

# ALASKA AELS BOARD

August 2-3, 2012

## Quarterly Board Meeting

# August 2012 Meeting Summary

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### AELS Quarterly Board Meeting

The Board of Registration for Architects, Engineers and Land Surveyors (AELS Board) held a quarterly board meeting August 2-3, 2012 in Anchorage.

Board members in attendance were: Brian Hanson, PE, Chair, Richard Rearick, Architect, Vice Chair, Dave Hale PS, Richard Heieren, PS, Colin Maynard PE,

Harley Hightower, Architect, Burdett Lent, Landscape Architect, Keith Walters, PE, and Donald Shiesl, Public Member.

Eric Eriksen and Kathleen Schedler were both excused from the meeting due to personnel commitments.

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

- Don Habeger, Director CBPL. (Telephone)
- Misty Frawley, Administrative Officer II (Telephone)
- John Savage, Investigator
- Vern Jones, Executive Administrator, AELS Board
- Alicia Kelly, Licensing Examiner

Members of the Public in attendance for portions of the meeting were:

- Diana Parks, representing the Fire Marshal's Office.
- Roger Weese, PE, representing RSA Engineering.
- Michael Schroder, PS, representing Bureau of Land Management.
- Dale Nelson, PE representing Alaska Professional Design Council
- Robert "Buzz" Scher, PE representing the Alaska Seismic Hazards Safety Commission.
- Clifford Baker, PS representing himself.

### Disciplinary Actions Taken

None

### Regulations Adopted

None

### Regulations Approved for Public Notice

None

### Legislation

Update.

The following Statute changes will be requested of the Legislature in the upcoming session. The Board and APDC are seeking sponsors:

AS 08.48.055 Executive Secretary; Investigator of the Board. (SB143)(HB 337) The HB passed the house and was held up in the Rules committee. It will be resubmitted next session.

The following are still awaiting sponsors.

AS 08.48.221 Seals.

AS 08.48.281 Prohibited Practice

AS 08.48.341 Definitions

AS 08.48.331 Exemptions

AS 08.48.091 Written examinations and examination fees

### Committees

Following are the current committees of the board:

#### Special Committees

- Licensure Implementation
- Registration and Practice
- Licensure Mobility
- Engineers/Geologists

- Changes to 12 AAC 36.068 and timing of such changes (LARE)

- TwiST Committee

#### Standing Committees

- Investigation Advisory Committee
- Guidance Manual
- Legislative Liaison
- Emeritus Status
- Budget and Fees Committee
- Continuing Education Committee
- IDP Liaison

#### **Board Policies**

None were adopted this meeting.

#### **Continuing Education Audits**

None.

#### **Applicant Files Reviewed**

The board reviewed 140 applications for registration and examination:

- 57 applications were approved
- 77 applications were conditionally approved upon receipt of additional documentation
- 6 applications were found to be incomplete and will be reviewed again at the November 2012 meeting upon receipt of additional documentation.

The Board reviewed 19 applications for additional branches under 12 AAC 36.106.

- 14 applications were approved.
- 1 application was conditionally approved pending receipt of additional documentation.
- 4 applications were found incomplete and will be reviewed again at the November 2012 meeting upon receipt of additional documentation.

#### **Action Items - Motions**

Thursday August 2, 2012

- 8:01a.m. Motion made to approve the May minutes as amended. Motion passed.

- 8:03a.m. Motion made to approved the agenda as amended. Motion passed.

- 8:35a.m. Motion made to propose a regulation change to 12 AAC 36.190 to include all engineering disciplines. Motion passed.

- 10:00a.m. Motion made to accept arctic engineering courses as valid continuing education for license renewal. Motion passed.

- 10:25 a.m. Motion made to go into executive session under authority of AS 44.62.310(c)(2) to review the Michael Ward case. Motion passed.

- 10:40 a.m.. Motion made in accordance with AS 44.64.060(e)(3) to revise the disposition of the Michael Ward Case as follows: Mr. Wards application for registration is GRANTED subject to his acceptance of the following conditions: 1. Pursuant to AS 08.01.075 (a)(7), Mr. Ward will be on probation through December 31, 2015; 2. During his probationary period, Mr. Ward shall report any arrest for Driving Under the Influence (or similar offense), or any arrest for other driving offenses or alcohol related offenses. This report shall be made to the board, in writing, within 15 days of the arrest; 3. If Mr. Ward is convicted of Driving Under the Influence or similar offense during the probationary period, Mr. Ward's registration as an engineer shall be summarily suspended pursuant to AS 08.01.075(c\_) and AS 08.48.111. If Mr. Ward does not consent to these terms in writing within 15 days, his application for registration is denied. All remaining portions of the attached

proposed decision are adopted. DATED this 2<sup>nd</sup> day of August, 2012. Motion passed on a roll call vote with all present voting yes. Schedler and Eriksen were absent.

- 11:05 a.m. Motion made that the AELS Board shall write a letter to the Anchorage Assembly, Mayor, copied to the Building Official to inform them that the ordinance AD 2012-62 would require multiple design professionals because a design professional cannot legally stamp or certify drawings outside their discipline. Motion passed.
- 11:27 a.m. Motion made to initiate a regulation project for 12 AAC 36.068 to allow early testing for sections 1 and 2 of the LARE. Motion passed.
- 11:35 a.m. Motion made to initiate a regulation project for 12 AAC 36.040 and 12 AAC 36.050 to alter the deadlines. Motion passed.
- 2:20 p.m. Motion made to pursue approval in the upcoming Legislative Session of the revisions to AS 08.48.055 and to pursue the revisions to AS 08.48.221, AS 08.48.281, AS 08.48.341, AS 08.48.331 and AS 08.48.091. Motion passed.
- 2:30 p..m. Motion made to go into Executive Session in accordance with AS 44.62.310(c)(3) to review applicant files. Motion passed.

Friday August 3, 2012

- 8:01 a.m. Motion made to go into Executive Session in accordance with AS 44.62.310(c)(3) to complete the review of applicant files. Motion passed.
- 9:24a.m. Motion made to go into Executive Session in accordance with AS

44.62.310(c)(3) to discuss an applicant file. Motion passed.

- 10:07 a.m. Motion made to start a regulation project to address degrees in branches related to the discipline applied for listed in 12 AAC 36.990(17). Motion passed.
- 10:20 a.m. Motion made to start a regulation project to evaluate and/or adopt software engineering licensure regulation. Motion passed.
- 10:38 a.m. Motion made to add to “Guidelines for Reporting Violations” the following after the third sentence; “An Investigative Committee is available to assist the Investigator in evaluating allegations of violations” and also add a final sentence; “Anonymous complaints are not acceptable”. Motion passed.
- 11:15 a.m. Motion made that it be resolved to find the following list of applicants for registration by comity and examination incomplete. Motion passed.
- 11:19 a.m. Motion made that it be resolved to approve the following list of applicants for registration by comity and examination with the stipulation that the information in the applicant files will take precedence over the information in the minutes. Motion passed.
- 11:27 a.m. Motion made that it be resolved to find the following list of applicants for registration in additional branches of engineering under 12 AAC 36.106 incomplete. Motion passed.
- 11:31 a.m. Motion made that it be resolved to approve the following list of applicants for registration in additional branches of engineering under 12 AAC 36.106 with the stipulation that the information in the applicants files will take precedence over the information in the minutes. Motion passed.

Anchorage. The deadline for receipt of applications and supporting documents in the Juneau office is 10 days prior to the meeting.

Future tentative meeting dates are:

February 7-8, 2013 in Juneau.

May 2-3, 2013 in Fairbanks.

August 1-2, 2013 in Anchorage.

November 7-8, 2013 in Anchorage.

#### **NCEES exam retake requests:**

To be approved to retake a failed NCEES exam in April 2013 written requests must be received in the Juneau office no later than February 20, 2013.

To be approved to retake a failed NCEES exam in October 2012 written requests must be received in the Juneau office no later than August 30, 2012.

For all new exam applicants, applications and supporting documents must be received in the Juneau office 10 days prior to board meetings. **There will be no exceptions.**

#### **Regional and National Participation**

Richard Heieren, Colin Maynard, Dave Hale and Vernon Jones attended the NCEES Western Zone meeting in Jackson Hole WY May 17-19, 2012.

Harley Hightower, Richard Rearick and Vernon Jones attended the NCARB Annual meeting in Minneapolis MN June 20-23, 2012

Brian Hanson, Colin Maynard, Dave Hale, Keith Walters and John Savage will attend the NCEES Annual meeting in St. Louis, MO August 22-25, 2012.

Burdett Lent and Vernon Jones will attend the CLARB Fall meeting in San Francisco CA September 6-8, 2012.

#### **Staff Reports**

##### **Investigator’s Report**

John Savage, part-time Division Investigator for the AELS Board, reported the status on the investigative cases and actions.

##### **Examiner’s Report**

Alicia Kelly provided the Examiners Report which included the yearly statistics for FY12.

They can be viewed from the AELS web site at:

<http://www.commerce.alaska.gov/occ/pael.cfm>.

#### **Guidance Manual**

Revisions are ongoing. The Guidance Manual can be found at the following website:

<http://www.commerce.alaska.gov/occ/pael.cfm>. This manual is usually updated after the February meeting however, this year it was updated following the May meeting.

##### **Interested Parties List**

To sign up to receive proposed regulations affecting architects, engineers, land surveyors and landscape architects that are public noticed by the division, please contact:

Jun Maiquis, Regulations Specialist, Division of Corporations, Business & Professional Licensing, Dept. of Commerce, P.O. Box 110806, Juneau, AK 99811-0806, or by email: [jun.maiquis@alaska.gov](mailto:jun.maiquis@alaska.gov)

##### **List Serve**

To receive emails of agendas, meeting summaries, minutes, etc., subscribe to the board’s list serve at:

[http://list.state.ak.us/soalists/Commerce\\_AELS/jl.htm](http://list.state.ak.us/soalists/Commerce_AELS/jl.htm).

#### **AELS Deadlines/Exam Information**

The next board meeting is tentatively scheduled for November 8-9, 2012 in