members. Fritz asked for clarification. A. Jones gave the example of the ways in which responsible charge is  
33 referenced in the statutes and regulations and explained the board had previously discussed looking at that  
34 term and others that might warrant revisions. The board did not have any additional suggested terms to  
35 review and redefine at this time.  
36

37 *AELS\_01.30.2019\_C – 00:02:50*

38 *iv. Definitions of branches of engineering* – A. Jones explained the board had received a request for  
39 clarification related to the absence of the word “design” in some of the definitions of the branches of  
40 engineering. A. Jones stated that it is in statute under the definition of the “practice of engineering”, but  
41 wanted the boards input on whether it should be included in each definition of the specific branches of  
42 engineering. Koonce stated that it is implied. Koonce suggested that it be incorporated into the terminology  
43 updates.  
44

*v. Mentoring regulations and FS language clean up*

1 The board reviewed a request for clarification on the mentoring program requirements and suggested edits  
2 regarding outdated language referencing the fundamentals examination. Hale confirmed the references to the  
3 fundamentals of surveying examination should be cleaned up.

4 TASK: Hale and Kerr will draft revisions to 12 AAC 36.066 for the board to review at the May 2019 meeting.

5 *AELS\_01.30.2019\_C – 00:12:48*

6 ***C. Guidance Manual***

7 Koonce recommended the manual be posted as soon as possible and then amendments can be made going  
8 forward. A. Jones explained there were a few outstanding comments/questions that she wanted the board to  
9 respond to before finalizing the document for posting on the website.

10  
11 Kerr asked the board to return to ***Agenda Item 11.B.v. Mentoring regulations and FS language clean***  
12 ***up***, specifically the question of whether the board planned to modify the language in the Board Policies  
13 regarding Titles for Interns. Hale responded that topic had already been covered under another agenda item.  
14 Mott agreed. Kerr directed the board to the *Board Policies and Historical Information*.

15  
16 Mr. Hanson stated that he was available to answer any questions.

17  
18 The board discussed striking Section II. G. Titles for Interns from *Board Policies and Historical Information*.

19  
20 Koonce asked Hale and Kerr to look at both the mentoring program requirements and FS language. Hale  
21 asked about the previous discussion regarding titles for interns (Agenda Item 8.B.) and see why there was not  
22 a motion then to remove the content. A. Jones responded that there was a motion to get assistance from the  
23 AG's office regarding the Oregon case regarding protected terms relative to Alaska statutes and regulations.  
24 The board explained to Mr. Hanson that they intended to seek guidance on the use of titles, but agreed that  
25 the titles of interns could be removed from the Board Policies since they were not regulated by the board.

26  
27 **On a Motion duly made by John Kerr, seconded by Catherine Fritz and passed unanimously,**  
28 **it was RESOLVED to delete general board policy “G. Title for Interns” as the AELS Board does not**  
29 **regulate interns.**

30  
31 The board returned to ***11.C. Guidance Manual***. Several members agreed to move forward with publishing  
32 the guidance manual. Fritz commented that there were still outstanding questions in the guidance manual and  
33 suggested the board address those prior to moving forward. The board discussed options for updating. Fritz  
34 suggested doing a quarterly or yearly errata as needed. Several members agreed. Urfer recommended  
35 incorporating position statements as well.

36  
37 *AELS\_01.30.2019\_C – 00:38:17*

38  
39 The board walked through the guidance manual and addressed each outstanding questions/ comments.

40  
41 Koonce requested the board move on to public comment and indicated they would return to the Guidance  
42 Manual afterwards.

43  
44 *AELS\_01.30.2019\_C – 01:07:18*

1 **15. Public Comment**

2 Brian Hanson stated that he had a general comment related the signing of drawings and stated that  
3 corporations do not sign documents, individuals do, so someone cannot sign on behalf of the corporation.  
4 Hanson also stated that the public notice he received only contained the notice and not the actual proposed  
5 changes. He added that if the board was going to go to the trouble of mailing all registrants the notice of the  
6 changes, that a copy of the proposed changes should be included. Hanson said he heard the earlier discussion  
7 regarding the mentoring program language and understood that it would be addressed at the next meeting.  
8 Hanson said that it does have an impact on people and would like a response in writing from the board about  
9 what a four year responsible charge mentoring system is. Hanson said it appears to be an additional  
10 requirement for someone using the mentor program and asked for a response before the next meeting if  
11 possible. Hanson said he was glad to hear the board was looking at cleaning up regulations and thanked the  
12 board for the opportunity to testify. Hanson added that the teleconference connection was horrible and  
13 suggested the board look into other options and/or provider for future meetings.

14  
15 Koonce thanked Hanson for his testimony and invited Chris Miller to speak.

16  
17 Chris Miller stated that he was able to hear Mr. Hanson just fine, but agreed that it was hard to hear all of the  
18 board members. Miller said he appreciated the board looking at the arctic engineering requirement and stated  
19 that it is an important piece of our toolkit for licensure in Alaska. Miller stated that he repeatedly sees how  
20 Alaska is unique and the importance of this course and appreciated the board’s effort to keep the course  
21 relevant. Miller also commented on the continuing education discussion re: managerial content from the  
22 November 2018 meeting. Miller said it made sense that the managerial content should be related to practice.  
23 Miller said some managerial content is an important part of his role in the company, and encouraged the  
24 board to continue to make that an option.

25  
26 Miller said he had a question about the November 2018 meeting minutes regarding structural engineering  
27 licenses, and that someone with an Alaska SE license would be limited to practice on significant structures  
28 only. Miller asked if that was a misinterpretation. He said based on his review of the definition of structural  
29 engineering it encompasses all things structural and indicated an individual would need to maintain at least  
30 two licenses for their entire career if that was not the case.

31  
32 Miller commented on the board make-up of having a seat that is mechanical or electrical is doing a disservice  
33 to the public. Miller said they are two of the larger disciplines and are complex enough that he believed the  
34 board should have both a mechanical and an electrical engineer on the board. Miller suggested that the  
35 mining engineer seat be shifted to the “other discipline” and asked the board to keep that in mind if and  
36 when the opportunity to expand the board, or change the makeup arises. The board thanked Mr. Miller for  
37 this testimony.

38  
39 *AEELS\_01.30.2019\_C – 01:16:36*

40 The board returned to *Agenda Item 11.C. Guidance Manual.*

41  
42 **On a Motion duly made by Dave Hale, seconded by Catherine Fritz and passed**  
43 **unanimously, it was RESOLVED publish the Guidance Manual.**

44  
45 *AEELS\_01.30.2019\_C – 01:23:26*

1 **14. Application Review**

2 AELS staff reviewed the application review process with the board members. The board began reviewing  
3 ninety-two applications for registration.

4  
5 *AELS\_01.30.2019\_C – 02:01:34*

6 Sara Chambers, the Division Director for Corporations, Business and Professional Licensing joined the  
7 meeting.

8  
9 **16. Presentation by ASID**

10 The board welcomed Dana Nunn and Mary Knopf to the meeting. Barbara Cash and Kelsey Davidson joined  
11 the meeting telephonically.

12 Nunn provided an update on ASID’s activities since their last presentation to the board. Nunn stated that  
13 they have met with three more professional organizations including structural engineers, building officials,  
14 and the State Fire Marshalls Office to discuss what they are doing and get feedback on what types of  
15 questions ASID should be aware of and be prepared to answer. Nunn said that their draft legislation is  
16 currently in legal review. Knopf explained that ASID was also in the process of finding a new sponsor since  
17 their previous sponsor, Kevin Meyer was now the Lt. Governor.

18 Knopf directed the board to the updated definition of interior design which references the IBC. Nunn passed  
19 around a supplemental document with the refined definition of interior design that modeled the language of  
20 the other professions regulated by the AELS board. Nunn read and excerpt of the draft definition:

21       ‘Practice of Interior Design’ means professional service or creative work in analysis, planning and design  
22       of building interior spaces; preparation of drawings, specifications and contract documents or other  
23       technical submissions for non-structural building elements and administration of associated interior  
24       construction to enhance and protect public health, safety, and welfare within structures governed by the  
25       IBC...

26 Johnston asked about IEBC. Knopf and Nunn noted Johnston made a good point and stated they would add  
27 that to the definition.

28 Nunn explained that the information in the packet tried to address previous questions from the AELS board  
29 and other organizations that they had met with related to education, experience and examination, including  
30 organizations involved in these components. Nunn provided an overview of the exam eligibility and  
31 explained that the NCIDQ is moving towards requiring a Bachelors in order to take the exam and sun setting  
32 the Associate Degrees. Knopf also talked about CIDA, the accrediting body for interior design degree  
33 programs in the U.S. and Canada. The group reviewed the list of life safety components that were included in  
34 the NCIDQ Fundamentals Exam, NCIDQ Professional Exam, and NCIDQ Practicum.

35 Nunn and Knopf explained they have been finessing the definition. Koonce asked if ASID had researched  
36 what other states had done. Knopf responded that the discussions had led to the shift from “code-impacted”  
37 to using IBC and IEBC.

38 Fritz asked about exam eligibility analysis. Nunn explained the forty-hour degree sunset in December 2018,  
39 and the evolution is to sunset the sixty-hour degree as well. Fritz asked for clarification about the NAAB or  
40 CACB degree option and whether NAAB had an interior design degree. Nunn explained that NCIDQ will  
41 accept a NAAB or CACB and noted the difference amount of experience required to qualify for the NCIDQ.

1 Knopf and Nunn said architects were excluded from the requirements and were able to continue to do  
2 interior design within the scope of their architect registration and expertise.

3 Johnston asked if the intent was for the interior designers to be regulated by the AELS board. Knopf  
4 responded that would be the ideal situation in order not to duplicate efforts. Johnston asked if the proposed  
5 legislation included a dedicated seat on the board. Nunn explained the long term goal would be to have  
6 representation on the board, but acknowledged the transition period for the landscape architect seat.

7 Nunn explained that unlike the other professions regulated by the board, the interior designers would like  
8 NCIDQ to continue to determine who is eligible to take the exam. Johnston asked about other Alaska-  
9 specific requirements such as the arctic engineering course. Nunn said those requirements could be part of  
10 the application process for registration. Knopf said Nunn was asked to put together a module for the  
11 Northern Design course related to interior design.

12 In regards to timeframe, Knopf said they are hoping to get it in during the current session. Nunn said they are  
13 going to continue to work towards that.

14 Johnston asked about the length of the exam. Nunn responded that it is a two full day exam and that  
15 examinees have the option to take the portions back to back or not.

16 Nunn indicated ASID would like to have a letter of support from the AELS Board. Koonce responded that  
17 the board would like to read the proposed legislation prior to endorsing it and recommended following up  
18 with the board at the next meeting.

19 Fritz asked about an explanation that distinguishes interior designer from architecture. Cash acknowledged  
20 that Fritz had asked the question previously and said it is a little more complicated because interior designers  
21 are educated, trained, etc. to do a portion of the work within the scope of architecture. Cash stated that it is  
22 not that interior designers are totally different, but that it is a specialized area that has developed over the past  
23 fifty years. Cash encouraged the board to regard interior design as a specialty rather than something different.

24 Fritz thanked Cash and stated that she appreciated the perspective. Fritz reiterated the importance of  
25 addressing *why* this needs to be in place and expressed her desire to see a more compelling reason as to how it  
26 addresses a public health, safety, and welfare need that is not already addressed by the professions currently  
27 regulated by the board. Knopf recalled examples the group had discussed at previous meetings regarding  
28 office furniture, furnishings, and similar aspects affecting public health and safety. Fritz asked what damages  
29 or potential harm is out there that requires interior designers to be regulated that is not currently regulated by  
30 codes, etc. Knopf believed they could come up with some distinctions. Nunn said there are a lot of activity in  
31 the area of finishes and furnishings that have errors and can be harmful to the public. Fritz suggested they  
32 provide more details related to how having interior designers can curb certain behavior, and/or minimize  
33 these risks. Nunn said often there are disclosure agreements, so there is no legal way to tell those stories.  
34 Knopf offered the group could put together scenarios based upon what they have seen in the field. Several  
35 members encouraged Knopf and Nunn to compile scenarios to help illustrate the need. Koonce thanked  
36 Nunn and Knopf for their presentation.

37 Knopf, Nunn and Chambers left the meeting.

*AELS\_01.30.2019\_C – 02:36:34*

38  
39  
40 The board returned to review applications for the remainder of the afternoon.

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

2 *AELS\_01.30.2019\_C – 04:48:49*

3  
4 **Thursday, January 31, 2019**

5 **19. Reconvene meeting/ Roll Call**

6 The Board reconvened at 9:00 a.m. on Thursday, January 31, 2019. Roll call, all present except Maynard,  
7 excused by Vice Chair Koonce.

8  
9 Koonce reviewed the agenda with the board members and based upon meetings with legislators and travel  
10 schedules, recommended skipping ahead to Agenda Item 24. New Business, B. Anchorage Earthquake.

11  
12 *AELS\_01.31.2019\_A – 00:00:24*

13 **24. B. Anchorage Earthquake - Lessons Learned** - A. Jones explained the office was inundated with calls  
14 from people registered in other states who wanted to help with the aftermath of the earthquake and said it  
15 would be helpful to have some consistent messages and information vetted by the board in the event of a  
16 future natural disaster or emergency situation. Koonce recommended calling the building department in the  
17 location of the disaster as a starting point. Koonce said FEMA met with the building department and is  
18 working on a database that indicates the damage rating for all of the buildings. Koonce said there are still a lot  
19 of buildings that need to be assessed.

20  
21 Fritz asked if there is anything in regards to our licensing rules and/or that the board could have had in place  
22 that would have assisted with the response. Koonce said he would encourage the local jurisdictions to go  
23 through a training program\*. Johnston said they didn't exhaust local resources and explained that Fairbanks  
24 was only contacted for a couple of projects that they had designed even though they were willing and  
25 available to help. Johnston said it appeared Anchorage area based professionals were able to meet the need.  
26 The board discussed facilitating people willing to help and how to support firms that were doing the work.  
27 Kerr proposed creating a database of professionals willing to partner with a local firm in the event of an  
28 emergency and firms having access to that information if they need additional assistance. Koonce asked about  
29 registration. Kerr stated that there would need to be an understanding that those individuals were required to  
30 work under the responsible charge of an Alaska registrant. Fritz suggested that an individual registered in  
31 another state that also had the certification Koonce had referred to related to building assessment training  
32 could be pre-vetted to some extent. A. Jones said that the Structural Engineers Association of Alaska  
33 (SEAAK) put together a list of firms that were qualified to evaluate buildings and shared that with her.  
34 Koonce agreed that the SEAAK was a great organization to reach out to.

35  
36 Fritz suggested there might be two levels of response, with one being the immediate assessment of whether  
37 the building is going to fall down or not, and then there is the clean-up. R. Jones asked the surveyors if there  
38 has ever been a situation where a building moved across a property line. Kerr responded probably not and  
39 explained that the ground would likely move along with any adjoining land. Kerr added that the values on the  
40 survey control sheets for projects before the earthquake may not be valid afterwards.

41  
42 Koonce recommended having a webpage with resources and links to direct people to. A. Jones agreed that it  
43 would be helpful to have that information already in place to direct people to. Fritz recommended the board  
44 institute a committee to develop content and compile resources for a disaster response webpage. Koonce  
45 recommended continuing the dialogue at the next meeting and considering a committee at that time.

1  
2 TASK: Koonce asked all board members to provide input on national disaster response and forward links to  
3 A. Jones.

4  
5 **Addendum:** On February 4<sup>th</sup>, Koonce provided specific name of the training information: The Safety  
6 Assessment Program Training is a technical training program that includes Applied Technology Council  
7 ATC-20 Post Earthquake Safety Evaluation of Buildings and ATC-45 Safety Evaluation of Buildings after  
8 Wind Storms and Floods.

9  
10 *AELS\_01.31.2019\_A – 00:18:31*

11 Dr. Robert Perkins arrived. Koonce directed the board back to *Agenda Item 22* and invited Dr. Perkins to  
12 speak.

13  
14 **22. Presentation on UAF Arctic Engineering Course by Dr. R. Perkins** - Dr. Perkins provided the board  
15 with several handouts including Arctic Engineering Rubrics, Civil Engineer Examination – Seismic Principles  
16 Test Plan January 2018, CE603 – Arctic Engineering Syllabus, CE603 Online Course weekly lesson learning  
17 goals, copy of Dean Douglas Goering’s 2017 letter (and course information) to the AELS board in response  
18 to the board’s periodic course review.

19  
20 Perkins explained the University of Alaska Fairbanks has been offering an arctic engineering course since the  
21 1960s and said some questions had come up regarding potential changes in direction for the course and he  
22 was interested in seeing where the board was on this topic.

23  
24 Perkins stated that he had served on the board for five years in the 1980s and during his time the board got  
25 rid of the treatise option, which allowed someone who was unable to take the arctic engineering course to  
26 write a twenty page paper citing particular references.

27 *AELS\_01.31.2019\_A – 00:23:26*

28  
29 *AELS\_01.31.2019\_B – 00:04:02*

30 Perkins said he believes CE603 Arctic Engineering is the gold standard. Perkins says it a three credit course  
31 that includes homework, contact hours and a paper. Perkins said anyone that passes this courses knows at  
32 least the minimum standard. Perkins said they have offered a videoconferencing option that is just an  
33 extension of the actual classroom course offering. Perkins added that they have also experimented with a  
34 web-based version, which included weekly deadlines. Perkins said the majority of the students dropped out of  
35 the online course and directed the board to the handout showing the learning goals from the weekly lessons.  
36 Perkins explained the online version is no longer active due to low enrollment.

37  
38 Perkins said CE603 is offered twice a year. He explained that some students stopped taking it through UAF,  
39 because UAA offered an undergraduate level course online. Perkins explained the cost difference between the  
40 undergraduate and graduate level courses and that practicing engineers tend to take the “Essentials” course, (a  
41 short-course) offered by UAA, rather than the semester long, graduate level CE603 course. Perkins also  
42 noted that the University of Washington offers a course that is held over a long weekend and speculated that  
43 offering would likely appeal to those located in the Lower 48. The Civil and Environmental Engineering  
44 Advisory Board wants the college to continue offering a high value course, such as CE603, but recognizes  
45 there are alternatives that may not include the same level of academic rigor, but still cover the minimum

1 content required for registration. Perkins said the Advisory Board has been exploring some options including  
2 making CE603 and undergraduate level course. Perkins said there is no reason UAF couldn't offer an  
3 "Essentials" course, and asked for the board for their opinion on what the minimum criteria would be.

4  
5 Koonce asked about the number of hours it takes to achieve the credit. Perkins said the UAF course is  
6 currently forty-five hours of classroom contact hours. Perkins stated there is a difference between listening  
7 and learning, and acknowledged the importance of homework to reinforce the content. Perkins noted a  
8 difference in hours between the UAF and UAA course offerings. Koonce asked how forty hours were  
9 accomplished in the short course. Anderson explained it is a concentrated, five day class and that homework  
10 assignments are included in that count, but it does meet for forty hours. Perkins said they want to offer what  
11 is needed and are looking for guidance from the board.

12  
13 *AEELS\_01.31.2019\_B – 00:16:55*

14 Hale asked about course content between the different universities. Anderson directed the board and Dr.  
15 Perkins to the spreadsheet she created that outlined the topics covered and duration for the course offerings  
16 at UAA and UW. Hale asked what the purpose of having a gold standard course was if people are going  
17 south because it is cheaper. Dr. Perkins responded that the gold standard is for academic purposes, and  
18 explained UAF has graduate programs in civil engineering and students specializing in arctic engineering. Dr.  
19 Perkins added that they would continue to offer the course, but may limit it to once a year.

20  
21 Dr. Perkins offered a couple options to address the need to minimal competency in arctic engineering,  
22 including a booklet and take-home exam, online course/exam, or proctored exam, and offer prep courses.  
23 Dr. Perkins shared a rubric for arctic engineering that he had developed from past and current course syllabus  
24 and input from other faculty members and the Advisory board. Dr. Perkins welcomed the boards input.

25  
26 Hale said there is value in matching the course content offered at other universities. Koonce agreed and asked  
27 why all of the courses are approved if they are not equivalent. Johnston clarified that it is not a question of  
28 equivalency, but meeting a minimum standard at this point.

29  
30 Fritz said the board has the authority to set those minimum standards of competency for arctic engineering to  
31 protect the public health, safety, and welfare. Hale said if there is going to be a standard, then there should be  
32 a similar option at each location in order to be competitive. Mott asked whether the board needs to pull the  
33 minimum standard up. Koonce stated that he was in favor of raising the bar to ensure public health, safety  
34 and welfare. Johnston added that those who took the short course don't retain the information and provided  
35 some examples related to grounding and lightening protection in Alaska. Kerr said this is required for all  
36 engineers, so you can't have a super high standard because not all of them are going to deal with all of the  
37 issues listed in the rubric. Johnston and Mott disagreed noting the value of learning all the information even  
38 though it did not directly relate to their specific disciplines. Kerr said a graduate level course is great to have,  
39 but suggested that it not be the minimum standard. The board discussed establishing a criteria and/or  
40 baseline rubric for the minimum standard. Fritz added that there other critical part is that it be multi-  
41 disciplinary. Fritz said there is now a northern design course offered through UAA and added that landscape  
42 architects are also required to meet this course. She suggested that there be a northern design and  
43 construction course. Fritz added that if the universities wanted to do more, such as with the graduate level  
44 arctic engineering course at UAF, that is fantastic, but there needs to be a baseline, common, multi-  
45 disciplinary applicable, minimum curriculum. Several board members agreed. Fritz said the mode of delivery

1 was a separate, but related issue and recommended establishing a baseline first and then determining the most  
2 appropriate methods to deliver it. Johnston agreed with Fritz that it should be more cross-disciplinary, but  
3 suggested delivery is a factor and that the course needs to have rigor and the method of delivery needs to be  
4 one that promotes retention of information.

5  
6 Anderson stated that UAA has both undergraduate and graduate courses for arctic engineering and northern  
7 design, but the syllabus is exactly the same. Dr. Perkins explained universities will often “stack” a class and  
8 have both undergrad and graduate level students and that there is something extra, such as an additional  
9 paper for the graduate level students.

10  
11 Perkins asked Fritz if there should be separate courses for architects and engineers. Fritz suggested it not be  
12 split out and to focus on cross-training and awareness of other disciplines, and be relevant to the various  
13 professions of the board. Kerr stated that the goal is to make sure these professionals are aware of the  
14 potential issues and know when to see someone else. Kerr said in that sense, the northern design course  
15 makes sense. Kerr thanked Dr. Perkins for the rubric, stating it is an excellent resource and potential  
16 framework for moving forward.

17  
18 Johnston said she likes the idea of a broader course and asked what would happen with the arctic engineering  
19 course, and would it then become non-compliant. Koonce asked if it might be possible to have both courses  
20 be compliant. Fritz said the minimum standard for satisfying the requirements of this board should not be in  
21 the framework of a highly technical course such as CE603. Dr. Perkins explained the current offering does  
22 include a presentation by an electrical engineer and hydrologist and indicated that it was possible to have an  
23 architect incorporated into the course as well.

24  
25 Koonce suggested adding daylighting to the rubric and mention acoustical engineering has been a large topic  
26 of discussion. Fritz commented that the rubric was great and that all the pieces are here. She said how much  
27 emphasis and how they can be combined is the whole point. Fritz said you can't talk about construction in  
28 this environment without covering other topics.

29  
30 Urfer asked if anyone else on the board had taken the Northern Design course. Urfer said she really liked  
31 how it looked at all the other disciplines and said it was the first time she had seen a course that recognized  
32 there are multiple professions in the design process. Urfer said she was surprised how much of the  
33 information had a lot of value and has been applicable in her work. Urfer noted to overlap was very  
34 beneficial. Fritz said there are ways to take that and within that course any instructor brings expertise. Fritz  
35 recommended the course include guest lecturers and/or require students talk to a professional outside their  
36 profession to obtain that broader view. Fritz also suggested that there could be an assignment that allows  
37 students to focus more in depth in an area that pertains to their particular area of study and/or discipline.

38  
39 Johnston asked about contact hours and whether the board intended to administered the exam. Several  
40 members responded that they would still defer to the education professionals on how to administer the  
41 content appropriately. Koonce recommended a committee be formed to come up with a minimum standard.

42  
43 Kerr asked Dr. Perkins how the rubric came to be. Dr. Perkins said he reviewed past and current syllabi,  
44 added items from his own experience, and then distributed to colleagues for comments. Dr. Perkins asked  
45 Fritz to provide recommendations regarding potential architectural topics.

1  
2 Mott commented that his experience with the arctic course was greatly affected by the personal experiences  
3 of the instructor and indicated the importance of the instructor having first-hand knowledge. Koonce  
4 suggested utilizing case studies to outline for the course and apply those elements within the case studies.  
5 Fritz recommended not getting so specific and leaving delivery methods up to the academics.  
6

7 The board discussed establishing a committee and what the timeline would look like. Several recommended  
8 there be a transition period since all courses were re-evaluated and approved in 2017. Johnston suggested  
9 soliciting input from current and future registrants as part of the process. Perkins asked the board if they  
10 want to go broad or pick a few key areas and go deep. The board agreed that is a great question for the  
11 committee to discuss. Perkins thanked the board for the opportunity to speak and said he would do what he  
12 can to support the board's efforts on this topic. The board thanked Dr. Perkins.  
13

14 TASK: A. Jones will provide the board with electronic versions of Dr. Perkins' handouts.  
15

16 Johnston added that one of the issues that was not covered in the discussion is staffing. Johnston stated that a  
17 lot of the faculty that teaches the arctic engineering courses are retiring and added that this is an opportune  
18 time to be reviewing the criteria and discussing the future of the course and requirement.  
19

20 *AEELS\_01.31.2019\_B – 00:56:32*

21 Koonce requested the board to move on to Committee Updates, Election of Officers, and New Business  
22 before some of the members needed to leave. The board reviewed the agenda and discussed priorities.  
23

24 Koonce established a northern design/ arctic engineering committee to the AEELS board committees and  
25 appointed Johnston, Fritz, Maynard and Anderson to the committee. Koonce asked the committee to review  
26 the regulation and current requirements and then work on coming up with a minimum standard.  
27

28 Fritz read aloud 12 ACC 36.110(a):

29 An applicant for registration as an architect, engineer, or landscape architect must have successfully  
30 completed a board-approved university level course in arctic engineering or its equivalent.  
31

32 *AEELS\_01.31.2019\_B – 01:03:23*

### 33 ***25. Committee Updates***

34 **Investigative Advisory Committee** – Koonce reiterated the importance of being responsive to requests for  
35 assistance from Investigator Savage to keep cases moving forward.  
36

37 **Licensure Mobility** – There were no updates for this committee.  
38

39 **Board Outreach** – Koonce explained the board had scheduled two outreach activities in conjunction with  
40 this meeting. Fritz and Mott reported that the discussion at Haight & Associates was small but very  
41 worthwhile. Fritz invited the board members to participate in the session later this afternoon at Jensen Yorba  
42 Lott Architects.  
43

44 **Guidance Manual** – Koonce thanked Urfer for her hard work on overseeing the updates and extended his  
45 appreciation to everyone for the review and feedback.

1  
2 **Legislative Liaison Committee** –Urfer and Anderson met with Senator Chris Birch yesterday who  
3 expressed his support for the proposed updates to the definition of the practice of landscape architecture.  
4 Anderson stated that she and Urfer also stopped by Representative Colleen Sullivan-Leonard’s office.  
5 Anderson explained that Senator Birch had suggested they check with her since she was preparing to get on  
6 the House Labor and Commerce Committee, but she was out sick. Anderson said they also stopped by  
7 Senator Lora Reinbold’s office. Fritz asked about next steps. Anderson said they plan to put together some  
8 additional information, including comprehensive language and justification for cleaning up the statute and  
9 submit it to Senator Birch. Fritz recommended that Anderson be added to the Legislative Liaison Committee.  
10 Anderson accepted the committee appointment.

11  
12 Mott left the meeting to meet with Senator Mike Shower.

13  
14 **Emeritus Status** – There were no changes to emeritus status members.

15  
16 **Budget** – Koonce referenced the financial report provided during the Division update. There were no  
17 additional comments.

18  
19 **Continuing Education** – Koonce reported that continuing education would be discussed next under *Agenda*  
20 *Item 24 A*.

21  
22 Koonce also mentioned the newly created committee regarding northern design and arctic engineering. Fritz  
23 asked if the board wanted to create a committee related to the discussion of disaster planning. Koonce  
24 suggested holding off on that committee because he wanted to gather some additional data and revisit the  
25 topic at the next meeting. Johnston asked if it would be appropriate to assign that task to the licensure  
26 mobility committee. Koonce again suggested revisiting the topic at the next meeting.

27  
28  
29 *AELS\_01.31.2019\_B – 01:09:48*

30 **24. A. Continuing Education** - A. Jones explained R. Jones and her had developed a follow up letter to  
31 request additional information. A. Jones reported that it was useful, but welcomed any additional suggestions  
32 from the board. Johnston expressed her concern with description of the subject matter. Koonce responded  
33 that the language comes directly from the regulations.

34  
35 R. Jones said he was working on revising the initial letter that goes out to registrants who are selected for  
36 audit. R. Jones commented that there are some big issues with continuing education, including timing of the  
37 notification. R. Jones explained that the first couple audits, the board reviewed all continuing education  
38 submissions and that the board later asked him to take over review. He added that if he had any questions or  
39 concerns he would still bring those audits to the board. R. Jones said the policy of giving them sixty days to  
40 redo courses that did not meet the criteria was a board policy and that he recently found out that was not in  
41 compliance with centralized regulations and Division’s policies. R. Jones urged the board to consider  
42 updating the language and/or come up with some further guidelines to clarify the requirements.

43  
44 Fritz asked for clarification about the sixty days and asked if the board could add language within AELS  
45 regulations that would allow for a grace period. She added that there are a lot of inconsistencies within the

1 current language and recommended the board consider some changes to address the vagueness. Several  
2 members agreed. R. Jones mentioned the board could consider requiring twelve professional development  
3 hours per year versus twenty-four per licensing period. Mott said he liked the flexibility of having two years to  
4 complete the requirement. Koonce asked the board if they felt all twenty-four hours needed to be health,  
5 safety, and welfare, or if only a portion needed to fall under that category. R. Jones noted that some  
6 jurisdictions require a certain portion of the hours be ethics. Mott said he liked the technical requirement and  
7 said there is enough changing in the professions that twenty four hours is not a lot to ask to remain current  
8 and aware of technical advances. Wallis said some engineers need management courses and the ability to  
9 count the managerial content towards their continuing education is extremely worthwhile for those  
10 individuals and their employees. Kerr agreed and offered that those courses do protect the public noting that  
11 a lot of issues stem from poorly managed projects. Fritz recommended the board task the Continuing  
12 Education Committee with actively look at the overall intent of the requirements and identifying issues,  
13 utilizing R. Jones' knowledge and experience evaluating submissions over the years. Kerr agreed with Fritz.  
14 Fritz offered to work w/ R. Jones and A. Jones to catalogue issues and suggested having a work session at the  
15 next meeting. Mott added one of the goals should be to determine, as a board, a clearer framework for what  
16 is acceptable. R. Jones added that every time the board changes, the opinion of what is acceptable changes.

17

18 TASK: Fritz will assist R. Jones and A. Jones with documenting continuing education issues.

19

20

*AELS\_01.31.2019\_B – 01:20:27*

21 Marilyn Zimmerman rejoined the meeting and provided a table of disciplinary actions since 2016 that showed  
22 registration surrenders as a result of failed continuing education audits. Zimmerman walked through the most  
23 recent actions and explained the formula for determining the fine is based upon the number of professional  
24 development hours the registrant is deficient. Zimmerman confirmed that the regulations related to  
25 continuing education audits were in centralized regulations and apply to all programs. R. Jones asked if it was  
26 possible to add language to the regulations to allow for a grace period. Zimmerman responded that the board  
27 should be able to do that and indicated there are other programs that have that type of language. Koonce  
28 asked if it could be done administratively through policy, or if it had to be a regulation project. Zimmerman  
29 recommended it be done through regulation, but stated there were likely some steps they could do  
30 administratively. Zimmerman said other programs have an option on their renewal form for those that  
31 completed the continuing education requirement after the end of the licensing period. Koonce asked if she  
32 could share that language.

33

34 TASK: Zimmerman will provide examples of language used by other programs regarding completion of  
35 continuing education requirements after the deadline.

36

37 A. Jones stated that staff are still receiving renewal applications for the 2018-2019 licensing period, and  
38 currently there is no option for them to select on the form. A. Jones indicated that she intends to update the  
39 form for the upcoming licensing period and include an option for those who complete their continuing  
40 education after the deadline. Zimmerman asked if they are required to submit documentation. AELS staff  
41 explained that if they are flagged for audit, yes, but otherwise, staff is relying on the statement the registrant  
42 signs attesting that the information on the form is true, etc. R. Jones suggested that anyone who renews after  
43 the deadline should be required to submit documentation. Johnston added that they should also have to do a  
44 mandatory audit going forward because they didn't manage their CEUs well. Zimmerman pointed out that  
45 would be considered a license action. Mott asked how many jurisdictions have a continuing education

1 requirement. Several board members responded that most jurisdictions have some type of requirement. The  
2 board discussed possible ways to address the issue of registrants who allow their registrations to lapse until  
3 there is a project in Alaska. Urfer asked about the possibility of implementing a fine for failure to complete  
4 continuing education within the appropriate licensing period. The board and staff discussed reinstatement  
5 requirements and process, acknowledging that registrants may take time away from the profession for a  
6 variety of reasons.

7  
8 TASK: R. Jones requested A. Jones query reinstatement requirements for other programs.

9  
10 Zimmerman stated that some programs are more stringent than others and require a licensee to go through a  
11 reinstatement process even if it was lapsed for only 30 days.

12  
13 *AELS\_01.31.2019\_B – 01:39:29*

14 **On a Motion duly made by John Kerr, seconded by Elizabeth Johnston and passed**  
15 **unanimously, it was RESOLVED to accept the consent agreement reviewed by the board for case**  
16 **2018-001009.**

17  
18 The board discussed postponing discussion of *Agenda Item 24.C.* regarding certificate of authorizations  
19 requirements for municipalities and other entities to the next meeting. Kerr stated that he would like to gather  
20 some information for the board on how municipalities are formed so there is a basic understanding going  
21 into the discussion.

22  
23 TASK: Kerr will compile information on municipalities for the May meeting.

24  
25 *AELS\_01.31.2019\_B – 01:41:54*

26 ***26. Election of Officers***

27 By acclamation Jeff Koonce was named Chair, Elizabeth Johnston Vice Chair, and John Kerr as secretary.  
28 Koonce stated that the officer appointments would take affect at the August meeting.

29  
30 *AELS\_01.31.2019\_B – 01:43:27*

31 ***27. Calendar Review***

32 ***A. May 2019 Meeting Dates*** -The Board discussed location and possible dates for the next board meeting.  
33 A. Jones stated that travel restrictions were likely to increase and suggested the board consider  
34 videoconferencing. Koonce expressed his concern with not having all the board members and staff present at  
35 the next meeting. Fritz proposed asking for Anchorage instead of Fairbanks to acknowledge the financial  
36 situation.

37  
38 ***B. AKLS Exam Date/Locations*** – A. Jones provided data regarding potential examinees and proposed  
39 offering the AKLS in Anchorage and Juneau. A. Jones added that the AKLS exam workshop, during which  
40 the exams are reviewed, is scheduled for May 10<sup>th</sup>. R. Jones said the exam was traditionally scheduled in  
41 conjunction with the NCEES PS exam. A. Jones responded that the PS exam is now computer based and  
42 offered year round. Kerr recommended scheduling the AKLS exam around the Alaska Land Surveying  
43 Conference which is scheduled for mid-February. The board determined it was too short of notice for this  
44 year, but that it might be a possibility for next year.

1 Kerr offered to proctor the exam in Anchorage and will work with staff to determine an appropriate date and  
2 location following the meeting. Staff will proctor the exam in Juneau.

3  
4 TASK: A. Jones will follow up with Kerr to confirm dates and location for the AKLS exam in Anchorage.

5  
6 **Addendum:** On February 5, 2019. The following dates and locations for the AKLS exam were confirmed:  
7 The AKLS exam will be offered on Friday, April 19<sup>th</sup> in the State Office Building in Juneau, and Monday,  
8 April 22, at the BP Energy Center in Anchorage.

9  
10 *C. NCEES Western Zone Meeting* – The board discussed attendance. Kerr indicated he would like to attend in  
11 order to participate in the discussions regarding the public land survey module of the PS exam. Johnston  
12 expressed her interest to attend the annual meeting in August. Anderson also plans to attend the annual  
13 meeting. A. Jones confirmed that Anderson will still qualify to attend under the “First Time Attendee”  
14 funding, which is separate from the funded delegates.

15  
16 The board determined the following board members would attend the regional meeting in May as funded  
17 delegates: Colin Maynard, Bill Mott and John Kerr. A. Jones will also attend under the new funding  
18 designated for member board administrators.

19 *AELS\_01.31.2019\_B – 01:58:58*

20 Koonce requested the board discuss an application for structural engineer by exam. Wallis explained the  
21 applicant was short progressive experience and the applicant was requesting the board waive the requirement.  
22 A. Jones stated that the board can project total work experience up to the date of the exam (April 5, 2019),  
23 but may not project responsible charge experience. The board discussed whether progressive experience was  
24 responsible charge or not. Johnston stated that the regulation does not specify. Fritz commented that the  
25 projected date of licensure is totally arbitrary. Koonce said the board needs the verification of experience.  
26 Kerr stated that the board may require they provide an updated verification form. The board reviewed the  
27 timeline for the applicants projected date of completion of the work experience requirements and determined  
28 it would be after the date of the exam.

29  
30 Koonce recommended the term “progressive experience” be added to the terminology updates. Johnston  
31 questioned if that was the most appropriate action. A. Jones explained it would be a regulation update to add  
32 the definition.

33 *AELS\_01.31.2019\_B – 02:08:33*

34 R. Jones asked if the rule for projecting experience was in regulation or a board policy. A. Jones responded  
35 that projecting experience up to the date of exam is in regulation and stated that the board policy has been to  
36 only project total work experience, not responsible charge.

37  
38 R. Jones suggested the board adopt a policy to only project up to the date of the upcoming exam and  
39 provided the following example: At the February meeting, the board can project up to the April exam. Kerr  
40 agreed.

41  
42 *AELS\_01.31.2019\_B – 02:09:16*

43 **On a motion duly made by Elizabeth Johnston, seconded by Luanne Urfer and passed**  
44 **unanimously, it was RESOLVED to start a regulation project to update and/or clarify the term**  
45 **“progressive structural experience”.**

1  
2 Board members Fred Wallis, Elizabeth Johnston and Dave Hale left the meeting to head to the airport at  
3 11:30 a.m. Mott stated that he had a meeting with Senator Mike Shower at 1:00 p.m. Urfer stated that she had  
4 already received a response from Senator Birch's office thanking her and Anderson for yesterday's meeting.  
5 Anderson commented that the Senator had been very responsive.

6  
7 *AELS\_01.31.2019\_B – 02:14:55*

8 The board recessed for lunch.

9  
10 *AELS\_01.31.2019\_C – 00:00:18*

11 The Board reconvened at 12:15 p.m. on Thursday, January 31, 2019. Roll call, the following board members  
12 were present: Anderson, Fritz, R. Jones, Kerr, Koonce, Mott, and Urfer. The following board members were  
13 excused by Vice Chair Koonce: Maynard, Hale, Johnston, and Wallis.

14  
15 The Board continuing to review applications and continuing education audit responses.

16  
17 *AELS\_01.31.2019\_C – 00:37:22*

18 Urfer asked if the board could write a letter to Dale Nelson's family, given is frequent presence at AELS  
19 board meetings and work with the Alaska Professional Design Council. Several members agreed and Kerr  
20 volunteered to draft a letter.

21  
22 TASK: Kerr draft letter to the family of Dale Nelson.

23  
24 Mott was excused to meet with Senator Mike Shower.

25 *AELS\_01.31.2019\_C – 00:39:32*

26 ***28. National Organization Updates***

27 ***A. CLARB*** – Urfer suggested the board also write a letter to the family of Randy Weatherly, President of  
28 CLARB who passed away unexpectedly in December to acknowledge his service to the profession.

29  
30 Urfer reported that there has been a big push for member board members to volunteer and become more  
31 involved with CLARB. A. Jones added that CLARB staff reached out to all of the member boards to update  
32 each jurisdiction's information. A. Jones said she met telephonically with Missy Sutton from CLARB and they  
33 walked through the updates and discussed ways to clarify Alaska's requirements, including the mentor  
34 program option for landscape architects. A. Jones added that CLARB recently sent a notice out regarding  
35 proposed legislation that would negatively affect landscape architecture in four other jurisdictions. A. Jones  
36 said CLARB also conducted a survey regarding licensure for military members and spouses and encouraged  
37 the board to be aware of the topic. R. Jones said the AELS board does consider military experience. A. Jones  
38 clarified that discussions she was aware of are geared towards expediting licensure or offering temporary  
39 licensure for military members and/or their spouses.

40  
41 Koonce added that the topic came up during the recent Region 6 Pre-Board of Directors teleconference. R.  
42 Jones proposed allowing military personnel and/ or their spouse to be temporarily issued a license by staff,  
43 provided they submit documentation that they met the board's requirements, pending final approval at the  
44 next board meeting, or develop a temporary license. Fritz responded that it would require a statutory change.  
45 Koonce recommended talking with Jim Oshwald of the New Mexico board at the upcoming WCARB

1 meeting, Kerr said he did not see the need for it since anyone who comes up to Alaska would be working  
2 with other Alaska registrants. Fritz recommended contacting military families in Alaska with backgrounds in  
3 the professions regulated by the board to see if it was even an issue. The board circled back to their mission  
4 and agreed the board's purpose it is not for the convenience of the profession, but to regulate for safety and  
5 protection of the public.

6  
7 *AELS\_01.31.2019\_C – 00:52:14*

8 **B. NCARB** – Koonce mentioned he and A. Jones had participated in the Region 6 (WCARB) Pre-Board of  
9 Director's teleconference. Koonce said he passed on complaints he'd received from A.R.E. examinees  
10 regarding pauses or hiccups during the exam that were creating stress for examinees. A. Jones said NCARB  
11 staff developed some talking points regarding military and military-spouse licensure.

12  
13 Koonce also mentioned the disciplinary database. A. Jones stated that NCARB staff worked with her and  
14 Marilyn Zimmerman to update the database. A. Jones added that the Member Board Executive Committee  
15 had been tasked with reviewing feedback from transmittal records and offered some suggestions regarding  
16 categorization of feedback messages and will be doing quarterly reviews of the feedback reports.

17  
18 Fritz mentioned the NCARB Regional Summit meeting coming up in March. Fritz, R. Jones and A. Jones  
19 plan to attend pending travel approval.

20  
21 Fritz provided an update on the regional strategic plan and said she hopes it will be ready for the region to act  
22 on at the upcoming meeting. A. Jones asked about coordination between the regional strategic plan and  
23 NCARB strategic plan. Fritz explained the initial goal was to have it complete prior to the national one, but  
24 the process has taken longer than anticipated.

25  
26 *AELS\_01.31.2019\_C – 01:03:13*

27 **C. NCEES** – A. Jones mentioned NCEES had sent out a news release from NTSB regarding a gas explosion  
28 and that there has been some discussions regarding exemptions on Basecamp following the incident. She also  
29 mentioned the Professional Surveying Exam Task Force sent out a survey requesting information on state  
30 specific exams. A. Jones reported that the AKLS test specifications are checked annually and updates are  
31 made as needed to be in compliance with statutes and regulations. She said the AKLS exam is also compared  
32 against NCEES PS exam blueprint annually as well. A. Jones provided an update on the transition of NCEES  
33 exams to computer-based tests.

34  
35 *AELS\_01.31.2019\_C – 01:10:07*

36  
37 **29. Licensing Examiner's Report** – Noe walked through the Licensing Examiner's Report noting that  
38 there were a total of ninety-two applications, rather than the seventy noted on the report due to processing of  
39 applications between the date of the report and date of the meeting. Noe also reported on the number of  
40 renewals, reinstatements, exam pass/fail rates, and license verifications.

41  
42 *AELS\_01.31.2019\_C – 01:16:15*

43 **Agenda Item 31. Board Tasks & Assignments** - A. Jones reviewed the tasks and assignments from the  
44 meeting and explained that a list of tasks would be provided following the meeting, along with a draft version  
45 of the minutes.

Mott rejoined the meeting.

**30. Read Applications into the Record**

On a motion duly made by John Kerr, seconded by Catherine Fritz, and passed unanimously, it was **RESOLVED** to **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.

FIRST NAME	LAST NAME	COMITY/EXAM	TYPE OF LICENSE	JAN. Decision
MICHAEL	ABBAS	COMITY	STRUCTURAL	APPROVED
ALEXANDER	BABEL	COMITY	STRUCTURAL	APPROVED
JONATHAN	BREWER	COMITY	MECHANICAL	APPROVED
TIMOTHY	CASEY	COMITY	ARCHITECT	APPROVED
DAVE	COSTELLO	COMITY	MECHANICAL	APPROVED
MICHAEL	DUKES	COMITY	CIVIL	APPROVED
MICHAEL	FROLOV	EXAM	CIVIL	APPROVED
WILLIAM	GUEVREMONT	COMITY	ARCHITECT	APPROVED
BRENDAN	HARKINS	COMITY	CIVIL	APPROVED
RIAN	JOHNSON	COMITY	STRUCTURAL	APPROVED
PATRICK	KERR	COMITY	CIVIL	APPROVED
JOHN	LIU	COMITY	CIVIL	APPROVED
MILIND	MALICHKAR	COMITY	ELECTRICAL	APPROVED
BRANDON	MARZLEY	COMITY	MECHANICAL	APPROVED
AARON	RODEBAUGH	COMITY	ARCHITECT	APPROVED
NICKOLAS	RODES	COMITY	FIRE PROTECTION	APPROVED
DENNIS	RUGG	COMITY	CIVIL	APPROVED
JEREMY	SALMON	COMITY	STRUCTURAL	APPROVED
JUSTIN	SCANIO	COMITY	ARCHITECT	APPROVED
RONALD	SCHNEIDER	COMITY	STRUCTURAL	APPROVED
ERIC	SHADLE	COMITY	MECHANICAL	APPROVED

On a motion duly made by John Kerr, seconded by Catherine Fritz, 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.

FIRST NAME	LAST NAME	COMITY/EXAM	TYPE OF LICENSE	JAN. Decision
KYLE	ALBERT	EXAM	CIVIL	CONDITIONALLY APPROVED
IAN	BARTONICO	COMITY	MECHANICAL	CONDITIONALLY APPROVED
CHARLES	BOHART	EXAM	CIVIL	CONDITIONALLY APPROVED
DAVID	BROCK	EXAM	LAND SURVEYOR	CONDITIONALLY APPROVED

CHRISTOPHER	CAMPFIELD	COMITY	ELECTRICAL	CONDITIONALLY APPROVED
JONATHAN	CAPUA	EXAM	CIVIL	CONDITIONALLY APPROVED
LARRY	CHRISTIANSEN	COMITY	STRUCTURAL	CONDITIONALLY APPROVED
NICHOLAS	CHROMONSKI	EXAM	STRUCTURAL	CONDITIONALLY APPROVED
PHILLIP	CLIFTON	EXAM	MECHANICAL	CONDITIONALLY APPROVED
WILLIAM	COBB	COMITY	MECHANICAL	CONDITIONALLY APPROVED
JASON	COCHRAN	COMITY	CIVIL	CONDITIONALLY APPROVED
PATRICK	COLLINS	EXAM	ELECTRICAL	CONDITIONALLY APPROVED
JOHN	COMBS	EXAM	LAND SURVEYOR	CONDITIONALLY APPROVED
HANNA	COUNTER	EXAM	CIVIL	CONDITIONALLY APPROVED
ELAN	EDGERLY	EXAM	MECHANICAL	CONDITIONALLY APPROVED
ADRIAN	FRANKS	COMITY	ELECTRICAL	CONDITIONALLY APPROVED
NATHAN	GEARY	EXAM	CIVIL	CONDITIONALLY APPROVED
MICHAEL	GONZALES-SMITH	EXAM	ELECTRICAL	CONDITIONALLY APPROVED
BRITTANY	HIPPE	EXAM	CIVIL	CONDITIONALLY APPROVED
THOMAS	HUGHES	EXAM	CIVIL	CONDITIONALLY APPROVED
PETER	JACKSON	EXAM	CIVIL	CONDITIONALLY APPROVED
AMIR	JAMSHIDI	COMITY	CIVIL	CONDITIONALLY APPROVED
JARED	JANSSSEN	EXAM	ELECTRICAL	CONDITIONALLY APPROVED
MELINDA	KEMP	EXAM	CIVIL	CONDITIONALLY APPROVED
THOMAS	KLINGENSMITH	COMITY	ELECTRICAL	CONDITIONALLY APPROVED
BRIAN	KNIGHT	COMITY	CIVIL	CONDITIONALLY APPROVED
INGRID	KOODA	EXAM	MECHANICAL	CONDITIONALLY APPROVED
PETR	KOSMIN	EXAM	CIVIL	CONDITIONALLY APPROVED
ROBERT	KUBICEK	COMITY	ARCHITECT	CONDITIONALLY APPROVED
KEVIN	LANE	COMITY	LAND SURVEYOR	CONDITIONALLY APPROVED
DAVID	LAVENHAGEN	COMITY	CIVIL	CONDITIONALLY APPROVED
SEAN	LEE	EXAM	CIVIL	CONDITIONALLY APPROVED
WERNER	MACEDO	EXAM	LAND SURVEYOR	CONDITIONALLY APPROVED
JEROME	MADDEN III	COMITY	CIVIL	CONDITIONALLY APPROVED
JORDAN	MARTIN	EXAM	ELECTRICAL	CONDITIONALLY APPROVED
DONALD	MCCAMMON	COMITY	CIVIL	CONDITIONALLY APPROVED
BREILLE	MIGUEL	EXAM	CIVIL	CONDITIONALLY APPROVED
DAVID	MOEHL	COMITY	LAND SURVEYOR	CONDITIONALLY APPROVED
JAMES	MONTROSS	COMITY	ELECTRICAL	CONDITIONALLY APPROVED
LAUREN	OLIVER	EXAM	CIVIL	CONDITIONALLY APPROVED
WILLIAM	OVIATT	COMITY	CIVIL	CONDITIONALLY APPROVED
ADAM	PICKETT	COMITY	ARCHITECT	CONDITIONALLY APPROVED
LAURA	READ	EXAM	ARCHITECT	CONDITIONALLY APPROVED
KEVIN	ROBAR	EXAM	LAND SURVEYOR	CONDITIONALLY APPROVED
ELLIOT	SMITH	EXAM	CIVIL	CONDITIONALLY APPROVED
KIMBERLY	STAHELI	COMITY	CIVIL	CONDITIONALLY APPROVED
PAUL	STULL	COMITY	ENVIRONMENTAL	CONDITIONALLY APPROVED



1 A. Jones said the Department of Law had provided the clarification last year in 2017. Fritz acknowledged that  
2 it may require a statute change and encouraged the board to obtain additional information on the matter.

3  
4 Koonce and Kerr reminded the board of the discussion regarding certificates of authorization that had been  
5 added to New Business and then postponed until the May meeting. A. Jones confirmed she would add it to  
6 the agenda.

7  
8 *AELS\_01.31.2019\_C – 01:38:55*

9 Koonce asked if there were any additional comments or suggestions for the next meeting. R. Jones stated that  
10 he would like to make a motion.

11  
12 **On a motion duly made by Richard V. Jones, seconded by Catherine Fritz, and passed**  
13 **unanimously, it was RESOLVED to start a regulation project to modify exam regulation to clarify**  
14 **that the board my project up to two months of work experience except that no amount of responsible**  
15 **change experience may be projected and clarify the mentoring program with respect to responsible**  
16 **charge where applicable.**

17  
18 *AELS\_01.31.2019\_C – 01:38:55*

19 Fritz walked through the *Meet the Board* presentation. She explained the presentation included an overview of  
20 what the board does; the makeup of the board and current members; explained the board is associated with  
21 national organizations that set the standards for testing (CLARB, NCARB, and NCEES); reviewed the three-  
22 legged stool concept of licensure: education, experience, and examination; defined statute and regulation;  
23 discussed prohibited practice; and basic rules of continuing education. Fritz indicated that she would provide  
24 a final version for the board to have in their resources folder in OnBoard.

25  
26 Urfer asked about responsibility of reporting. Fritz referenced 12 AAC 36.210 and explained registrants have  
27 a responsibility to report under the code of conduct. Urfer offered a scenario in which only one member of a  
28 team reported and asked if the other members of the team were equally guilty. The board determined it  
29 would be most appropriate to reach out to the AELS Investigator for a response.

30  
31 *AELS\_01.31.2019\_C – 02:00:00*

32 ***32. Board Member Comments -***

33 The board appreciated having Heather Noe (AELS Licensing Examiner) present during application review  
34 process. Noe responded that it had been very helpful to watch the process in person and be able to ask  
35 questions during application review, to improve her preparations. Kerr said he felt everything the board was  
36 working on has merit. Urfer stated that the meeting with Senator Birch went very well and appreciated how  
37 helpful he had been. Anderson thanked staff for all their work in preparing for the meeting. Mott reported on  
38 his meeting with Senator Shower who had been impressed with the board's multi-dimensional makeup. Mott  
39 said the Senator acknowledged the board's travel concerns, but indicated it would likely continue to be a  
40 challenge. R. Jones thanked everyone for a great meeting and said he may be resigning in the near future.

41  
42 The board appreciated the ability to meet in Junean. Several members indicated the value of meeting with  
43 legislators to talk about the proposed legislation. The board members thanked Jeff Koonce for leading the  
44 meeting in Colin Maynard's absence.

45

1 Fritz thanked everyone for their time and effort. Fritz acknowledged the difficulty of coming in and out of  
2 Juneau, but expressed her disappointment that three members had to leave before the end of the meeting and  
3 asked the board to consider what message that sends. Fritz suggested the board consider restructuring the  
4 meeting to be more efficient and aligned with travel schedules. Fritz stated that if it is important to make the  
5 effort to travel to Juneau, then do it fully. Mott agreed and recommended the board discuss the meeting  
6 structure as a group.

7  
8 A. Jones thanked the board for their time and effort both during and in between the meeting, and for their  
9 support during the transition to the new administration.

10  
11 Koonce thanked the board members for their work and staff for their support. Koonce stated that it is a  
12 pleasure to be part of a group that is always trying to improve language and policies. Koonce said he  
13 appreciated the board's openness to consider comments of registrants and applicants in the process, and  
14 encouraged the board to continue to embrace "mentoring up".

15  
16 *AEELS\_01.31.2019\_C – 02:14:33*

17 Commerce, Community, and Economic Development Commissioner Julie Anderson and Division Director  
18 Sara Chambers joined the meeting. The board thanked Commissioner Anderson and Chambers for making  
19 time to meet with them. Commissioner Anderson said she was interested in hearing about what the board  
20 does. Anderson mentioned that when she meets with legislators she is often asked what the Department, and  
21 in particular the Division, are doing to streamline and ensure the process for licensure is efficient.  
22 Commissioner Anderson said she thinks Chambers is doing a wonderful job and is pleased to be able to say  
23 that we are doing everything we can to remove barriers and make things stay streamline.

24  
25 Koonce explained that the AEELS board is a multi-disciplinary board representing four different professions  
26 and is comprised of eleven board members. Koonce said the board works together on application review and  
27 teaching one another to better understand the other professions regulated by the board. Commissioner  
28 Anderson asked how frequently the board works on regulation updates. Several members responded that  
29 regulation projects are discussed quarterly. Koonce added that the board actively tries to address any outdated  
30 regulations to ensure they are current and appropriate.

31  
32 Kerr explained that half of the boards in other jurisdictions that regulate similar professions are single  
33 profession boards and add that he believes that is a disadvantage. Kerr said when something comes out of the  
34 AEELS board it has been vetted by four different professions and added that the multi-disciplinary makeup  
35 also prevents the board from serving the profession rather than the public.

36  
37 Commissioner Anderson asked for clarification of the professions regulated by the board. Fritz said the  
38 official title of the board only includes architects, engineers, and land surveyors, but that landscape architects  
39 are also regulated by and represented on the board. Fritz explained that it would take a statute change to  
40 update the name of the board, and eventually they hope to update it.

41  
42 Kerr said the commonality among the professions is that they all work on design projects, and reiterated his  
43 belief that a coordinated approach has been much more efficient than having a separate board for each  
44 profession. Kerr added that having a multi-disciplinary board often provides opportunities for regulation  
45 projects to dovetail with one another. Kerr explained one of the prices they pay is having to study up on the

1 other professions when there is an issue that is outside a board member's profession and/or area of expertise  
2 in order to fully engage in the discussion and make an informed decision.

3  
4 A. Jones explained the board has also had some opportunities to cross-train board members by having them  
5 attend conferences and meetings of the national organizations that the board belongs to. A. Jones provided  
6 examples of two of the engineers on the board attended an orientation of the National Council for  
7 Architectural Registration Boards (NCARB) and Council for Landscape Architectural Registration Boards  
8 (CLARB). A. Jones said the board members not only learned a lot about architect registration and landscape  
9 architecture registration, but also provided unique perspectives as engineers, that was appreciated by the  
10 meeting organizers and other attendees.

11  
12 Commissioner Anderson asked how frequently the board meets. Several members responded quarterly.

13  
14 Fritz commented that their multi-disciplinary board is kind of the envy of other board's in the country and  
15 expressed the importance of the public member seat on the board. Fritz stated that the board is constantly  
16 asking how a proposed regulation change would translate from one profession to another and commended  
17 the board for keeping its focus on whether the change is fundamentally in the best interest of the public's  
18 health, safety, and welfare. Commissioner Anderson was glad to hear that is the board's focus and that  
19 everyone was in alignment.

20  
21 Koonce circled back to the importance of engaging with other jurisdictions at national meetings and  
22 opportunities to learn from colleagues. Kerr said when he first joined the board he thought engagement with  
23 the national organizations was frivolous, but said he quickly learned that it is extremely valuable, noting the  
24 chances to harvest, as well as offer, solutions. Kerr said it is extremely smart to gather members and staff  
25 from the various jurisdictions to meet and discuss issues so that no one is having to reinvent the wheel or  
26 rework the same issues. Kerr said there is an ability to see potential issues ahead of time and incorporate  
27 elements of solutions from other jurisdictions.

28  
29 Commissioner Anderson acknowledged the board's concern about travel and said there will likely be some  
30 changes, but was not sure what the changes would be at this time. The board understood. Fritz thanked  
31 Commissioner Anderson and Chambers for allowing the board to meet in Juneau, especially since it is not the  
32 most cost effective location. Fritz added that the board really tried to take advantage of that by meeting with  
33 legislators to discuss proposed legislation and conducting outreach with local registrants about what the board  
34 does and why. Kerr added that they last time the board met in Juneau they coordinated with the APDC Fly In  
35 event and presented at their luncheon.

36  
37 Commissioner Anderson asked the board members about the recent earthquake in Anchorage. Mott  
38 responded that he was not a structural engineer, but was aware that they have been extremely busy. The  
39 board thanked Commissioner Anderson and Chambers for attending.

40  
41 The AELS January 2019 Board Meeting adjourned at 2:48 p.m.

42  
43 In conjunction with the meeting, the board held two *Meet the AELS Board* events on Tuesday, January 29<sup>th</sup>  
44 at Haight & Associates Office and Thursday, January 31<sup>st</sup> at JYL Architects Office. The sessions provided  
45 informal opportunities for registrants, future professionals and interested individuals to learn about the board

1 and its mission, discuss responsibilities of licensure, and learn about continuing education requirements.  
2 Attendees included five engineers, two architects, two engineers-in-training, and one land surveyor-in-  
3 training.  
4  
5  
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8  
9

10 Respectfully submitted:

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14 \_\_\_\_\_  
15 Alysia D. Jones, Executive Administrator  
16  
17

18 Approved:

19  
20  
21   
22 \_\_\_\_\_  
23 Colin Maynard, Chair  
24 Alaska Board of Registration for Architects, Engineers,  
25 and Land Surveyors  
26  
27

28 Date: 5/10/19