

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                                   **February 19-20, 2004**

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, 9<sup>th</sup> Floor  
14 Conference Room A, 333 Willoughby Avenue, Juneau, AK 99811.  
15

16                   **Thursday, February 19, 2004**

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

19  
20 The Chair called the meeting to order at 9:03 a.m.

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

23                   Robert Miller, Chairperson, Ph.D., Civil Engineer  
24                   Daphne Brown, Architect  
25                   Linda Cyra-Korsgaard, Landscape Architect, Temporary Board Member  
26                   Robert Gilfilian, Civil Engineer  
27                   Patrick Kalen, Land Surveyor  
28                   Kathleen Gardner, Vice-Chairperson, Mechanical Engineer  
29                   Ernie Siemoneit, Secretary, Mining Engineer  
30                   Patricia Peirsol, Architect  
31                   Kimberly Mills, Public Member  
32                   Scott McLane, Land Surveyor  
33

34 Absent was:

35                   Donald J. Iverson, Electrical Engineer  
36

37 Representing the Division of Occupational Licensing:

38                   Nancy Hemenway, Executive Administrator  
39                   Julie Adamson, Licensing Examiner  
40                   Eleanor Vinson, Licensing Examiner  
41

42 Joining a portion of the meeting, in person, were:

43  
44                   John R. Clark, Occupational Licensing Investigator  
45

46                   David Brower, Assistant Attorney General  
47

48                   Dale Nelson, President, Alaska Professional Design Council  
49                   409 W. 12<sup>th</sup> Ave.

1 Anchorage, AK 99501

2  
3 Sean Boily, Architect  
4 208 N. Franklin  
5 Juneau, AK 99801

6  
7 Max Schillinger  
8 2215 Great Western St., Apt. F  
9 Juneau, AK 99801

10  
11 Terry Schoenthal, Past President, Alaska Society of Landscape Architects  
12 3410 Korovin Bay Cir.  
13 Anchorage, AK 99501

14  
15 Michael McKamey, representing Alaska Society of Civil Engineers (ASCE)  
16 P.O. Box 202696  
17 Anchorage, AK 99520

18  
19 Paul Whipple, representing the Alaska Society of Professional Land  
20 Surveyors (ASPLS)  
21 1042 E. 6<sup>th</sup> Ave.  
22 Anchorage, AK 99501

23  
24 J.D. Squires  
25 5993 North St.  
26 Juneau, AK 99801

27  
28 Jeffrey Wilson  
29 1405 W. 33<sup>rd</sup> Ave.  
30 Anchorage, AK 99503

31  
32 Scott Sandlin  
33 3900 Arctic Blvd, Ste. 301  
34 Anchorage, AK 99503

35  
36 Shawn Florio, representing self  
37 Florio Engineering Services  
38 1436 M St.  
39 Anchorage, AK 99501

40  
41 **Agenda Item 2 – Review/Revise Agenda:**

42  
43 The draft agenda was as follows: Thursday, February 19, 2004:

44

1. 9:00 a.m.	Call to Order/Roll Call	Chair
2. 9:05 a.m.	<b>Review/Revise Agenda</b>	Chair/Board
3. 9:10 a.m.	Ethics Report	Chair/Board
4. 9:15 a.m.	Review/Approve Minutes Quarterly Board meeting (Nov 03 mtg)	Chair/Board
5. 9:30 a.m.	<u>Correspondence: See List in Packet</u>	Chair/Board

6. 10:00 a.m.	<b>Subgroups:</b>	Chair/Board
	• Engineering Disciplines (sub-disciplines) (heldover to May 2004)	Chair/Board
	• Land Surveyor/Engineering Practice	
	• Landscape Architect Practice	
7. 11:00 a.m.	<b>Regulation Changes in (12 AAC __):4 proposed regulations were public noticed --12 AAC 36:</b> <ol style="list-style-type: none"> <li>1. LARE retake deadline (.040);</li> <li>2. Annual update to Architect education standards ( .061);</li> <li>3. Engineering table (adds additional credit for undergraduate degree combined with an advanced degree (.063); and</li> <li>4. Sealing Specifications (Associated, attached specifications are Part of final plans, are considered stamped with plans) (.185).</li> </ol> <b>Draft Regulation Language for Consideration (not yet public noticed)</b> <ol style="list-style-type: none"> <li>a. FE Waiver with ABET accredited degree or equivalent (.090)</li> <li>b. Engineering Exam Tables (.062 ,.063 ) and</li> <li>c. Land Surveying Exam Table (.64, 065) (removes phased out language for applicants applying by 12/31/01);</li> <li>d. Landscape Architect exam (.068) (remove phased out Language in (c)) and adds advanced degree education credit</li> <li>e. Landscape Architect by Comity (adds provision to use letters of reference</li> <li>f. Definition of “environmental engineering (May 02 mtg) version</li> </ol>	Chair/Board/ Exec. Adm.
8. 11:45 a.m.	Meet with Attorney (if necessary)	Board/Attorney
<b>12:00 noon</b>	<b>Lunch</b>	
9. 1:15 p.m.	<b><u>Public Comment</u></b> John Squires, FE Waiver applicant has questions on verifying experience	Chair/Board
10. 2:15 p.m.	Application Reviews (Executive Session –until completed)	Chair/Board
<b>6:00 p.m.</b>	<b>RECESS UNTIL 8:00 a.m. Friday, February 20, 2004</b>	

1

2

TIME	TOPIC	LEAD PERSON
	Friday, February 20, 2004	
11. 8:00 a.m.	Call to Order/Roll Call Executive Session to Complete Application Review -Continued, (if necessary)	Chair/Licensing Examiner/Board
12. 8:15 a.m.	<b>Investigator’s Report</b> MOA – Richard Cobb #6213 MOA- Michael Swan #6940	Investigator/Board
13. 9:00 a.m.	Chris Roust, Building Official (586-0767)	Chair/Investigator
14. 10:00 a.m.	<b>Meet with David Brower, Attorney</b> Discussion Items	Chair/Attorney
15. 10:45 a.m.	<u>Budget Summary Report</u>	Chair/Board
16. 11:00 a.m.	<b>Meet with Rick Urion, Director</b> <ul style="list-style-type: none"> <li>• Budget, Legislative Requests</li> </ul>	Director/Board
<b>12:00 noon</b>	<b>Lunch</b>	
17. 1:15 p.m.	<b>Legislation:</b> HB 252/SB 207 Term Limits, CE HB 268 Specialty Contractors HB 148 Land Surveyor Standards	Chair/Board
18. 1:30 p.m.	<b>Old Business:</b> <ul style="list-style-type: none"> <li>• Reinstatement Forms – in final form</li> <li>• Board Policy- Updated</li> </ul>	Chair/Board/Exec. Adm.

19. 2:00 p.m.	<u>New Business:</u> <ul style="list-style-type: none"><li>• Board Elections</li><li>• UAA Engineering Degree (BSE, no specificity)</li></ul>	Chair/Board
20. 2:30 p.m.	Read Applications into Record	Chair/Licensing Examiner
21. 2:45 p.m.	<b>Goals and Objectives</b>	Chair/Board
22. 3:15.m.	Administrator's Report On-line renewal update	Chair/Administr
23. 3:20p.m.	<b>Board Member Reports</b> Engineering Disciplines (hold over to May 2004)	Chair/Board
24. 3:45.m.	<b>Review Calendar of Events, Confirm AELS Meeting Dates:</b> <b>2004</b> : June 3-4 Fairbanks, Nat. Science Bldg. Aug 19-20 Kenai, ; Nov 18-19 Anchorage Confirm Western Zone, NCARB conference attendees	Chair/Board
25. 3:50 p.m.	<b>Board Member Comments</b> & Task List and Housekeeping (Collect TA's and receipts, Sign Wall Certificates)	Chair/Board

The Chair asked if there were any revisions to the agenda.

Kalen mentioned Peter Fellman, Representative Harris's staff would like to attend the meeting to discuss HB 148, land surveyor standards. Kalen also would like to add, under Old Business, a report on the Land Surveyor Model Law.

Kalen asked to have Randy Johnson, Fairbanks North Star Borough added to the May 2004 agenda.

The Chair reminded the members that Board Elections will be held on Friday.

Gardner indicated she would be leaving the meeting at noon tomorrow.

Brown suggested moving elections to right after roll call on Friday.

Cyra-Korsgaard asked to move item 17, Legislation to prior to agenda item # 9, Public comment.

Gilfilian stated that some people who wanted to attend to hear legislation discussed would not be aware the agenda had changed.

The Chair decided to change item 6, Subgroup, and Item 17, Legislation. Since the items were posted to the website, if anyone appeared during the regularly scheduled time the Board could take their comments on Legislation.

The Chair asked if there were any objections, and there were not.

1   **Agenda Item 3 – Ethics Report**

2  
3   The Chair noted there were no ethics reports or disclosures by Board members,  
4   but there were some items to mention.

5  
6   The Chair mentioned that two Board members have submitted applications for  
7   examination and they cannot be present when the files are reviewed.

8  
9   Peirsol suggested taking up those applications last, and having Patrick Kalen  
10   and Scott McLane leave during their respective file reviews.

11  
12   Mills mentioned that someone she is acquainted with also has submitted an  
13   application, and she noted she would not review that application.

14  
15   **Agenda Item 4 – Review/Approve Minutes**

16  
17   The Chair asked for any corrections or additions to the November 2003 AEELS  
18   draft minutes.

19  
20   Kalen mentioned several corrections:

21  
22   Page 7 line 10, to insert, “Kalen noted there would be a symposium on the  
23   Model Law Land Surveyor, American Congress on Surveying and Mapping  
24   (ACSM) conference on February 11<sup>th</sup> and Board members are invited to attend,  
25   and there will be no registration fee charged.”

26  
27   Page 19 line 16, insert, “Kalen noted there is strong disagreement with this  
28   position by the land surveyors. He noted that the statute was changed and  
29   specifically added alignment and grading of streets in the definition of the  
30   practice of land surveying.”

31  
32   Page 20, Line 20, Kalen inserted, “and report back” after “review”.

33  
34   Page 21, line 7, Kalen stated his recollection of Brown’s comment, which  
35   should be inserted, “Brown pointed out that in the absence of regulations,  
36   there is no way to recognize the incidental practice of minor importance overlap  
37   between the practice of architecture and engineering.”

38  
39   Page 28, line 30, Kalen added, after, “The AEELS Board’s Goals and Objectives”,  
40   “which were mentioned but not discussed”.

41  
42   The Board held a discussion about whether the Goals and Objectives should be  
43   attached to the minutes, instead of being included in the minutes. The Board  
44   decided Goals and Objectives should remain in the minutes, so long as the  
45   minutes clearly identify if the Board discussed, or did not discuss them during  
46   the meeting. Most Board member agreed that the public has easier access to  
47   them if the Goals and Objectives are part of the minutes. Kalen objected,  
48   stating that the Goals and Objectives did not belong in the body of the minutes  
49   unless they were discussed.

1  
2 Gilfilian indicated he was not comfortable voting to approve the minutes until  
3 he saw the written changes.

4  
5 The Board held a brief discussion.

6  
7 The Executive Administrator indicated she would make the changes at lunch.

8  
9 The Chair noted there were no objections and the minutes would be held over  
10 for approval until the changes were inserted and reviewed.

11  
12 **Agenda Item 5 – Correspondence**

13  
14 The Chair brought up correspondence:

15  
16 **David Raines, email of 2/26/04, requesting consideration of his Comity**  
17 **application.**

18  
19 The Executive Administrator explained that Mr. Raines' current employer  
20 requires he become registered in Alaska within a year. He explained that at  
21 one time he obtained a National Council of Architectural Registration Boards  
22 (NCARB) "Blue Book" Council record certification, but let the record lapse  
23 because most jurisdictions did not require the record for licensure. Mr. Raines  
24 is licensed in several jurisdictions. He learned the NCARB will charge him for  
25 20 years of past annual dues which is quite costly, probably about \$2,000.

26  
27 The Board held a short discussion and the general consensus was that the  
28 rules are set to establish minimum guidelines. The NCARB also has a Broadly  
29 Experienced Architect process for those who can't obtain the record. The  
30 Board felt sympathetic to his circumstances but cannot accommodate his  
31 request without a regulation change. The Board has considered this matter  
32 over several years and voted several times in the past to keep the minimum  
33 requirement of an NCARB Council Record.

34  
35 The Chair indicated Mr. Raines should work with NCARB to resolve his issue,  
36 not the Board.

37  
38 **Sean Cudnoski, EIT, email of 2/11/04, with complaint about calculator**  
39 **ruling for PE examination.**

40  
41 The Chair explained this was a complaint registered with the National Council  
42 of Examiners for Engineers and Surveyors (NCEES), and is in the packet as a  
43 point of information that the NCEES calculator ruling is burdensome to  
44 applicants. While the Board is empathetic, the NCEES requires all  
45 jurisdictions to comply with their calculator policy if they wish to use the  
46 examinations.

47  
48 **Scott Haan, email of 2/6/04 with comments in favor of HB 268, specialty**  
49 **contractor bill.**

1  
2 The Chair advised the Board, in a related matter, that he met with the Fire  
3 Marshal's assistant, Kelly Nicolello, in Anchorage recently. The Chair indicated  
4 his report is in the Board packet, and he reviewed it briefly. He stated the Fire  
5 Marshal assured him that they adhere to the AELS statutes and regulations  
6 with respect to sealing requirements. The Chair outlined some projects and  
7 issues the Fire Marshal pointed out as of mutual interest:

- 8
- 9 • The Ice Hotel at Chena Hot Springs; possible legislation to exempt such  
10 projects from review;
  - 11
  - 12 • Fire protection engineers may not have a degree or registration, but are  
13 permitted under 13 AAC 50.035;
  - 14
  - 15 • The Fire Marshal deals with about 1200 projects per year (not including  
16 deferred jurisdictions);
  - 17
  - 18 • Native Sovereignty is ignored by the Fire Marshal; and
  - 19
  - 20 • The Safety Code Task Force.
- 21

22 The Chair asked the Executive Administrator to invite the Fire Marshal to the  
23 November 2004 Board meeting.

24  
25 The Chair then discussed the specific instances mentioned in the letter from  
26 Scott Haan, and reminded the Board to be aware of specific problems that arise  
27 resulting from construction completed without design professionals.

28  
29 The Board held a short discussion about the matter of public protection,  
30 including issues involving specific examples of structural design issues. The  
31 Board had previously discussed projects being built without the stamps of an  
32 architect, electrical and mechanical engineers on a project. This email  
33 identified health and safety issues due to lack of structural (civil) engineering  
34 involvement on projects.

35  
36 The Chair indicated the Executive Administrator should thank Mr. Haan and  
37 advise him that HB 148 is before the legislature to address the exemptions and  
38 issues he described with respect to specialty contractors, and that on-going  
39 discussions are being held.

40  
41 **Frederick Boness, MOA attorney, response letter to November 2003 letter**  
42 **from the Board identifying concerns that as-built surveys were being**  
43 **modified without the knowledge of the professional land surveyor.**

44  
45 The Chair explained that the Municipality of Anchorage was accepting  
46 modifications to property surveys to create "as built" surveys contrary to the  
47 statutes.

1 McLane explained typically when an owner cannot find the boundary marker,  
2 the owner sometimes uses the as-built survey to measure the distance from the  
3 building to the property line. He felt the dimensions should not be shown  
4 because only the land surveyor could identify the boundaries and the setbacks.

5  
6 The Board held a discussion about the process of work done by the architect  
7 and the land surveyor in their respective practices.

8  
9 Kalen described his experience that many architects work in conjunction with  
10 land surveyors. He stated the land surveyors set the boundaries and once the  
11 architect designs the building, the plans are reviewed by the surveyor to ensure  
12 the boundaries and setbacks are correct.

13  
14 Kalen further stated the statutory exemption for a 2-story four-plex should  
15 never be applied to surveying.

16  
17 The Chair stated that for the record, the Board consensus is that property  
18 boundaries must be done by land surveyors and the statutory exemptions do  
19 not include property boundaries.

20  
21 The Chair asked Kalen and McLane to review the letter and work with the  
22 Executive Administrator on a response to the Municipality of Anchorage and to  
23 report back to the Board.

24  
25 Brown mentioned changes in personnel since the opinion was written, due to  
26 Mr. Murdy's death.

27  
28 **William Mendenhall, PLS, PE, letter of 11/8/03, suggesting the PE**  
29 **examination be allowed after the Fundamentals of Engineering**  
30 **examination is passed, without requiring additional experience.**

31  
32 The Chair mentioned that Mr. Mendenhall is a former Board member, and a  
33 professional engineer and professional land surveyor. The Chair noted the  
34 request to allow candidates to take the professional engineering (PE)  
35 examination prior to gaining additional experience. The Chair advised that he  
36 currently serves on an NCEES committee reviewing minimum qualifications.  
37 One suggested change may allow candidates to take the PE examination  
38 without experience.

39  
40 The Chair offered to respond to Mr. Mendenhall with information he obtains at  
41 the NCEES committee meeting next week.

42  
43  
44 **Cameron Hyde, letter of 11/7/03, in support of the UAA web-based short**  
45 **course.**



1 The Chair noted that the letter was not received in time for the last meeting  
2 packet and that the course was approved at the November 2003 AELS meeting.

3  
4 **Victoria Hsu, letter of 1/30/04, with proposed amendments to the NCEES**  
5 **bylaws.**

6  
7 The Chair explained the NCEES billed the Texas Board for used exams for an  
8 examination administration even though the examination was cancelled  
9 because of a power outage. The NCEES said if they did not pay, they would not  
10 be able to use future exams. He pointed out the NCEES response to the Texas  
11 Board for amendments to the bylaws. He noted that the Alaska Board, or any  
12 other board could have similar occurrences.

13  
14 **Nina Norris, memo of 2/4/04 with a reminder of the 2005 Western Zone**  
15 **meeting to be held in Anchorage.**

16  
17 The Chair explained the NCEES Interim Zone Meetings Guidelines outline the  
18 Host Board responsibilities. A subgroup was formed consisting of Miller,  
19 Iverson, and Kalen, but other Board members can also assist. The Anchorage  
20 Convention and Visitor's Bureau should be contacted to assist in securing the  
21 hotel.

22  
23 Kalen offered to assist with the hotel.

24  
25 Brown suggested the new Board members should be involved

26  
27 Peirsol and Gardner offered to help with gift ideas since they worked to obtain  
28 gifts for the Western Council of Architectural Boards (WCARB) held last  
29 February.

30  
31 The Chair asked the Executive Administrator to add the Western Zone Meeting  
32 to Old Business on the June meeting agenda.

33  
34 **Sandy Jones, email of 2/5/04, with concerns about stop work orders.**

35  
36 The Chair informed the Board the request for authority for the investigators to  
37 issue a temporary stop work order has not been introduced by the Legislature.

38  
39 Brown indicated that Jones is opposed to the stop-work orders and brings up  
40 some good points. Brown suggested that there may be another way to ensure  
41 building officials are following the AELS statutes and regulations for signing  
42 documents and that the fire marshal can issue stop work orders.

43  
44 **Dallas Hemphill, letter of 1/16/04, with a more specific request on**  
45 **unlicensed practice.**

46  
47 The Chair explained that originally Mr. Hemphill had asked if the Board's  
48 exemption extended to contractors awarded federal contracts. This letter

1 outlines a subcontractor who is doing construction work on a federal project,  
2 and if the exemption is passed along to people the contractor employs.

3  
4 The Board held a short discussion and decided ask the Board's attorney to  
5 check on the interpretation.

6  
7 **Tom Looney, Arctic Sun, letter of 1/7/04 re: Engineering Technology**  
8 **degree.**

9  
10 The Chair explained that Mr. Looney would like graduates of Engineering  
11 Technology degrees to be eligible to take the Fundamentals of Engineering (FE)  
12 examination. Currently the tables under 12 AAC 36.062, require an additional  
13 year of experience for eligibility. The Chair also noted that Mr. Looney has an  
14 employee who has an application before the Board, and he encouraged the  
15 Board to approve the application.

16  
17 The Board held a brief discussion and determined the tables are appropriate.

18  
19 **California Board, letter of 1/13/04 with concerns about the Council of**  
20 **Landscape Architectural Boards (CLARB) administration of the Landscape**  
21 **Architect Registration Examination (LARE).**

22  
23 The Executive Administrator explained that CLARB began administering the  
24 multiple-choice sections of the examination, beginning last August, with  
25 Section A. The process went well and they have moved forward with  
26 administering the multiple-choice sections of the exam independent of the  
27 Boards.

28  
29 Cyra-Korsgaard outlined the way CLARB will qualify candidates for  
30 examination by requiring candidates have an accredited degree.

31  
32 The Executive Administrator explained that Alaska has a small number of  
33 candidates, are currently comfortable with the CLARB minimum standards,  
34 and the Board still will have authority to examine applicant credentials prior to  
35 licensure. Additionally, the Board benefits from the cost savings of not  
36 administering the three-day examination.

37  
38 The CLARB purchase agreement dated 12/31/04, was forwarded to J. Strickler  
39 for action.

40  
41 The Chair asked whether postponements should be offered to LARE candidates  
42 since AELS has to pay full price for the exams ordered and the Board may wish  
43 to consider a regulation change to address this.

44  
45 The Executive Administrator responded that so far, no landscape architect has  
46 applied for a postponement.

47  
48 Cyra-Korsgaard will check with the professional society to see if this is an  
49 issue.

1  
2 Break: 10:45 a.m.

3 Reconvene: 11:05 a.m.

4  
5 John Clark, Sean Boily, and Dale Nelson joined the meeting.

6  
7 The Chair indicated that the agenda item # 6, Subgroup breakouts would be  
8 postponed. The discussion of engineering disciplines will be held until the  
9 June meeting to allow for Iverson to participate.

10  
11 Gilfilian expressed an interest in meeting for a few minutes on Land  
12 Surveyor/Engineering Practice, and Landscape Architect Practice.

13  
14 The Chair asked John Clark to report on a question that arose regarding Native  
15 and Tribal Sovereignty.

16  
17 Clark indicated that Annette Island is the only island that has tribal  
18 sovereignty, and the military bases have their own sovereignty.

19  
20 The Chair asked to hold over discussion of emergency licenses and to have  
21 Gilfilian and Peirsol report back at the June 2004 meeting.

22  
23 The Chair moved the Board to agenda item, #7, Regulation Changes.

24  
25 **The Regulation Changes in (12 AAC\_\_\_):4 proposed regulations**  
26 **were public noticed --12 AAC 36:**

- 27  
28 1. LARE retake deadline (.040);  
29 2. Annual update to Architect education standards (.061);  
30 3. Engineering table (adds additional credit for undergraduate degree  
31 combined with an advanced degree (.063); and  
32 4. Sealing Specifications (Associated, attached specifications are part of final  
33 plans and are considered stamped with plans) (.185).

34  
35 The Executive Administrator passed out public comments in reference to item  
36 #4 from Barbara Beaton, Donald Sloan, and Scott Sandlin, provided by the  
37 regulations specialist, Kurt West.

38  
39 The Chair explained that Beaton believes the State Department of  
40 Transportation and Public Facilities would be affected, and this proposed  
41 regulation conflicts with the way they currently do business.

42  
43 The Board held a brief discussion.

44  
45 The Chair explained that the Board developed this proposed regulation as a  
46 result of an inquiry from a registrant who wanted to know if they needed to  
47 stamp the specifications. The Board found that among board members there  
48 were some who stamped the specifications, some who stamped a cover sheet,  
49 and some who did not stamp them at all. The statutes require stamping final

1 plans and specifications, etc. and yet in practice, many individuals did not find  
2 this to be practical. The Board worked with its attorney to develop the proposed  
3 regulation change and the Board intended through this regulation to provide  
4 some relief for individuals who do not wish to stamp the final specifications.  
5 Frequently the specifications are a bound document with various pieces  
6 prepared by a number of firms but compiled and printed by only one of those  
7 firms. For some firms it is not practical to stamp the final specifications,  
8 particularly if they have several offices in distant locations working on a joint  
9 project.

10  
11 The Chair added from the comments received that it appears the Board raised  
12 more issues about who is taking what responsibility for specifications and  
13 other documents when stamping plans. 12 AAC 36.185 must be considered as  
14 a whole, and registrants cannot work outside their own discipline so they could  
15 not take responsibility for any work outside their discipline. Hence, the  
16 responsibility is limited to the work over which the registrant has control.

17  
18 Dale Nelson explained that long ago the specifications used to be stamped, but  
19 over time this has fallen away, and frequently specifications are not stamped.

20  
21 The Chair explained that Sloan felt the proposed change added confusion and  
22 additional legal liability to registrants sealing plans and particularly does not  
23 like the use "all documents." The Chair added that the requirement for sealing  
24 documents is already specified in statute.

25 The Chair explained that Sandlin has much the same concerns as Sloan and  
26 does not support the proposed change at all.

27  
28 **The Chair moved to Agenda item, #17, Legislation and referred to**  
29 **documents contained in Tab 16 and Tab 17.**

30  
31 Kalen explained that Rep. Harris introduced a bill last legislature, and again  
32 this legislature, to draft survey standards, in particular, mortgage survey  
33 standards. McLane and Kalen adapted Ohio statutes for Alaska and a copy of  
34 those standards is in the Board packet.

35  
36 Peirsol stated she thought the Board had previously concluded that this is not  
37 under Board jurisdiction and some other entity should do this.

38  
39 The Board held a lengthy discussion about the technical standards being  
40 placed in the statutes that govern minimum licensure of individuals. While the  
41 Board supported the concept of mortgage surveying standards, the discussion  
42 was about the most appropriate spot in statute for the industry standards to  
43 reside. Concern was expressed that adopting standards in AS 08.48 would lead  
44 to putting all industry standards within Title 08, and it would also be  
45 problematic to change the standards and keep them updated.

46  
47 Peirsol felt the Board had previously responded to the Legislature its belief that  
48 mortgage survey standards should be in Title 34.

1 Brower joined the meeting at 11:40 a.m.

2  
3 **Agenda Item 8 – Meet with Attorney**

4  
5 The Chair noted the Board’s attorney had joined the meeting and briefly  
6 outlined the questions the Board had about federal lands.

7  
8 Paul Whipple joined the meeting at 11:45 a.m.

9  
10 Lunch: Break 11:55

11 Reconvene: 1:15 p.m.

12  
13 All Board members are present except Mills and Peirsol (Iverson, excused), and  
14 members of the public are present, as follows:

15  
16 Dale Nelson, Sean Boily, Max Schillinger, Terry Schoenthal, Paul Whipple, J.D.  
17 Squires, Jeffrey Wilson, Michael McKamey, Scott Sandlin, Shawn Florio and  
18 Paul Fellman (Rep. John Harris’s office)

19  
20 **Agenda Item 9 – Public Comment**

21  
22 The Chair indicated the Board would now take up Public Comment and noted  
23 that there were visitors present.

24  
25 **Max Schillinger** spoke about the requirements for land surveyor licensing,  
26 without the needed educational requirements. He briefly outlined his  
27 qualifications, experience and education.

28  
29 Peirsol and Mills joined the meeting at 1:20 p.m.

30  
31 Schillinger explained he has an application before the Board and wanted to  
32 talk about the education requirements. He explained he has passed the FE  
33 examination, both land surveying national examinations, and holds a 4-year  
34 engineering degree, in environmental engineering, but not an ABET accredited  
35 degree in civil engineering. He asked the Board to consider his qualifications  
36 since the education component has been met and while it does not specifically  
37 fit the AELS tables he felt it met the spirit of the law. He felt the purpose of the  
38 changes from experience only to requiring a minimum of two years of education  
39 had been incorporated into the minimum requirements to support the  
40 professional aspect. He felt that since he has a 4-year engineering degree, his  
41 education should count as meeting the 2-year minimum education standard.

42  
43 The Chair asked him if he has any formal coursework in surveying.

44  
45 Schillinger explained his college did not offer surveying courses but he has  
46 taught a course in surveying and learned the practice of surveying from  
47 working with his father, who was a registered land surveyor.

1 Kalen stated the narrowness of the education requirements for land surveyors  
2 have been discussed before.

3  
4 **Sean Boily**, stated he is a registered Architect, and felt the definition of  
5 incidental practice of minor importance should be broadened to include some  
6 landscape architecture as an incidental practice. Since there are so few  
7 landscape architects, he feels there are occasions where some landscape  
8 architecture need to be allowed by architects.

9  
10 The Board stated that incidental practice of minor importance has not been  
11 defined.

12  
13 The Chair stated that all the requirements are meant to allow professionals to  
14 practice what they are competent in regarding education and experience.

15  
16 Boily explained that he is qualified to add minor landscape architectural  
17 designs through his education.

18  
19 Brown noted that playground equipment in particular is under the purview of  
20 the landscape architect.

21  
22 Boily explained playground design was included in the Architectural  
23 Registration Examination (ARE) exam he took, indicating that architects were  
24 expected to be knowledgeable in these areas.

25  
26 Brown agreed the ARE exams do have questions dealing with other fields of  
27 practice, but not to the depth that would imply competence.

28  
29 Jeff Wilson added that there are some things that architects are allowed to do  
30 with respect to landscape architecture.

31  
32 Cyra-Korsgaard noted that there is overlap between professions but civil  
33 engineers and architects do not bring the landscape architect's perspective.

34  
35 Boily stated there is only one landscape architect in Juneau and he works for a  
36 competing firm so this creates issues in the design community.

37  
38 **Michael McKamey**, representing the Alaska Section of the American Society of  
39 Civil Engineers (ASCE), asked to speak about mandatory Continuing  
40 Education. He mentioned that he feels there is a general consensus supporting  
41 a mandatory program but has questions about how a program would be  
42 administered.

43  
44 Kalen stated the proposal would be based on the recommendations for  
45 continuing education (CE) from the NCEES Model Law. Any continuing  
46 education credits that would be accepted to meet the CE requirement in other  
47 states would be allowed in Alaska under the NCEES guidelines.

1 The Chair added that individual providers have not yet been discussed by the  
2 Board but that the Board would try to avoid having to review courses and  
3 course providers.

4  
5 **Paul Whipple**, representing the Alaska Professional Design Council (APDC)  
6 expressed opposition over the proposed draft regulation change regarding  
7 stamping specifications. He stated the general consensus is that no change  
8 was necessary, and the way it was written is confusing.

9  
10 The Chair suggested that Paul Whipple be added to the interested party list.

11  
12 Whipple suggested if the Board is trying to remedy an issue, the language  
13 should be tightened up because the regulation is confusing., For example, it  
14 does not define a “document”.

15  
16 **Dale Nelson** agreed with Whipple and spoke against adopting the draft  
17 regulation for sealing specifications.

18  
19 **John Squires** explained he is a PE, Civil engineering applicant and has  
20 requested an FE waiver. He explained he has obtained a Masters degree in  
21 Civil Engineering, and has not taken the FE exam because he didn't have an  
22 undergraduate degree in engineering. He discussed his experience, and due to  
23 the itinerant nature of his construction work, he has not been able to have his  
24 work verified by a third party. He outlined some of his experience for Board  
25 members. He spoke in favor of a mandatory continuing education program.

26  
27 The Chair indicated his application would be reviewed in Executive Session  
28 and his comments would be taken into account.

29  
30 Scott Sandlin, representing himself, spoke in favor of changing the minimum  
31 qualifications for Architect by Comity, to allow an architect to become licensed  
32 without an NCARB Council record (Blue Book) and without going through the  
33 formal process of applying for the Broadly Experienced Architect (BEA) process.  
34 He explained that the BEA process is simply too costly, but that he has met the  
35 education and experience qualifications outlined in that process. He asked that  
36 the board reopen a regulation project to allow candidates to provide alternative  
37 ways to document the architect experience and education.

38  
39 **Shawn Florio**, representing himself, spoke on the issue of adding the  
40 definition of environmental engineering. He asked the Board, if it is needed at  
41 all, not make the definition too narrow and suggested adding risk assessment  
42 to the definition. He also provided as an example of a less restrictive  
43 designation, a definition of environmental engineering that he obtained from  
44 the National Society of Professional Engineers (NSPE) website: Environmental  
45 engineering is the development of processes and infrastructure for the supply  
46 of water, the disposal of waste, and the control of all kinds of pollution.  
47 Environmental  
48 engineers protect public health by preventing disease transmission and  
49 preserve the quality of the environment by averting the contamination

1 and degradation of air, water, and land resources.

2  
3 In terms of what direction the Board should go with respect to engineer  
4 licensure, he felt the professional societies were evenly split on the issue of  
5 adding disciplines. He felt the Board needed to be in accord with other states  
6 and it appeared many other states license engineers as non discipline  
7 engineers. He expressed concern that engineers currently licensed as civil  
8 engineers may be adversely affected if environmental engineers were licensed.  
9 For example, civil engineers registered in Alaska may be required to get  
10 licensed as an environmental engineer.

11  
12 The Chair agreed that there is a lot of overlap between disciplines, and the  
13 Board is not interested in adopting regulations that will make it harder for  
14 engineers to practice.

15  
16 Brown mentioned the same situation exists between landscape architects and  
17 architects. She feels that over time, civil and environmental engineering will  
18 become more divergent.

19  
20 The Executive Administrator passed out typed revisions to the draft November  
21 2003 minutes.

22  
23 **On a motion duly made by Gilfilian, seconded by McLane, and adopted**  
24 **unanimously, it was**

25  
26 **RESOLVED to adopt the minutes from the November 13-14, 2003**  
27 **meeting, with changes as noted.**

28  
29 The Chair indicated there were no objections, and the motion passed.

30  
31 **Agenda Item 10 – Application Reviews**

32  
33 **On a motion duly made by Kalen, seconded by McLane, and adopted**  
34 **unanimously, it was**

35  
36 **RESOLVED to go into executive session for the purpose of reviewing**  
37 **applicant files at 2:45 p.m.**

38  
39 The Board went into executive session at 2:45 p.m.

40  
41 A Licensing Examiner placed a sign on the door that the Board was now in  
42 Executive Session.

43  
44 The Board recessed at 7:30 p.m. until 8:00 a.m. Friday, February 20, 2004.



1 **Friday, February 20, 2004**

2  
3 **Agenda Item 11 – Convene/Roll Call**

4  
5 Robert Miller calls meeting to order at 8:01

6  
7 Members present and constituting a quorum were:

8 Robert Miller, Chairperson, Ph.D., Civil Engineer  
9 Daphne Brown, Architect  
10 Linda Cyra-Korsgaard, Landscape Architect  
11 Kathleen Gardner, Vice-Chairperson, Mechanical Engineer  
12 Robert Gilfilian, Civil Engineer  
13 Patrick Kalen, Land Surveyor  
14 Scott McLane, Land Surveyor  
15 Patricia Peirsol, Architect  
16 Ernie Siemoneit, Secretary, Mining Engineer  
17

18 Absent was:

19 Donald J. Iverson, Electrical Engineer  
20 Kimberly Mills, Public Member -delayed until 8:05  
21

22 Representing the Division of Occupational Licensing:

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

27 Joining a portion of the meeting, in person, on February 20, 2004 were:

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

33 Dale Nelson, APDC  
34 409 W. 12<sup>th</sup> Ave.  
35 Anchorage, AK 99501  
36

37 Chris Roust  
38 155 S. Seward St.  
39 Juneau, AK 99801  
40

41 Sam Kito III Alaska Professional Design Council, P.E.  
42 PO Box 21192  
43 Juneau, AK 99802  
44

45 The Chair called the meeting to order and asked if there were any concerns  
46 about files that needed to be addressed. There were none.  
47

48 The Chair moved forward to Agenda Item 19.  
49

1 **Agenda Item 19 - New Business**

2  
3 The Chair added that the first item to take up was the Election of new officers.

4  
5 **On a motion duly made by Kalen, seconded by Gilfilian, and adopted**  
6 **unanimously, it was**

7  
8 **RESOLVED to nominate Iverson for Chair.**

9  
10 **On a motion duly made by Brown, seconded by Gardner, and adopted**  
11 **unanimously, it was**

12  
13 **RESOLVED to nominate Cyra-Korsgaard for Chair.**

14  
15 **On a motion duly made by Gilfilian, seconded by Peirsol, and adopted**  
16 **unanimously, it was**

17  
18 **RESOLVED to close the nominations for Chair.**

19  
20 The Chair indicated there were no objections, and the motion passed.

21  
22 Gilfilian spoke in support of Iverson.

23 Brown spoke in support of Linda Cyra-Korsgaard.

24  
25 Mills arrived at 8:05 a.m.

26  
27 The Licensing Examiner passed out ballots, Board members voted, and ballots  
28 were collected and counted.

29  
30 The Licensing Examiner announced the vote was 5-4, with Iverson elected as  
31 Chair.

32  
33 **On a motion duly made by Brown, seconded by Gilfilian, and adopted**  
34 **unanimously, it was**

35  
36 **RESOLVED to nominate Cyra-Korsgaard for Vice-Chair.**

37  
38 **On a motion duly made by Kalen, seconded by Siemoneit and adopted**  
39 **unanimously, it was**

40  
41 **RESOLVED to nominate McLane for Vice-Chair.**

42  
43 **On a motion duly made by Brown, seconded by Gilfilian, and adopted**  
44 **unanimously, it was**

45  
46 **RESOLVED to close the nominations for Vice- Chair.**

47  
48 The Licensing Examiner passed out ballots, Board members voted, and ballots  
49 were collected and counted.

1  
2 The Licensing Examiner announced the vote was 5-4, with Cyra-Korsgaard  
3 elected as Vice-Chair.

4  
5 **On a motion duly made by Brown, seconded by Mills, and adopted**  
6 **unanimously, it was**

7  
8 **RESOLVED to nominate Gilfilian for Secretary.**

9  
10 **On a motion duly made by Kalen, seconded by Cyra-Korsgaard, and**  
11 **adopted unanimously, it was**

12  
13 **RESOLVED to close the nominations for Secretary.**

14  
15 The Chair indicated there were no objections, and the motion passed, and  
16 Gilfilian was elected as Secretary.

17  
18 **Agenda Item 12 – Investigator’s Report**

19  
20 The Chair asked if there were any questions.

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

24  
25 **RESOLVED to provide a link (URL address) in the AELS minutes to**  
26 **the Investigator’s report in order to provide easy access to this**  
27 **information.**

28  
29 The Chair indicated there were no objections, and the motion passed.  
30 The URL is <http://www.dced.state.ak.us/occ/pael21.htm>.

31  
32 **On a motion duly made by Kalen, seconded by Brown, and adopted, it was**

33  
34 **RESOLVED to accept the proposed Memorandum of Agreement for**  
35 **Mr. Cobb.**

36  
37 The Chair indicated there were no objections, and the motion passed. The  
38 Chair signed the MOA and gave it to the Investigator, John Clark.

39  
40 The AELS Board voted to reprimand Richard Shoemaker Cobb, Architect #6213  
41 for falsely answering questions on his architect license renewal form, and for  
42 unlicensed practice by advertising services as a professional engineer.  
43 Additionally, the Board considered that Cobb falsified applications in another  
44 jurisdiction for applications for the national engineering examinations  
45 (Fundamentals of Land Surveying, and Professional Engineering examinations).  
46 The Board imposed a \$4,000 fine to be paid within 90 days, and required Cobb  
47 to successfully complete a college level professional ethics course (Case # 0100-  
48 02-005).

1 **On a motion duly made by Kalen, seconded by Brown, and adopted, it was**

2  
3 **RESOLVED to accept the proposed Memorandum of Agreement for**  
4 **Mr. Swan.**

5  
6 The Board held a short discussion about the type of work that Mr. Swan would  
7 be allowed to do under the MOA.

8  
9 McLane stated that minimum standards are difficult for some surveyors.

10  
11 The Chair asked if the land surveyor cases are mortgage surveys.

12  
13 Clark stated the as-built surveys do cause a lot of problems particularly for  
14 those surveyors with no formal education.

15  
16 Gilfilian stated he is opposed to the MOA, under sections outlined in the MOA  
17 that show this individual should not be allowed to do mortgage surveys.

18  
19 Brown stated the individual could continue without any additional courses.

20  
21 Gardner asked what would happen if the MOA is not adopted by the Board.

22  
23 Clark stated it would turn into an accusation from the Department of Law.

24  
25 **On a motion duly made by Kalen, seconded by Gardner, and unanimously**  
26 **adopted, it was**

27  
28 **RESOLVED to go into Executive Session for the purposes of**  
29 **discussing the MOA for Mr. Swan at 8:45 a.m.**

30  
31 The Board came out of Executive Session at 8:53 a.m. and the Chair read the  
32 motion before them to adopt the MOA for Mr. Swan.

33  
34 Kalen asked for a roll call vote.

35  
36

Board member	Yea	Nay
Brown	x	
Gardner	x	
McLane	abstained	
Mills	x	
Miller	x	
Peirsol	x	
Gilfilian		x
Kalen		x
Siemoneit		x
Total	5	3

37  
38 By a vote of 5-3, with one abstention, the MOA for Mr. Swan was adopted.

NH/dgl/485nh  
070204c

1  
2 The Chair signed the MOA and gave it to the Investigator, John Clark.  
3 The AELS Board voted to reprimand Michael A. Swan, PLS #6940, for  
4 performing work below the minimum professional standards of land surveying  
5 by improper setting and recording of monuments. The Board required Swan to  
6 satisfactorily complete three land surveying courses: two in boundary law, one  
7 in municipal and civil geomatics, and to complete a course in professional  
8 ethics. Until the additional education is completed, Swan is not eligible to set  
9 property line monuments or file any documents or plats affecting property lines  
10 that require a boundary survey. The Board required supervision of his land  
11 surveyor activities, and Swan must hire a professional land surveyor (PLS) to  
12 review the next 25 plats filed with the State Records office that affect property  
13 lines or reflect monuments set that affect property lines (Case # 0104-01-002).  
14

15 The Chair asked if satisfactory completion of the course included a "D" and  
16 several Board members indicated that if the individual passed the course that  
17 would meet the requirement.  
18

19 The Investigator continued to review his report with the Board.  
20

21 Clark outlined the procedures used in the process of the determining how the  
22 cases are settled.  
23

24 The Chair asked that the record reflect that the Board does not support closure  
25 of cases simply on the basis of the time period that they are open.  
26

27 Clark has received reports on case hearings up to nine months after the  
28 hearings were held.  
29

30 Peirsol asked whether the board members' names should be used in the  
31 reports.  
32

33 Brown felt as a public document, the names should be included.  
34

35 Clark added that the name of the person accused is not listed, so no one would  
36 know the Board member involved so listing the Board member involvement  
37 should not be a problem.  
38

39 Break: 9:00 a.m.

40 Reconvene: 9:10 a. m.  
41

42 Brown asked Clark about his thoughts about the email from Jones about stop  
43 work orders, and the objection to them.  
44

45 The Board held a brief discussion about stop work order legislation, too late to  
46 introduce this year.  
47

48 Clark stated the fines are not a strong enough incentive to change the way  
49 businesses are run.

1  
2 Brown stated the building officials need to be in compliance regarding fully  
3 stamped plans.

4  
5 **Agenda Item 13 – Meet with Building Official**

6  
7 Chris Roust, Building Official, introduced himself. He explained that each set  
8 of plans is reviewed carefully before a permit is issued in conjunction with local  
9 ordinances. The project must be stamped before the project is authorized. He  
10 does not think a large construction project would be approved without  
11 appropriate design professionals but in smaller projects it can be somewhat  
12 confusing, particularly with small multi-occupancy buildings because there is  
13 often not a clear cut off.

14  
15 Roust mentioned that smaller projects are a concern, and referred to the  
16 Reference Manual for Building Officials, page 10, for questions and answers  
17 regarding when a stamp is needed and explained the City and Borough of  
18 Juneau has ordinances to determine this.

19  
20 Peirsol explained an architect should be involved in any instance of public  
21 safety, with respect to fire and life safety issues and ADA access.

22  
23 Roust agreed but for small buildings, such as storage facilities, people may  
24 want to hire an engineer, but not an architect also, and this may be due to a  
25 sense of cost for two professionals, that it may cost twice as much.

26  
27 Peirsol explained the overall cost should be similar, as each would charge less  
28 because they have less to do, and there would be efficiencies because the  
29 architect has the working knowledge to provide services such as entrance and  
30 exits, and restrooms.

31  
32 The Chair asked if there are any issues about Landscape Architecture.

33  
34 Roust responded there were not because neither the City and Borough  
35 ordinances nor the currently adopted building code require a landscape  
36 architect.

37  
38 Brown mentioned that building officials were given an exemption from the  
39 requirement for registration, but only when reviewing plans that are stamped,  
40 and it is frustrating for the Board to learn that some plans are not being  
41 stamped.

42  
43 Peirsol felt that better communication could help and reiterated the need to  
44 focus on public safety, which does not go away simply because a building is  
45 small.

46  
47 The Chair mentioned other issues, the signpost collapse mentioned in the  
48 correspondence, for example, that had been completed by a specialty  
49 contractor.

1  
2 Roust responded that signs must be stamped by engineers, and range hoods in  
3 commercial kitchens must be designed and stamped by engineers.

4  
5 Gilfilian asks about sprinkler plans.

6  
7 Roust responded that sprinkler plans are reviewed by the fire marshal, not the  
8 building official.

9  
10 The Board discussed incidental practice of minor importance and asked the  
11 Building Official if he would be willing to participate in a group that is working  
12 on a definition and a regulation project to clarify this issue.

13  
14 Roust thought there would always be issues and would be willing to be part of  
15 a group to work on this issue. He mentioned a website he developed that has  
16 become popular, <http://www.akcodes.com>. The site has local and state  
17 building codes, and information on legislation, code adoption process, and  
18 training.

19  
20 The Chair thanked Mr. Roust, invited him to participate in future meetings,  
21 and encouraged any concerns or comments that could be passed on through  
22 the Executive Administrator.

23  
24 **Agenda Item 14 – Meet with David Brower, Attorney**

25  
26 The Board held a brief discussion to recall questions for the attorney.

27  
28 The Chair indicated that the Board members had a few questions, and Brower  
29 responded to them.

30  
31 Brower indicated he read the correspondence from Mr. Hemphill. He stated  
32 that the courts have decided that states cannot compel the federal government  
33 to hire people licensed in their jurisdiction. The federal government contracts  
34 with the design professional (the contractor), who may be licensed in another  
35 U.S. jurisdiction. He believed that the federal protection would not extend to  
36 subcontractors hired by the contractor because the subcontractor is not  
37 working for the federal government.

38  
39 Brown indicated her experience with federal projects was that the U.S. Corps of  
40 Engineers hires the prime architect, who often hires sub-contractors, and  
41 many of them are out-of-state architects, not licensed in Alaska, who work as a  
42 team to provide the services.

43  
44 Brower explained it would also depend on the specific language in the contract,  
45 and if the federal government is involved in the hiring, the exemption would  
46 apply.

47  
48 The Chair mentioned that the Senate Judiciary Committee raised a concern  
49 about continuing education and competition, i.e., that it may make it tougher

1 to be registered if the Board adopted onerous continuing education  
2 requirements.

3  
4 Brower responded this should not be a concern, and mentioned that Boards  
5 overseeing doctors, accountants, and dentists all have authority to require  
6 continuing education, without defining specific requirements defined in  
7 statute, leaving the Boards to set the minimum requirements.

8  
9 Kalen indicated he spoke to Senator Seekins about continuing education and  
10 he thinks the concern was addressed since the Board is using national norms.

11  
12 The Board held a short discussion about who would authorize course  
13 providers.

14  
15 The Chair indicated the Board should avoid reviewing course providers and the  
16 system can be set up to use accepted providers recognized by professional  
17 societies and national licensing organizations such as NCEES, NCARB, and  
18 CLARB.

19  
20 Cyra-Korsgaard asked that this item be put on the next agenda, with respect to  
21 course providers.

22  
23 The Chair asked the Executive Administrator to place continuing education  
24 providers on the next agenda, at the June 2004 AELS meeting.

25  
26 The Chair asked Brower to respond to the public comments on the regulations  
27 with respect to the sealing of project specifications.

28  
29 Brower responded that "responsibility" changes the perception and felt that it  
30 may be redundant.

31  
32 Gilfilian responded the language is not redundant because in professional  
33 practice the specifications are not always stamped. The Board wanted to make  
34 it clear to the person stamping the plans that the registrant is taking  
35 responsibility for the specifications.

36  
37 The Board held a discussion about possible language changes to make the  
38 regulation clearer.

39  
40 The Executive Administrator explained the Board's intention and the purpose  
41 of the proposed regulation change was to give relief to those firms and  
42 registrants who are not specifically stamping the specifications. While the  
43 statute requires the final specifications to be sealed, the Board discovered that  
44 in practice, many registrants are not doing so, in violation of the statute.  
45 Sometimes it happens because a firm has multiple people in several Alaskan  
46 offices working on the project, and producing specifications. In those instances  
47 it is less practical for the firm to circulate the final specifications packet for  
48 signatures. In other instances, the Board found that individuals did not want  
49 to stamp each page that pertained to their respective field. The Board wanted



1 to address this concern, by lumping the final plans and specifications together  
2 so when a registrant signed and sealed the final plans, the associated  
3 specifications were considered included in that action. Registrants currently  
4 are not allowed to work outside their discipline, so the requirement only applies  
5 to the responsibility of the scope of their practice. For example, the architect  
6 takes responsibility for any specifications relating to architecture, an electrical  
7 engineer takes responsibility for the electrical specifications. Because  
8 registrants cannot work outside their discipline, the Board did not feel it was  
9 adding responsibility, just putting into place what the actual practice is in  
10 many instances. Those registrants currently stamping specifications, or  
11 stamping a cover sheet of the specifications would not be affected by the  
12 proposed regulation change.

13  
14 The Board held a lengthy discussion about the confusion over the intent of the  
15 regulation, and that most of the concern expressed was because registrants did  
16 not wish to be held responsible for work they did not do, i.e., work outside their  
17 discipline.

18  
19 Dale Nelson commented that “document” was not defined so registrants were  
20 not certain what those might include and suggested it be defined.

21  
22 Brower noted that AS 08.48. 221 requires “documents” be sealed.

23  
24  
25 **On a motion duly made by Kalen, seconded by Brown, and adopted**  
26 **unanimously, it was**

27  
28 **RESOLVED to delete from the draft regulation project public**  
29 **noticed, 12 AAC 36.185, Seals.**  
30

31 The Chair indicated there were no objections, and the motion passed.

32  
33 Gilfilian referred to, 12 AAC 36.075 Disciplinary Powers of Boards, and asked if  
34 the Board wanted to send the letters referring to the stop work order despite  
35 the Director’s disapproval and asked for clarity on the Board’s authority.

36  
37 Brower responded sending a letter doesn’t necessarily fall under disciplinary  
38 powers, but may fall under education.

39  
40 Kalen advised his recollection is that prior Boards have sent the letters  
41 without approval by the Division Director, and this called friction between the  
42 Board and the Director.

43  
44 Siemoneit cautioned against sending a letter without the Director’s approval  
45 and felt that communication with the Director was a better approach.

46  
47 Gilfilian mentioned the closing of cases that seem to indicate the Board was  
48 overruled by the Director, and he referred to AS 08.48.111, giving the Board  
49 the power to remove a license, but the Board’s intent and authority would be

1 overruled if the cases were dismissed by the Director. He felt the time it takes  
2 to go through the investigative process is not in the Board's control, and could  
3 have public safety implications.

4  
5 Gilfilian asked for an explanation of the stop work order and a cease and desist  
6 order.

7  
8 Brower explained that a cease and desist order is typically used on an  
9 individual, but that a stop work order is used to stop the whole project, not  
10 just one aspect of it.

11  
12 The Board held a brief discussion about stopping a project that may be built  
13 without the appropriate design professionals and may be unsafe for the public.

14  
15 Kalen discussed mortgage surveys, and explained that standards have been  
16 developed by the ASPLS and asked if they should be added into statute, Title  
17 34, or would it be better to only reference the standards in the Title.

18  
19 The Chair responded that the Board will still discuss the statutes but perhaps  
20 Brower could explore how to reference the standards to be applied to mortgage  
21 surveys, and respond to the Executive Administrator.

22  
23 Sam Kito joined the meeting at 11:05.

24  
25 The Division Director, Rich Urion arrived at 11:05.

26  
27 The Chair thanked Brower for his assistance.

28  
29 **Agenda Item 16 – Meet with Rick Urion, Director**

30  
31 The Chair introduced Sam Kito and Dale Nelson to the Director.

32  
33 Brown asked the Director to consider resuming the administrator's travel to  
34 meetings.

35  
36 Urion responded if there is a benefit to the State of Alaska, then the travel  
37 would be approved. If not, it would be denied.

38  
39 The Board held a lengthy discussion of the benefits it sees in having the  
40 administrator travel to the regional and national committees. Board members  
41 have terms and administrator do not, so it helps to have their participation;  
42 administrators from other jurisdictions participate in forums and workshops,  
43 and participation is issue-oriented, so it is also helpful for the administrator to  
44 participate at the ground level.

45  
46 Gilfilian supported the face-to-face contact, and advised next year Alaska will  
47 host the Western Zone Conference (regional meeting of the National Council of  
48 Examiners for Engineers and Land Surveyors).

1 Peirsol advised participation is strongly encouraged by the national  
2 organizations and is reimbursed by the organization, and is included in the  
3 dues paid, so denying those trips means a loss to the State.

4  
5 McLane explained the State relies on the national organization to provide the  
6 professional exams, and it is important to keep abreast of the issues, as well as  
7 any fees the organizations propose.

8  
9 Siemoneit explained the Board felt it was operating in a vacuum without having  
10 the Board administrator travel to these conferences.

11  
12 Cyra-Korsgaard asked Urion about the letter to general contractors that was  
13 denied by him, and reminded him he was going to reconsider the letter.

14  
15 The Executive Administrator explained the Board had requested sending one  
16 letter early this year, to advise contractors of potential initial fines of up to  
17 \$2,000 for unlicensed practice. The Board had also recently requested a letter  
18 be sent to advise specialty contractors of the bill that would clarify the  
19 statutory exemptions with respect to specialty contractors, and to request their  
20 support for the bill.

21  
22 Gilfilian felt that education is a very important part of the Board's mission and  
23 would prevent some problems.

24  
25 Urion responded that informing the public about the law is not the Board's job,  
26 and that imposing fines would curb unlicensed activity.

27  
28 Siemoneit felt that the letter to contractors was a tool to influence them to  
29 come into compliance, rather than to take enforcement action, particularly with  
30 limited enforcement funding.

31  
32 Urion responded that if the position is taken to protect turf, the Board should  
33 rely on the professional associations to make that effort and send out the  
34 letters.

35  
36 Brown indicated the Board's role is protection of the public by setting  
37 minimum standards for licensure, and ensuring the safety of the public  
38 buildings and structures. The Board works to ensure compliance of the  
39 statutes and regulations, not to fine offenders, and the letter at issue was one  
40 to provide education about the laws.

41  
42 Peirsol noted that the public complains about not being informed about the  
43 requirements and the Board would rather educate than impose fines that  
44 cause pain and anguish for them.

45  
46 The Chair mentioned the Ice Hotel project in Chena Hot Springs and wondered  
47 if an engineer should have determined the facility to be safe for public  
48 occupancy.

1 The Director advised the Board that the builder would not have received the  
2 Board's letter to contractors anyway.

3  
4 Urion felt the responsibility for compliance rests with the building owner.

5  
6 Mills advised that in her area, Homer, there is no building official and  
7 contractors feel they are not regulated by anyone so the letter would have  
8 informed them of the requirements.

9  
10 The Chair asked about the cases that were closed by the Director.

11  
12 Urion had insisted that old cases be cleaned up, and the investigator staff  
13 closed the old cases, although Urion did not make decisions on individual  
14 cases.

15  
16 Siemoneit mentioned that this sets a precedent to delay the cases in the hope  
17 of getting them dismissed.

18  
19 Urion felt there are other reasons why cases are dismissed, not just the lapsed  
20 time, but because there is insufficient evidence to make and win the case.

21  
22 Peirsol stated the time it takes to pursue these cases is not under the control of  
23 the Board, and felt it was important for the Board to take a proactive role in  
24 providing education and information to prevent cases, not to investigate them.

25  
26 Urion asked if most of the cases were about unlicensed practice.

27  
28 Peirsol responded that 19 of the open cases are complaints against licensed  
29 registrants while 8 of them are about unlicensed practice.

30  
31 Urion replied that the Board should spend its energy to get its own registrants  
32 into compliance rather than trying to educate the public.

33  
34 The Chair thanked Urion for his participation in the meeting and advised him  
35 the AELS staff is doing a great job for the Board. He said the Board felt the  
36 investigator was doing an outstanding job for the Board and confers with  
37 individual Board members on cases. He mentioned the Board submitted a  
38 request for the administrator to receive a distinguished service award from the  
39 NCEES organization because of her work for the Board, and the files are in  
40 order due to the efforts of the two licensing examiners.

41  
42 Break for Lunch 11:45 a.m.

43 Reconvene: 1:07 p.m.

44  
45 Gardner has been excused for the duration of the meeting. Dale Nelson is  
46 present.

47  
48 The Chair moved to take up Agenda item # 17, Legislation.

1   **Agenda Item 17 - Legislation**

2  
3   The Executive Administrator handed out a Legislative Liaison Committee report  
4   of 2004 issues from the Alaska Professional Design Council (APDC).

5  
6   Brown referred to the handout and asked why APDC does not support HB 268,  
7   the bill to request clarification of the statutory exemption for specialty  
8   contractors.

9  
10   Kalen explained there is support for HB 268, but the bill is still in the House  
11   Rules Committee. Representative Rokeberg has questions on support from  
12   specialty contractors.

13  
14   Nelson responded he was not sure why the bill was not highlighted in the  
15   APDC report.

16  
17   Kalen advised that HB 252 had a hearing in the Senate Judiciary Committee.  
18   He reported that there was a Committee Substitute (CS) to add in the  
19   administrator's partially exempt position, and there would be an amendment to  
20   tighten up the continuing education requirement to address a concern raised  
21   at the hearing.

22  
23   Nelson advised he would report back to the APDC the information obtained  
24   from observing and participating in the Board meeting.

25  
26   The Chair brought up the letter from Randy Johnson, Fairbanks North Star  
27   Borough, and advised him (that the sub group would be meeting to discuss his  
28   questions.

29  
30   McLane hoped the subgroup could meet later today.

31  
32   The Board held a discussion about the draft proposed regulations that were  
33   public noticed.

34  
35   The Chair indicated there were no objections, and the motion passed.

36  
37   The Executive Administrator explained the purpose of the change to the  
38   Landscape Architect Registration Exam (LARE) postponement date is to allow  
39   staff time to meet the order deadline. She explained the NCARB Education  
40   Standard regulation is adopted each year by the Board.

41  
42   The changes to the Engineering Table are to accommodate engineers who have  
43   an undergraduate degree that is not one of the six disciplines licensed in  
44   Alaska, combined with an advanced degree.

45  
46   The change to sealing specifications, which was previously discussed, was  
47   added to accommodate registrants who do not currently seal the specifications,  
48   yet the statutes require sealing final specifications.

1 The Board held a short discussion about the regulations.

2  
3 Gilfilian asked if the proposed regulation change for sealing specifications (12  
4 AAC 36.185) needed to be set aside.

5  
6 Brown responded that the sealing specifications would be brought up at the  
7 June 2004 meeting.

8  
9 The Chair indicated that the regulation project should be moved to the  
10 Department of Law, with the exception of the sealing specifications, which will  
11 be moved to the June meeting.

12  
13 The Chair noted the Board in considering public comments, paid special  
14 attention to the cost to private persons of the regulatory action being taken. He  
15 noted the Board determined that there is a cost savings on the LARE exam  
16 deadline since the State must pay for exams whether or not they are used.

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

20  
21 **RESOLVED to adopt the regulations public noticed, as amended, and**  
22 **to forward the project to the Department of Law for its review.**  
23

24 The Chair indicated there were no objections, and the motion passed. He  
25 asked the Executive Administrator to remove the sealing specifications  
26 requirement and move the rest of the project forward to the Department of Law  
27 for review.

28  
29 The Chair brought up Draft Regulation Language for Consideration, not yet  
30 public noticed.

31  
32 He brought up the first item, "a", FE Waiver.

33  
34 The Board discussed if it should lower the experience requirements for an FE  
35 Waiver to between 10 and 15 years for applicants holding an ABET accredited  
36 degree. The Board discussed if the work experience should be professional  
37 experience in the discipline applied for and if the requirement should be limited  
38 to comity applicants, or if it would apply to all applicants. Concern was  
39 expressed to ensure parity for U.S. registered engineers with foreign applicants  
40 such as Canadians.

41  
42 The Executive Administrator mentioned that Washington State requires 12  
43 years for an FE waiver.

44  
45 The Board discussed the Canadian process of licensure and differences with  
46 the U.S., primarily due to the requirement for the FE and PE exams in the U.S.

47  
48 The Chair indicated this item should be held until the June AELS Board  
49 meeting to allow the Engineering Subgroup time to meet.

1  
2 The Chair brought up items, “b”, Engineering Exam Tables, “c”, Land  
3 Surveying Exam Table, “d”, Landscape Architect exam, “e”, Landscape  
4 Architect by comity, and “f”, Definition of Environmental Engineering.  
5

6 The Board discussed cleaning up some regulations with phase-in language for  
7 engineers, land surveyors, and landscape architects that no longer apply.  
8

9 Brown asked if there are offered 4-year and 5-year Master of Landscape  
10 Architecture degree programs.  
11

12 Cyra-Korsgaard responded there were both 4-year and 5-year programs.  
13

14 Brown asked if the table should be changed to LAAB accredited MLA, with a  
15 non-LAAB undergraduate degree, and also change the education requirement  
16 from 4 to 5 years, and the experience credit from 4 to 3 years, for a total of 8  
17 years combined education and experience.  
18

19 The Chair said the Board conceptually agrees to add the credit for an advanced  
20 degree and Cyra-Korsgaard and Executive Administrator should work on the  
21 language and circulate it.  
22

23 The Board discussed the allowance for comity applicants with five or more  
24 years to submit two letters of reference.  
25

26 Gilfilian read the engineering regulation and suggested it read: (3) if the  
27 applicant is registered and has been practicing landscape architecture for five  
28 years or more, provide two current letters of reference from landscape  
29 architects registered in the state of Alaska.  
30

31 The Board held a short discussion and held that item over to allow the  
32 professional society time for discussion.  
33

34 Gilfilian discussed the need for environmental engineers but does not favor  
35 public noticing the regulation if the Board is not going to register  
36 environmental engineers.  
37

38 Kalen agreed the agenda gives the sense the Board is moving forward.  
39

40 Cyra-Korsgaard suggested the meeting summary should reflect, “The Board will  
41 continue to consider comments on environmental engineering and non-  
42 discipline specific licensure.”  
43

44 The Chair suggested that the environmental engineering definition should be  
45 discussed by the engineering subgroup.  
46

47 Kalen mentioned the Board took public comment from Shawn Florio, but the  
48 agenda item should not be added until the Board is ready to act on this matter.  
49

1 **On a motion duly made by Kalen, seconded by Mills, and adopted**  
2 **unanimously, it was**

3  
4 **RESOLVED to adopt the draft regulations, listed in tab 7 as “ b,”**  
5 **“c,” and “d” to public notice the draft proposed regulations.**  
6

7 The Chair indicated there were no objections, and the motion passed. He  
8 noted the items would be sent to those on the “interested parties list”  
9 maintained by the regulation specialist.

10  
11 There were no objections and the Chair brought up HB 148, Land Surveyor  
12 Standards.

13  
14 McLane asked about HB 148, and expressed his interest in having the  
15 professional societies, not the Board, update minimum standards for mortgage  
16 surveys.

17  
18 The Board held a lengthy discussion about the bill and the concern that the bill  
19 establishes minimum technical practice standards under the AELS Board’s  
20 purview. The Board establishes minimum standards for the licensure of the  
21 design professionals, not the standards of practice. The Board discussed the  
22 importance of establishing mortgage standards and the work the Board land  
23 surveyors have done to address the legislature’s concerns about “as-built”  
24 mortgage surveys.

25  
26 **On a motion duly made by Kalen, and seconded by McLane, it was**

27  
28 **RESOLVED to support the minimum mortgage survey standards that**  
29 **the land surveyor board members drafted in conjunction with the**  
30 **professional society, the Alaska Society of Professional Land**  
31 **Surveyors (ASPLS) and include them in Title 34.**  
32

33 The Board held a brief discussion and Dale Nelson, Alaska Professional Design  
34 Council (APDC) offered to meet with Representative Harris’s staff today and  
35 report back later in the meeting.

36  
37 Kalen withdrew his motion.

38  
39 The Chair thanked Nelson for his assistance.

40  
41 Break: 2:30 p.m.

42 Reconvene: 2:45 p.m.

43  
44 The Chair moved to back to agenda item, Tab 15, Budget Summary Report.

45  
46 **Agenda Item 15 - Budget Summary Report**  
47

48 The Chair asked if there were any questions and there were none.  
49



1 **Agenda Item 18- Old Business**

2  
3 The Chair brought up Reinstatement Forms.

4  
5 The Executive Administrator explained the two forms under Tab 18 were  
6 developed to process retired reinstatement applications and expired  
7 reinstatement applications. In both instances, the form is modeled after the  
8 renewal application form but includes specific regulations that apply in each  
9 instance. The expired registration form requires information specific to the  
10 examination taken, and in the event a person has not taken the national  
11 examinations, with respect to each field, or there was an irregularity, staff  
12 would bring the application before the Board. In all other instances, staff  
13 would process the form, much as they currently process renewal forms.

14  
15 The Board held a discussion about the forms.

16  
17 **On a motion duly made by Cyra-Korsgaard, and seconded by Mills, and**  
18 **adopted unanimously, it was**

19  
20 **RESOLVED to allow staff to process reinstatement and expired**  
21 **licensee reinstatements in the same manner staff process renewals,**  
22 **i.e., that any applications with responses that do not clearly show**  
23 **the applicant is qualified for reinstatement are brought to the Board**  
24 **for review.**

25  
26 The Chair indicated there were no objections, and the motion passed.

27  
28 The Chair brought up the next item on the agenda: Board Policy.

29  
30 The Executive Administrator explained the Board's Policy was updated at its  
31 request to add in the mission statement, and the Arctic courses were updated,  
32 and a reference to education was removed because the Board no longer accepts  
33 degrees in related sciences.

34  
35 **The Board held a short discussion and approved the revised Board policy.**

36  
37 The Chair reverted back to HB 148, Land Surveyor Standards.

38  
39 The Chair indicated Dale Nelson re-joined the meeting, and has spoken with  
40 Representative Harris's staff with respect to HB 148.

41  
42 **On a motion duly made by Cyra-Korsgaard, and seconded by Gilfilian, it**  
43 **was**

44  
45 **RESOLVED to support the minimum mortgage survey standards that**  
46 **the land surveyor board members drafted in conjunction with the**  
47 **professional society, the Alaska Society of Professional Land**  
48 **Surveyors (ASPLS); and to recommend to Rep. Harris that the bill,**  
49 **HB 148, should not amend Title 08, and to suggest that Title 34 is a**

**more appropriate place for minimum standards for mortgage surveys.**

The Board held a lengthy discussion

Peirsol stated the survey standards should all be in one place, in Title 34. The standards by which they practice do not belong in the AELS regulation.

Nelson asked where the standards of practice are located in statute for the practice of engineering.

The Chair responded there are not state statutes and regulations governing the technical practice of engineering, but codes apply to them.

McLane reiterated that the need for the statute to provide minimum mortgage standards is for public protection and without them the public has been harmed. He felt that the substitute motion provided this protection and would allow the Board's investigator to enforce minimum standards in statute, without specific regulations in the AELS regulations.

The Board held a lengthy discussion.

**On a substitute motion by Kalen, and seconded by McLane, and adopted unanimously, it was**

**RESOLVED to adopt the marked up version of the CS HB 148 ( ) dated 2/14/04, with the changes to the title to read, " An act establishing minimum technical standards for mortgage surveys", and to change Section 1., Line 4, from "AS 08.48" to read, "AS 34.65", and replace, "article 2" with ".071", and on Line 5, to replace "08.48.267" with "34.65.071", and on Line 6, "replace "board" with "division", and on Line 9, "replace "board" with "division", to reflect the changes the Board made to the draft bill.**

The Chair indicated the substitute motion passed, and before them now is the main motion.

Kalen asked for a roll call vote.

The Board held a roll call vote as follows:

Board Member	Yea	Nay
Brown	x	
Gilfilian	x	
Gardner	Absent	
Iverson	Absent	
Kalen	x	
McLane	x	
Mills	x	
Miller	x	

Peirsol	x	
Siemoneit	x	
Total	8	0

The Chair indicated there were no objections so the motion passed.

Kalen reported on the Model Law Land Surveyor. He indicated adopting the model law would require a statute change to the definition of land surveying to incorporate photogrammetrists, GIS, and Geodisists. He asked that Model Law Land Surveyor be on the AEELS June agenda.

### **Agenda Item 19- New Business**

The Chair asked to bring up the UAA Engineering Degree that the University of Alaska Anchorage is proposing to add.

The Chair explained that the degree would offer no specificity and candidates would obtain a BS in Engineering (BSE). He added that this is presented to keep the Board apprised of the progress of the program, and that it is not final and would go through the UAA approval process first.

The Board held a short discussion and expressed interest in having another degree program in Anchorage for engineers, but concern that students may not realize the Board would not accept a general BSE program as a 4-year credit. It would fall under "other" and would be counted as 3 years of education credit.

The Chair will respond to the UAA.

Brown would like to recommend the Board write a letter to the Commissioner explaining the need for travel to annual and regional meetings for the Executive Administrator. She felt that the Board required this for the benefit of the Board and the State, to provide education, participation with other administrators and Boards on issues important to the AEELS Board.

### **On a motion by Mills, seconded by Gilfilian, it was**

**RESOLVED to have the Board Chair write a letter to Commissioner Blatchford explaining the need for the Executive Administrator to travel to regional and national meetings.**

The Board held a brief discussion.

### **On an amendment by Siemoneit, seconded by Gilfilian, and unanimously adopted, it was**

**RESOLVED to write the letter to the Division of Occupational Licensing Director, Urion, and to copy the Commissioner.**

The Chair noted the amendment was adopted.

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

The Chair indicated he would draft a letter

**Agenda Item 20 – Read Applications into the Record**

The Chair brought up Agenda, Item 20, Read Applications into the Record and noted that two Board members had applications and those applications would be held to the last in order to allow those Board members to approve the other applications.

**On a motion duly made by Kalen, seconded by Mills 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:

The following applicants are approved for the FE or FLS exam:

NAME	EXAM	ACTION
1. Alley, Michael	FE Exam	APPROVED
2. Armogost, Eric	FE Exam	APPROVED
3. Attakai, Helena	FE Exam	APPROVED
4. Baker, Brian	FE Exam	APPROVED
5. Bergeron, Luke	FE Exam	APPROVED
6. Brown, Nathan	FE Exam	APPROVED
7. Brown, Seth	FE Exam	APPROVED
8. Bruce, James	FE Exam	APPROVED
9. Brum, Stephen	FE Exam	APPROVED
10. Burger, Saul	FE Exam	APPROVED
11. Clooten, Nate	FE Exam	APPROVED
12. Filla, Joseph	FE Exam	APPROVED
13. Garee, Matthew	FE Exam	APPROVED
14. Glasen, Christopher	FE Exam	APPROVED
15. Glubaskas, Timothy	FE Exam	APPROVED
16. Hahn, Gerhard	FE Exam	APPROVED
17. Hatfield, Garlen	FE Exam	APPROVED
18. Hermann, Julie	FE Exam	APPROVED
19. Hudson, Bryan	FE Exam	APPROVED
20. Hunter, Joshua	FE Exam	APPROVED
21. Kaufman, Ezra	FE Exam	APPROVED

22.	Keller, Jamie	FE Exam	APPROVED
23.	Kiern, Rachel	FE Exam	APPROVED
24.	Krizek, Joseph	FE Exam	APPROVED
25.	Burke, Patrick	FE Exam	APPROVED
26.	Egbejimba, Uchenna	FE Exam	APPROVED
27.	Germaine, Richard	FE Exam	APPROVED
28.	Haines, Logan	FE Exam	APPROVED
29.	Howard, Keith	FE Exam	APPROVED
30.	Jensen, Darryl	FE Exam	APPROVED
31.	Lekanof-Horine, Wayne	FE Exam	APPROVED
32.	Lindberg, Aaron	FE Exam	APPROVED
33.	Martinez, Candance	FE Exam	APPROVED
34.	Monger, Kurt	FE Exam	APPROVED
35.	Northrup, Justin	FE Exam	APPROVED
36.	Olson, Robert	FE Exam	APPROVED
37.	Onyekwelu, Thomas	FE Exam	APPROVED
38.	Parkinen, Mitch	FE Exam	APPROVED
39.	Plein, Joe	FE Exam	APPROVED
40.	Prinzhorn, David	FE Exam	APPROVED
41.	Ratchovski, Artem	FE Exam	APPROVED
42.	Rice, Jeffrey	FE Exam	APPROVED
43.	Roepke, Kerri	FE Exam	APPROVED
44.	Rogers, Corey	FE Exam	APPROVED
45.	Smith, Grant	FE Exam	APPROVED
46.	Snyder, Danielle	FE Exam	APPROVED
47.	Splain, Wily	FE Exam	APPROVED
48.	Squires, John	FE Exam	APPROVED
49.	Stowe, Agnes	FE Exam	APPROVED
50.	White, Aaron	FE Exam	APPROVED
51.	Wilson, Michael	FE Exam	APPROVED
52.	Walker, Michael	FE Exam	APPROVED
53.	Beane, Aric	FE Exam	APPROVED , NEEDS FEES
54.	Dale, Monica	FE Exam	Conditionally Approved pending 75% letter from UAF
55.	Chavalitlekha, J. Aott	FE Exam	Waiver Granted
56.	Martin, Randall	FE Exam	Waiver Granted
57.	Burkholder, Matthew	FLS Exam	APPROVED
58.	Frost, Christopher	FLS Exam	APPROVED
59.	Hocker, Benjamin	FLS Exam	APPROVED
60.	Huff, Scott	FLS Exam	APPROVED
61.	Keiner, Robert	FLS Exam	APPROVED
62.	Nelson, James	FLS Exam	APPROVED
63.	Puerner, Amy	FLS Exam	APPROVED
64.	Quigley, Ryan	FLS Exam	APPROVED

1 The following applicants are approved for professional exams, or for comity, as  
 2 follows:

3  
 4

APPLICANT	DISCIPLINE	Exam- Comity	BOARD ACTION
1. Allen, James	PE-Civil	Exam	Approved
2. Boire, Matthew	PE-Civil	Comity	Approved
3. Brouwer, Ken	PE-Civil	Comity	Approved
4. Brown, Gary	Land Surveyor	Exam	Approved
5. Burchert, Roy	PE-Electrical	Comity	Approved
6. Carey, Matthew	PE-Civil	Exam	Approved
7. Carnahan, Liam	PE-Civil	Comity	Approved
8. Chard, Michael	PE-Civil	Comity	Approved
9. Christie, Aaron	PE-Civil	Comity	Approved
10. Conrad, Timothe	PE-Electrical	Exam	Approved
11. Cooper, Frederick	PE-Civil	Comity	Approved
12. Cosden, Elizabeth	PE-Civil	Exam	Approved
13. Dahlberg, Sigrid	PE-Civil	Exam	Approved
14. DeVassie, Robert	PE-Civil	Exam	Approved
15. Durfee, Larry	Land Surveyor	Comity	Approved
16. Edge, Matthew	PE-Civil	Exam	Approved
17. Frizzell, Jodie	PE-Electrical	Exam	Approved
18. Gaither, William	PE-Civil	Exam	Approved
19. Germaine, Richard	PE-Electrical	Exam	Approved
20. Grekowicz, Ryan	PE-Civil	Exam	Approved
21. Harris, Scott	Architect	Comity	Approved
22. Heim, Carl	PE-Civil	Exam	Approved
23. Holmes, Clifford	PE-Mechanical	Comity	Approved
24. Horton, Kelly	PE-Civil	Exam	Approved
25. Hu, James	PE-Civil	Comity	Approved
26. Johns, Stan	PE-Electrical	Comity	Approved
27. Johnston, Raymond	Architect	Comity	Approved
28. Keetso, Keith	PE-Electrical	Comity	Approved
29. Kerr, Thomas	PE-Civil	Comity	Approved
30. King, Samuel	PE-Chemical	Exam	Approved , fees due

5

31.	Kumm, John	PE-Electrical	Comity	Approved
32.	Lahti, Kerry	PE-Civil	Comity	Approved
33.	Leguineche, Michael	PE-Civil	Exam	Approved
34.	Lew, Marshall	PE-Civil	Comity	Approved
35.	Lien, Mary	PE-Civil	Exam	Approved
36.	Lufkin, Frank	PE-Mechanical	Comity	Approved
37.	Martinez, Alfonso-Luis	PE-Mechanical	Exam	Approved
38.	Melinkovich, Michael	PE-Mechanical	Exam	Approved
39.	Morgan, Christopher	PE-Mechanical	Exam	Approved
40.	Naidu, Raj	PE-Civil	Exam	Approved
41.	Nguyen, Hong	PE-Electrical	Comity	Approved
42.	Nichols, Daniel	PE-Civil	Exam	Approved
43.	Nicholson, Ryan	PE-Civil	Exam	Approved
44.	Petereit, Ralph	PE-Civil	Comity	Approved
45.	Peters, Russell	PE-Mechanical	Comity	Approved
46.	Rajek, John	PE-Civil	Exam	Approved
47.	Rauchenstein, Daniel	PE-Mechanical	Exam	Approved
48.	Reardon, Matthew J.	PE-Mechanical	Exam	Approved
49.	Reinman, Jenny	PE-Chemical	Comity	Approved
50.	Repp, Micah	PE-Chemical	Exam	Approved
51.	Retzlaff, Gerald	Land Surveyor	Comity	Approved
52.	Rinckey, Brad	Land Surveyor	Exam	Approved
53.	Schumacher, Brian	PE-Civil	Exam	Approved
54.	Sheesley, Floyd	PE-Civil	Exam	Approved
55.	Sherk, John	PE-Civil	Comity	Approved
56.	Silva, Roy	PE-Electrical	Comity	Approved
57.	Sorrentino, Angela	PE-Chemical	Exam	Approved
58.	Squires, John	PE-Civil	Exam	Approved
59.	Tejidor, Francisco	PE-Civil	Comity	Approved
60.	Thomas, David B.	PE-Civil	Comity	Approved
61.	Udelhoven, Ashley	PE-Electrical	Exam	Approved
62.	Urfer, Luanne	Landscape Architect	Comity	Approved , fees due
63.	Wallender, Michelle	PE-Civil	Exam	Approved
64.	Williams, Marty	Land Surveyor	Exam	Approved
65.	Yi, Connie	PE-Civil	Exam	Approved
66.	Birch, Amanda	PE-Mechanical	Exam	Conditionally approved pending Arctic Course
67.	Bohm, Robert	PE-Mechanical	Exam	Conditionally approved pending Arctic Course
68.	Brower, Bradley	PE-Civil	Exam	Conditionally approved pending Arctic Course
69.	Burke, Patrick	PE-Electrical	Exam	Conditionally approved pending Arctic Course
70.	Burns, Steven	PE-Civil	Comity	Conditionally approved pending Arctic Course
71.	Crouse, James	PE-Electrical	Exam	Conditionally approved

				pending Arctic Course
72.	Dale, Michael	PE-Civil	Comity	Conditionally approved pending Arctic Course
73.	Demattio, Christina	PE-Civil	Exam	Conditionally approved pending Arctic Course
74.	DeSentis, Eric	PE-Civil	Exam	Conditionally approved pending Arctic Course
75.	Earl, Robert	PE-Civil	Exam	Conditionally approved pending Arctic Course FE Waiver granted
76.	Gifford, Nichole	PE-Chemical	Exam	Conditionally approved pending Arctic Course
77.	Jacobs, Scott	PE-Civil	Comity	Conditionally approved pending Arctic Course
78.	Lusny, Thomas	Architect	Exam	Conditionally approved pending Arctic Course, and Council Record, Green Cover
79.	Magnuson, Philip	Architect	Comity	Conditionally approved pending Arctic Course
80.	Maguire, David	PE-Civil	Exam	Conditionally approved pending transcripts
81.	Martin, Randall	PE-Mechanical	Exam	Conditionally approved pending Arctic Course , FE Waiver Granted
82.	Parsons, Eric	PE-Civil	Exam	Conditionally approved pending FE verification
83.	Ritter, Jerome	Architect	Comity	Conditionally approved pending Arctic Course
84.	Rumsey, Peter	PE-Mechanical	Comity	Conditionally approved pending Arctic Course
85.	Schmidt, Frank	Architect	Comity	Conditionally approved pending Arctic Course
86.	Walker, Michael	PE-Electrical	Exam	Conditionally approved pending Arctic Course , passing FE exam or waiver

**On a motion duly made by Kalen, seconded by Gilfilian, 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:



APPLICANT	DISCIPLINE	EXAM-COMITY	BOARD ACTION
1. Carpenter, Carey	PE-Civil	EXAM	INCOMPLETE, needs additional 11 months
2. Kim, Chong	PE-Civil	EXAM	INCOMPLETE, needs 1 additional month work verification
3. Casey, Nancy	Landscape Arch	EXAM	INCOMPLETE, needs 17 months additional work verification
4. Hickok, Tanya	PE-Civil	EXAM	INCOMPLETE, needs 2 months additional work experience
5. Jin, Huijin	PE-Civil	EXAM	INCOMPLETE, needs 24 months responsible charge in Civil Engineering
6. Monger, Kurt	PE-Civil	EXAM	INCOMPLETE, needs 36 months work experience and Arctic Course
7. Rescober, John	PE-Civil	EXAM	INCOMPLETE, needs one additional month work verification
8. Naylor, Andy	FLS	EXAM	INCOMPLETE, needs 1 year education
9. Wilmot, Brett	FLS	EXAM	INCOMPLETE, needs 1 year education
10. O'Neill, Kelly	FLS	EXAM	INCOMPLETE, needs 12 months additional education
11. Lander-Pederson, Katy	FLS	EXAM	INCOMPLETE, needs 6 months additional 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 Gilfilian, 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:

APPLICANT	DISCIPLINE	EXAM-COMITY	BOARD ACTION
1. Schillinger, Max	Land Surveyor	EXAM	DENIED, needs two years education credit
2. Crowther, Scott	FLS	EXAM	DENIED, needs 12 months survey experience

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

**On a motion duly made by Gilfilian, and seconded by Mills, and passed it was**

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

APPLICANT	DISCIPLINE	EXAM	BOARD ACTION
McLane, Mark	FE	EXAM	FE waiver granted.
McLane, Mark	PE-Civil	EXAM	Approved for exam; Conditionally approved for licensure pending Arctic Course.

McLane abstained from voting.

The Chair asked if there were any objections, and there were none.

**On a motion duly made by Gilfilian, and seconded by Mills, and passed it was**

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

APPLICANT	DISCIPLINE	EXAM	BOARD ACTION
Kalen, Patrick	FE	Exam	Approved for exam, needs additional 63 months for waiver.
Kalen, Patrick	PE-Civil	Exam	Approved for exam; Conditionally approved for licensure pending Arctic Course, and passing FE exam, or obtaining FE waiver.

Kalen abstained from voting.

The Chair asked if there were any objections, and there were none.

## **Agenda Item 21 – Goals and Objectives**

The AELS Board's Goals and Objectives, which were mentioned but not discussed, currently 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 quickly as possible. Provide Sample applicant files to new members.	Miller	Ongoing
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"> <li>Distributing and receiving applications electronically</li> <li>Structuring database so that it minimizes manual data entry</li> <li>Structuring database so that it can answer queries easily.</li> </ul>	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,	6/2004

	Kalen	
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	5/2004 partial
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.**

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<b>Objectives</b>	<b>Lead Responsibility</b>	<b>Target Date</b>
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.**

<b>Objectives</b>	<b>Lead Responsibility</b>	<b>Target Date</b>
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**

<b>Objectives</b>	<b>Lead Responsibility</b>	<b>Target Date</b>
a) Issue Public Service Notice with contact information for complaints.	Executive Administrator	Ongoing/Web site
b) Letter to BBB/Ombudsman re: contact for complaints.	Executive Administrator	5/2004
c) Educate Public about Benefit of using Licensed Professionals (in Public Service Notices).	Mills & Executive Administrator	Ongoing/Web site

1  
2 **Agenda Item 22 – Administrator’s Report**  
3

4 The Executive Administrator informed the Board that the on-line renewal went  
5 well. So far there is an increase in the number of registrants renewing their  
6 licenses online and so far about 43% have renewed online, an increase of about  
7 20%. Although numbers appear to have dropped off, the comparison between  
8 February 2002 and 2004 indicates that the trend is an increase of about 200  
9 registrants, from a total of 4,575 to 4,775. She sent a reminder letter to those  
10 licensees whose licenses have lapsed, and who have not yet renewed. She  
11 anticipates several hundred will renew over the next several months,  
12 particularly as projects start up this spring.  
13

14 The Chair moved to Item #23, Board Member Reports.  
15

16 **Agenda Item 23 – Board Member Reports**  
17

18 The Chair indicated the Licensure Qualifications Oversight Group (LQOG) will  
19 meet next week and would discuss five issues:

- 20 • Waiver of the FE exam for Ph.D.’s;  
21 • Allow PE exam to be taken at any time after passing the FE exam and  
22 graduation from an ABET accredited program;  
23 • Creating a professional practice exam including ethics;  
24 • Long term goal of BS plus 24 credits; and  
25 • 2-track licensure option for engineers, to capture industry engineers.  
26

27 The Chair indicated he would prepare a report for the June meeting.  
28

29 Kalen reported he would be attending the National Society of Professional Land  
30 Surveyors (NSPS) for the last time on April 17-22, 2004.  
31

32 **Agenda Item 24 – Review Calendar of Events**  
33

34 The Board reviewed the future Board meeting dates, discussed, and confirmed:  
35

36 June 3-4 (Thursday, Friday) in Fairbanks at the Natural Sciences Building,  
37 Runcorn Room #300;  
38 August 19-20 (Thursday/Friday) in Kenai; and  
39 November 18-19 (Thursday/Friday) in Anchorage in the Atwood Building,  
40 Room 602.  
41

42 The Chair reviewed travel and indicated that McLane, Iverson, and Gilfilian  
43 would attend the Western Zone Meeting in May. He advised that Peirsol and  
44 Brown would attend the WCARB regional meeting in March, provided that  
45 Brown continues to serve on the Board.  
46

47 The Chair indicated several Board members who serve on national committees  
48 would need to be placed into Emeritus Status in order to maintain their  
49 membership on those committees once their Board replacement has been

1 appointed. He asked to have the following Board members be granted  
2 emeritus status:

3  
4 Kalen, who serves on the NCEES UP & LG Committee and the Nominating  
5 Committee of Western Zone.

6  
7 Miller, who serves on the NCEES Licensure Qualifications Oversight Group  
8 (LQOG).

9  
10 **On a motion by Brown, seconded by Gilfilian, and adopted, it was**

11  
12 **RESOLVED to request Miller and Kalen be granted Emeritus Status**  
13 **with the NCEES.**

14  
15 The motion passed without objection. Miller and Kalen abstained from voting.

16  
17 **Agenda Item 25- Board Member Comments, Task List and Housekeeping**

18  
19 Brown thanked the Board for the time spent together, and thanked staff for  
20 their hard work.

21  
22 Siemoneit thanked staff for their efforts and wishes everyone good luck

23  
24 Peirsol has enjoyed working with all of the Board members, noted how difficult  
25 this transition will be and hopes to see the five outgoing members once more at  
26 the next meeting.

27  
28 McLane thanked the outgoing Board members for their hard work and effort.

29  
30 Cyra-Korsgaard will miss the members who are leaving and enjoys holding the  
31 February meeting in Juneau. She thanked staff for the wonderful job they are  
32 doing.

33  
34 Mills appreciates the impeccable work by the staff, and thanked Board  
35 members who have mentored her during this adjustment time.

36  
37 Gilfilian thanked outgoing Board members and expressed his pleasure in  
38 working with professionals and the ability to draw on their experiences. He is  
39 interested in holding subgroup meetings.

40  
41 Cyra-Korsgaard nominates McLane to chair the subgroup.

42  
43 Kalen thanked staff for their work. He felt that he has not always agreed with  
44 comments and decisions but has enjoyed working with Board members to  
45 protect the public.

46  
47 The Chair concluded with best wishes for the Board, and thanked staff. He  
48 has been a long time registrant and believes the service the current staff  
49 provides to registrants and applicants is outstanding. He reviewed the past 8

years and felt the Board has raised the standards for licensure in Alaska. He thanked all of the Board members for the time he has served with them.

The Chair indicated the Executive Administrator would circulate the task assignments. The following are tasks assigned:

Brown	None
Cyra-Korsgaard	Review the draft regulation allowing two reference letters requirement with ASLA.
	Serve on Subgroups: Land Surveyor Practice, Landscape Architect Practice.
Miller (Chair)	Write letters to respond to correspondence to David Raines, Sandy Jones, Scott Haan, Bill Mendenhall, Grant Baker, UAA regarding degree program; Rick Urion regarding travel. Serve on NCEES Licensure Qualifications Oversight Group (LQOG)
Kalen	Continue work on Model Law Land Surveyor. Serve on Western Zone Host subgroup. Serve on NCEES and Western Zone Committees.
Iverson	Serve on Subgroups: Engineering Disciplines, Canadian Reciprocity, Western Zone Host.
McLane	Respond to MOA Frederick Boness letter of 11/24/03 regarding revising "as-built" surveys.
	Serve on Subgroups: Land Surveyor Practice, Landscape Architect Practice, and Canadian Reciprocity.
	Attend Western Zone meeting.
	Continue work on Model Law Land Surveyor.
Gardner	None.
Gilfilian	Serve on Subgroups: Engineering Disciplines, Land Surveyor Practice.
	Check with emergency services in Anchorage (regarding Emergency processes for design professionals) and to report back at the May 2004 meeting.
	Attend Western Zone meeting.
Peirsol	Check with emergency services in Fairbanks (regarding Emergency processes for design professionals) and to report back at the May 2004 meeting.
Executive Administrator	Assist the Chair with correspondence.
	Move regulation project forward to the Department of Law.
	Forward regulations adopted to the Regulations Specialist to send to interested parties, clean up regulations phasing out old language and adding advanced degree.



Agenda items to add:
<ul style="list-style-type: none"> <li>• Emergency License (Gilfilian and Peirsol to report in June)</li> <li>• Continuing Education</li> <li>• Host Western Zone Meeting 2005</li> </ul>
Invite the Fire Marshal to the November 2004 Board meeting (next Anchorage meeting.
Discuss with attorney: Sealing Specifications requirement; Mortgage Survey Standards, Title 34.
Add Paul Whipple to the “interested parties” list.

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

**RESOLVED to adjourn the meeting at 4:35 p.m.**

There were no objections and the meeting was adjourned.

Respectfully submitted:

\_\_\_\_\_  
Nancy Hemenway, Executive Administrator

Approved:

\_\_\_\_\_  
Robert Miller, Chair, Ph.D., P.E.  
Board of Registration for Architects,  
Engineers, and Land Surveyors

Date: \_\_\_\_\_