

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

MINUTES OF THE MEETING
May 15, 2020

These are DRAFT minutes prepared by staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

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 virtually held on Friday, May 15, 2020.

1. Call to Order/Roll Call

The meeting was called to order at 1:00 p.m.

Board members present, constituting a quorum:

Jennifer Anderson, PE, Civil Engineer, Environmental Engineer
Robert (Bob) Bell, PS, Land Surveyor (Joined at 1:40 p.m.)
Catherine Fritz, AIA, Architect
Jeffrey Garness, PE
Elizabeth Johnston, PE, Electrical Engineer, Fire Protection Engineer
John Kerr, PS, Land Surveyor
Jeff Koonce, AIA, Architect (Chair)
Loren Leman, PE
Eric Milliken, Public Member
Luanne Urfer, PLA, ASLA, MA, Landscape Architect
Fred Wallis, PE, Mining Engineer

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

Rebecca Powers, Executive Administrator
Sara Neal, Licensing Examiner
Alysia Jones, Former Executive Administrator (Attended the Board Member Orientation portion)

The board introduced themselves to new board members Jeffrey Garness and Loren Leman.

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. John Kerr would like to discuss the addition of language to the work experience verification form, which will be discussed as new business. Catherine Fritz would like to discuss the meeting format for reviewing applications in case they have to be reviewed virtually in the future. Jeffrey Koonce would like to discuss a response to the interior designer bill –HB291.

On a Motion duly made by Jeff Garness, seconded by Eric Milliken and approved unanimously, it was RESOLVED to approve the agenda as amended.

4. Application Review – Applications Requiring FULL Board Review

There was one application where the two reviewing Board members had differing opinions. Blake Burley applied as an Engineer by Exam. One of the verifiers of Mr. Burley’s experience who verified 21 months of his experience was not a PE. Neal explained that in the past this experience would have counted towards the total required 48 months but not counted towards the required 24 months of responsible charge experience. The 24 months of responsible charge experience has to be under the supervision of a professional engineer. Neal said experience had been credited this way due to the language on the WEV and in 12 AAC 36.063 that says responsible charge time has to be gained under a licensed PE. Koonce asked for the two reviewing Board members, John Kerr and Fred Wallis, to state their opinions. John Kerr pointed out that the language in the WEV is not quite right. The WEV form should say that the responsible charge time should be gained under a professional engineer in the discipline in which the person is applying. Kerr said that when reviewing PLS applications he has not seen in his seven years on the Board experience not gained under a licensed PLS be approved. Fred Wallis thought that in the past we had approved sub-professional and professional experience gained under a non-PE if a PE was not readily available. Koonce asked for the Board to see the verification. Kerr said that the WEV has language on it that could mislead people to think that experience gained under a non-PE would be acceptable but the statutes and regulations do not support that. Kerr said that if Burley could submit a verification of work that was supervised by a PE then he could sit for the exam. Wallis agrees. The Board agreed to vote on Burley through mail ballot once acceptable verified experience is submitted.

5. Read Applications into the Record

On a Motion duly made by Elizabeth Johnston, seconded by John Kerr 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.

Bartlomiej	Rajtar	Comity	Electrical	APPROVED
Jarod	Hall	Comity	Architect	APPROVED
Joshua	Thompson	Comity	Chemical	APPROVED
Lyle	Swanson	Comity	Electrical	APPROVED
Mahendra	Shewalla	Comity	Civil	APPROVED

Matthew	Seale	Comity	Mechanical	APPROVED
Paul	Giever	Comity	Civil	APPROVED
Raymond	Turenne	Comity	Electrical	APPROVED
Rollie	Childers	Comity	Architect	APPROVED
Tayler	Burgess	Comity	Mechanical	APPROVED
Terry	Mandziak	Comity	Civil	APPROVED
Timothy	Scott	Comity	Civil	APPROVED
Wells	Holmes	Comity	Civil	APPROVED
Wells	Holmes	Comity	Structural	APPROVED
Xin	Lu	Comity	Civil	APPROVED

On a Motion duly made by Elizabeth Johnston, seconded by John Kerr 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.

Alexander	Daddow	Comity	Civil	CONDITIONAL
Andrew	Ducomb	Exam	Environmental	CONDITIONAL
Bruce	Colony	Comity	Electrical	CONDITIONAL
Cody	Mecham	Comity	Electrical	CONDITIONAL
Conrad	Guymon	Comity	Civil	CONDITIONAL
Craig	Schuettpelz	Comity	Civil	CONDITIONAL
David	Quirk	Comity	Mechanical	CONDITIONAL
Jacob	Perkins	Comity	Civil	CONDITIONAL
Jason	Eickmeier	Comity	Mechanical	CONDITIONAL
Jeremy	Whitley	Comity	Electrical	CONDITIONAL
John	Strub	Comity	Civil	CONDITIONAL
John "Mike"	Goodman	Comity	Fire Protection	CONDITIONAL
Jordan	Furlan	Comity	Civil	CONDITIONAL
Joshua	Tempel	Exam	Mechanical	CONDITIONAL
Matthew	Bell	Comity	Civil	CONDITIONAL
Mircea	Niculescu	Comity	Electrical	CONDITIONAL
Orry	Zumbiel	Comity	Civil	CONDITIONAL

Patrick	Staron	Comity	Civil	CONDITIONAL
Robert	Cummings	Comity	Environmental	CONDITIONAL
Roy	Reiss	Exam	Mechanical	CONDITIONAL
Ryan	McDaniel	Comity	Civil	CONDITIONAL
Steve	Lee	Comity	Civil	CONDITIONAL
Stuart	Stringer	Comity	Structural	CONDITIONAL
Tamas	Deak	Exam	Architect	CONDITIONAL
Thomas	Alley	Exam	Mechanical	CONDITIONAL
Troy	Tempel	Exam	Mechanical	CONDITIONAL
Tyler	Carlson	Comity	Architect	CONDITIONAL

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

Blake	Burley	Exam	Mechanical	INCOMPLETE
-------	--------	------	------------	------------

Once Mr. Burley’s application is complete, it will be represented to the board as a mail ballot.

6. Board Member Comments

The next meeting date is changed from August 17-18, 2020 to August 13-14, 2020, with the assumption that the format will be virtual.

7. New Business

John Kerr proposes changes to the work experience verification forms, which will be transmitted. Item 3 says, “Using the definition from page 1, of the time considered “professional” work, how many months was the applicant in a position of “responsible charge”? (Only PEs may verify “responsible charge” experience).” 12 AAC 36.063 says that the applicant must gain responsible charge experience while under the responsible control of a professional engineer registered in the United States in the branch of engineering for which the applicant has applied. The branch of engineering for which the applicant has been applied needs to be added to the work experience verification form so we can distinguish general professional work, where any other PE could verify the work. Any place where we are looking for responsible charge needs to meet what the regulation says. Catherine Fritz thinks it is important for reviewers, especially when they are reviewing outside of their discipline, that the information is reflecting on their board ballot.

TASK: Rebecca Powers and Sara Neal will work with John Kerr to amend the Work Experience Verification form to include clarifying language from 12 AAC 36.063.

The board needs to draft a response letter to the sponsor of HB291. Catherine Fritz asked that we invite the sponsor to speak to the board about the bill. This will be added to the November 2020 agenda.

The board is hopeful that they will be able to work in person in the future. Reviewing applications virtually was very difficult. The board needs to bring the four new board members into the work that they do, which is difficult without working alongside veteran board members. Catherine Fritz proposes we have a scheduled time where applications were reviewed virtually where the public can listen to the conversations to determine how board members are applying the regulations and showing consistency in context with applications reviewed in the past.

This is a truncated agenda. Typically, there are several items that warrant lively discussion – regulation projects, statute projects, etc. Hopefully by August, the board will be able to meet in their standard, in-person format.

Continuing Education Audit letters will be sent to licensees and responses will be reviewed at the August meeting. Elizabeth Johnston will put together a new audit form based on NCEES' form.

8. New Board Member Orientation

Former Executive Administrator Alysia Jones joined the meeting to walk new board members through a basic orientation.

New Matters

Board Chair Jeffrey Koonce would like to develop a standard agenda for future meetings.

Elizabeth Johnston suggested that audit notifications should be sent in June due to many people needing extra time to put their information together. Licensees can request an extension if they have difficulties accessing records due to COVID-19.

Elizabeth Johnston has been receiving questions on industrial exemptions. She has received two inquiries but did not feel comfortable speaking for the board. The first inquiry is related to an engineer who is not working under a licensed PE and feels they are being supervised inappropriately, but they are working for someone in a utility, so they are not being supervised directly. The question is, can an EIT ethically take direction from an unlicensed PE. Will that be held against them later if it's found out the work was incorrect. Johnston says if the utility is practicing within our guidelines, such as the work is being done for the utility by utility employees, then they fall under the industrial exemption and they don't need to be PEs. If they are stamping the work, even if they are a utility, and they are incompetent, then it's an issue where they're essentially a licensed PE that is stamping work. They don't actually need to have standards to begin with. Elizabeth Johnston will draft a position statement.

The second inquiry also concerns industrial exemption. If an industrial organization is doing work for themselves, they do not have to be licensed. But, if a consultant is doing work for an industrial exemption employer, then they do have to be licensed. Our regulations say a person may not practice or offer to practice architecture who isn't licensed. Elizabeth Johnston says if they are a consultant, then they have to be licensed. The utility says they have never practiced that way. She reiterated to the company that if they are doing work for themselves, they're fine. If it's anybody else, in the state of Alaska doing the work, then they must be licensed, even if it's for a normally exempt industry. Bob Bell stated that he was the consulting engineer's council when the issue went before the legislature. The idea is that they can design

their own stuff and not have to be registered. The public facilities/utilities would fall under that category. Catherine Fritz suggested that pointing out the structure of the statute might help make it clear that if they're going to hire consultants, then the consultants must be licensed engineers. Elizabeth Johnston will write a response to add to the guidance manual.

By the next meeting, John Kerr will be the board chair, Elizabeth Johnston will be the vice-chair, and Jennifer Anderson will be the secretary.

New Executive Administrator Rebecca Powers let the board know that she values feedback and requested the board members to feel free to provide any feedback and constructive criticism.

8. Adjourn Meeting

The board adjourned at 2:21 p.m.

Respectfully submitted:

Rebecca Powers, Executive Administrator

Approved:

John B. Kerr, Chair
Alaska Board of Registration for Architects,
Engineers, and Land Surveyors

Date: _____