

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

6
7 **MINUTES OF MEETING**

8
9 **August 21-22, 2003**

10
11 By authority of AS 08.01.070 (2) and in compliance with the provision of AS
12 44.62, Article 6, the Board of Registration for Architects, Engineers and Land
13 Surveyors, (AELS) held a meeting at the State Office Building, Commissioner's
14 Conference Room A, 333 Willoughby Avenue, Juneau, Alaska 99811-0806.

15
16 **Thursday, August 21, 2003**

17
18 **Agenda Item 1 – Call to Order and Roll Call**

19
20 Robert Miller, Chair, called the meeting to order at 9:04 a.m.

21
22 Members present and constituting a quorum of the Board were:

23
24 Robert Miller, Chairperson, Ph.D., Civil Engineer
25 Daphne Brown, Architect
26 Linda Cyra-Korsgaard, Landscape Architect, Temporary Board Member
27 Robert Gilfilian, Civil Engineer
28 Donald J. Iverson, Electrical Engineer
29 Patrick Kalen, Land Surveyor
30 Scott McLane, Land Surveyor
31 Kimberly Mills, Public Member

32
33 Joining the meeting at 9:06 a.m. was:

34
35 Patricia Peirsol, Architect

36
37 Absent were:

38
39 Kathleen Gardner, Vice-Chairperson, Mechanical Engineer
40 Ernie Siemoneit, Secretary, Mining Engineer, excused from the meeting.

41
42 Representing the Division of Occupational Licensing:

43
44 Nancy Hemenway, Executive Administrator
45 Julie Adamson, Licensing Examiner

1
2 Joining a portion of the meeting, in person were:

3
4 Rick Urion, Director, Division of Occupational Licensing

5
6 David Brower, Assistant Attorney General

7
8 John R. Clark, Occupational Licensing Investigator

9
10 Steve Shows, City and Borough of Juneau, Department of Community
11 Development, Building Division, Building Inspector, Juneau, AK 99801

12
13 Lance Mearig, PE, 10478 Fox Farm Rd., Juneau, AK 99810

14
15 Sam Kito III, PE, PO Box 21192, Juneau, AK 99802

16
17 Peirsol asked to be excused at 11:00 a.m. on Friday for the duration of the
18 meeting.

19
20 Cyra-Korsgaard asked to be excused from today's meeting at 11:30 a.m.

21
22 The Chair noted Gardner would arrive on this morning's plane from Anchorage.

23
24 **Agenda Item 2 – Review/Revise Agenda:**

25
26 Brown proposed that subgroups be changed, to add the Annual Report . She
27 wanted to revise some sections of the annual report, to consider adding a
28 legislation request for statutory authority for issuing stop work orders, and to
29 clarify the Board's requests for travel. The Chair responded that smaller
30 groups work well.

31
32 Linda Cyra-Korsgaard stated that she has not met with the landscape
33 subgroup since the last meeting and asked to continue that subgroup
34 discussion at this meeting.

35
36 Miller recapped that at 10:30 subgroups would be the Annual Report, the
37 Landscape Architect Practice, and that Canadian Reciprocity and Engineering
38 Disciplines would be moved to Old Business.

39
40 Brown asked that the Washington Board's definition for health, safety, and
41 welfare could be moved to New Business, along with consideration of a stop
42 work legislative change.

43
44 **Agenda Item 3 – Ethics Report**

45
46 The Chair noted there were no ethics reports or disclosures by Board members.
47 Both new Board members have viewed the ethics video.

1
2 **Agenda Item 4 – Review/Approve Minutes**

3
4 The Chair asked for any corrections or additions to the May 2003 AELS draft
5 minutes.

6
7 Cyra-Korsgaard stated that on Page 12, Line 43, her name had been omitted.

8
9 Gardner indicated that on Page 14, Goal #2 (d) and Goal #3 (c) were duplicates.

10
11 The Chair asked to have Goal #2 (d) deleted.

12
13 **On a motion duly made by Gilfilian, seconded by Kalen, and**
14 **unanimously adopted, it was**

15
16 **RESOLVED to approve the May 2003 AELS Board meeting**
17 **minutes as amended.**

18
19 The Chair noted that there were no objections and the minutes were approved,
20 as corrected.

21
22 **Agenda Item 5 – Correspondence**

23
24 The Chair referred to Tab 5 and the informational items that are in the public
25 packet. There were no action items at this time.

26
27 A short discussion followed regarding informational items and the Chair
28 requested staff to notify National Council of Examiners for Engineering and
29 Surveying (NCEES), the National Council of Architectural Registration Boards
30 (NCARB), the Alaska Professional Design Council (APDC), and the American
31 Institute of Architects-Alaska (AIA-AK) through their Licensure Exchange of its
32 new members. The new members have been added to the NCEES roster, but it
33 would be helpful to have a more formal recognition.

34
35 **Agenda Item 6 – Subgroups**

36
37 The Chair asked the members to meet in subgroups at 9:27 a.m.

38
39 The Board broke into two subgroups at 9:27 a.m. to discuss the FY 03 Annual
40 Report, and the Landscape Architecture Practice.

41
42 Annual Report subgroup: Peirsol, Kalen, Miller, Iverson, Brown.

43 Landscape Architect Practice subgroup: Cyra-Korsgaard, Gilfilian, Mills, and
44 McLane.

45
46 John Clark, Occupational Licensing Investigator, joined the subgroup,
47 Landscape Architect Practice subgroup, at 9:30 a.m.

1
2 Gardner arrived at 10:00 a.m. and joined the Annual Report subgroup.

3
4 The Board reconvened at 11:01 a.m.

5
6 Mills reported on the subgroup for Landscape Architecture Practice. Mills
7 summarized that the Board should take into account public access, the size of
8 the job, and the number of the people affected by the job (i.e., number of
9 people working and using the property in question). Mills stated this would
10 give more clear-cut regulations and statutes, so there would be less gray area.
11 The criteria from an investigative perspective would require that the
12 investigator have the professional background of the design professional. For
13 example, if the design professional were a civil engineer with a history of
14 landscape design, the engineer could perform landscape architecture. If not,
15 landscape architecture would need to be done by a registered landscape
16 architect. The determination would be done on a case-by-case basis depending
17 on the education, experience, and examination of the practitioner.

18
19 Gilfilian agreed with the criteria mentioned by Mills: public access, the size of
20 the job, and the qualifications of the design professionals doing the work.

21
22 Cyra-Korsgaard stated that, in her view, landscape design is maturing in
23 Alaska. Perhaps it is not the actual plantings, but the total designs that
24 should be addressed. Perhaps plantings are overgrown now, and designs are
25 what should be addressed. If someone has been making mistakes for 20 years,
26 they cannot be presumed to have expertise.

27
28 Peirsol asked how other states handle these issues and Cyra-Korsgaard
29 responded that determinations are done on a case-by-case basis.

30
31 The Executive Administrator advised that Chris Roust, the Juneau Building
32 Official, would not be able to join the meeting today, but that she had invited
33 the Juneau office to send someone in his place, or to have the Building Official
34 join the AELS Board at their February meeting.

35
36 The Chair summarized the Annual Report subgroup. The Board will more
37 clearly outline the Board's focus on the need for public outreach and
38 education, its concerns about travel reduction, and the Board's view that its
39 fees are meant to fund the Board's requests supported by statute under AS
40 08.48.061 (c). The Chair reviewed specific heading and language changes.

41
42 Peirsol added that the mission statement would be expanded.

43
44 Clark suggested that the unlicensed activity could also include corporate
45 authorizations.

46
47 The Board briefly discussed investigative reporting.

48
49 **On a motion by Brown, seconded by Kalen, and unanimously**
50 **adopted, it was**

1 **RESOLVED to adopt the Annual Report, as amended by the**
2 **subgroup.**

3
4 The Chair indicated that the Executive Administrator would make the changes
5 and circulate the document via e-mail for the Board's concurrence.

6
7 Cyra-Korsgaard left the meeting at 11:35 a.m.

8
9 **Agenda Item 9 – Investigator Report**

10
11 The Board Chair moved to take up a matter under Tab 9, the Investigator's
12 Report, since the investigator was present.

13
14 Clark brought up a matter of a land surveyor who had some problems with a
15 poorly done survey that would ultimately result in the loss of property. He
16 briefly outlined the Case #0104-02-006, based on a complaint from a
17 landowner regarding a right-of-way in Ketchikan. He indicated that the Land
18 Surveyor, Earl Fosse, Alaska AELS License #3408, agreed to surrender his
19 license if the Board would not take formal disciplinary action against him in
20 this matter.

21
22 **On a motion by Kalen, seconded by Brown, and unanimously**
23 **adopted, it was**

24
25 **RESOLVED, to accept the license surrender of Earl L. Fosse,**
26 **#3408.**

27
28 The Chair noted that the motion passed unanimously, no objections.

29
30 The Chair signed the Agreement to Surrender the Professional Land Surveyor
31 License document and gave it to the Investigator.

32
33 Brown asked that the matter be included in the next Board Meeting Summary
34 and be posted on the website.

35
36 The Chair indicated the Board would break for lunch at 11:40 a.m.
37 Reconvened: 1:15 p.m.

38
39 **Agenda Item 8 – Public Comment**

40
41 The Chair indicated the Board would now take up Public Comment and noted
42 that Steve Shows, with the City and Borough of Juneau, was present.

43
44 Shows introduced himself, and explained that he was asked by the Executive
45 Administrator to participate since Chris Roust was ill. He discussed issues
46 and concerns that crop up in the course of plan reviews at the City and
47 Borough of Juneau. He explained that he and others in his department do
48 plan review in terms of code compliance and City and Borough of Juneau
49 ordinances with respect to architects, engineers, land surveyors, and landscape
50 architects.

1 He explained their goal is to provide the least amount of burden to the public
2 they serve while providing assurances that public safety is met on projects.
3 Determining factors are cost, complexity, size of project, and if it is a residential
4 or commercial project. The ordinance requires a plan to be complete enough to
5 review it for code compliance. The Building Official is a member of the
6 International Code Council.

7
8 He explained that, while he is certified, and while he (and other Building
9 Officials) are not registered design professionals, they are qualified to make
10 determinations for code compliance, and do know what plans require a seal.
11 While ideally, each project would have architect, civil, electrical, mechanical
12 engineer, or other registrant-sealed documents, at times it is more practical to
13 have a civil engineer's seal on the document and an architect not necessarily
14 involved.

15
16 Mearig joined the meeting at 1:23 p.m.

17
18 Brown indicated her concern that the Building Officials would not require an
19 architect on commercial projects, even if they were small due to the life safety
20 issues involved.

21
22 A discussion followed regarding the necessity to have an architect, and
23 engineers (civil, mechanical, and electrical) involved in projects.

24
25 Shows indicated in the real world it is not practical and the Building Officials
26 have the expertise to know when compliance has been reached.

27
28 Shows read from the Municipal Ordinance, 19.01.106.3.2 Submittal
29 Documents...."Plans and specifications for all occupancies, except group R
30 occupancies having four or fewer dwelling units and group U occupancies,
31 shall be prepared, stamped and signed by an engineer or architect licensed by
32 the State to practice in the appropriate discipline; provided, that on renovation
33 work and, when not used for human habitation, minor additions and small
34 structures, the building official may waive the requirement for plans and other
35 data/or for production of plans by a licensed architect or engineer if the
36 building official determines that the work to be done is minor and will have
37 little or no effect on structural integrity or safety."

38
39 A short discussion followed.

40
41 Shows indicated the system is working; it is not broken. They do report abuses
42 to the Division of Occupational Licensing when necessary. He stated the City
43 and Borough of Juneau has been pleased with the results of any investigations
44 and they would continue to report, when necessary.

45
46 Shows also asked the Board to try to get appropriations to carry out the
47 regulations. Cost is definitely a factor in the built environment and the
48 practical aspects of the permitting process.
49

1 Brown expressed concern that, in some rural jurisdictions, Building Officials
2 do not and may not have the same dedication and skills that the Juneau
3 Building Officials have and the Board seeks consistency in application of its
4 regulations. The Board is trying to bring people into compliance.

5
6 Shows stated his willingness to work with the Board on the common goal of
7 public protection through life, safety compliance with regulations that are
8 enforceable. He indicated the variety of engineers needed in rural communities
9 simply are not available (they may have a civil engineer but not a mechanical or
10 electrical engineer). He stated they require multiple stamps when the project
11 warrants it but he has not seen support for a landscape architect's seal.

12
13 Shows stated that he appreciated the opportunity to work with the board in the
14 future and will prepare a document to help define some of the terms and areas
15 of ambiguity.

16
17 The Chair thanked Steve Shows for his candid comments and articulate report.
18 He also indicated the Board invited the Fairbanks Building Official to
19 participate last May, and at the November meeting will ask the Anchorage
20 Building Official to attend the meeting. He felt that the Board could work
21 toward some middle ground and understood that the Building Officials can be
22 subject to political repercussions.

23
24 Kalen joined the meeting at 1:40 p.m.

25
26 Brown indicated that there is a clear cut standard, not open for interpretation
27 by individual Building Officials.

28
29 Shows indicated if the Board had the authority to stop projects, and the public
30 was willing to pay for the enforcement, then there would be more compliance.

31
32 Iverson noted he has seen many plans in rural areas that are inadequate.

33
34 Peirsol stated the Board is aware of these discrepancies and wants to promote
35 discussion about making the regulations realistic and enforceable. She asked
36 Shows if he would be interested in providing the Board with his thoughts on a
37 reasonable method of dealing with permit applications.

38
39 Iverson indicated that he would be interested in the written document to see
40 how the City and Borough of Juneau has drawn the line and Shows agreed to
41 provide it.

42
43 Shows indicated he would present his comments to the Executive
44 Administrator.

45
46 The Chair indicated that Mearig was present and welcomed the former Board
47 member.

1 Mearig spoke in favor of expanding engineering disciplines and is interested in
2 having the environmental engineering discipline added to the six disciplines
3 currently offered in Alaska.

4
5 The Chair thanked Mearig and offered the comment that NCEES indicated the
6 only core courses currently offered in all engineering programs is calculus.

7
8 Break: 2:07 p.m.

9 Reconvene: 2:20 p.m.

10
11 The Chair moved the Board back to Tab 9, Investigator report.

12
13 **On a motion by Kalen, seconded by Mills, and unanimously adopted,**
14 **it was**

15
16 **RESOLVED to postpone Old Business, and to go into Executive**
17 **Session when the Investigator completes his report. Clark**
18 **reviewed his report and answered questions about the report.**
19

20 Brown was concerned about a case that was closed because it was more than
21 one year old. The Board held a brief discussion.

22
23 Peirsol asked Clark to clarify if he works for the Board or for the Division of
24 Occupational Licensing (Occupational Licensing) and Clark indicated he works
25 for the Division of Occupational Licensing and is assigned work for this Board
26 as well as other Board and non-Board areas, such as the Contractors section.

27
28 The Board discussed empowering the Investigators with the ability to stop
29 work. Currently, if the investigator issues an order and it results in a fine, the
30 party may choose to pay the fine and continue to work without an architect or
31 engineer, because it is less expensive than hiring the professionals.

32
33 Clark indicated the Fire Marshal can stop a project, but the Division of
34 Occupational Licensing cannot.

35
36 Clark asked for clarification on a matter he referred to the land surveyors on
37 the Board.

38
39 Kalen said he did not yet receive the materials.

40
41 Clark explained surveyors are submitting as-built surveys, and property
42 owners are altering and resubmitting them with the original stamp to the
43 Municipality of Anchorage.

44
45 The Board discussed this practice and felt it was not allowable or appropriate
46 to change or alter an existing survey that was sealed by a professional land
47 surveyor.

48
49 **On a motion by Kalen, seconded by Mills, and unanimously adopted,**
50 **it was**

1 **RESOLVED that the Board Chair write a letter to the**
2 **municipal attorney to object to this practice.**
3

4 Clark indicated he has some cases of fire control equipment and design
5 advertising where the individual is using “engineer” in the advertisement.
6 Clark indicated he would respond by sending a letter to the advertisers.
7

8 Brown asked to have the Board consider developing a statute to give the
9 investigator the authority to stop work. Clark indicated he would work on draft
10 language and bring it back to the Board tomorrow.
11

12 Break: 3:00 p.m.

13 Reconvene: 3:04 p.m.
14

15 **Agenda Item 11 – Application Reviews**
16

17 **On a motion by Kalen, seconded by McLane , and unanimously**
18 **adopted, it was**
19

20 **RESOLVED to go into executive session for the purposes of**
21 **reviewing applicant files at 3:05 p.m.**
22

23 The Executive Administrator put up a sign that the Board was now in
24 Executive Session.
25

26 The Board recessed at 6:45 p.m.
27

1 **Friday, August 22, 2003**

2
3 **Agenda Item 12 – Convene/Roll Call**

4
5 Members present and constituting a quorum were:

6
7 Robert Miller, Chairperson, Ph.D., Civil Engineer
8 Daphne Brown, Architect
9 Kathleen Gardner, Vice-Chairperson, Mechanical Engineer
10 Robert Gilfilian, Civil Engineer
11 Donald J. Iverson, Electrical Engineer
12 Patrick Kalen, Land Surveyor
13 Scott McLane, Land Surveyor
14 Kimberly Mills, Public Member
15 Patricia Peirsol, Architect
16 Linda Cyra-Korsgaard, Landscape Architect
17

18 Absent was:

19
20 Ernie Siemoneit, Secretary, Mining Engineer
21

22 Representing the Division of Occupational Licensing:

23
24 Nancy Hemenway, Executive Administrator
25 Julie Adamson, Licensing Examiner
26

27 Joining a portion of the meeting, in person, on August 22, 2003 were:

28
29 John R. Clark, Investigator
30 David Brower, Assistant Attorney General, Department of Law
31 Rick Urion, Director, Division of Occupational Licensing
32

33 The Chair asked if there were any concerns about files that needed to be
34 addressed.
35

36 The Executive Administrator explained there were several files needing
37 additional review.
38

39 The Board came out of executive session at 8:10 a.m.
40

41 The Chair moved to Tab 10, Old Business.
42

43 **Agenda Item 10 – Old Business**

44
45 Gardner brought up the review of the Arctic Engineering Courses. She
46 indicated the courses are due for a review at the November 2003 meeting and
47 she was tasked in the subgroup to develop evaluation criteria for the course.
48 She is in the process of researching some baseline minimum requirements and
49 the feasibility of a take- home examination.
50

1 The Chair thought that would be too much to have presented at the November
2 meeting and suggested that a teleconference in September would be needed.

3
4 Kalen stated he has heard negative feedback about the short course.

5
6 Gardner reported she heard more positive remarks.

7
8 McLane reported he heard more positive remarks, too, and the mobility of
9 taking the on-line course in rural areas is appreciated.

10
11 Iverson reported he heard positive feedback about the subject matter.

12
13 Gilfilian was not able to take the course, but has looked at the hard copy of the
14 course, and felt it was adequate.

15
16 Gardner said the complaints are about technical problems with the delivery of
17 the course, not the content.

18
19 Brown said that UAA should offer more choices than just the short course, but
20 that cannot be addressed now.

21
22 The Board held a short discussion about the possibility of offering a separate
23 course for each discipline as an option to consider.

24
25 Kalen stated the nature of the complaints were the length of the course.

26
27 The Executive Administrator stated some objections have been removed by
28 APDC per her brief conversation with Terry Schoenthal, APDC. After a review
29 of the course and the time students need to complete the assignments, he was
30 less concerned with the length of the course, but she wasn't certain this was a
31 formal opinion.

32
33 The Chair would like formal input from Architects, Engineers and Landscape
34 Architects, relevant to their disciplines, and would like a set of criteria that can
35 be used to evaluate courses.

36
37 Brown suggested a teleconference the week of September 22nd or a date in
38 about that timeframe to discuss the minimum criteria for the Board approved
39 arctic course.

40
41 Peirsol asked for clarification on how often the course is approved by the
42 Board.

43
44 The Chair responded it is usually once every two years, in May, and that
45 Gilfilian, Gardner, and Miller are in the subgroup.

46
47 The Chair brought up ELSEES Examination administration and explained that
48 NCEES is pushing to take over the NCEES examination administration. About
49 18 jurisdictions are currently being administered in October 2003 and an

1 additional four are scheduled for April 2004, so less than half of the 55
2 jurisdictions are administered by NCEES.

3
4 The Executive Administrator explained that NCEES was going to require a \$1
5 million bond, but backed off from that. They were also going to decline to
6 proctor for other jurisdictions, or not allow other jurisdictions proctor
7 candidates from states they administer, but they will now allow proctoring.

8
9 The Chair indicated he has concerns about costs which would be passed
10 through to college engineering students and that some engineering students
11 may decline taking the Fundamentals of Engineering examination due to those
12 costs, at the same time that we are encouraging licensure.

13
14 Brown would like to recommend the Board allow NCEES to administer our
15 exams.

16
17 Kalen agreed students may decline to take the examinations. He also
18 expressed concerns that while initially all three sites would be offered, NCEES
19 may move to offer examinations at one site in Alaska, probably Anchorage. He
20 was concerned candidates would bear extra travel costs to Anchorage.

21
22 Brown mentioned examination security issues and thinks it would be an
23 incentive to send the Executive Administrator or a Licensing Examiner for
24 additional training.

25
26 Gardner suggested that someone from NCEES come and observe the Alaska
27 examination administration.

28
29 Brown suggested the Executive Administrator inquire about costs for an
30 observer from NCEES to oversee the Alaska examination administration for
31 suggestions about examination security and to report back.

32
33 The Chair moved on to the subject of Engineering Disciplines, relocated from
34 Subgroups to Old Business, Tab 10.

35
36 Iverson stated from the information acquired at the annual NCEES meeting
37 that there was a general lack of core courses in engineering specialties, and
38 consequently the general PE license seems less and less appropriate.

39
40 The Board discussed briefly non-discipline specific licensure in other
41 jurisdictions and their lack of enforcement issues as reported by
42 administrators.

43
44 Gardner asked the investigator, Clark about enforcement on non-discipline
45 license.

46
47 Clark thought it would make enforcement more difficult, and the public would
48 not be aware of what training an engineer would have.

49
50 **On a motion by Brown, seconded by Kalen, and not passed, it was**

1
2 **RESOLVED to start a regulation project to add environmental**
3 **engineering to the engineering disciplines offered in Alaska.**
4

5 Discussion followed.

6
7 Gilfilian suggested adding structural engineering also.
8

9 Brown indicated the Board has received consistent requests to add
10 environmental engineering as a discipline.

11
12 Kalen supported adding environmental engineering as an engineering
13 discipline.
14

15 Iverson noted since there is an inconsistency with engineering degree
16 programs, perhaps the Board should consider allowing an applicant to take the
17 civil, environmental, or structural examination options for a civil engineering
18 license by exam.
19

20 Gardner asked the investigator his view, in terms of enforcement, of allowing
21 the civil, environmental and structural examinations and licensing the
22 applicant as a civil engineer.
23

24 Clark supported the concept.
25

26 McLane supported allowing all three exams for civil engineering.
27

28 Brown asked for clarification if the examination would be tracked or if the
29 license would be issued as Civil, Civil-Environmental, or Civil-Structural.
30

31 The Board discussed the concept and there was general support.
32

33 The Chair recapped the motion before them:
34

35 **On a motion by Brown, seconded by Kalen, it was**
36

37 **RESOLVED to start a regulation project to add environmental**
38 **engineering to the engineering disciplines offered in Alaska.**
39

40 **The Chair asked for a show of hands and the motion failed 3 yeas to 6**
41 **nays, as follows:**
42

43 Yeas: Kalen, Gardner, and Brown.

44 Nays: Miller, Iverson, McLane, Mills, Peirsol, and Gilfilian.
45

46 The Chair noted the motion failed.
47

48 The Chair formed a subgroup to examine the concept consisting of Iverson,
49 Gilfilian and Miller. He asked Clark to check with Oregon on enforcement
50 issues.

The Chair brought up Canadian Reciprocity and mentioned that one option to consider is reducing the number of years required for Fundamentals of Engineering waiver for those applicants who have an ABET accredited degree or its equivalent.

The Chair asked to have this under Old Business on the November Agenda, and have information added to the packet on requirements in other jurisdictions. The Chair moved to Tab 13, Goals and Objectives.

Agenda Item 13 – Goals and Objectives

Gardner indicated the Board developed a broader mission statement in 2000 and it was never formally adopted, and read as follows:

AELS Mission Statement

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; and*
- Enforcing both the licensure and competency requirements in a fair and uniform manner. Dated: 2/15/00*

On a motion by Brown, seconded by McLane, and unanimously adopted, it was

RESOLVED to adopt the mission statement and add it to the Annual Report.

The Chair noted that the motion was adopted without objection.

Cyra-Korsgaard asked that the date also be added, February 15, 2000, for tracking purposes.

The Executive Administrator asked if this could also be added to the Board Policies as well and the Chair agreed.

The revised AELS Board's Goals and Objectives are:

Goal #1 – Increase Board's work efficiency.

Objectives	Lead Responsibility	Target Date
a) Establish an orientation program for new Board members to assist in getting up to speed as	Miller	Ongoing

quickly as possible. Provide Sample applicant files to new members.		
b) Update and maintain goals and objectives.	Chair & Exec. Adm.	Ongoing
c) Update and maintain clear record of Board operating policies and procedures previously adopted by the Board. Date and track progress of all proposed changes to these policies and procedures.	Chair & Exec. Adm.	Ongoing
d) Automate AELS application and licensing process by: <ul style="list-style-type: none"> Distributing and receiving applications electronically Structuring database so that it minimizes manual data entry Structuring database so that it can answer queries easily. 	Staff oversee and track	Ongoing
e) Pursue training for Board and staff.	Board and Staff	Ongoing
f) Pursue strategic planning.	Brown and Exec. Adm.	Ongoing
g) Provide letter of Board's intent and understanding relating to any proposed legislative changes; develop procedures for doing the same.	Board	Ongoing
h) Establish subcommittee work at each meeting.	Chair	Ongoing
i) Increase dedicated attorney time.	Chair	Ongoing

Goal #2 – Increase Board's cost effectiveness.

Objectives	Lead Responsibility	Target Date
a) All Board members or administrators who attend a regional or national professional function on behalf of Board shall submit a written report to rest of Board to share knowledge gained.	Attending Board member and/or Staff	Every Board meeting; ongoing
b) Examine feasibility of Board autonomy.	Gardner, Gilfilian, Kalen	2/2004
c) Obtain and analyze Board budget annually and request audit of income or expenses as appropriate.	Chair & Exec. Administrator	Ongoing

Goal #3 – Ensure that all individuals practicing within state are either registered or fall within appropriate exemptions to registration.

Objectives	Lead Responsibility	Target Date
a) Determine what action, if any is necessary to encourage registration of University of Alaska architects, landscape architects, land surveyors and engineering faculty, state and federal design professionals.	Miller	Ongoing
b) Advertise AS 08.48.295 provision for civil penalty for unregistered and unauthorized practice.	Brown ; Exec. Administrator	Ongoing
c) Review "minor importance" overlap between professions.	Mills, Cyra-Korsgaard, McLane, Gilfilian, and Peirsol	Ongoing
d) Send letter to general contractors, electrical and mechanical administrators annually.	Chair, Executive Administrator	Annually (May-June)
e) Adequately fund investigators to pursue unlicensed activity, including site investigation	Chair/Board	Ongoing
f) Seek additional dedicated attorney time for prosecution of unlicensed practice	Chair/Board	Ongoing

Goal #4 – Ensure all materials used to establish competency in the professions are appropriate for use within Alaska.

Objectives	Lead Responsibility	Target Date
a) Review Arctic Course.	Gardner, Gilfilian	11/2003 & 5/2004
b) Update AKLS Exam.	Kalen, McLane	Ongoing
c) Update educational standard references for NCARB publications in regulations.	Board and Exec. Administrator	Annually (Feb mtg.)

Goal #5 – Ensure that Alaska standards stay within the national norms, and its licensing systems are fair and applied uniformly.

Objectives	Lead Responsibility	Target Date
a) Monitor and review latest federal regulations, state Board decisions, and national organization policies relating to NAFTA.	Board and Exec. Administrator	Each Board meeting; ongoing
b) Obtain adequate funding to send “discipline specific” Board members/ Executive Administrator to National, and Zone meetings to ensure Alaska stays informed on national issues and can influence policy issues affecting their professions.	Board and Exec. Administrator	Ongoing
c) Investigate drainage, soils analysis, and hydrographic surveying under the definition of land surveying.	Kalen and McLane	Ongoing
d) Develop regulations to implement model law surveying.	Kalen and McLane	Ongoing
e) Research CLARB council record.	Exec. Administrator, Miller, Cyra-Korsgaard	Ongoing
f) Stay current on all competency and regulatory issues of other jurisdictions	Board and Exec. Administrator	Ongoing

Goal #6 – Improve communications with applicants and licensed professionals.

Objectives	Lead Responsibility	Target Date
a) Structure databases so that applicants can access application via internet and answer queries easily (for application checklist) (See Goal #1, and #4).	Cyra-Korsgaard and staff	Ongoing
b) Update AELS Web Page, including postings of commonly asked questions (FAQs).	Licensing Examiner	Ongoing

Goal #7 – Improve communication with public about Licensing Benefit and Problem Resolution Process

Objectives	Lead Responsibility	Target Date
a) Issue Public Service Notice with contact information for complaints.	Executive Administrator	Ongoing/Website

b) Letter to BBB/Ombudsman re: contact for complaints.	Executive Administrator	11/2003
c) Educate Public about Benefit of using Licensed Professionals (in Public Service Notices).	Mills & Executive Administrator	Ongoing/Website

The Chair moved to the Administrator's report and indicated it was in the packet.

Agenda Item 14 – Administrator's Report

The Executive Administrator explained that one licensing examiner position was vacant and she would be going through the hiring process in September. She indicated Julie Adamson has done an exceptionally good job preparing the files and assuming the duties of both examiners.

Brown asked to review the Board Resolved Actions and the Board held a discussion.

The Executive Administrator explained the sample reactivation form under Tab 14. The Board approved the form, conceptually, at the last meeting, and agreed that staff could process routine retired reactivation license applications, similar to a renewal, without bringing them before the Board. The Board would review only applications with disciplinary action, if necessary, and the Executive Administrator would forward any applications that she thought the Board should review.

The Chair indicated there were no objections to the form or the approval process.

Break: 9:17 a.m.
Reconvene: 9:40 a.m.

The Chair moved to the next agenda item, Tab 15, Budget Summary Report.

Agenda Item 15 – Budget Summary Report

The Chair asked if there were any questions and there were none.

The Chair moved to the next agenda item, Tab 16, Legislation.

Agenda Item 16 – Legislation

The Chair indicated this item was there primarily to give Board members a status of pending legislation.

Kalen indicated the Land Surveying Model Law would be discussed later.

The Chair moved forward to take up the next item on the Agenda, Tab 17, Meet with Board Attorney, David Brower, Assistant Attorney General.

1 **Agenda Item 17 – Meet with David Brower, Assistant Attorney General**

2
3 The Chair brought up questions for the Attorney General.

4
5 The Board Chair introduced the two new members to the attorney, and asked if
6 there were any questions.

7
8 The Chair advised the attorney of Board concerns about unlawful practice and
9 described the situation where work continues and the fine is simply paid. The
10 Board is concerned about life safety issues and would like the enforcement by
11 the investigator to include the ability to shut down a project for non-
12 compliance.

13
14 Brown discussed a medical facility built without design professionals and that
15 the public would not be aware of life safety issues with the building or
16 property.

17
18 The Chair asked the attorney to check if there is current authority or if there
19 would be any problems or conflicts with other statutes and the attorney agreed
20 to do so.

21
22 Brown asked if the attorney worked for the Board or for the Division of
23 Occupational Licensing.

24
25 Brower explained the structure of the Attorney General's office in terms of the
26 four attorneys assigned to the Division and that his supervisor gives him his
27 assignments.

28
29 Brown explained some jurisdictions with semi-autonomous Boards have an
30 assigned attorney and her preference for that type of system. She explained it
31 is extremely helpful to the Board to have someone familiar with Board
32 regulations and statutes that can also attend meetings and conferences.

33
34 The Chair suggested perhaps the attorney could meet with the Board on the
35 first day of a Board meeting so that he could research items on the Board's
36 behalf and report back on the second day.

37
38 McLane asked if the Board were at odds with the Division, if the attorney-client
39 privilege applied to the Board and its attorney.

40
41 Brower responded that someone else would make that decision, not him. The
42 privilege is not as strict as in criminal cases. He could discuss some things
43 with the Board in executive session as Board meetings are public.

44
45 The Chair asked for his interpretation of him representing the Board if they
46 were to ask for enforcement in Superior Court.

47
48 Brower responded he thought the legal opinion would probably be to do as the
49 Board requested depending if the issue was important.

1 Brown asked about bringing people into compliance, with limited enforcement
2 and discussed stop-work authority.

3
4 Brower responded he would research this and thought there were already
5 criminal laws regarding practice without a license, which also includes civil
6 penalties.

7
8 The Chair asked about AS 08.48.331 (7) and referred to the exemptions. The
9 Chair indicated trades craft workers should not be allowed to do work which
10 should be done by design professionals.

11
12 Brower suggested the Board develop a regulation to define building trade
13 crafts. He further noted he wasn't sure what the purpose of the exemption was
14 since there is an exemption for contractors.

15 The Chair referred to the definitions of the practice of architecture and
16 engineering under AS 08.48.341 which include a reference to "of minor
17 importance." The Board has never defined "minor importance" or "incidental
18 practice" but has attempted to do so. They found that there wasn't an easy
19 way to define it overall and it really needed to be decided on a case-by-case
20 basis.

21
22 Brower felt if the Board did not define it, there is no incidence of minor
23 importance allowed.

24
25 McLane and Kalen felt that there is incidence in the real world.

26
27 Kalen pointed out that an earlier Board asked for this statute because there
28 was incidence of minor practice and his recollection was the statute passed in
29 about 1994. He served on the AELS Board at that time, and that was the
30 Board consensus at the time, to his recollection.

31
32 Brown felt the Board still does not have to define it any further.

33
34 Gardner asked who can close cases and indicated the Board had concerns
35 because one case had been closed at the direction of the Division Director.
36 Does the Director have authority to close the Board's cases without consulting
37 the Board?

38
39 Brower responded this was a tough question and cases are closed without
40 Board approval but he does not know how that decision is made.

41
42 Brower made an analogy that the police investigate cases, and the district
43 attorney decides if the case should move forward based on its merits and the
44 resources that will be devoted to the case.

45
46 Clark stated the case is brought by Division and is owned by the Division.

47
48 Gardner and Brown mentioned that Board members are often the ones that
49 review the cases and make the recommendation that the case be closed, or not.

1 Brown requested through the Chair that the attorney be present at the next
2 Board meeting in Anchorage.

3
4 Gilfilian asked if the Board had requested an interpretation about surveying on
5 State lands, and if he had any further input.

6
7 Brower responded that this type of incident would likely be settled in civil
8 court.

9
10 The Chair asked if there were any further questions and there were not.

11
12 Brower left the meeting at 10:28 a.m.

13
14 Mills asked that follow-up, similar to our RESOLVED ACTIONS, be created for
15 the attorney so that we can follow up with our attorney at subsequent
16 meetings.

17
18 Sam Kito joined the meeting at 10:30 a.m. and Peirsol departed the meeting.

19
20 Break: 10:30 a.m.

21 Reconvene: 10:45 a.m.

22
23 The Board briefly discussed issues to raise with the Director.

24
25 **Agenda Item 18 – Meet with Rick Urion, Director**

26
27 Rick Urion, Director, Occupational Licensing, joins meeting at 11:00 a.m.

28
29 The Chair asked Board members to introduce themselves and they did so. The
30 Chair introduced Sam Kito III.

31
32 The Chair briefly reviewed the budget, and noted for planning purposes it
33 would be helpful to know what the balance is prior to the end of the fiscal year
34 so the Board could plan expenditures without adversely impacting registrants'
35 renewal fees.

36
37 Brown mentioned meetings for Canadian Reciprocity are ongoing and she
38 thinks trips could be increased to 14 if there was adequate funding.

39
40 A short discussion followed about reciprocity and that the primary interest is
41 by Canadian engineers seeking licensure in Alaska.

42
43 McLane indicated for land surveying, if a pipeline were to move forward in
44 Canada, Alaskan land surveyors would be interested in providing the work and
45 ask for reciprocity.

46
47 The Board held a short discussion.

1 Union stated this administration's view is favorable towards mobility and any
2 impediments would not be viewed positively. The Director advised the Board
3 not to increase requirements to licensure.

4
5 Iverson indicated this Board is not increasing requirements, but does enforce
6 the ones in place.

7
8 Brown mentioned the Board administers four distinct design professions and
9 travel to conferences keeps the Administrator abreast of activities in other
10 states regarding standards, and also brings more exposure for Alaska.

11
12 Brown stated the Board wants the Administrator's travel reinstated.

13
14 The Board discussed the travel.

15
16 Kalen stated it is unusual for the Administrator not to be present at regional
17 and national meetings. Administrators often have more continuity than
18 individual members since they are not subject to term limits.

19
20 Gilfilian mentioned he has heard many complimentary things about the Alaska
21 Board Administrator from the two conferences that he has attended.

22
23 A short discussion followed.

24
25 Iverson clarified the reason Board members attend meetings is to protect
26 people of Alaska and not to represent a profession.

27
28 The Chair brought up the Investigator's report and the Board's concern that
29 any case would be closed without including the board for their input prior to
30 closure and it was the Board's understanding that the Division Director had
31 imposed a directive to close all cases over a year old.

32
33 Urion responded he made no directive about a one-year deadline but rather
34 that said he has closed cases that were "old" without any mention of a
35 timeline.

36
37 The Chair asked about the expenditure authority for the yellow page ad. The
38 advertising was seen as public service but was not renewed by the Division.

39
40 Brown brought up the letter the Board asked staff to mail to contractors. The
41 contractor letter was viewed by the Board as an attempt to educate contractors
42 to be sure that they have signed and sealed plans. The letter was seen as a
43 Board directive and she would like the Board to send the letter, even under
44 Board letterhead, if not from the Division.

45
46 A discussion followed if a letter of this nature would be effective.

47
48 Mills stated she supported sending the letter prior to enforcement action with a
49 \$2,000 initial fine because she wanted to inform people of the requirements
50 first. She felt it was important to let people know what the statutory

1 requirements are with respect to the requirement for professional architects,
2 engineers, land surveyors, or landscape architects prior to enforcing the
3 statutes.

4
5 Gilfilian mentioned he also thought this was a good way to approach this as a
6 first step.

7
8 Cyra-Korsgaard asked Urion to explain why the letter was not sent.

9
10 Urion responded that violators should be punished but he does not want to
11 spend time educating everybody.

12
13 Iverson said the request to send the letter was viewed by the Board as an AELS
14 Board directive to staff. The Director canceling the letter is viewed by the
15 Board as interfering with the Board's authority to issue directives and its
16 ability to carry out its mission.

17
18 Urion responded he never intended to do that.

19
20 Brown reiterated a case of plans involving a small hotel where construction
21 started and is an instance that demonstrates public safety concerns. If the
22 contractor had known he was required to have stamped drawings, she felt
23 certain the stamped drawings would have been provided.

24
25 McLane indicated the Board is interested in moving forward with a statute
26 change, which would require legislation to allow our investigator to issue stop
27 work orders. He indicated the Board would make the request in the Annual
28 Report.

29
30 Urion asked if a contractor could keep building a project that was not designed
31 properly.

32
33 Cyra-Korsgaard responded currently some contractors pay the fine and
34 continue.

35
36 Urion indicated he had no problem with the Board pursuing the statute
37 request.

38 The Chair indicated the Board has a request in the Annual Report for statutory
39 authority for the Administrator's position to be partially exempt and to request
40 the Board's authority to delegate tasks to the Administrator.

41
42 Urion responded that he did not have any objection to that request.

43
44 The Chair asked the Director to delay the hiring process to allow the Board
45 time to pursue passage of the partially exempt position until late next spring.

46
47 Urion responded he that did not have any objection to that request.

48
49 Gilfilian asked the Director to reconsider his denial of the contractor's letter.

1 Union indicated he would reconsider the letter.

2
3 Iverson asked him to reconsider restoring the authority to advertise in the
4 yellow pages. He reiterated that the point is public awareness, and that these
5 expenditures are funded through the licensing fees collected for the Board.

6
7 Union added the Division is switching to on-line public noticing rather than to
8 publishing in the newspapers.

9
10 The Chair asked for confirmation that the fees for renewal will be set at \$195
11 again.

12
13 Union responded the AEELS fees would remain the same.

14
15 Brown asked if the Director could attend the November AEELS meeting.

16
17 Union responded he would attend if he would be in Anchorage, or would
18 participate by telephone.

19
20 The Chair expressed the Board's appreciation for its Administrator, current
21 Licensing Examiner, and Investigators. He stated that Clark has done a
22 magnificent job for the Board.

23
24 Union stated that he supports staff taking on more responsibilities.

25
26 Union left the meeting at 11:55 a.m.

27
28 The Board adjourned for lunch at 11:56 a.m.

29 Reconvened: 1:55 p.m.

30
31 Mills and Peirsol are absent. Siemoneit is excused.

32
33 Brown read AS 08.48.061(c) which states that the Board may make
34 expenditures from appropriated funds for any purpose that is reasonably
35 necessary for the performance of its duties under this chapter.

36
37 Mills joined the meeting at 2:00 p.m.

38
39 **On a motion by Brown, seconded by Cyra-Korsgaard, and**
40 **unanimously adopted, it was**

41
42 **RESOLVED to add to the recommendations of the annual**
43 **report legislative request for specific language that allows the**
44 **Board to delegate certain duties to the Executive**
45 **Administrator.**

46
47 Discussion followed. The Chair indicated some other administrators have
48 specific statutory language that allows their Board to delegate specific
49 authority to the administrator and that the attorney could assist the Executive
50 Administrator in developing the appropriate language.

1
2 Kalen asked for clarification.

3
4 Brown responded and reiterated the authority in statute for the partially
5 exempt administrators, referred to in statute as executive secretaries.

6
7 The Chair indicated the motion passed with no objections.

8
9 The Chair asked the Executive Administrator to read a list of items that the
10 Board discussed with the Director.

11
12 The Executive Administrator recapped the list of items discussed with the
13 Director.

- 14
- 15 • The Board asked the Director to review the “contractor’s letter” they drafted
16 in June that he asked staff not to send. The Board views this letter as being
17 “outreach and educational.” The Director agreed to reconsider the letter.
18
 - 19 • The Board would like the Director to reinstate the Yellow Page ACS
20 advertising (approximately \$3900 for FY 04). The Director agreed to
21 reconsider the advertising request.
22
 - 23 • The Board asked for support for their legislative request in the Annual
24 Report for the Division’s investigator to have authority to “stop-work” in
25 commercial or public projects without design professional seals on plans.
26 The Director had no objections to the legislative request.
27
 - 28 • The Board asked for support for their legislative request in the Annual
29 Report for statutory authority for their administrator to be classified as
30 “partially exempt” and for specific authority to delegate certain tasks to their
31 administrator. The Board asked the Director to delay any recruitment for
32 the position to allow the Board time to pursue this legislatively. The
33 Director had no objections to the legislative request and would delay any
34 recruitment.
35
 - 36 • The Board asked the Director to support enforcement for unlicensed
37 practice and the Director agreed to support enforcement for unlicensed
38 activity.
39
 - 40 • The Board asked the Director to reinstate travel for the Executive
41 Administrator to regional and annual meetings and to conferences for
42 MBAs.
43

44 The Chair asked if the Board agreed with the recap and there were no
45 objections. The Chair moved to Tab 19, Draft Regulations.

46
47 **Agenda Item 19 – Draft Regulations – Language for Consideration**

48
49 Kalen explained the Model Law for Land Surveyors was adopted at the Annual
50 Meeting and the matter would be discussed at the Alaska Professional Society

1 of Land Surveyors (ASPLS). He advised that draft legislation will be
2 forthcoming and one issue will be the title change from land surveyors to
3 surveyors and the definition will include photogrammetrists.

4
5 Brown asked that both Emergency (temporary) license and the Design
6 Competition issue be moved to the November 2003 meeting agenda.

7
8 The Chair agreed to have both items on the November meeting agenda.

9
10 The Chair moved on to draft proposed regulation language for final
11 specifications.

12
13 Gilfilian said the location changed in the proposed language for final
14 specifications from 12 AAC 26.185 (d) to (e).

1 The Board discussed the proposed language change. Currently in statute, all
2 final drawings and specifications are stamped. The Board determined that in
3 usual and customary practice in the built environment that design
4 professionals are not generally stamping specifications. The Board would like
5 registrants to sign and seal the plans, and in doing so, are signifying the
6 signing and sealing of any specifications or other documents that accompany
7 the plans. Since specifications encompass all disciplines, the registrant would
8 only be taking responsibility for their profession.

9
10 The Chair asked that the Executive Administrator forward the suggested
11 change to the Board's attorney since there is a specific statutory reference.

12
13 12 AAC 36.185 (e) The registrant, by sealing plans, takes responsibility for
14 documents and associated specifications for the work performed.

15
16 The Chair asked to have this on the November 2003 meeting agenda.

17
18 The Executive Administrator explained that at the May 2003 meeting, the
19 Board adopted, but held and did not public notice a proposed regulation which
20 would set the Landscape Architect Registration Exam retake deadline to a time
21 prior to the date staff must order the exams. She explained for new members
22 that often times small regulations projects would be held until the Board felt
23 they had enough to send to interested parties, or to all registrants, for
24 comment.

25
26 **On a motion by Brown, seconded by Gilfilian, and unanimously**
27 **adopted, it was**

28
29 **RESOLVED to draft proposed regulation changes to 12 AAC**
30 **36.103, to reflect the current NCARB education standards**
31 **publication.**

32
33 Brown explained that NCARB updates the education standards publication
34 annually, and the Board must correspondingly update the reference to the
35 current version of the education standard in its regulation on an annual basis.

36
37 The Chair noted there was no objection and the motion carried.

38
39 Iverson explained the proposed change to the Engineering Table in 12 AAC
40 36.063. The Board has allowed a one year credit for an advanced degree
41 (masters or doctorate) acceptable to the Board. The table did not address an
42 instance where the undergraduate degree was not in the branch of engineering
43 applied for, of the six disciplines for which we offer registration.

44
45 This proposed change would add to the Table in 12 AAC 36.063 (a) (3)(A) a
46 provision to give credit for an ABET accredited B.S. degree in engineering, not
47 in the branch of engineering applied for listed in 12 AAC 36.990(17), combined
48 with a master's or doctorate in engineering acceptable to the Board. For this
49 combination of training and education, the equivalent education in years is 4

1 years, and the minimum experience required is 4 years for a total of 8 years of
2 combined education and experience.

3
4 Cyra-Korsgaard clarified that the advanced degree would be in the branch of
5 engineering applied for listed in 12 AAC 36.990 (17).

6
7 The Chair indicated the branch would be part of the degree specification or
8 would be evaluated by the Board to be acceptable for the discipline. For
9 example the advance degree could be in environmental engineering or arctic
10 engineering and be applicable to civil engineering.

11
12 The Chair brought up the draft statutory language and the Board had before
13 them a handwritten version provided by their investigator that would give the
14 investigator statutory authority for a stop work order. He asked for discussion.

15
16 Gilfilian asked for clarification of the term 'Division'.

17
18 The Chair indicated it referred only to the Division of Occupational Licensing.

19
20 **On a motion by Brown, seconded by Gilfilian, it was**

21
22 **RESOLVED to adopt the draft language for a proposed**
23 **statutory language change to give the investigator specific**
24 **authority to issue a stop work order.**

25
26 **On an amendment by Brown, seconded by Gilfilian, it was**

27
28 **RESOLVED to replace the word "will" with the word "shall" in**
29 **the handwritten draft proposed language.**

30
31 The Chair recapped the amended motion and the amended motion passed
32 unanimously.

33
34 **On an amended motion by Brown, seconded by Gilfilian, and**
35 **unanimously adopted, it was**

36
37 **RESOLVED to adopt the draft language for a proposed**
38 **statutory language change to give the investigator specific**
39 **authority to issue a stop work order, with one change, replace**
40 **"will" with "shall."**

41
42 The draft proposed statutory language, with the change highlighted read:

43
44 Article 3
45 Unlawful Acts

46 AS 08.48____ (a):

47
48 (1) It shall be unlawful to construct a building or structure in the State of
49 Alaska without the building or structure being designed by the appropriate

1 licensed design professionals unless the design work is specifically exempt
2 under AS 08.48.331.

- 3
4 (2) Under this chapter, design professionals means architects, engineers, land
5 surveyors, and landscape architects licensed in the State of Alaska.

6
7 The Division **shall** [will] issue a temporary stop work order to anyone
8 constructing a building or structure that is being built in violation of (a) (1)
9 above. The temporary stop work order will remain in effect until the violation
10 has been corrected. Upon correction, the temporary stop work order will be
11 rescinded.

12
13 The Chair moved to Tab 20, New Business.

14
15 **Agenda Item 20 – New Business**

16
17 The Chair brought up the Annual Report and noted there were changes to the
18 report that the Board had reviewed and adopted.

19
20 The Chair brought up Other Business.

21
22 Brown referred to a handout from the Washington State Board that adopted a
23 definition for “public welfare” that reads:

24
25 “Public welfare means that architects shall promote the enhancement of
26 both the natural and built environment. These enhancements shall be
27 functional, aesthetically pleasing, sustainable, and cost effective. The
28 result of architects’ professional service shall contribute to the physical,
29 socio-cultural, and emotional well-being of the public.”

30
31 The NCARB Procedures and Documents Committee developed and
32 presented a similar definition which was adopted in February 2002:

33
34 “An architect promotes the health, safety and welfare of the public by
35 planning and designing buildings, structures, and spaces within and
36 surrounding such buildings and structures, that:

- 37
38 • minimize the risk of injury to persons or property, and comply with all
39 applicable building and safety codes;
40 • are durable, environmentally friendly, cost effective and conserve
41 resources;
42 • are aesthetically appealing;
43 • function properly in all relevant respects; and
44 • enhance the public’s overall sense of well-being, harmony and
45 community, and integrate effectively with the surrounding
46 environment.

47
48 An architect shall prefer the client’s interests over the architect’s
49 interests and, when the issues are clear, the public’s interest over both.

Brown asked to have this on the November meeting agenda for discussion.

The Chair brought up the next item on the agenda, Host Conferences.

He noted at the Western Zone meeting in Las Vegas next year that the Alaska delegation must do a presentation to promote the location and invite delegates to attend the Western Zone meeting in Anchorage.

Break: 2:50 p.m.

Reconvene: 3:05 p.m.

The Chair brought up the next item on the agenda, Tab 22.

Agenda Item 21 – Read Applications into Record

On a motion duly made by Kalen, seconded by Iverson and unanimously adopted, it was

RESOLVED to approve the following list of applications for comity and examination as read, with the stipulation that the information in the applicant's file will take precedence over the information in the minutes:

The Licensing examiner, Julie Adamson, read the following into the record:

NAME	DISCIPLINE	EXAM/ COMITY	BOARD ACTION
1. Bott, Paul	PE-Civil	Comity	Conditionally Approved, Pending Arctic
2. Catubig, Rainier	PE-Civil	Comity	Conditionally Approved, Pending Arctic
3. Cleven, Timothy	PE-Electrical	Comity	Conditionally Approved Pending Arctic
4. Comstock, Douglas	Architect	Comity	Conditionally Approved, Pending Arctic
5. Daigle, Sean	PE-Civil	Comity	Conditionally Approved, Pending verification of PE exam , current license and Arctic
6. Hall, James	PE-Mechanical	Comity	Conditionally Approved Pending Arctic
7. Hamm, Michael	Landscape Arch.	Comity	Conditionally Approved, Pending Arctic
8. Hayes, Edgar	PE-Civil	Comity	Conditionally Approved, Pending verification of PE exam , current license, transcript and Arctic
9. LaFrance, Paul	PE-Civil	Comity	Conditionally Approved Pending Arctic
10. Liang, Lider	PE-Civil	Comity	Conditionally Approved Pending Arctic
11. Olson, Ryan	PE-Civil	Comity	Conditionally Approved, Pending verification of PE exam , transcript, current license, registration for more than 5 years and Arctic

12. Paul, Cifford	PE-Civil	Comity	Conditionally Approved, Pending verification of PE exam , transcript, current license and registration for more than 5 years
13. Reser, David R.	PE-Civil	Comity	Conditionally Approved Pending Arctic
14. Rutter, Bruce L.	Professional Land Surveyor	Comity	Conditionally Approved, Pending AKLS exam
15. Stiles, John	PE-Civil	Comity	Conditionally Approved Pending Arctic
16. Yuan, Lawrence T.	Architect	Comity	Conditionally Approved, pending verification of current license
17. Zadikoff, Gerald	PE-Civil	Comity	Conditionally Approved, Pending Arctic
18. Grenier, Patrice	PE-Civil	Comity	Approved
19. Heidenreich, Michael	Architect	Comity	Approved
20. Scott, Richard	Architect	Comity	Approved
21. Sherrer, James	Architect	Comity	Approved
22. Becker, Gary	PE-Civil	Comity	Approved
23. Bernhardt, Mark	PE-Civil	Comity	Approved
24. Boirum, Ralph	PE-Civil	Comity	Approved
25. Bradley, Bruce	PE-Civil	Comity	Approved
26. Davis, Hope	PE-Civil	Comity	Approved
27. Foust, Glen	PE-Civil	Comity	Approved
28. Horton, Bard	PE-Civil	Comity	Approved
29. Joque, Darrell	PE-Civil	Comity	Approved
30. Langevin, Ann S.	PE-Civil	Comity	Approved
31. LaPiere, Michael	PE-Civil	Comity	Approved
32. McLeod, Darrin B.	PE-Civil	Comity	Approved
33. Pessalano, Jodie	PE-Civil	Comity	Approved
34. SanAngelo, Michael	PE-Civil	Comity	Approved
35. Schaub, Steven	PE-Civil	Comity	Approved
36. Tindall, Keith	PE-Civil	Comity	Approved
37. Young, Shane	PE-Civil	Comity	Approved
38. Clevenger, William	PE-Electrical	Comity	Approved
39. Martin, Michael	PE-Electrical	Comity	Approved
40. Yearous, Christina M.	PE-Electrical	Comity	Approved
41. Corwin, Regan	PE-Mechanical	Comity	Approved
42. Cundiff, James	PE-Mechanical	Comity	Approved
43. Jung, Patrick	PE-Mechanical	Comity	Approved
44. Kemp, Stephan	PE-Mechanical	Comity	Approved
45. King, Stephen	PE-Mechanical	Comity	Approved
46. Montpelier, Allan J.	PE-Mechanical	Comity	Approved
47. Rodes, Nickolas	PE-Mechanical	Comity	Approved
48. Smith, Jason	PE-Mechanical	Comity	Approved
49. Davis, Eric	PE-Petroleum	Comity	Approved
50. Blanchard, Shane	PE-Civil	Exam	Conditionally Approved, Pending Transcript
51. Brown, Christopher	PE-Civil	Exam	Conditionally Approved Pending Arctic
52. Graham, Mark	PE-Electrical	Exam	Conditionally Approved Pending Arctic
53. Groves, Joel	PE-Civil	Exam	Conditionally Approved Pending Arctic
54. Lundberg, Wade	PE-Civil	Exam	Conditionally approved Pending Arctic,
55. McEntyre, Scott	PE-Petroleum	Exam	Conditionally Approved Pending

			Arctic
56. Pollis, Rebecca	PE-Civil	Exam	Conditionally Approved Pending Arctic
57. Reynolds, Thomas	PE-Electrical	Exam	Conditionally Approved Pending Arctic
58. Seely, Nichelle Y.	Architect	Exam	Conditionally Approved, Pending Arctic
59. Simpson, Bradley W.	PE-Petroleum	Exam	Conditionally Approved Pending Arctic
60. Cheek, Ralph	PE-Electrical	Exam	Approved
61. Schwarz, Jonathan A.	PE-Chemical	Exam	Approved
62. Armstrong, James	PE-Civil	Exam	Approved
63. Baker, Grant	PE-Civil	Exam	Approved
64. Beardsley, Peter	PE-Civil	Exam	Approved
65. Brady, Michael	PE-Civil	Exam	Approved
66. Carroll, Todd L.	PE-Civil	Exam	Approved
67. Chmielowski, Laquita	PE-Civil	Exam	Approved
68. Crews, Peter	PE-Civil	Exam	Approved
69. Frison, Michael	PE-Civil	Exam	Approved
70. Garrett, Thomas	PE-Civil	Exam	Approved
71. Gross, Terry	PE-Civil	Exam	Approved
72. Hays, Dawn	PE-Civil	Exam	Approved
73. Johnson, Lee	PE-Civil	Exam	Approved
74. Joyce, Gina	PE-Civil	Exam	Approved
75. Lehrmann, Eli	PE-Civil	Exam	Approved
76. Meitner, Randy	PE-Electrical	Exam	Approved
77. Misiuk, David	PE-Civil	Exam	Approved
78. Ottmar, Karl	PE-Civil	Exam	Approved
79. Rowland, Juliet A.	PE-Civil	Exam	Approved
80. Schlomer, John	PE-Civil	Exam	Approved
81. Spindler, Samantha	PE-Civil	Exam	Approved
82. Dalton, Jason	PE-Electrical	Exam	Approved
83. Ericksen, Eric	PE-Electrical	Exam	Approved
84. Maloney, Patrick	PE-Electrical	Exam	Approved
85. Williams, Paul	PE-Electrical	Exam	Approved
86. Skinner, Shawn	PE-Mechanical	Exam	Approved
87. Taylor, Warren	PE-Mechanical	Exam	Approved
88. Eltringham, Philippa	PE-Petroleum	Exam	Approved
89. Hahn, Robert	PLS/AKLS	Exam	Approved
90. Jones, Karen	PLS/AKLS	Exam	Approved
91. Palmer, Todd W.	PLS/AKLS	Exam	Approved
92. Vlah, Michelle	PLS/AKLS	Exam	Approved
95. Baker, Deanna	FE	Exam	APPROVED
96. Baski, Sean	FE	Exam	APPROVED
97. Bautista, Dominador	FE	Exam	APPROVED
98. Belozertsev, Vadim	FE	Exam	APPROVED
99. Bourdukofsky, Michael	FE	Exam	APPROVED
100. Bradbury, Laura	FE	Exam	APPROVED
101. Brand, Kara	FE	Exam	APPROVED
102. Brown, Peter	FE	Exam	APPROVED
103. Campfield, Michael	FE	Exam	APPROVED
104. Chanonto, Supat	FE	Exam	APPROVED
105. Chaudhury, Sanjay	FE	Exam	APPROVED
106. Cherlopalle, Viswanatha	FE	Exam	APPROVED
107. Clerkson, Kelly	FE	Exam	APPROVED
108. Colgrove, Haarold	FE	Exam	APPROVED
109. Craft, Joshua	FE	Exam	APPROVED

110.	DeWilde, Lee	FE	Exam	APPROVED
111.	Dobrovolsky, Benjamin	FE	Exam	APPROVED
112.	Donofrio, Gary	FE	Exam	APPROVED
113.	Eide, Heather	FE	Exam	APPROVED
114.	Eklund, Andrew	FE	Exam	APPROVED
115.	Griffin, Guangyen	FE	Exam	APPROVED
116.	Hall, Kristopher	FE	Exam	APPROVED
117.	Heiden, Jennifer	FE	Exam	APPROVED
118.	Hobson, Maxwell	FE	Exam	APPROVED
119.	James, Timothy	FE	Exam	APPROVED
120.	Johnson, David	FE	Exam	APPROVED/ FE WAIVER
121.	Jones, Aimee	FE	Exam	APPROVED
122.	Jones, Jeremy	FE	Exam	APPROVED
123.	Knox, Nicole	FE	Exam	APPROVED
124.	Marvin, Rachel	FE	Exam	APPROVED
125.	Mayo, Alicia	FE	Exam	APPROVED
126.	McAlpine, Samuel	FE	Exam	APPROVED
127.	Mormilo, Stephanie	FE	Exam	APPROVED
128.	Lund, Michael	FE	Exam	APPROVED
129.	Oldford, Melanie	FE	Exam	APPROVED
130.	Parkolay, Daniel	FE	Exam	APPROVED
131.	Pearson, Isaasc	FE	Exam	APPROVED
132.	Rainey, Christal	FE	Exam	APPROVED
133.	Rasmussen, Per'Christian	FE	Exam	APPROVED
134.	Roeder, Paul	FE	Exam	APPROVED
135.	Sellers, Autumn	FE	Exam	APPROVED
136.	Rowland, Isaac	FE	Exam	APPROVED
137.	Skaggs, Jason	FE	Exam	APPROVED
138.	Standifer-Tilton, Jane	FE	Exam	APPROVED
139.	Steffens, Gary	FE	Exam	APPROVED
140.	Straka, Nicholas	FE	Exam	APPROVED
141.	Theurich, Jacob	FE	Exam	APPROVED
142.	Townsend, Curtis	FE	Exam	APPROVED
143.	Turtschanow, Harry	FE	Exam	APPROVED
144.	Jones, Karen	Fundamentals of Land Surveying	Examination	APPROVED
145.	Bergman, Dena	Fundamentals of Land Surveying	Examination	Approved
146.	Vernia, Sara	FE	Exam	APPROVED
147.	Nelson, James L.	PE-Civil	Reinstatement	Approved
148.	Black, Ronald	PE-Civil	Reinstatement	Approved

On a motion duly made by Kalen, seconded by Iverson, and
unanimously adopted it was

RESOLVED to find incomplete the following list of applications
for comity and examination as read, with the stipulation that
the information in the applicant's file will take precedence
over the information in the minutes:

The Licensing examiner, Julie Adamson, read the following into the record:

1) Frances-Chythlook, Oceana	PE-Civil	Exam	Incomplete, needs additional work experience
2) McKamey, Michael G	PE-Civil	Exam	Incomplete, needs additional 10 months of work experience
3) Krepel, Michael	PE-Mechanical	Exam	Incomplete, needs 24 months responsible charge work experience verified by mechanical engineer, transcript,
4) Jackson, Jennifer	PE-Petroleum	Exam	Incomplete, needs 10 months additional work experience
5) Crowther, Scott	Fundamentals of Land Surveying	Exam	Incomplete, needs 12 months additional work experience
6) Wilmott, Brett	Fundamentals of Land Surveying	Exam	Incomplete, needs 1 year education

The Chair asked if there were any objections to the motion and there were none.

On a motion duly made by Kalen, seconded by Iverson, and unanimously adopted, it was

RESOLVED to deny the following list of applications for comity and examination as read, with the stipulation that the information in the applicant's file will take precedence over the information in the minutes:

The Licensing examiner, Julie Adamson, read the following into the record:

Smith, Lester J.	PLS/AKLS	Exam	DENIED needs minimum of 2-3 years education credit, per 12AAC 36.065 (A).
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The Chair asked if there were any objections to the motion to deny and there were none. Mr. Smith was unable to provide verification of course work in land surveying to meet the minimum requirement for education

The Chair resumed action on Agenda item, #7, Proposed Regulation Changes.

The Executive Administrator explained that the Board public noticed a series of proposed regulations. The Board has a year to act on those proposed regulations. Several items have not been finalized due to discussion and requests by the public to continue discussion on the way the Board licenses engineers.

The Chair moved to the next item on the agenda.

Agenda Item 22 – Board Member Reports

The Chair noted there were written reports covering the meetings members had attended.

1 Gilfilian advised the Board that he found attendance at the NCEES annual
2 meeting very helpful and informative. He reported on the NCEES Engineers
3 Forum and a written report is in the supplemental packet.

4
5 The Chair reported on exam security issues and found the presentation
6 informative. He noted there are many sophisticated devices that have been
7 devised to copy or record exam questions and as a lead proctor, he found the
8 information helpful.

9
10 Kalen reported on the Land Surveyors Forum and on the Model Law for Land
11 Surveying and described some opposition to the Model Law that ultimately was
12 removed.

13
14 **Agenda Item 23 – Review Calendar of Events**

15
16 Cyra-Korsgaard informed the Board she would be attending the Council of
17 Landscape Architectural Boards (CLARB) annual meeting September 10 –14,
18 2003.

19
20 The Board reviewed the future meeting dates, discussed, and confirmed:

21
22 2003:

23 November 19-20 (Wednesday/Thursday) in Anchorage (this date
24 was later changed to November 13-14, 2003 post meeting due to
25 scheduling conflicts).

26
27 2004:

28 February 19-20 (Thursday/Friday) in Juneau
29 June 3-4 (Thursday, Friday) in Fairbanks
30 (Note: This date changed from June 2-3, 2004.)
31 August 19-20 (Thursday/Friday) in Kenai
32 November 18-19 (Thursday/Friday) in Anchorage

33
34 **Agenda Item 24 – Board Member Comments**

35
36 Brown felt the meeting was interesting and that the Board has questions for its
37 attorney, there was a good discussion with the Director and some issues that
38 the Board wants to pursue that are yet unresolved.

39
40 Iverson thought that some good ideas were shared and discussed and he looks
41 forward to working on expanding the exams allowed for specific disciplines.

42
43 Cyra-Korsgaard commended staff for excellent review of applicant files, and she
44 was glad to have worked on the overlap between disciplines with respect to
45 landscape architecture.

46
47 Mills thanked the AELS staff and the investigator for his investigator's report,
48 and felt that it was good to break into subgroups.

Gardner hoped to see the Board next time, whether or not she is still serving on the Board.

Kalen also thanked staff for organizing the applicant license applications.

The Chair thanked the new members, Gilfilian and Mills, for their participation on the Board.

Agenda Item 25 – Task List and Housekeeping

The following are tasks assigned:

Brown	Work on Design Competition and Emergency License language.
Cyra-Korsgaard	Chair subgroup on Landscape Architecture practice.
Miller (Chair)	Work on Engineering Reciprocity.
	Serve on Arctic Engineering Subgroup.
	Write letter to the municipal attorney to object to the practice of revising (without consent) land surveyor sealed plans.
Kalen	Draft Land Surveyor Model law regulation/statute changes to allow for adoption of Model law (Executive Administrator will assist).
McLane	Draft Land Surveyor Model law regulation/statute changes to allow for adoption of Model law (Executive Administrator will assist).
	Serve on Landscape Architect subgroup.
Gardner	Chair the subgroup on Arctic Engineering; develop criteria for presentation at September teleconference.
Gilfilian	Serve on Engineering Discipline subgroup.
	Serve on Landscape Architect subgroup.
	Serve on Arctic Engineering subgroup.
Peirsol	Work on design competition and emergency license language.
	Review Building Officials Manual (as posted to web site).
Executive Administrator	Update Annual Report.
	Update application forms as needed.
	Update reactivation form and implement retired reinstatements.
	Work with attorney on statute changes proposed for stop work order and partially exempt executive administrator position.
	Notify Licensure exchange: NCEES, NCARB, CLARB of new members.
	Forward specification language to attorney with question on statute.
	Put health, safety & welfare definition on Nov. Agenda.
	Put FE waiver on Nov. agenda.
	Put design competition and emergency license on agenda.
	Put engineering disciplines on the agenda (environmental, civil, structural).
	Invite Anchorage Building Official to meeting to November meeting.
	Assist Chair with letter to municipal attorney.

1 **On a motion by Kalen, seconded by Gardner, and unanimously**
2 **adopted, it was**

3
4 **RESOLVED to adjourn the meeting at 3:30 p.m.**

5
6 There were no objections and the meeting was adjourned.

7
8 Respectfully submitted:

9
10
11 _____
12 Nancy Hemenway, Executive Administrator
13

14
15 Approved:

16
17
18 _____
19 Robert Miller, Chair, Ph.D., P.E.
20 Board of Registration for Architects,
21 Engineers, and Land Surveyors
22

23
24 Date: _____