

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

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

MINUTES OF THE MEETING
November 7-8, 2019

By authority of AS 08/01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held on Thursday, November 7 and Friday, November 8, 2019 at KPB Architects, 500 W. L St., in Anchorage.

1. Call to Order/Roll Call

The meeting was called to order at 9:32 a.m.

Board members present, constituting a quorum:

Jennifer Anderson, PE, Civil Engineer, Environmental Engineer
Catherine Fritz, Architect
Dave Hale, PS, Surveyor
Elizabeth Johnston, PE, Electrical Engineer, Fire Protection Engineer
John Kerr, PS, Surveyor
Jeff Koonce, Architect (Chair)
Colin Maynard, PE, Civil Engineer, Structural Engineer
Bill Mott, PE, Chemical Engineer, Metallurgical and Materials Engineer
Luanne Urfer, Landscape Architect

Board member Fred Wallis was excused by the Chair.

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

Alysia Jones, Executive Administrator (in-person)
Sara Neal, Licensing Examiner (remote)
John Savage, Investigator (in-person)*
Sara Chambers, Division Director (remote)*

*Attended portions of the meeting

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

Chris Miller (remote)
Leigh Clark (remote)
Dana Nunn, BNAP (in person)
Mary Knopf, ECI (in person)
Barbara Cash, SALT (in person)
Kelsey Davidson, SALT (in person)

2. Mission Statement

The Chair read the Board's mission statement into the record:

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

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

3. Review/ Approve Agenda

The Board reviewed the meeting agenda.

On a Motion duly made by Elizabeth Johnston, seconded by Colin Maynard and approved unanimously, it was RESOLVED to approve the agenda as presented.

4. Review/ Approve August 1-2, 2019 Meeting Minutes

Kerr mentioned he had a few minor edits to the August meeting minutes. The Chair requested Kerr forward those edits to Jones.

On a Motion duly made by Colin Maynard, seconded by John Kerr and approved unanimously, it was RESOLVED to approve the minutes of the August 1-2, 2019 meeting.

5. Review/ Approve August 28, 2019 Teleconference Minutes

The board reviewed the minutes of the teleconference.

On a Motion duly made by Colin Maynard, seconded by John Kerr and approved unanimously, it was RESOLVED to approve the August 28, 2019 meeting minutes.

6. Ethics Reporting

Fritz stated that she and the Chair presented at the AIA¹ conference in Anchorage in October and did not receive any compensation. Fritz added that she did file an event report with the AELS Executive Administrator.

Maynard reported that he had attended the NCEES² Annual Meeting in August and still needed to provide the meeting report. He added that it was all third party funded. Kerr and Johnston stated they had attended the meeting as well.

Urfer reported she had attended the CLARB³ Annual Meeting in September and that she has been in touch with the local ASLA⁴ chapter as well as with interior designers regarding their initiative.

¹ American Institute of Architects

² National Council of Examiners for Engineers and Surveyors

³ Council of Landscape Architectural Registration Boards

⁴ American Society of Landscape Architects

Johnston reported that she has attended three IEEE⁵ events since the last meeting.

Jones reported that she had attended the NCARB⁶ Member Board Executives Committee meeting in in October and that it was fully funded by NCARB.

7. Licensing Examiner Report

Neal reported that staff had added a column to show the number of applicants for the November meeting of the previous year and noted that the numbers were quite similar overall.

APPLICATIONS TO BE REVIEWED:

| FIELDS OF PRACTICE/DISCIPLINE | COMITY | | EXAM | | FIELDS OF PRACTICE/DISCIPLINE | COMITY | | EXAM | |
|-------------------------------|--------|------|------|------|-------------------------------|-----------|-----------|-----------|-----------|
| | 2018 | 2019 | 2018 | 2019 | | 2018 | 2019 | 2018 | 2019 |
| AGRICULTURAL | 0 | 0 | 0 | 0 | METALURGICAL & MATERIALS | 1 | 0 | 0 | 0 |
| CHEMICAL | 0 | 0 | 2 | 3 | MINING & MINERAL | 0 | 0 | 0 | 0 |
| CIVIL | 18 | 12 | 6 | 5 | NAVAL ARCHITECTURE & MARINE | 0 | 0 | 0 | 0 |
| CONTROL SYSTEMS | 1 | 1 | 0 | 1 | NUCLEAR | 0 | 0 | 0 | 0 |
| ELECTRICAL | 3 | 6 | 1 | 3 | PETROLEUM | 0 | 0 | 0 | 0 |
| ENVIRONMENTAL | 0 | 1 | 1 | 1 | STRUCTURAL | 2 | 1 | 1 | 1 |
| FIRE PROTECTION | 0 | 1 | 1 | 0 | ARCHITECT | 3 | 5 | 0 | 3 |
| INDUSTRIAL | 0 | 0 | 0 | 0 | LANDSCAPE ARCHITECT | 0 | 1 | 2 | 1 |
| MECHANICAL | 1 | 7 | 5 | 2 | LAND SURVEYOR | 0 | 1 | 1 | 1 |
| TOTAL | | | | | | 29 | 36 | 20 | 21 |

Jones added that the PE exam was held on October 24th and results would be released in December. Jones reported there were 7 examinees for the SE exam and 75 individuals for the PE exam. In terms of renewals, Jones stated that renewal notices were sent to all active registrants with a valid address on file (6,443 individuals and 737 firms). Jones mentioned that the domestic firm renewal notifications had accidentally been mailed ahead of the effective date of the fee change (10/31/2019). Jones reported that as of this morning 26 firms and 375 individuals had already renewed.

The Chair asked if there were any comments on the online renewal process. Maynard said that it went smooth for him, but that he would have preferred to do both his individual and firm licenses together rather than having to go back out to do the firm license.

Jones also stated that 186 waiver notices had been sent to outstanding continuing education audits. Johnston asked if staff had confirmed receipt of at least 24 professional development hours. Jones stated that staff did review audit files to confirm the minimum number of PDHs were submitted and that she worked with the Division paralegal to address other circumstances appropriately.

Fritz thanked staff for the additional information on the report.

The Chair welcomed Sara Neal, the new Licensing Examiner for AELS, and asked the board members to introduce themselves. The board members and investigator John Savage introduced themselves to Neal.

8. Investigative Report

The Chair invited AELS Investigator John Savage to speak. Savage reminded the board that if they receive a complaint, to stop the conversation and send them directly to him. Savage stated that he is the only investigator that is familiar with AELS and stated with the board's support, he'd like to go to the Chief Investigator in the coming months to get another investigator to start cross-training with Savage to

⁵ Institute of Electrical and Electronics Engineers

⁶ National Council of Architectural Registration Boards

learn about the program. Several members expressed their agreement. The Chair responded that is was not really a question and encouraged Savage to suggest cross-training.

Johnston asked about investigative travel. Savage responded that the investigative unit has been short resources and that travel and site visits are tough when they are short staffed. Savage said it may open up in 2020, but indicated that it depends upon the administration and environment of the office as to what will be allowed. Johnston said that she felt it was important and if he could conduct a few site visits word would get out and that may reduce some of the issues for a bit. Savage talked about the importance of building relationships with the deferred jurisdictions and Fire Marshal's Office and indicated that type of information is part of what he would like to pass on to other investigative staff.

The Chair asked if Savage had met with the Fire Marshall. Savage responded affirmatively adding that when he does step out, he wants to try to ensure those relationships are maintained. Johnston asked about the next Fire Marshal's Forum. Savage responded it is typically held in early to mid-February and indicated that he would confirm dates and follow up with the board.

Maynard asked about the potential move of all investigators under Department of Law. Savage said he believed that was still the plan. Maynard asked about investigative positions, such as AELS' that are specifically mentioned in statute. The Chair asked how the Board will be informed. Johnston responded that Director Chambers had sent a memo to all boards and specifically cited an exemption the AELS Board and a couple others. Johnston stated that she appreciated Chambers' proactive communication.

Savage asked the board to pass along any names of registered professionals in their respective fields that may be interested in serving as an expert witness. Savage stated that hopes to have a couple names on file in the event an expert witness may be needed.

Savage also asked the board to consider what investigative and other staff resources would be needed if interior designers were added to the board.

Savage explained the investigative report for this meeting was the first computer generated investigative report and asked the board to provide any feedback. The Chair thanked Savage for the report and suggested speaking with the new building official for the Municipality of Anchorage.

Kerr asked if Savage is able to look at cases in a timely manner. Savage responded affirmatively and indicated that staff try to complete reviews within a certain timeframe. Savage added that all "yes" response on initial applications and renewals need to be reviewed by him as well. Savage stated all the cases from 2016 are closed and that staff try to be as timely as possible. He reminded the board there is also some consideration regarding the severity of the issue. Kerr asked if Savage received any additional support during those timeframes where there are more "yes" responses to review. Savage pointed out that during the most recent sunset review there was a question about why the program previously had three investigators and why it was brought down to one. Savage clarified that the third investigator was only worked part-time on AELS items and had other assigned programs. Kerr asked again whether he received additional support. Savage responded that is a large reason why he wants to begin cross-training, understanding that it will take time to onboard another investigator.

Kerr and Savage talked about prioritizing cases and resources. Kerr said he believes the issue is more severe than one would think. Johnston asked if all investigators were based in Anchorage. Savage responded affirmatively, and mentioned that when there were multiple investigators for AELS, the investigative staff were able to conduct site visits. The Chair commented that in other jurisdictions they review throughout the state. Savage said there are other structures for review of complaints, etc. before it

goes to the investigator. The board and Savage discussed the investigative workload and Savage stated there was enough for multiple investigators.

Maynard asked for clarification on the Investigative Report regarding items listed as “Review complete”, under Closure. Savage said that it is typically review of a “Yes” response submitted with an initial application. Savage asked the board if they had any additional questions. The board thanked Savage for his report.

9. Correspondence Sent 37:48

A. Continuing Education Audit Response Letter – The Chair explained that following the discussion at the August 28 teleconference, a letter was sent out regarding all outstanding audits. The Chair stated that the board would discuss handling of the upcoming audit later in the agenda.

Johnston asked if staff verified that letter recipients had in fact submitted at least 24 hours of continuing education. Jones responded that she created tailored responses for those that did not meet the criteria outlined in the letter signed by the Chair and worked with Marilyn Zimmerman, the Division’s Paralegal, to close out the audit.

10. Correspondence Received.

A. Letter to Governor from AIA Alaska Chapter – The Chair said that he had requested a copy of the letter AIA sent to the Governor be included in the packet.

B. Question RE: Make-up of the board – The Chair asked the board if anyone had any comments on Mr. Miller’s letter regarding the make-up of the board. Johnston stated that she agreed with Miller. Hale stated it was a reasonable comment. Maynard said the board had previously tried to remove the mining seat due to issues trying to fill the seat. Maynard said the board was unable to remove the seat, but able to get legislation passed to add a stipulation that the Governor could appoint a petroleum or chemical engineer if a mining engineer was unavailable.

The board talked about the current seats on the board, including the role of the public member. Maynard said that when the statute was written there were only six engineering disciplines and now there are fifteen. The board discussed adding seats to the board based upon the additional branches of engineering. The Chair recommended the board move on and pick up the discussion during to the Statute and Regulation Working Session. The board agreed.

10. C. NTSB Safety Recommendation P-19-16 - Maynard explained that there was an explosion involving a gas pipeline in Massachusetts and the National Transportation Safety Board (NTSB) investigated the incident. He said NTSB determined that the work had been done by an unlicensed person and had reached out to jurisdictions that have industrial exemptions requesting a response detailing the actions the State has taken or intends to take to implement the NTSB’s recommendations.

Maynard explained in the 1990s the industrial exemption went away and there was a timeframe established for utilities to hire and/or for individuals to become licensed to be compliant. There was a lot of push back and the exemption was put back in within 6 months of being removed.

The Chair asked the board for comments. Several members talked about current practices and the use of consultants and/or contractors. Mott said that he does not know of a utility that designed their own system and stated that a contractor or consultant would be required. Several other members reiterated that a consultant working for a utility would still need to be licensed.

Maynard said that the letter was initially sent to the Governor not the AELS Board and suggested the board write a letter to the Governor and include the current exemption. Maynard commented that the board would need the Governor's support to remove the exemption from statute and anticipated there being a lot of push back.

Jones said that the Division notified the Governor's Office that this topic would be discussed at this meeting and indicated that follow up with the Governor's Office would be appropriate. Johnston suggested including language to show that the board feels the exemption adequately protects the public's health, safety, and welfare given that contractors, etc. are required to be licensed.

Kerr stated that it is a serious problem and mentioned that there have been other explosions since the event in Massachusetts and that just because Alaska has not experienced this, doesn't mean we won't and encouraged that the board put some "guardrails" in place to prevent it from ever occurring in Alaska. Mott said most of the issues are directly or indirectly the result of corrosion. Mott added that most of that monitoring is done inhouse for gas companies.

TASK: The Chair asked Maynard to draft a letter. Mott agreed to review it.

10. Correspondence Received (continued)

D. Question RE: NCEES Combined Exam & AELS Requirements - Jones explained that she had received a question from a potential applicant that had taken the combined exam and asked the board if the NCEES combined exam is acceptable for a control systems engineer. Johnston stated that the individual could do control systems work under his electrical engineering license if that fell within his areas of expertise. Mott and Maynard agreed. The board discussed electrical vs. control systems and determined that the combined exam is acceptable for an application for registration as an electrical engineer, but felt that it was not adequate for registration as a control systems engineer.

TASK: Jones will respond to the potential applicant.

10.E. Question RE: Limited Partnership – Jones asked the board if a Limited Partner was required to have a Certificate of Authorization. Jones added that currently the AELS statutes refer to corporations, LLCs, and LLPs, and certain partnerships, but do not specifically reference LPs. The board discussed the certificate of authorization and exemptions. Maynard asked how Limited Partners were defined in Alaska and Jones responded that based up the information on the Corporations website, the term limited partner is defined separately from partnership.

Jones read the definition of limited partner on the Corporations website:

A limited partnership is a form of partnership which consists of one or more limited partners AND one or more general partners. The general partner and limited partner is a "person" (individual or entity) admitted to an LP.

Maynard stated that in a partnership all partners must be licensed and recommended that the board consider adding LPs to the AELS Statutes and Regulations. Regarding the question presented to the board, they recommended obtaining additional information regarding the partners to determine if all partners were registered in which they would fall under AS 08.48.251. Hale asked about passive partners and liability. The board discussed culpability and suggested that Jones get some additional guidance from Department of Law.

The Chair requested that limited partnerships be discussed further during tomorrow's Statute and Regulation Working Session.

TASK: Jones will request additional guidance and draft a response for the Chair's review.

11. Old Business

A. Review of August 2019 Meeting To Do List – Fritz said that she created a template for the board to report outreach and indicated that examples were included under Agenda Item 23. B. Board Outreach.

Fritz stated that she is also assigned to work on updating the CE Report form. Johnston reminded the board that the purpose of the form update was to help gather more information and help registrants report continuing education appropriately.

TASK: Fritz and Johnston agreed to work with Jones on revising the CE Report Form and presenting it to the board at the February meeting so that it could be used for the upcoming audit.

Maynard reported that he had completed the letters assigned to him during the August meeting and resent to the Chair and Jones prior to the start of the meeting. Jones presented the letters to the Chair for signature.

Johnston suggested holding the update on the Arctic Engineering Committee to tomorrow, after the board had met with the faculty at UAA regarding the course.

Kerr said he is continuing to conduct research on program certification and is checking with NCEES and ABET as he wants it to be as broad as possible, while maintaining necessary effectiveness. Fritz asked if there is a defined alternative path for land surveyors. Maynard responded that any program would likely be reviewed against the NCEES education standard.

Kerr stated that the modular PLS exam was adopted at the NCEES Annual Meeting, but that it will likely take 4-5 years to develop it. Johnston asked about updating requirements for registration to reflect which modules were required for Alaska. Kerr responded that there would likely be a "core" exam and then other modules and that the Board would need to update the requirements to align with the new format. The Chair asked how the modular exam would affect the AKLS exam. Kerr responded that Jack Warner of TEST, Inc. was aware of the change and understands that it will likely affect the content of the AKLS exam.

The Chair asked Jones to report on staff assignments. Jones reported that the column referencing the matching quarter of the prior year was added to the licensing examiner's report and that she would continue to incorporate that information going forward. Jones said she is still working on the Disaster Planning website, but hoped to have something published early next year. Johnston requested that the spreadsheet containing data of the different branches of engineering be uploaded to OnBoard.

Jones reported that she is working on developing a short form for those submitting council records and indicated that she planned to have a draft for the board to review at the next meeting. She added that AELS staff is currently testing online initial application forms and hope to release those in early 2020 as well.

Johnston asked about the work experience verification forms. Jones responded that staff are also in the process of updating those to allow for more detailed explanation of duties as well as reformatting to address common errors with documenting responsible charge time and allowing adequate space for explanation of duties and project information.

12. Division Update – The Chair invited Division Director Sara Chambers to speak.

Chambers thanked the board and explained that she would be walking through the year end schedule of revenue and expenditures followed by the indirect expenditures. Chambers explained that the financial reports come out quarterly and that Division completed the re-appropriation period. Chambers added that the 1st quarter for FY2020 will be released in the next couple weeks.

Chambers explained the layout of the report has been updated to combine two reports so that all the information is in one place. Chambers said expenditures are broken down into investigative and non-investigative costs, which is extremely important to programs with fewer licensees and/or may be more controversial. Chambers added that AELS' costs tend to be more stable and issues less devastating due to the higher volume of licensees.

Chambers walked through revenues noting that FY19 was a non-renewal year and therefore lower revenues were to be expected for that timeframe. Chambers reminded the board that there was a slight decrease in fees which also accounts for the lower revenue.

Chambers noted that there was a slight decline in indirect costs from FY 18 to FY 19 and talked about the board's surplus. Chambers explained that the board can expect to see an increase in expenditures with little revenue for the first quarter of FY20. However, since the program just entered renewal, the board can anticipate seeing an increase during the 2nd and 3rd quarters. Chambers stated that the goal is to keep a single fiscal year as surplus in the bank and they implemented a new feature to color-code the surplus to indicate whether it is on target or if there need to be fee changes. Chambers explained that the Division reviews fees on an annual basis with a more rigorous analysis being conducted prior to renewal.

Chambers asked the board if there were any questions. Mott asked for numbers of licensees for each of the licensing periods and whether the Division takes that information into account. Mott said that his concern was that if there is a decline in registrations and renewals that the fees will need to be increased. Jones stated that the board did implement the late renewal fee for the 2020-2021 licensing period and that may assist with covering any decline. Jones directed the board back to the licensing examiner's report and explained that the similarity in numbers of applications for this meeting as compared to the November 2018 meeting is encouraging that registrations are relatively stable.

The Chair asked about the upcoming fee analysis. Chambers stated that it will be less rigorous as it follows a renewal year, but that the Division will pay close attention to the new fees that have been added and any trends and bring that information back to the board for their input.

Chambers directed the board to review cost allocation which breaks down all 45 programs, including corporations and business licensing. Chambers explained that this document shows the breakdown of expenses by program. Chambers explained that expenditures are allocated by the Legislature at the Division level and not to each of the 45 licensing programs. Chambers explained the major levels of indirect expenditures are statewide, department, and division.

Johnston thanked Chambers for the communication in February regarding the investigative teams' potential move to Department of Law and asked if there was any update. Chambers said the Department of Law is conducting interviews w/ investigative teams in various state agencies. Chambers said that investigators within our Division have been identified as being set up a little differently from other agencies and that we are coming up next. Chambers reported that the Department of Law is gathering information so they can make an assessment and commented that she is looking forward to providing some meaningful input.

Mott suggested that the board review the fees sooner rather than later. Mott said he believes they are a little low. Several members responded that there is a cycle and indicated that there would be some potential issues with adjusting fees mid-cycle. Chambers responded that we are bound by law to assess fees and said that if there is an emergency then the Division would bring that to the board. Chambers explained that the methodology of adjusting fees ahead of a renewal period maximizes the board's return on the cost of doing a regulation project.

The Chair thanked Chambers for her presentation. Chambers thanked the board and left the meeting.

TASK: Jones will send the cost allocation information to the board.

Chris Miller joined the meeting telephonically.

The board returned to Agenda Item 11. Old Business.

B. Status Update on Disaster Planning – The Chair asked Jones for a status update. Jones reported that she still plans to publish a webpage once staff get through the renewal season.

C. Continuing Education Discussion – The board looked at the CE Report form. Fritz reiterated that her and Johnston would work with Jones to update the form. Jones explained that the audit notices would be sent out in mid-February after the board approved the updated CE Report form.

D. Land Surveyor Education Requirements – Kerr said that he would continue to update the board on his findings.

12. Division Update

12.B. Travel Update – Jones reminded board members of the change in identification requirements.

Fritz asked for clarification regarding what was submitted for the FY2020 travel request. Jones explained that while all four meetings with varying locations were included in the FY19 Annual Report, she had followed the parameters set by the Governor, which stated that all boards and commissions were to meet in person once per year and hold all other meetings via video/teleconference. Jones said that she submitted a travel waiver request for this meeting for the most cost-effective location.

The board discussed the importance and effectiveness of meeting in person and expressed their preference to meet in Juneau in February due to potential legislation changes.

The board recessed for lunch at 11:45 am.

The board reconvened at 1:00 p.m. Roll call, all present, except Fred Wallis excused by the Chair.

13. Public comment

Leigh Clark joined the meeting telephonically to testify during public comment. The Chair invited Ms. Clark to speak. Clark introduced herself and explained she is applying to take the PE exam. Clark said her undergraduate degree is from McGill University and that she was only given 1 year of education credit for that degree and did not feel it was an accurate reflection of her experience. Clark added that she understands that there are rigorous standards for professional engineers and that the board is charged with protecting the public health, safety and welfare. Clark said she is appealing the board's decision and providing a lot of documentation regarding the quality of her education. She also stated that letters of support from her former employer and Master's advisor had been submitted on her behalf. Clark provided information regarding Canadian accreditation and treatise between ABET and Engineers Canada as well.

Clark said that she would like to continue serving Alaska communities and would appreciate the board's consideration of her appeal.

The Chair stated that her application was included under Agenda Item 18 and would be reviewed by the full board tomorrow morning. The Chair thanked Clark for testifying. Clark thanked the board for the opportunity to speak.

The Chair invited Chris Miller to testify. Mr. Miller said that he reads the actions of the board with interest and does support the board meeting in person. Miller said it is certainly possible to participate telephonically for public comment but can't imagine the board trying to do their work and be effective this way. Miller also commented on the make-up of the board and stated that he wished to offer his own recommendation regarding board composition and encouraged the board to consider a refresh. Miller added that he believes that a review of the board make-up is in line with the goal of efficiencies and appropriate to serve the people of the state. Miller also commented on the discussion regarding continuing education, particularly the difficulties the board has in reviewing the audits and added that practitioners struggle too. Miller suggested that the discussions of continuing education be a two-way street and that the board work with licensees to determine what is best, keeping in mind the overall purpose of continuing education. Miller thanked the board for the opportunity to receive the packet ahead of time and to comment.

Maynard asked Miller if he had heard the discussion earlier today regarding the make-up of the board. Miller responded that he had not. Maynard summarized the discussion and explained the difficulty of removing the mining seat. Maynard mentioned the board was going to be looking at adding a Mechanical seat and possibly another "other" engineering seat during Agenda Item 22. Statute and Regulation Work Session tomorrow.

The Chair thanked Miller for his testimony. The Chair stated that public comment would remain open until 2:00 p.m., but asked the Board to continue with the agenda given there were no more requests to testify. The Board returned to discussing Agenda Item 12. Division Updates.

C. Professional Licensing Meetings 101 – Jones explained Division Director Chambers had put together some information regarding what constitutes a meeting and what needs to be public noticed. Jones added that she public noticed this evening's meeting with UAA faculty due to the high volume of responses she received from members of the board who planned to attend. Jones thanked the board for their interest in meeting with the faculty.

D. Online Application Forms – Jones reported that staff are in the process of testing online versions of the initial application forms, which will allow applicants to apply directly online. Jones said she hoped to roll out the online application forms early next year.

14. Application Review Reminders – Jones explained she pulled information from the *Board Policies and Historical Information* document to develop a resource for board members to use during application review. The board reviewed the Application Review document and provided comments to Jones. The Chair requested that the document be included in every board packet going.

TASK: Jones will update the *Application Review Policies* and *Board Policies and Historical Information* documents based upon board member comments.

15. Application Review

The board reviewed 63 applications for registration including 25 by exam and 38 by comity.

Jones stated that there were 4 additional applications that were received after the deadline. Jones said the late applications had been separated out based upon Johnston's suggestion during the August meeting to only review late applications if the board had time in the agenda. Fritz commented that she thought that approach was appropriate. Several board members agreed.

The board also re-reviewed 6 applications for registration that included appeals and/or requests for reconsideration. Additionally, Urfer requested two of the landscape architect applications for registration be reviewed by the full board. The board also discussed an application for a chemical engineer whose work had been verified by an engineering of another discipline.

16. Recess for the Day

The Board recessed for the day at 5:00 p.m.⁷

17. Reconvene Meeting / Roll Call

The Board reconvened at 8:18 a.m. on Friday, November 8, 2019. Roll call, all present, except Fred Wallis excused by the Chair.

18. Application Review Continued.

The board completed review of all applications received by the October 7th deadline and all requests for appeals.

The Chair asked the board to debrief the arctic engineering discussion with UAA faculty. Maynard suggested taking syllabuses from all the courses and creating a list of topics that can be designated as required or optional. Kerr asked about tailoring courses to specific disciplines. The board talked about the possibility of developing a couple rubrics. The Chair referenced the rubric developed by Dr. Perkins and shared with the board at the January 2019 meeting. Several members commented on the thoroughness of Dr. Perkin's rubric. Fritz recalled that the Arctic Engineering Committee was going to review the rubric and consider what core components are necessary for the course to be approved by the board. Fritz said she felt it was still an appropriate undertaking, but suggested it be a working session for the whole board at the next meeting rather than a committee assignment. Johnston added that another key component was qualifications of the instructors. Maynard suggested adding a requirement that if the instructor changed, the course needed to come back to the board for re-approval. Johnston proposed looking at course outcomes as well.

The Chair asked about the number of hours. Johnston responded that she is less concerned with the course hours being equal. Fritz said it is another level of expectation. The board discussed number of credit hours. The Chair asked the board to look at setting the bar at a level that is achievable and reminded them that the goal is to determine a minimum standard.

Hale asked if the course was required as part of the degree program now. Johnston explained that is another point she is unsure whether the board wanted to discuss. Johnston explained it is not a required course for non-civil engineers. She added that it is an elective for civil engineering students, but that it

⁷ All board members, except Dave Hale and Fred Wallis attended the Arctic Engineering Discussion with UAA faculty on November 7, from 5:30 p.m. to 6:30 p.m. A summary of the discussion is providing in Appendix A.

does not count towards their degree, whereas thermodynamics is an accepted elective. Johnston said the board could recommend the arctic engineering course be added as an accepted elective.

The board discussed potential barriers to licensure related to the course requirement. Kerr said that one of the concerns is that there are some fast-track options that are more popular with out-of-state registrants that have never set foot in Alaska.

Fritz suggested each board member think about content, contact hours, and expectations and have a working session during the next meeting to discuss. The Chair asked the board to consider going so far as to draft the criteria. A couple members responded that a draft may be premature at this time.

Maynard suggested defining the period review cycle. Johnston recommended following ABET's review cycle and reaching out to other jurisdictions to see if they had any required courses and how they structure their guidance materials.

TASK: All members will review arctic course materials in OnBoard, with a focus on content, quality of instructors, and quantity/ expectations of time, and send any comments to Jones for inclusion in the February 2020 board packet.

The Chair asked the Board to move on to Agenda Item 20.

20. New Business

A. Guidelines for Application Review Outside of Board Meetings – The board discussed processes for reviewing applications outside of board meetings. Several members expressed their support of Johnston's recommendation that late submissions only be reviewed at the end of the board meeting if time allows. The board reconfirmed their willingness to review applications outside of regularly scheduled board meetings if there was an administrative error. The board also agreed to review clarifications on a case-by-case basis.

Barbara Cash, Kelsey Davidson, Mary Knopf, and Dana Nunn joined the meeting in person.

19. Update on American Society of Interior Designers – Alaska Chapter's Initiative

Cash introduced the group and thanked the Board for the opportunity to speak with them again. Cash said the group represents the American Society of Interior Designers (ASID) – Alaska Chapter. Cash explained the goal of today's presentation was to obtain the board's support of the initiative and to request a position letter indicating the board stance, with the understanding a review of Draft legislation will occur when it is available. Cash clarified that the group is looking for support of the initiative.

Cash provided a summary of the history of the initiative. She explained the intent of the initiative is to regulate the practice of commercial interior design in IBC-governed structures and allow non-regulated interior design practice for residential structures per AS 08.48.331(a)(6)(A) and (C). Cash noted a couple of exemptions in Alaska Statutes regarding residential properties (AS 08.48.331(a)(6)). Cash also reviewed tasks that fall under the scope of practice of interior design and how they relate to health, safety and welfare.

The Chair asked about sponsorship. Cash responded that the search is going well. Fritz asked if there was a bill. Cash said that it is currently in draft form.

Johnston explained the AELS regulations included definitions for each profession as well as each branch of engineering and asked if the group had drafted a definition for interior design. Cash responded

affirmatively, but the group explained it was not included in the materials provided in the board packet. Johnston expressed her interest in seeing the definition and explained that there are areas of overlap among the professions and branches of engineering currently regulated by the board and that those definitions are carefully written to appropriately account for that.

TASK: Cash will send the DRAFT definition to Jones to share with the board.

The board asked about the expected number of interior designers that would be required to register if everything went through. Davidson responded that there were approximately thirty to forty individuals which includes those preparing to sit for the National Council for Interior Design Qualification (NCIDQ).

The board and ASID representatives deliberated on the compelling need for regulation and whether there is a “gap” in the protection of public health, safety and welfare that interior designers need to address, or if the situation is more appropriately that there is exists a group of professionals that are qualified to do a specified scope of work that relates to public health, safety and welfare.

Cash stated that there is another component within education and that a degree in interior design has a more intensive focus on interiors than architectural degrees. Cash explained that interior design is narrowly defined to a specific scope of work.

Knopf circled back to the example regarding nurse practitioner and commented that many architects are not interested in doing interiors to that degree and/or don’t have the expertise to determine appropriate materials for interiors. Cash stated that they want to ensure risk protection for commercial buildings.

Fritz responded that architects take a team approach and indicated that interior designers are a highly valued member of the team, but reiterated that she still did not feel that the need for interior designers to be regulated had been clearly articulated.

Cash asked why would you not want all members of the team to be a registered professional? The board and ASID representatives discussed the roles of various team members.

Johnston asked if someone is qualified, why would the board prohibit him or her particularly if there is unregulated practice that is causing harm to the public. Johnston suggested that the board could help by allowing this alternative profession to address some of that harm that is within their scope of practice and expertise.

Fritz asked if the act of licensure would resolve the issue since, as previously discussed, municipalities are accepting plans for entire build outs without a stamp and asked why they would change. Cash said that licensure would add a discipline that could take care of some of the issues that have resulted from unqualified practice of interior design in commercial buildings.

Urfer and Mott stated that each profession has overlap. Hale said he agreed with Fritz in that regulation of the professions currently regulated by the board arose due to issues, and suggested the group reach out to get input on if there is a need for this to be regulated.

Maynard asked if licensure was required for federal projects. Knopf & Dunn stated that federal projects require an interior designer to be licensed or provide verification of having passed the NCIDQ. Maynard asked if licensure is required for projects, would the board prefer to see Alaskans be eligible vs. having to bring in someone from out of state to complete the work. A couple members noted Maynard made a good point. Knopf added that the Department of Veterans Affairs has requirements regarding interior design work that cannot be fulfilled by a registered professional architect.

Kerr commented that there is another element of this discussion that had not been addressed. Kerr asked if any consideration to the impact to the board and its resources. Kerr said the board currently regulates four professions and there is only one licensing examiner, one investigator, and one executive administrator. Kerr also noted issues with travel and explained the expansive knowledge base board members are responsible for understanding on a multidisciplinary board. Kerr asked the group if there had been any consideration of how to mitigate impacts to the program functions if interior designers were added to the program and board. Kerr added that he did not expect an answer now, but encouraged the group to give this component some thought.

Johnston suggested the group consider attending the Fire Marshall's forum and engage in conversations with building officials at the code creation level. Nunn responded that they have been in contact with the Fire Marshall's office and explained interior designers have an established relationship with that audience.

Cash asked how the addition of landscape architect regulation has impacted the board and investigations. Several board members responded mentioning costs of regulatory changes, additional membership fees to CLARB, development of additional forms, etc.

Johnston added that the board is also looking at alternative pathways to increase licensure mobility and asked the group to consider whether there is an alternative pathway for interior designers.

The Chair said he'd like to do some additional research regarding the permitting.

Urfer clarified requirements vary between municipalities, but said that those requirements are not necessarily a trickle down from the State or the Board.

The group walked through the FAQs. Cash responded to a question regarding body of evidence and explained that we are fortunate that there have not been any disasters in Alaska that directly list interior design issues as the cause. She added that there were findings after last year's earthquake.

Cash cited a study from the Center for Disease Control & Prevention that shows annually over 1 million Americans suffer injuries from a fall. The Center estimates 20 to 30 percent result in moderate to severe injuries such as hip fractures or head injuries and that over 19 percent result in death. The primary causes cited for the falls are slippery flooring materials and stair tread, and poor interior lighting.

The group reviewed exemptions related to change of use and discussed permitting.

Cash thanked the board and reiterated that the group is still interested in obtaining the board's support for the initiative. The Chair responded that the board was interested in seeing the draft legislation. Fritz added that she did not feel it was appropriate for the board to support something before seeing the draft legislation. Nunn clarified that the group requests the board's support of the initiative with the understanding that there would be a subsequent request for support of the proposed legislation. The board did not take a vote and reiterated their request to see the draft legislation before taking a stance.

The board briefly returned to the discussion of resourcing and investigative costs. The Chair thanked the group for their time and presentation.

Barbara Cash, Kelsey Davidson, Mary Knopf, and Dana Nunn thanked the board for their time and left the meeting.

The board returned to Agenda Item 20. New Business.

A. Guidelines for Application Review Outside of Board Meetings – Jones summarized the board’s prior discussion. She stated her understanding was a mail ballot would be used if there was an administrative error; applications requiring clarification would be considered on a case-by-case basis; and late submissions would be reserved for the end of the board meeting and only reviewed if time allowed.

B. Review of Credentialing Services – The Chair asked, based upon the responses received and compiled by staff, were there credentialing agencies that the board felt should be removed from their listing as approved credentialing agencies. Several members responded affirmatively.

Kerr asked for clarification on how the board and/or staff would confirm if a credentialing agency was evaluating to the ABET standard. The board discussed acceptable credentialing standards and how best to check the validity of credentialing agencies. Fritz suggested using NCEES credential services. Several members responded that there may be differences in cost and/or response times.

On a Motion duly made by Elizabeth Johnston, seconded by Colin Maynard and approved by a majority, it was RESOLVED to update the AELS website to recognize the credentialing services that evaluate to the ABET standard.

The motion passed with Anderson, Hale, Johnston, Koonce, Maynard, Mott, and Urfer voting in favor, and Fritz and Kerr voting against.

On a Motion duly made by Elizabeth Johnston, seconded by Colin Maynard and approved unanimously, it was RESOLVED to update the AELS website to recognize the credentialing services of NCEES as acceptable.

21. Statute and Regulation Working Session I

A. Review of Professional Licensing Reform Presentation - The board briefly reviewed the presentation Director Sara Chambers gave during the August 2019 meeting. Jones summarized the Governor’s mandate and Commissioner Anderson’s request for the Division and boards to focus on:

- Considering whether our occupational licensing requirements are reasonable responses to actual potential harm rather than hypothetical harm.
- Reviewing statutes and regulations to ensure any licensing requirement is necessary and tailored to fulfill legitimate public health, safety, or welfare objectives.
- Reviewing the license application process with a goal of substantially reducing the time required to review applications and issues licenses.

B. Strategic Planning - Fritz introduced the concept of strategic planning and led the other members of the board through an exercise to identify guiding principles using a basic template. First board members were asked to call out key words that described what the board does and/or what is the importance of the board. Next, board members grouped similar terms to create the basis for their guiding principles. Board members were then asked to identify tasks and activities on sticky notes and put them up under the four previously identified groupings. The board talked through the different tasks posted by each of the members to confirm understanding and further organize their thoughts within the four groupings.

The board discussed building time into the February meeting agenda to continue working on the strategic plan with the intent to finalize the plan and include it in the board’s annual report.

Fritz suggested that the next steps be to pull together key features to define each of the guiding principles and draft objectives for the full board to consider at the next meeting. The Chair asked Jones to compile the information and forward to the board for review prior to the February meeting.

Task: Jones will organize all the responses and upload the document to OnBoard for the board to review.

22. Statute and Regulation Working Session II

The board walked through the AELS Statutes and Regulations and identified various updates and potential changes to remove outdated requirements and references, provide further clarification where needed, and increase board efficiency and effectiveness.

TASK: All board members will review the AELS Bylaws and submit recommendations to be included in the February board packet.

On a Motion duly made by Catherine Fritz, seconded by Colin Maynard and approved unanimously, it was RESOLVED to review all AELS statutes and regulations for updating.

23. Committee Updates

A. Arctic Engineering/ Northern Design Committee – Maynard recommended Anderson for the Committee Chair. Several members agreed. Fritz reiterated that the Committee would review for content, qualifications, and quantity and provide a draft of the criteria for the full board to review at the February meeting.

B. Board Outreach – Maynard reported that he presented to the mechanical engineering wrap up course at UAA. Johnston said she had been asked to provide an AELS Board update to at the ASPE⁸-Fairbanks chapter meeting. Fritz asked members of the board to complete reports for outreach activities. A couple members were skeptical about the outreach reports and indicated that they felt it was excessive. Fritz explained that the purpose of the outreach report was to track the board activities.

Task: Jones will write a report on Arctic Course Discussion with UAA faculty.

C. Continuing Education Committee – Fritz and Johnston will work with Jones on updating the CE Report Form prior to the 2018-2019 audit that would be conducted in early 2020. Several members agreed. Johnston added that she also planned to look at model law language and get clarity on pre-approved courses for future changes to the continuing education regulations.

D. Emeritus Status Committee – Maynard expressed his interest in Emeritus status with NCEES.

E. Guidance Manual – Jones reported that she would be publishing an updated version in early 2020 with a few minor edits.

F. Investigative Advisory Committee – Fritz reminded the board that the AELS Investigator requested names of people that might be able to serve as expert witnesses.

G. Legislative Liaison Committee – The board briefly discussed sponsorship for their proposed changes.

Task: Jones will check with the Deputy Director and Legislative Liaison for further guidance and follow up with the Board.

⁸ Alaska Society of Professional Engineers

Task: The Chair asked Jones to compile all the proposed changes and send to the board for review.

H. Licensure Mobility Committee – No updates beyond previously discussed changes to statutes and regulations related to revisiting delegation of authority to staff and work on short forms for council record holders.

24. National Organizations

A. CLARB – Urfer reported that there was a lot of discussion at the Annual Meeting about getting future landscape architects involved, deregulation and educating the public as to who we (landscape architects) are and what we do.

B. NCARB – The Chair mentioned that the strategic plan was introduced at the Annual Meeting in June. Fritz commented that WCARB is in the process of finalizing their strategic plan. Jones reported that the Member Board Executive (MBE) Committee is requesting copies of training materials for new board members from each jurisdiction to review with the intent to create a library of resources for MBEs.

C. NCEES – Maynard reported that they will be moving facilities in the Spring of 2020. Maynard stated that there was some discussion at the annual meeting about unapproving the second and third year donations to Engineers w/out Borders, but it failed. Kerr said the module format of the survey exam was adopted at the Annual Meeting. Maynard mentioned that the board has been tasked with reviewing Hawaii’s regulations. Jones commented that time would be allotted on the February agenda to complete that task.

25. Read Applications into the Record

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

| | | | | |
|------------|----------------|--------|-----------------|----------|
| MIKHAEL | ALEKSEYEV | COMITY | MECHANICAL | APPROVED |
| LOGAN | ALLENDER | COMITY | CIVIL | APPROVED |
| ALEXANDER | AQUINO | COMITY | CONTROL SYSTEMS | APPROVED |
| JEFFREY | ARTHUR | COMITY | CIVIL | APPROVED |
| ROBERT | BAEHR | COMITY | ELECTRICAL | APPROVED |
| DAVID | BRAGG | COMITY | CIVIL | APPROVED |
| BRIAN | BURNHAM | COMITY | STRUCTURAL | APPROVED |
| JOSHUA | CATHEY | COMITY | MECHANICAL | APPROVED |
| CHRISOPHER | CURTIS | COMITY | ELECTRICAL | APPROVED |
| JOSE | DIAZ-VELAZQUEZ | COMITY | MECHANICAL | APPROVED |
| MICHAEL | DRAGON | COMITY | MECHANICAL | APPROVED |
| CHRISTIAN | GORRY | COMITY | CIVIL | APPROVED |
| GREG | GUILLORY | COMITY | ELECTRICAL | APPROVED |
| JAMES | HERSTON | COMITY | CIVIL | APPROVED |
| ROBERT | INDRI | COMITY | CIVIL | APPROVED |
| KEVIN | JOHNSTON | COMITY | CIVIL | APPROVED |
| NICOLE | MONROE | COMITY | ENVIRONMENTAL | APPROVED |

| | | | | |
|-------------|---------|--------|------------|----------|
| JAISON | MORAS | COMITY | ELECTRICAL | APPROVED |
| JENNIFER | NEWELL | EXAM | ARCHITECT | APPROVED |
| RAYMOND | NOLD | COMITY | ELECTRICAL | APPROVED |
| JAKE | PI | COMITY | CIVIL | APPROVED |
| STEVEN | TAYLOR | COMITY | MECHANICAL | APPROVED |
| CHRISTOPHER | NICHOLS | COMITY | STRUCTURAL | APPROVED |

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

| | | | | |
|----------|-----------|--------|---------------------|-------------|
| CHRIS | ARLANDSON | COMITY | CIVIL | CONDITIONAL |
| MANUEL | ARMIJOS | COMITY | FIRE PROTECTION | CONDITIONAL |
| ROBERT | BLOMQUIST | COMITY | MECHANICAL | CONDITIONAL |
| ANDREW | CHURCHILL | COMITY | ARCHITECT | CONDITIONAL |
| JACK | DANBERG | COMITY | ARCHITECT | CONDITIONAL |
| KYLE | DRAPEAUX | EXAM | CONTROL SYSTEMS | CONDITIONAL |
| JACOB | EISSES | EXAM | CHEMICAL | CONDITIONAL |
| JEFFREY | GERBER | COMITY | ARCHITECT | CONDITIONAL |
| TYLER | HANSEN | EXAM | CIVIL | CONDITIONAL |
| MATTHEW | HAYDEN | EXAM | LAND SURVEYOR | CONDITIONAL |
| CURTIS | HENRY | EXAM | MECHANICAL | CONDITIONAL |
| MATTHEW | HOLM | EXAM | STRUCTURAL | CONDITIONAL |
| MARIE | HULSE | COMITY | LANDSCAPE ARCHITECT | CONDITIONAL |
| SARAH | IRBY | EXAM | ARCHITECT | CONDITIONAL |
| ERIK | JONES | EXAM | LANDSCAPE ARCHITECT | CONDITIONAL |
| ERIC | KOPPANA | EXAM | CIVIL | CONDITIONAL |
| CLAYTON | KRUEGER | EXAM | CHEMICAL | CONDITIONAL |
| MARY | MCRAE | EXAM | CIVIL | CONDITIONAL |
| MICHAEL | NASH | EXAM | MECHANICAL | CONDITIONAL |
| KARINA | PACKER | EXAM | ENVIRONMENTAL | CONDITIONAL |
| JEFFREY | PARSONS | COMITY | CIVIL | CONDITIONAL |
| KRISTIAN | PETERSON | COMITY | CIVIL | CONDITIONAL |
| KEVIN | REALON | EXAM | CHEMICAL | CONDITIONAL |
| ROXANNE | RISSE | EXAM | CIVIL | CONDITIONAL |
| TALISA | RODRIGUES | EXAM | CIVIL | CONDITIONAL |
| MATHEW | ROOT | COMITY | ARCHITECT | CONDITIONAL |
| WILLIAM | RUZICKA | EXAM | ELECTRICAL | CONDITIONAL |
| ZACHARY | SAM | EXAM | ELECTRICAL | CONDITIONAL |
| SCOTT | STILKEY | COMITY | MECHANICAL | CONDITIONAL |

| | | | | |
|---------|----------|--------|---------------------|-------------|
| JOHN | VENABLES | EXAM | ELECTRICAL | CONDITIONAL |
| STEWART | WARD | COMITY | LAND SURVEYOR | CONDITIONAL |
| SIERRA | WOJCIK | EXAM | ARCHITECT | CONDITIONAL |
| TAYLOR | KEEGAN | EXAM | LANDSCAPE ARCHITECT | CONDITIONAL |
| DOROTHY | WIDNER | EXAM | LAND SURVEYOR | CONDITIONAL |
| MATTHEW | HAYMES | EXAM | CONTROL SYSTEMS | CONDITIONAL |
| LEIGH | CLARK | EXAM | CIVIL | CONDITIONAL |

26. Board Member Comments

The board thanked the Chair and KPB Architects for hosting the AELS Board. Several members expressed their appreciation for the dedicated time to review the statutes and regulations and the opportunity to go to UAA to meet with the faculty. Johnston stated that she was disappointed that they were unable to meet in Fairbanks, but was happy to see how much work the board accomplished.

The Chair thanked the staff and members of the board for all their hard work.

The meeting adjourned at 3:55 p.m.

Respectfully submitted:

Alysia D. Jones, Executive Administrator

Approved:

Jeffrey P. Koonce, Chair
Alaska Board of Registration for Architects,
Engineers, and Land Surveyors

Date: _____