

1 **STATE OF ALASKA**

2
3 **DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC**
4 **DEVELOPMENT**

5 **DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**
6 **BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS & LAND**
7 **SURVEYORS**

8
9 **Minutes of Meeting**
10 **August 11-12, 2011**

11
12 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6,
13 the Board of Registration for Architects, Engineers and Land Surveyors held a meeting
14 August 11-12, 2011 at 550 W. 7th Avenue, Anchorage, AK in Suite 1270.

15
16 **Thursday August 11, 2011**

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

19
20 The Chair called the meeting to order at 8:02 a.m. Roll Call.

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

- 23
24
- 25 • Harley Hightower, Architect, Chair
 - 26 • Richard Heieren, Land Surveyor, Vice Chair
 - 27 • Eric Eriksen, Electrical Engineer, Secretary
 - 28 • Boyd Brownfield, Civil Engineer
 - 29 • Clifford Baker, Land Surveyor,
 - 30 • Donald Shiesl, Public Member
 - 31 • Burdett Lent, Landscape Architect
 - 32 • Daniel Walsh, Mining Engineer
 - 33 • Brian Hanson, Civil Engineer
 - 34 • Craig Fredeen, Mechanical Engineer
 - 35 • Richard Rearick, Architect

36 Representing the Division of Corporations, Business and Professional Licensing were:

- 37
- 38 • Vern Jones, Executive Administrator
 - 39 • Alicia Kelly, Licensing Examiner
 - 40 • John Savage, Investigator

41
42 Members of the public in attendance for portions of the meeting were:

- 43
- 44 • Dale Nelson, P.E., representing ASCE and APDC

45
46 **Agenda Item 2 – Review/Amend Agenda**

47
48 Chair: Any changes to the Agenda?

49
50 Jones: I passed out some things that need to be added to your packets

51
52 Chair: Asks that IDP Coordinator be added to the Standing Committees.

1
2 Walsh: I didn't see anything under 7b, regulations for adoption I didn't see anything in the
3 binder.

4
5 Chair: That was in the handout.

6
7 Jones: Explains that they are out for public notice because they didn't get public noticed in
8 time for this meeting and that there is a new process for public notices in that they have to
9 go up to the Governor and back before they can go out for public comment.

10
11 Lent: Asks to be advised when he should add to the Guidance Manual.

12
13 Fredeen: Asks about an item in his packet that isn't on the agenda.

14
15 Jones: That is something that came in after the packets were mailed. I made copies if you
16 want to discuss it you can.

17
18 **On a motion duly made by Heieren, seconded by Shiesl it was**

19
20 **RESOLVED to approve the agenda as amended.**

21
22 Motion passed unanimously

23
24 **Agenda item 3 – Ethics reporting**

25 No ethics problems were reported. The Board reviewed the Ethics Act Procedures
26 for Boards and Commissions.

27
28 **Agenda item 4 – Review and approve minutes from May 2011 meeting.**

29
30 Lent: Asked that the word "to" be inserted on page 7, line 42 between Board and create.
31 And on page 34, line 43 the word "provide" be inserted between architects and and.

32
33 **On a motion duly made by Heieren, seconded by Brownfield it was**

34
35 **RESOLVED to approve the minutes from the May 2011 meeting as amended.**

36
37 Motion passed unanimously.

38
39 **Agenda item 5 – Investigative Report**

40
41 Savage: Reports business as usual, that they are down 3 investigators and he will keep the
42 board posted on when they are back to normal. He is getting some resistance from some
43 corporations on when they need to be licensed to operate in Alaska and asks for clarification
44 on that. He talks about policy letters and notes that a former AAG was against policy letters.
45 He points out that they have been used for years to our benefit. He stresses the importance
46 of having something like a policy in place in writing that the Board has adopted. The Judge
47 will not always side with us but its important to provide continuity as Board members and
48 investigators move on.

49
50 Brownfield: Asks if the shortage of investigators is effecting him?

51
52 Savage: Yes, it will always effective those in the office because things still have to get done.

53
54 Brownfield: Do you have any additional duty?

1
2 Savage: Yes and no. With those slots unfilled any hope of some of my other boards going
3 to someone else is not going to happen. He adds that if anyone can improve things it's CI
4 Warren. Case loads are about the same except that we keep getting more entities from
5 outside the State doing business in Alaska. There are several cases that are starting to
6 spark an interest from Federal agencies. Alaska is being targeted. If you see something
7 fishy give me a call, you wouldn't believe some of the things going on out there. And with
8 the lack of enforcement this State has compared to others thinking is that if they catch us it
9 will be after we've made a whole lot of money. Don't be afraid to pick up the phone and give
10 me a call. There are criminal elements out there and it definitely would help.
11
12 Jones: Mentions that he still has copies of the old Board policies and he will include in the
13 next board packet.
14
15 Heieren: Asks if outside corporations are offering to provide architect, land surveying and
16 landscape services?
17
18 Hanson: When is it considered an offer to practice? I think that will be what our discussions
19 are about.
20
21 Heieren: Asks if John will be around for that discussion?
22
23 Savage: If you tell me when it is I will.
24
25 Chair: Asks when that is?
26
27 Jones: Under new business.
28
29 Hanson: 11:15 this morning. I see you have a report in here.
30
31 Savage: That is a Brian Howes report. I'm not putting my name on it. He then explains the
32 problems with the new program.
33
34 Chair: Notes that the oldest case is 2008.
35
36 Savage: Responds that there are some old ones over at the AG's office but that they are
37 not on this report for some reason. He will check with investigator Howes. It could just be
38 the new program doesn't show the date opened on the older cases. The ones that say AG
39 review are the old ones. He adds that one of the AAG's moved on so things will be even
40 slower now.
41
42 Jones: We lost one in Juneau also, Gayle retired.
43
44 Savage: States that he is impressed with her replacement, Dan Branch, with the way he
45 jumps right in and keeps things moving. He adds that the Juneau people can go through
46 Dan but he has to use the Anchorage office.
47
48 Walsh: Brings up the Statute change to add an investigator and asks if John has any input
49 on that.
50
51 Savage: Responds that he has had some discussions on that and some of the other
52 Boards have a statutory requirement for an investigator and if it's in Statute that the Board
53 will have a certain amount of investigators it's much better. This Board has usually had two
54 assigned and sometimes three and we have gone so far backwards that in my opinion it's

1 cause for concern. That coupled with the fact that you can't travel to areas outside of
2 Anchorage on day trips, you know the word gets out you know they aren't stupid, if they
3 think they can get away with something. With the exception of having the building officials
4 out there to kind of target stuff and get hold of us. He adds that with the loss of Carol Olsen
5 in the Fire Marshall's office, she has moved on and gone into private practice and the jury is
6 still out on that but it could be crippling to our cause because she was 150% behind us and
7 wasn't afraid to get a search warrant and go out on a job site with us, whatever the case
8 may be. We don't know who her replacement will be and the people above her, as good a
9 people and as professional as they are, they don't believe there should be any ties between
10 our offices and that could cripple us. Because if it's you do your job and we do ours there is
11 going to be so much we're not made privy to be it criminal or be it just violations. She
12 always invited us to these forums and that's how we've gotten our word out there. I can't
13 stress enough how much money she has saved the Board and the State.

14
15 Fredeen: Suggests that when the replacement is announced that we invite them to attend a
16 meeting.

17
18 Savage: Couldn't agree more. He adds that one of the applicants has been in that office for
19 awhile and would be the best candidate. He is holding his breath that the individual would
20 accept such an invitation and it would be business as usual.

21
22 Chair: Thanks John for his report.

23 24 **Agenda item 6 – Expenditure Report**

25
26 Jones: The expenditure report is an email from Sara Chambers saying that since the Admin
27 Officer's position is vacant there will be none. (laughter) It has been filled so next meeting
28 we should have one.

29
30 Walsh: Notes that Sara's title is Professional Licensing Program Coordinator and asks what
31 Sara does and where she is located?

32
33 Jones: She is in the position Jenny had before. They changed the job title back to what it
34 originally was before Jenny was promoted. All the licensing supervisors report to her.

35
36 Walsh: So that would be you?

37
38 Jones: No I report to Don. All the Executive Administrators report to Don and the Licensing
39 Supervisors report to Sara.

40
41 Baker: Proposes that since the idea of not having meetings in Fairbanks to save travel
42 money for out of State travel wasn't working that we return to having one meeting a year in
43 Fairbanks because what we save they will give to someone else anyway.

44
45 Chair: Let's move that to new business and discuss at that time.

46 47 **Agenda item 7 – Regulation Update**

48 **A) Regulations to approve for public notice:**

49 50 **1. 12 AAC 36.064/12 AAC 36.065 Eligibility for Surveyor exams.**

51
52 Chair: Asks Heieren to speak to 7a 1.

53
54 Heieren: Thinks that the email speaks for its self. He adds that there was a potential

1 problem and he thinks the best to deal with it is to re-advertise it and get more public input.

2
3 Baker: Asks if this has to go through the new process of sending it up through the chain to
4 the Governor and back.

5
6 Jones: Not this one. He adds that the process is supposed to be completed in 5 days but it
7 was a new procedure and the regulations approved last meeting were the first to be done
8 this way and they fell through the cracks.

9
10 Hanson: Asks what the procedural error was.

11
12 Heieren: Explains that it was contact with a member of the public after the public comment
13 period was closed.

14
15 **On a motion duly made by Heieren, seconded by Brownfield it was**

16
17 **Resolved to re-public notice 12 AAC 36.064 and 12 AAC 36.065 Survey Education and**
18 **Experience Tables.**

19
20 Motion passed unanimously.

21
22 **2. 12 AAC 36.995 Design of Fire Detection or Suppression System**
23 **Exemption.**

24
25 Jones: This is one that had to go up to the Governor and fell through the crack.

26
27 Fredeen: Reports that this is verbiage that was worked out with the Fire Marshalls Office
28 regarding those NICET certified individuals that the DPS has permitted and basically says
29 that we can do what we do and they can do what they are permitted to do even after the
30 addition of the Fire Protection Engineer Branch.

31
32 **On a motion duly made by Fredeen, seconded by Heieren it was**

33
34 **Resolved to public notice proposed regulation 12 AAC 36.995**

35
36 Motion passed unanimously.

37
38 **3. 12 AAC 36.185 Use of Seals**

39
40 Chair: Notes that this has been discussed before and asks for a motion.

41
42 **On a motion duly made by Heieren, seconded by Eriksen it was**

43
44 **Resolved to re-public notice 12 AAC 36.185 Use of Seals**

45
46 Hanson: Suggest that we make it gender neutral. (In the first line change the first word to
47 "That", make registrant plural and change "he is" to "they are").

48
49 Walsh: Asks about the word "distinct".

50
51 Chair: Thinks it will just reinforce the regulation.

52
53 Motion as amended passed unanimously.

1 **4. 12 AAC 36.195 Site Adaption and Field Alteration of Sealed Documents.**

2
3 Chair: That one is ok as written. What action do we need to take on that?

4
5 Jones: None

6
7 **B) Regulations for re-adoption.**

- 8
9 **1. 12 AAC 36.180 Seals**
10 **2. 12 AAC 36.990 Definitions**
11 **3. 12 AAC 36.103 Architect Registration by Comity**
12 **4. 12 AAC 36.106 Registration in Additional Branches of Engineering**
13 **5. 12 AAC 36.205 Scope of Practice for Engineers.**

14
15 Chair: Ok regulations for re-adoption.

16
17 Jones: Advises that those were posted for public notice yesterday for approx 45 days and
18 the Board can take action on them at the November meeting.

19
20 **C) Statute changes for consideration.**

- 21 **1. AS 08.48.055 Executive Secretary of the Board.**

22
23
24 Chair: Who would like to discuss this one?

25
26 Heieren: Explains that to follow up on what John was talking about this morning this is
27 designed to have an investigator assigned exclusively to our Board.

28
29 Jones: Adds that the Medical Board has their own investigator in Statute and this is an
30 attempt to do the same thing for our Board.

31
32 Brownfield: Asks if he would work in the investigative division down stairs?

33
34 Jones: Answers yes then reads the portion of the Statute change that concerns the
35 investigator.

36
37 Eriksen: Asks if the Board will have input on who is assigned?

38
39 Jones: Yes, it says the Department in consultation with the Board. So you will have input.

40
41 Heieren: Adds that on the National level the Boards that seem to be extremely effective do
42 have their own investigator assigned to the Board.

43
44 Walsh: Asks what the timeline would be?

45
46 Jones: It has to go through the Legislature next time around. I don't know if the Division
47 would sponsor or not.

48
49 Heieren: I'll get someone to sponsor in the Senate and the House.

50
51 Walsh: Asks if we need to add that we will pay for this with fees?

52
53 Jones: That will probably come out in the discussion. Boards are self supporting anyway.

1 Heieren: We are already paying for him.

2
3 Walsh: Notes that the 2013 budget will be the earliest we could get it in the budget.

4
5 Heieren: Adds that there were 2 ½ investigators before. Now we only have one and he is
6 only part time. We've got more registrants, he's an effective investigator.

7
8 Jones: Talks about fee setting and that he has told the Division that the Board does not
9 want the fees lowered any further.

10
11 **On a motion duly made by Heieren, seconded by Brownfield it was**

12
13 **Resolved to put forward to the Legislature a Statute change asking that an**
14 **investigator be assigned directly to the Board as presented in a sample Statute AS**
15 **08.48.055.**

16
17 Chair: Discussion?

18
19 Walsh: Suggests maybe changing it to read up to 2 investigators so we wouldn't have to
20 change in the future if we wanted another investigator.

21
22 Jones: Thinks that the Division would assign a part time investigator if our investigator
23 needed help.

24
25 Brownfield: Suggests we take it one step at a time. We don't want to ask for too much.

26
27 Baker: Asks how we pay for investigations now?

28
29 Jones: Explains that only the time he working for our Board is charged to us. If we get our
30 own investigator then his wages and benefits would be charged to the Board just like Alicia's
31 and mine are now. If our investigator was assigned as a temp on another board then that
32 time would be charged to the other board. We do that within our office. If Alicia had to go
33 help the medical board those hours would be charged to the medical board.

34
35 Motion passed unanimously.

36
37 Chair: Items C 2, 3, 4 and 5 are all related. In an attempt to clean up these exemptions
38 there needed to be some changes to definitions and other Statutes so these would work
39 together.

40
41 **2. AS 08.48.221 Seals**

42
43 Chair: On C2 Seals does anyone have any questions or comments? Could I have a motion
44 on that?

45
46 **On a motion duly made by Heieren, seconded by Hanson it was**

47
48 **Resolved to forward to the Legislature a proposed Statute change regarding Seals**
49 **per sample AS 08.48.221**

50
51 Motion passed unanimously.

52
53 **3. AS 08.48.281 Prohibited Practice**

1 Chair: Let's get a motion on the floor then we can discuss.

2
3 **On a motion duly made by Fredeen, seconded by Shiesl it was**

4
5 **Resolved to move on for Legislative approval AS 08.48.281 Prohibited Practice.**

6
7 Motion passed unanimously.

8
9 **4. AS 08.48.341 Definitions**

10
11 **On a motion duly made by Baker, seconded by Eriksen it was**

12
13 **Resolved to recommend the Legislature approve changes to AS 08.48.341 Definitions.**

14
15 Motion passed unanimously.

16
17 **5. AS 08.48.331 Exemptions**

18
19 **On a motion duly made by Fredeen, seconded by Eriksen it was**

20
21 **Resolved to forward for Legislative approval of AS 08.48.331 Exemptions.**

22
23 Hanson: Notes that it looks like we are changing from 4 plexes down to 3 plexes?

24
25 Chair: Explains that this is to bring our Statutes in line with the Fire Marshall's Office. There
26 has been some confusion on that and one of us needed to change so since we are in the
27 process I changed that.

28
29 Fredeen: Asks if a cover document is necessary on these things that go to the Legislature?

30
31 Heieren: Sees the whole purpose of this as the Board is endorsing a Statute change and
32 the Board can supply a cover letter signed by the Chair attached to the change and present
33 it to whoever you want to sponsor it.

34
35 Jones: Adds that when it's discussed in the Legislative committee someone will have to be
36 available to speak to it on behalf of the Board.

37
38 Fredeen: Suggests that the cover letter say that we are getting in line with the Fire Marshall
39 otherwise there might be a lot of resistance to the change.

40
41 Lent: On page three of four under 11 second line that based on our previous advice that
42 should read "public health, safety or welfare". It's an enforcement problem. Then down
43 below in 13, 4th from the last line, you'll enjoy this, "landscape engineer".

44
45 Jones: What should we delete, engineer or landscape?

46
47 Chair: Landscape architect.

48
49 Baker: Do we need to change that and to or?

50
51 Lent: Yes I missed that one.

52
53 Baker: Asks if that should be a friendly amendment?

1 Chair: Yes - motion maker and second agrees.
2

3 Heieren: Suggests that each Statute change be assigned to a Board Member and be
4 tracked by that individual. I'll volunteer for the 1st one.
5

6 Chair: And I volunteer for 2 through 5 cause they are all related. He adds that it was
7 exemptions not seals that triggered all of these changes.
8

9 Motion as amended passed unanimously.
10

11 0900 – Break

12 0910 – Back on record.
13

14 **D) Regulations filed with the Lt. Governor 6/13/11 and effective 7/13/11.**

15

16 Lent: Comments that he has already prepared the changes to the Guidance Manual.
17

18 Walsh: Notes that the continuing education regulation has been approved and recaps some
19 of the additions from the surveyor regulation that was repealed and combined with this one.
20

21 Chair: Mentioned that 12 AAC 36.185 Use of Seals is part of C2 through 5 and doesn't
22 know how it got in there ahead of the others.
23

24 Heieren: Adds that Dan White at UAF had a question regarding the tables on the CE report.
25 They don't reflect what the regulations say.
26

27 Jones: We will have to add a section to that table. I recommend that it say that at the
28 Boards discretion depending on the time and effort put into the article or book up to 10
29 PDH's.
30

31 Fredeen: Clarifies that these regulations will be used for any CE obtained after 1/1/10.
32

33 **Agenda item 9 – Board Correspondence Sent since February 2011**

34

35 **A) Memo to director from Chair re fee setting.**

36

37 Chair: I can report that that went nowhere.
38

39 Walsh: Notes that there is a reply from the Director in the packet somewhere.
40

41 Jones: 10A is the way they figured our travel. \$700 times the number of members times the
42 number of meetings.
43

44 Walsh: That's only in State meetings right. Yes
45

46 Baker: This just addresses the fact that we are on a downward spiral because they keep
47 cutting our budget and they base the next years travel budget based on what they gave us
48 the year before which was cut to start with and so every year they're going to keep cutting it.
49

50 Hanson: How many times has the Director sat in this room and said we will listen to you and
51 then they come back with \$34,000. They are not listening to us. I think we should make a
52 stronger statement. You can't even do the instate travel with this.
53

54 Chair: I've talked to Vern about that and ask what the next step would be and that is to send

1 a letter to the Governor.

2
3 Lent: Suggests that the various societies may be interested in sending letters in.

4
5 Chair: Informs the Board that yesterday he talked with Dale Nelson who represents APDC
6 and that as Chair he will start attending meetings of APDC to keep them apprised of Board
7 activities. He adds that Mr. Nelson will be here during the public comment period and Board
8 members should be thinking of ways that APDC can help in our regulation/Statute projects.

9
10 Walsh: Asks if we responded to the inquiry from Sara regarding the travel budget.

11
12 Jones: Responds that she already has the Boards projected travel budget.

13
14 Walsh: Adds that she asks if you would insert this into conversations with your Board to see
15 if they agree. Well we have said for the past year that we don't agree.

16
17 The discussion continues for a few more minutes regarding the correspondence that has
18 been submitted in the past and the lack of additional funding received. It was suggested
19 that a face to face meeting with Board members might be better. The result was that the
20 Board Chair would send another letter requesting additional travel authorization directly to
21 the Governor.

22
23 Rearick: Adds that we are paying dues to these National Organizations and receiving
24 valuable services from them but without attending the meetings we don't have a voice.

25
26 Chair: Notes that the dues contain travel reimbursements.

27
28 Lent: Adds that CLARB wants the Board Executive to attend as well as the Board member.

29
30 Jones: Just so you all know we have spent our travel money for this year. We have maybe
31 enough for one person to attend one meeting if it's not too far away.

32
33 Baker: Asks if anyone is going to the NCEES Annual?

34
35 Jones: Responds that three members will be attending that meeting. Two are funded by
36 NCEES and one by the Division. The Division is also funding one member to CLARB and
37 that should leave enough money to send one member to NCARB.

38
39 **Agenda item 10 – Old Business**

40
41 **A) Budget**

42
43 **B) Fee Setting**

44
45 Chair: It looks like we may have covered that by our previous conversation.

46
47 **Agenda item 11 – New Business**

48
49 **A) Prefab buildings and stamping requirements.**

50
51 Heieren: Should we call John?

52
53 Chair: Yes, lets go on with 11 B while we wait for John.

1 **B) Procedures for reviewing applicants for grandfathering**

2
3 Fredeen: Asks if these are volunteers or will we have to pay them?
4

5 Heieren: Responds that it would depend on work load and that there was an inference there
6 would be no cost to our Board.
7

8 Fredeen: Sees the benefit of having out of state people for review but not the price issue.
9

10 Heieren: Adds that one individual was a retired structural engineer and was willing to do as
11 many as we wanted him to do.
12

13 Brownfield: Adds that if there is a cost involved there are things we need to put in motion
14 before we can invite them in because that cost has to be approved.
15

16 Heieren: Explains that those who he spoke to indicated it would be more of a token
17 payment not their usual hourly fee and that the individuals were from Washington and
18 California. Only one was from Alaska. He thinks we could get volunteers from other states
19 as well.
20

21 Brownfield: If we want feedback from others we will have to go to another state.
22

23 Baker: Feels that anyone reviewing an application would have to have the same
24 qualifications as someone licensed in Alaska such as the arctic course.
25

26 Hanson: Feels that someone that can't be licensed here shouldn't be reviewing someone
27 else for licensure here. He adds that these folks are probably more than qualified to do the
28 reviews and that ultimately it is going to be the Board who approves by using that
29 information as a basic recommendation not that individual. They are just providing a review
30 service. It is a good point though.
31

32 Chair: What they are reviewing is to see if he is qualified in structural not arctic engineering.
33

34 Brownfield: Points out that there is a set of rules that all engineers follow and this should be
35 on an informal basis because we don't have a mechanism to make it formal. He reiterates
36 what Hanson said and adds that we confer with other states all the time when formulating
37 what we want to do.
38

39 Heieren: Adds that this is grandfathering it's not arctic engineering and that those folks
40 would be evaluating and recommending to us not approving.
41

42 Hanson: Adds that we shouldn't limit it to structural, we have several other branches like
43 environmental to consider also.
44

45 Heieren: This is the first step for all of them. You're going to be hard pressed to find a
46 nuclear engineer in this state.
47

48 Hanson: Thinks it's a good idea, we should try to use as many resources as we can.
49

50 Baker: Likes a comment from one of the other states that wishes they had done this instead
51 of what they did.
52

53 Walsh: Asks why we would want someone who doesn't have arctic experience giving us an
54 opinion about someone's qualifications if they don't understand the arctic situation in

1 Alaska?

2

3 Rearick: Doesn't think we want to go too deep into it and pick apart their structural analysis.
4 We would want to see that they practiced in that field in a detailed enough level without
5 breaking apart their calculations.

6

7 Walsh: Agrees concerning structural but thinks other branches such as environmental arctic
8 experience would be more critical.

9

10 Eriksen: Points out that not all engineers practice in an arctic environment. He uses SE
11 Alaska as an example.

12

13 Fredeen: Points out that the people that review the NCEES exams don't have arctic
14 experience and maybe we should look at it from the viewpoint of can they pass the exam.

15

16 Walsh: Adds that we may be dealing with older licensees that licensed before the arctic
17 course requirement.

18

19 Chair: Explains that the early licensees could take a course or write a treatise. He thinks
20 that the treatise was done away with around 1980. He adds that regarding someone
21 outside not having arctic training a mechanical engineer will get the same training as an
22 environmental engineer will and he feels that if the person is competent in the field their
23 reviewing he doesn't think the arctic is that important.

24

25 Baker: Supports the comments of Fredeen.

26

27 Chair: Asks if the letter has been responded to?

28

29 Heieren: Responded that he said he would bring it to the Board.

30

31 Chair: So I will respond to this.

32

33 There was a short discussion on the number of engineers willing to review.

34

35 Fredeen: Asks if this is something we can send to NCEES asking for third party reviewers?

36

37 Heieren: Suggests that the question could be put to them at the annual in R.I.

38

39 Hanson: Volunteers to talk to folks at an exam committee meeting he will be attending soon
40 but thinks it should be brought up at the annual meeting as well.

41

42 **C) Annual Report**

43

44 Jones: Reports that he updated the regulations projects and added the Statute changes.
45 He explains how he came up with the figure for the desired travel budget.

46

47 Walsh: Suggests that the attendance sheet be updated to add the number of attendees the
48 board had suggested for each meeting.

49

50 John Savage joins the meeting.

51

52 **A) Prefab buildings and stamping requirements.**

53 Chair: We will interrupt this discussion and go back to 11 A), prefab buildings stamping
54 requirements.

1
2 Savage: Savage explains that the issue is pre-manufactured steel buildings and he
3 presently has an open case so he can't say too much about it but the jest of it is that they
4 have hired a law firm and he believes that they are afraid of all the taxes that may be levied
5 against them if they have to be licensed in every state so they are being very cautious about
6 getting licenses. He explains that their building comes as engineered and sealed by an
7 Alaska engineer but the corporation is not licensed in the State. He adds that they have a
8 disclaimer that he received with their rebuttal that basically says you the purchaser are
9 responsible for all your own engineering. He says that this has been handled in many
10 fashions over the years depending on what it is going to be used for. He adds that some
11 days he can deal with this very well and other days he is so busy he has trouble
12 remembering how he handled the last one and asks the Board to discuss and come up with
13 a policy.

14
15 Brownfield: Believes that there should be one standard for all out of state companies that
16 do business in Alaska. He further states that there can't be one set of guidelines for in state
17 companies and another for out of state companies, it has to be a level playing field. He
18 thinks a key issue is if the out of state firm has on their staff an Alaska registered engineer
19 who designs and stamps the plans and calculations then they're doing business in the State
20 of Alaska and need to be licensed. The engineer has to follow Alaska rules therefore the
21 corporation needs to follow them also.

22
23 Savage: Interjects that at times these corporations are getting bad information from the
24 Corporations Section in our Division by telling them if they aren't entering the state they
25 don't have to have a Corporate Certificate of Authority or a Business License. People have
26 called me back and said you can do what you want, your boss in Juneau is telling me I don't
27 have to do any of this.

28
29 Brownfield: Responds that that is a function of the Board and they shouldn't be making
30 those decisions.

31
32 Baker: States that the Statutes and Regulations are very clear on this and this.

33
34 Savage: Adds that in discussions with the company, they asked what they could do to fix
35 this and he responded that they could get licensed or sell their produce without any
36 engineering and it would be on the purchaser period. He asks if anyone sees a problem
37 with that?

38
39 Rearick: Responds, that he does and that it is a complex and broad issue. We are talking
40 about corporate individual licensing and use and we're talking about components of a
41 structure verses an entire structure and about pre-engineered that's going to be erected on
42 site and about pre-engineered that's going to be shipped up modular. And how the different
43 engineers think that can be done. He then gives an example of a generator that is ordered
44 and then arrives with its own structure. He then goes into snow loads and wind loads and
45 that the products are being sold with the research that needs to be done. He adds that if
46 taken to an engineer in Alaska for re-stamping they aren't going to re-engineer it since it
47 already has an Alaska stamp on it they are going to review it. It's not their stamp on it, it's
48 the pre-engineered guy's stamp on it and it's not realistic to think that they would re-
49 engineer it because the stack of calculations on a pre-engineered building is going to be
50 huge. So the company and individual that is providing that product needs to do the
51 engineering on it unless they are just purely doing a conceptual sketch. When an owner
52 buys one of those packages they think they are getting a fully engineered building and they
53 also think they are getting a fully engineered building from the standpoint of all the other
54 disciplines. Then they get the shell on site and the next thing you know they are building

1 mezzanine's they're building offices. There could be churches or daycares in this without
2 any re-engineering or without any consideration on how this affects that metal structure. I
3 agree with Brownfield, if you're doing business in Alaska, you're doing business in Alaska,
4 you need the corporate license, you need the seal and if they're doing pre-engineered
5 buildings or modular buildings without that stamp they're practicing without a license.

6
7 Hanson: Adds that there are companies providing trusses that are for residential so they
8 are exempt however they are putting their stamp on it so they are not exempt. He then
9 explains that the primary business of some of these companies is not engineering that it is a
10 bi-product of what they are doing and that it is a tough call because we are here to protect
11 the health, safety and welfare of the public.

12
13 Eriksen: Agrees with Brownfield that it needs to be a level playing field and agrees with
14 Richard that it is a complex problem. He adds that people are trying to build buildings that
15 are affordable and asks if we are saying that we don't want prefab buildings period or that
16 each building has to be engineered uniquely or that it has a site adaptation done by another
17 engineer?

18
19 Rearick: Responds that we are not trying to prohibit them but if they are engineering it, they
20 are responsible for it, they are engineering it for the site, not as a component that has no site
21 or using criteria that doesn't apply to that site. We can't rely on a secondary engineer to
22 adapt their building to that because it is complex software it goes into to spit out those
23 shapes and connections etc. The secondary engineer can review it to see if they
24 considered all factors but ultimately it's their responsibility and a lot of times there is not a
25 secondary engineer they are working directly with an owner.

26
27 Eriksen: So you're saying at the point of sale the purchaser has to say where the building is
28 going and that all the site adaptation meets the requirement of that specific sale?

29
30 Rearick: Yes.

31
32 Savage: This Company is saying they are not doing that.

33
34 Brownfield: Thinks it boils down to something clean and clear. If an Alaska engineer
35 stamps it they are doing engineering in Alaska and need to be properly licensed. If they
36 don't want to be licensed then don't have the engineer stamp it then whoever buys it is
37 responsible to get an engineer to look at it and do all the engineering and site adaptation.

38
39 Hanson: Has done prefab buildings for DOT and agrees with Rearick that the calculations
40 were checked and snow load is right, the wind load is right and seismic is right yes the
41 calculations make sense and you check a few of the calculations and say yes they are right.
42 But they are site adapted by an Alaska PE and all the calculations are stamped that way
43 and we as the engineer say yes, the submittal meets the specification that we have
44 identified. He thinks the company will claim an industrial exemption, that they are providing
45 an engineered product to a client to meet their needs. The client provides the specifications
46 and we are providing them an engineered product for what they have asked for and it's up to
47 the client regarding what they want to do with that product.

48
49 Heieren: Thinks that it's the engineer signing the drawings that should be taken to task for
50 an incomplete product rather than the corporation.

51
52 Brownfield: If they do anything that requires a stamp even if it's short of the complete
53 project they are a corporation that needs to be licensed. Then when it comes into the State
54 another engineers has to do the rest of the project. One engineer doesn't do it all.

1
2 Heieren: Responds that his point was missed. It is the individual that has produced an
3 incomplete product because he didn't take into account the site conditions that should be
4 held accountable not the corporation.

5
6 Hanson: Doesn't think that was the case here. The question is whether the corporation is
7 offering engineering services here. He then gives another example that he was involved in
8 and ends it by saying do we require that building supplier company to be licensed as an
9 engineering firm because they provide a product to contractors? It's that slippery slope,
10 where do we stop on the corporate registration and individual registration?

11
12 Fredeen: Cites 12 AAC 36.232 that defines offer to practice and ties in with AA 08.48
13 regarding if you offer to practice you have to have a corporate license. He didn't see
14 anything that specifically covered what we are talking about. His understanding of what the
15 discussion is about is that if you're stamping something you have to have a corporate
16 license.

17
18 Brownfield: Reiterates that if an employee of the firm stamps a produce that comes into the
19 State they have to have a license because they are offering engineering in Alaska.

20
21 Fredeen: We need to simplify it by saying if you're stamping something in the State of
22 Alaska you need this umbrella corporate license for liability purposes. We could do
23 something in the seals regulation.

24
25 Chair: Thinks we are off track and mentions sole proprietors. It's a corporation doing
26 business in Alaska, we can almost forget about the stamp. He explains that the engineer is
27 responsible for the building but can get the design requirements from the IBC, wind load,
28 seismic, he doesn't have to be up here to do that he takes it right out of a code book.
29 Frankly an engineer outside that company can't do it because they don't know any of the
30 properties of these members, that's all established by the firm. He repeats that he doesn't
31 think that's the issue, it's the corporation doing business here and apparently they are.

32
33 Jones: Explains that it's not necessarily the fault of the Corporations Section or Business
34 Licensing section that companies are told they don't need a license. That quite often the
35 corporations call and give incomplete information so they in turn receive incomplete or bad
36 responses. He has asked both sections to refer all engineering firms to him but they don't
37 always state that they are doing engineering. They sometimes leave out critical bits of
38 information because they are trying to get around being licensed. And often if they don't like
39 the answer they get from me they will call Alicia and ask her.

40
41 Eriksen: Notes that what Savage is asking for is what the Statutes support and what the
42 Board supports.

43
44 Savage: The company's response was we are not offering engineering and I prefaced this
45 with sometimes it's so easy to get wrapped around the axle and that's what's happening
46 here. The question here is are they offering engineering in the State of Alaska to the degree
47 that they need corporate registration? That's where we need to keep our emphasis because
48 I need to pick it up from here.

49
50 Chair: They have offered engineering.

51
52 Savage: Thinks that with the sole proprietor thing that some companies will let their
53 engineer go and tell him to get his business license and they sub all this business to him.

1 Rearick: Suggests that considering what Jones said about callers giving partial information
2 to get a certain response my answer to that is we go with what the regulation says. I don't
3 care what they told them, what's the regulation say and go after them on that basis.
4 Regarding what Richard was saying, that we go after the individual, I agree with that but it's
5 a practical matter, John is not going to see the majority of those. Regarding the issue of
6 whether it's a component or a structure or modular, they have been engineered together as
7 a unit. If it's a module it is engineered for a specific location and if it is moved it needs to be
8 checked by an engineer to see if it's engineered for the new location before it's occupied.
9 He doesn't agree that they could sub to a sole proprietor. They are using a consultant but
10 they are still providing engineering by the fact they are providing an engineered structure.

11
12 The discussion continued reiterating the same arguments.

13
14 Heieren: Asks Savage if a motion would help him.

15
16 Savage: Responds that it would be a big help to have something in writing to address this
17 situation that he could forward to this company. He adds that he hasn't seen a prefab
18 building that was engineered for a specific location and asks if anyone else has.

19
20 Rearick: Explains how his firm does it and that for the permitting process you need to know
21 how your pre-engineered building will react to the foundation.

22
23 Savage: Points out that most of the time that is not done. Someone gets one for their back
24 yard and none of that is considered.

25
26 Rearick: Agrees that that happens a lot out in the villages. Someone buys a \$40,000
27 building not realizing that they will need an additional \$500,000 of development to make it a
28 real building.

29
30 Shies: Asks what other States are doing?

31
32 Brownfield: Was going to bring that up and suggests that most of the other states have the
33 same requirements as we do and would be surprised if there was any difference. AS
34 08.48.241 is clear on that and if we want to change anything it will need a Statute change.

35
36 Savage: Asks Jones to ask the other States on the listserv.

37
38 Chair: Reiterates that he feels it is not an engineering problem it's a corporate licensing
39 problem and that maybe the AG should make the call.

40
41 Savage: Feels it would be faster to see what the other States are doing.

42
43 Jones: Points out that not all States require corporate registration.

44
45 Rearick: Notes that it doesn't cost that much for a corporate registration.

46
47 Savage: Again points out that it isn't the cost of the license that is the problem it's the tax
48 liability after they are licensed that is the problem. That is what they fear.

49
50 Chair: If we go forward we should do it based on our Statutes because evidently there are
51 some other conflicting statutes.

52
53 Jones: Most of the time they come to me but sometimes they ask the question designed to
54 get the answer they want.

1
2 **On a motion duly made by Heieren, seconded by Rearick it was**

3
4 **Resolved that corporation selling or offering to sell pre-engineered buildings shall be**
5 **considered offering professional services in the State of Alaska per 08.48.241 and 12**
6 **AAC 36.232 and are required to be registered as a professional corporation in the**
7 **State.**

8
9 Warren: Understands that there are some conflicts with our Division and suggests that the
10 Board send a letter to the Division telling them this is what our criteria is this is what we want
11 Corporations and Business Licensing to pay attention to.

12
13 Heieren: Asks to withdraw his motion until tomorrow.

14
15 Chair: Yes, let's move it to tomorrow.

16
17 Hanson: Asks for a 5 min break.

18
19 Chair: Be back at 10 till.

20
21 10:45 – 10:53 Break.

22
23 10:53 back on record.

24
25 Shiesl: Notes that several Board Members terms will end next year.

26
27 Jones: Informs the Board that several people have applied to Boards and Commissions and
28 if they know anyone interested they should get their applications in now.

29
30 The discussion returns to the Annual Report.

31
32 Walsh: Thinks this is another avenue to emphasize our budget for travel. Under human
33 resources we should put another bullet there to emphasize travel to NCEES, NCARB,
34 CLARB etc.

35
36 Fredeen: Suggests that under that same section we should add an investigator.

37
38 **D) New requirement for regulation projects.**

39
40 Chair: Asks if this is a new process.

41
42 Jones: Explains that it is new and is designed to keep upper management in the State
43 Government from being surprised by irate citizens regarding regulation changes.

44
45 **E) Location of meetings.**

46
47 Baker: Recaps previous Board thinking that if we had all meetings in Anchorage and saved
48 travel funds we could use those funds for out of State travel. He feels that if we don't use
49 those funds we will lose them and that we got good input from the folks in Fairbanks and we
50 should return to having one meeting a year there.

51
52 Lent: Suggests Wasilla should be considered also.

53
54 A short discussion followed on the costs of meetings in the various locations. It costs

1 approximately \$10,000 for a meeting in Juneau and Fairbanks and approximately \$6,000 for
2 meetings in Anchorage. This depends on the make-up of the Board. As the Board changes
3 the costs in each city may change. It was pointed out that there was more involved than just
4 cost. The Juneau meeting is important because the Legislature is in session in February
5 and having meetings in the larger population centers allows the public better access to the
6 Board.

7
8 Chair: Asks for a motion.

9
10 **On a motion duly made by Baker, seconded by Lent it was**

11
12 **Resolved to reinstate one meeting per year in Fairbanks starting in May 2012.**

13
14 Motion as amended passed unanimously.

15
16 **Agenda item 16 – Correspondence received since February 2011.**

17
18 **A) Response from Director to Chair re fee setting.**

19 **B) Letter. From ASPLS re AKLS exam review.**

20
21 Heieren: Volunteers to do a follow-up on this. He explains how the FS is going to become a
22 Computer Based Test (CBT) and we need to start thinking about making the AKLS
23 computer based. He will come back with a recommendation at the November meeting.

24
25 Jones: Recommends that the other states be queried at the National meeting in R.I. to see
26 how many of them have a computer based state specific exam.

27
28 Heieren: I already have and there are about a third of them in the Western U.S. and a high
29 percentage are looking at as we should be too.

30
31 Walsh: Asks what the benefits would be to go to CBT for the AKLS?

32
33 Heieren: Responds that it is very costly to do the exam.

34
35 Walsh: Notes that with NCEES CBT the cost to the registrants goes up and we would
36 probably also see that here.

37
38 Heieren: Reiterates that is already very expensive to administer this exam.

39
40 Walsh: Was just thinking that a larger question base would be needed.

41
42 Heieren: Responds that on the National level the cost does go up but the item bank can be
43 manipulated in a way that gives you 3 questions from one. He is part of a movement at the
44 National level that is trying to create an item bank for the Western States that would be state
45 specific for each state. This may be a cost benefit for all.

46
47 Jones: Asks if Test, Inc. owns the present test?

48
49 Heieren: Responds that the item bank is owned by us. The Standards of Practice Manual
50 is being updated. He suggests now might be a good time to set up a committee to
51 coordinate with ASPLS on this and review all of the items and generate more questions and
52 again the computer is able to take one question and turn it into three.

53
54 Chair: Does anyone check those?

1
2 Heieren: Explains how the system works. That the exam is taken by the subject matter
3 experts about 3 times before it is used by the public. He has taken the professional
4 surveyors exam for about 4 years now. He has been told that the same system would be
5 initially used for CBT then afterward it would take care of itself.

6
7 **C) E-mail from ASLA re Small Business Size Standards.**

8
9 Lent: Reports that this is just an information item. It came from ASLA in Washington. It
10 might be of interest to the other professions.

11
12 **D) E-Mail from Keith Mobley re complaint.**

13
14 Chair: Explains that Evidently Mr. Mobley filed a complaint and nothing came of it and he is
15 upset. This needs a response but we would have to talk to John about it first.

16
17 Jones: John mentioned this in a prior meeting and I think John has given him all the
18 information he can give him.

19
20 Chair: Asks Jones to check on this and advise if the Board needs to respond.

21
22 **E) E-mail from Colorado Board re exam Policies and Procedures.**

23
24 Jones: Just put that in to show what some of the other boards do. If examinees violate
25 NCEES policy we pretty much back up NCEES.

26
27 Rearick: Is on the Professional Conduct Committee at NCARB and advises of an issue that
28 came up regarding whether or not the State has a mechanism to take action against anyone
29 that is caught cheating on the exam or IDP program. He points out that since an applicant
30 isn't licensed we really don't have any jurisdiction over them other than to refuse them a
31 license.

32
33 Jones: That's about it. If they aren't licensed there isn't a whole lot you can do except deny
34 them a license.

35
36 **F) Ltr from Vlad Irimesccu re architect registration.**

37
38 Chair: This is an issue that if we get our change in our architect regulations it will be taken
39 care of. He asks Jones if it's ok to tell him that we have something in process that will take
40 care of this issue. He explains to the Board that the only option for this individual at present
41 is the Broadly Experienced Foreign Architect (BEFA) which costs about \$11,000 and takes
42 about five years. He adds that he reviewed his resume and the only thing missing was what
43 year he was licensed. We require 5 years.

44
45 Rearick: Agrees and points out that there are a couple of things in the proposed regulation
46 that need to be tweaked. He adds that this individual could qualify but we have no
47 mechanism right now to license him.

48
49 Chair: Let's break for lunch now and be back at 12:30 and continue on correspondence.

50
51 11:30 Break for Lunch.

52 12:05 Back on Record. Roll call, all present.

53
54 **G) AAES Newsletter.**

1
2 Jones: That was just a newsletter they sent us.

3
4 **H) CLARB Correspondence 1 – 8.**

5
6 Lent: This is just information they sent out.

7
8 **I) NCARB Correspondence 1 – 7.**

9
10 Chair: I think that's all for information. Richard did you want to talk about anything?

11
12 Rearick: Advises that it will be covered under the meeting report.

13
14 **J) NCEES Correspondence 1 – 8.**

15
16 Chair: Any comments? Anything we need to act on?

17
18 Fredeen: Remarks that he thought some of the verbiage in the Model Rules on disciplinary
19 action in J 8 was good and solid that we might want to add to our regulations.

20
21 Chair: Asks if that could be assigned as a task rather than forming another Committee and
22 just have someone look at it and report back?

23
24 Rearick: Volunteers and will look at NCARBS also.

25
26 Fredeen: Remarks on the Sustainable Building Design Task Force on page 11 of 16-J-8.
27 He points out that NCEES is stating that commissioning is an act of engineering and
28 commissioning is a growing industry in the State of Alaska. He adds that so far, to date, the
29 service is provided by PE's but thinks the Board should be watching this issue.

30
31 Rearick: Notes that they are saying commissioning of engineering systems as opposed to
32 buildings.

33
34 Fredeen: Agrees and points out that they say some components are an act of engineering
35 but not all of them. He sees this as something the Board might have to act on at a later date
36 by defining what commissioning is. He supports the NCEES position on commissioning. He
37 then explains that commissioning is a step by step process to verify that the systems in a
38 building or facility are actually performing the way they were designed to perform.

39
40 Eriksen: Points out that it is a pretty complicated process. More than just, does the
41 equipment work.

42
43 A short discussion follows regarding whether to involve John and whether a regulation or
44 statute would be necessary. Fredeen will review the Statutes and Regulations to see if it is
45 already covered. It was pointed out that LEED brings the commissioning agent in at the
46 beginning of the project.

47
48 Fredeen: Notes that page 16 of 16-J-8 has some info on the structural engineering exam.
49 He points out that our present requirements are for an 8 hour exam and that the structural is
50 a 16 hours exam given in two parts. We may need to add that they need to pass both parts
51 of the exam.

52
53 Jones: Explains that NCEES does not give a pass for the Structural exam until both parts
54 have been passed.

1
2 Hanson: Thought we cleared that up and removed the 8 hours and just say NCEES exam.

3
4 Fredeen: Moves on to the alternate path to licensure and discusses the recommended
5 mentoring program. He feels the requirements to be a mentor are a little onerous in that the
6 mentor has to take a two week course every year and get on NCEES record as an approved
7 mentor. He will get the verbiage and pass it out tomorrow for discussion. He asks those
8 attending the National meeting that have received their meeting packets to bring them in
9 tomorrow so the board can see the verbiage.

10
11 Chair: We will put that on the Agenda for first thing in the morning.

12
13 Fredeen: Requests that it be later in the day so there is time to review the subject matter.

14
15 Heieren: Reminds Fredeen that it is just a concept.

16
17 Hanson: Notes that on page 30 they are making a change to an earned doctoral degree.
18 They have tightened up the education side and loosened the practical side.

19
20 Walsh: Notes that there 6 finance committee motions 4 of which are on the consent
21 agenda. He elaborates on number 3 explaining that the NCEES Board didn't endorse it
22 because they felt it should reference exam costs. The finance committee felt they needed
23 more flexibility in regards to CBT. He feels that on item 4 the Board didn't take a position on
24 it because they wanted the entire council to vote on it. It shows the recommendations for
25 fees for the FE and FS exams once they go to CBT.

26
27 **K) APEGGA News Release re Niel Windsor.**

28
29 Chair: Explains that this announces Niel's retirement and that he has made several
30 presentations to the Board re Licensure Mobility.

31
32 Jones: I included that in case anyone wanted to send him well wishes.

33
34 Chair: Asks Walsh to send everyone Niel's email address.

35
36 **L) Email from Minnesota re State government shut down.**

37
38 **M) Email from Gavin Wells re Architect registration in Alaska.**

39
40 **N) Email from Niel Mackenzie re Architect registration in Alaska.**

41
42 Chair: These two were just inquiries regarding architect license. I responded to one and
43 Richard to the other.

44
45 **O) Email from Chris Lyons re Loopholes in engineering laws.**

46
47 Chair: Asks if anyone has any info on this?

48
49 Jones: Explains that these are Mr. Lyons views on the loopholes that are responsible for
50 the Deepwater Horizon blowout and that the attachments were way too long to include in the
51 board packet.

52
53 Walsh: Notes that it would be interesting to see if NCEES is still going to address the
54 industrial exemption and eventually government exemptions.

1
2 Chair: Asks those attending the NCEES National meeting to report back on that.
3

4 **P) Email from Terry Thurbon re Deliberative Process Ethics issues.**
5

6 Jones: This is just reinforcing the policy that when the Board is deliberating a disciplinary
7 case that no one should be in the room except the Board members and the ALJ. Evidently
8 some of the Boards have let staff remain in the room during deliberations.
9

10 **Q) Request for Honorary Architecture License from Dale Guariglia. With**
11 **items 1 through 5 supporting the request.**
12

13 Chair: We don't have any provision for this so the answer is no. Can you respond to that?
14

15 Jones: Advises the response should come from the Board and that he will draft a response
16 for the Chair's signature.
17

18 **R) Letter from Alaska AIA.**
19

20 Rearick: Notes that this is a letter from AIA thanking the Board for dropping the architectural
21 engineer from the proposed regulation change.
22

23 **S) Letter from Society of Military Engineers. (SAME)**
24

25 Jones: Is from the Society of Military Engineers regarding the grandfathering clause.
26

27 Eriksen: Relates that this reminds him of an article in PE magazine regarding exempting
28 military from CE requirements while overseas.
29

30 Jones: We already exempt them.
31

32 **Agenda item 17 – Special Committees**
33

34 **General Licensure.**
35

36 Brownfield: Reports that the regulations are out for public comment and no further action is
37 needed and questions if we need to continue the committee.
38

39 Heieren: Notes that there will be procedural things to address such as grandfathering. He
40 suggests that it not be eliminated until all is up and running.
41

42 **As built and Record Drawings.**
43

44 Chair: I've done the definition. We can get rid of that one.
45

46 Jones: Is the definition in regulation yet?
47

48 Chair: No, I guess we need to keep it for a while.
49

50 Heieren: Advises that there needs to be a distinction between As Built and As Built
51 Surveys.
52

53 Chair: Asks Lent if that has been addressed yet?
54

1 Lent: Yes on page 10 we have a change to that.

2
3 **Incidental Practice.**

4
5 Chair: Reports that Statute and Regulation changes are in motion and we are in a wait and
6 see mode so we should keep the committee.

7
8 **Licensure Mobility.**

9
10 Walsh: Not much to report we lost an ambassador with the resignation of Neil Windsor and I
11 would imagine also a lot of pressure. The only ongoing thing is Richard is working on some
12 architectural issues we will discuss later today.

13
14 **Mining Engineers/Geologists.**

15
16 Walsh: Reports that our choices are either to do nothing or ask to regulate geologists or just
17 put a definition of geology in the our regulations . He doesn't sense any real pressure to do
18 either of those things. He has been talking to geologists and has gotten some definitions
19 from other states but doesn't know if this Board wants to get into the business of regulating
20 geologists.

21
22 Hanson: Recalls an issue where we were asked about whether a stamp from a geologist or
23 hydrologist was needed.

24
25 Brownfield: Doesn't believe it has gone beyond, that we can certify them but it is not
26 recognized as a profession in Alaska from the standpoint of having a stamp.

27
28 Walsh: Notes that there would be a lot of incidental practice issues if they were licensed.

29
30 Brownfield: Doesn't see any reason do anything until it crops up into an issue that we have
31 to deal with. We could force the issue but...

32
33 Walsh: Is reluctant to force the issue until there is a clear violation that involves
34 engineering.

35
36 Brownfield: That may be what gets us moving. I wouldn't take it off though.

37
38 Walsh: Adds that we can keep the committee but there will be no action until we decide if
39 we want to do something.

40
41 The discussion continued regarding the things that geologists do that could overlap into one
42 of the branches of engineering with the outcome being that eventually the Board would have
43 to deal with it and maybe take over regulation of geologists.

44
45 Eriksen: Thinks that we don't know what the solution is and that working toward a solution
46 would be better than waiting until something happens and it's a real problem.

47
48 Baker: Asks if there is a definition of geology anywhere in the State Regulations. If there is
49 and they are working under them we will have the same problem we have with the
50 contractors.

51
52 Brownfield: Explains that he talked to the licensing examiner that handled them and she
53 said that all the State has is that one sentence that says we recognize them and will certify
54 them. Eventually we are going to have to deal with it. The only way we have to deal with it

1 with any authority is to bring them under our fold which has its advantages and
2 disadvantages.

3
4 Jones: Explains that it works pretty much the same as the architects. NCARB verifies their
5 education and experience and tells us they are qualified and we license them. The
6 American Institute of Professional Geologists checks their education, tests them and gives
7 them a certificate. We look at it and certify them in Alaska.

8
9 Hanson: Points out that there are 30 different certifications for geologists.

10
11 Baker: Adds that even though we accept NCARB's certification of architects we still have
12 definitions in our regulations that say what they can do and what their responsibilities are. If
13 geologists have that someplace and they cross over into what we do but it's in their
14 definition then we can't do anything about it. We still have to address that.

15
16 Brownfield: You preface that with "if".

17
18 Baker: Just because nobody is regulating them doesn't mean they can't practice.

19
20 Brownfield: Asks if anyone knows of a situation where a geologist has crossed the line into
21 engineering or is that speculation?

22
23 Hanson: Thinks there have been incidental practice issues. According to the Statue the
24 Board was created for architects, engineers and land surveyors. It doesn't say geologists,
25 hydrologists or safety engineers or any of those.

26
27 Lent: Provides the history of adding landscape architect and notes that originally it was
28 considered unimportant until the Federal Government started specifying that landscape
29 architects have to be used on Federal projects which shed a new light on the subject. He
30 asks if anyone knows if the Federal Government has been asking for licensed or certified
31 geologists?

32
33 Baker: Pebble has a lot of geologists reports.

34
35 Chair: Asks that since there is so much discussion that we keep this one active and asks
36 Dan if he is terming out.

37
38 Walsh: I think so.

39
40 Chair: I was asking to see if we would have a mining engineer but since Brian is one I
41 guess we would have someone to carry on.

42
43 Jones: I think the way it reads is that you can continue on the Board until you are replaced.

44
45 Brownfield: Thinks we should do some research and revisit at the next meeting.

46
47 **Land Surveyor Education.**

48
49 Baker: Reports that the issue is back out for public comment so we are on hold.

50
51 Shiesl: Asks for a couple minutes to report back on a task from last meeting regarding
52 penalties for non profession related offenses. His preliminary research shows that there are
53 two things to look at. Whether the offense affects the professional duties of the subject and
54 also that certain professional have stricter standards than others. He has information from 8

1 states that address the subject and his findings are that most are pretty much the same as
2 us and with others the language was very ambivalent and hard to understand what they
3 were saying. It may have been that way intentionally to give maximum leeway. He will
4 continue to research.

5
6 Chair: Let's take a break and start the public comment in about 5 minutes.

7
8 1310 Break

9 1315 Back on record.

10
11 **Agenda item 12 – Public Comment.**

12
13 Mr. Nelson: My name is Dale Nelson representing the Alaska Professional Design Council
14 (APDC) and also I'm wearing a hat as ASCE Alaska Society of Civil Engineers. When I first
15 came in here I grabbed this book to see how you covered education. The purpose of my
16 being here is that another Legislative year is starting up and we need to be thinking about
17 what we are doing, what we are going to do and is there things we need be working with you
18 to work through the legislative process. I see a couple, three things that are over here in
19 what you call Statute changes for consideration. There might be something in there you
20 have to refresh my mind but what we've done in the past is that in 2010 we had three things
21 that we had on the docket. One was called Qualification Based Selection (QBS), that's
22 going to be one of APDC's that's going to be one of the primary. ACEC is going to be a big
23 contributor unto this because you know there's a lot of States that have done that, it's a
24 refinement, it's on the States books there just needs to be some tweaking to get it into the
25 proper reading, if you will, and there are a lot of engineers out there that are being forced
26 into the process. You guys deal with that I'm sure. The next one on the docket last year
27 was sealed drawings. There is a white paper on QBS, there's a white paper on sealed
28 drawings and then the other one is the Specialty Contractor Exemption and we have a white
29 paper on that. So that is what I have in my file and I just bring those to your attention as to
30 what your druthers are. It's not an answer that's needed right here but we are ready and
31 available.

32
33 If I might take a quick moment for a couple of other things that we, APDC, has on the
34 docket. It's Infrastructure, the Continuing Education, the Science, Technology, Engineering
35 and Mathematics (STEM) to work to push that and of course Sustainability. And these
36 pretty much mirror the ASCE. I'm also on the National committee that reports to the Board
37 of Direction. And these five items reflect what the ASCE is looking at Nationally and those
38 that are ASCE members that get the news letter's will see that stuff flashing all the time.

39
40 Mr. Chairman I've just introduced myself who I am and what I'm here for and is there things
41 that we need to be doing for you. We meet the first Thursday of each month and the next
42 meeting is September 1st.

43
44 Chair: Thanks Mr. Nelson for attending when he can and working with us.

45
46 Heieren: Asks for assistance in getting a Statute change to allow for an investigator and a
47 letter of explanation will accompany that and the second thing is we are struggling from the
48 legislative end with funding for what I would categorize as mandatory travel for an educated
49 and informed Board on a National level. He adds that we have tried to help with the short
50 falls and they just keep cutting our travel back and we would appreciate any help the
51 professional society could provide.

52
53 Chair: Adds that we are not over budget that licensee fees cover it and the money is there
54 we just can't use it because it wasn't appropriated. He further states that he will provide

1 copies of all these that are pending and notes that several of them are tied together and that
2 he will attend the September meeting and go over them with the Society.

3
4 Nelson: Asks if these are online?

5
6 Jones: They are in the Board packet and you can take that one with you.

7
8 Chair: Adds that other issues are fire protection, seals, site adaptation and field drawings.
9 Like exemptions we are trying to outline responsibilities for the various professions. These
10 hopefully will make it through the process and clean up those issues.

11
12 Nelson: Points out that this is the last of the two legislative sessions so something may get
13 started but not finished so anything that doesn't go all the way through will have to be
14 started over in 2013. One of things the Statute change for funding the AELS Board came up
15 last year and what we did was an awareness. He suggests that the Board get all the figures
16 together, fees, expenditures etc. to create an awareness, some kind of a summary to
17 provide the Legislators.

18
19 Chair: Points out that some of the dues to these National Organizations include funds for
20 reimbursement of travel but the way third party reimbursements are handled we sometimes
21 can't use them because the reimbursement doesn't go back into our travel funds.

22
23 Nelson: If we can get those kinds of things we can be of assistance.

24
25 Heieren: Adds that we actually have a surplus and that they are talking about lowering the
26 fees.

27
28 Jones: Explains how the overage came about and that the Board license fees are supposed
29 to support the Board and are adjusted up or down to come as close as possible to breaking
30 even. He adds that we keep asking for more funding for travel but so far none has been
31 approved. We have the money but we can't spend it because it hasn't been appropriated.

32
33 Nelson: Responds that they will do a lot of leg work for us but they look to our expertise.
34 Give us the information for us to work with. He goes into an example of how they assisted
35 with funding for UAA and UAF emphasizing how important facts and figures can be when
36 presented to the Legislature. He added that now they are working on getting \$75M for UAA
37 and \$50M for UAF for two new buildings. He then asks about the Statute change to get an
38 investigator and how it could help to have the accounting data to present to them. He asks
39 what the third one was.

40
41 Chair: Explains that it is about incidental practice and that several Statutes and Regulations
42 need to change to make everything consistent throughout the document.

43
44 Lent: Draws, Mr. Nelson's, attention to the new regulations that were approved and adopted
45 and became effective July 13th. He also thanks Mr. Nelson for APDC's assistance in trying
46 to get the LSA seat changed from temporary, non-voting to permanent voting status.

47
48 Nelson: Comments on the new CE regulation and how other states are also allowing credit
49 for participation in Professional Societies.

50
51 Chair: Thanks Mr. Nelson for his participation.

52
53 **On a motion duly made by Heieren, seconded by Hanson it was**

54

1 **Resolved to go into executive session under authority of AS 44.62.310 to review**
2 **applicant files.**

3
4 Motion passed unanimously.

5
6 1:35 p.m. The Board went into executive session.

7
8 4:55 p.m. The Board came out of executive session.

9
10 Chair: We left off at item 17 and we have finished Special Committees and are now on
11 Standing Committees.

12
13 **Investigative Advisory Committee.**

14
15 Chair: This is a rotational team but it hasn't rotated much. He notes that Hanson is working
16 into the rotation.

17
18 Hanson: I've met with John and Boyd 3 times and a couple other times without you guys.

19
20 Chair: Thinks it is working and see's no reason to change.

21
22 **Guidance Manual.**

23
24 Lent: Explains that some of the changes he had planned to make have to wait for the
25 regulations that were re-public noticed. He continues that there are some changes that can
26 be made and refers to his committee report in the Board Packet which he updated this
27 morning with a handout. He then explains each change to the Board.

28
29 Fredeen: Comments on the verbiage on page 2 number 2 where they are talking about
30 having on the drawings for permit review "Preliminary, not for Construction" and that he just
31 recently heard that the Fire Marshall would not accept anything that was not for
32 construction. He continues, professionals are stamping documents for review that are not
33 final but aren't putting "not for construction" on them because the Fire Marshall will reject
34 them and that he is not sure what to do about that.

35
36 Chair: Reminds the Board that there was an agreement with Carol Olson about that and he
37 thinks the verbiage they were using is "For Fire Marshall Review Only 95%" but now that
38 Carol is gone that is probably out the window.

39
40 Lent: Adds that Savage is intent on maintaining control on what the drawings say because
41 when he is in the field if he catches someone with a preliminary drawing they could be
42 working off something entirely erroneous.

43
44 Chair: Explains that the reason for doing that was that it sometimes takes the Fire Marshall
45 three or four months to get the review done and that they needed something for the client.
46 The way he did it was that if it was ready to check and there would only be minor changes
47 he would submit it and Carol had agreed to that.

48
49 Hanson: Thinks that we should say that if the drawings are stamped and signed it should be
50 clearly indicated that they are preliminary and leave it up the individual how they do it and
51 how the Fire Marshall wants it. That gives them some latitude. Some people accept
52 "preliminary not for construction", I know the Corps does. We just say that they have to
53 indicate that they are preliminary, how they do it is up to them.

1 Brownfield: Adds, that he likes this method, it gives leeway but how they do it must be clear.

2
3 Lent: Reads back what he wrote during the discussion. "Preliminary drawings do not
4 necessarily require stamping and signing. If they are they shall also be clearly identified as
5 preliminary documents". He then changes it to "Preliminary documents do not necessarily
6 require stamping and signing" that way it will be consistent.

7
8 Chair: And it won't be in quotation marks?

9
10 Lent: No.

11
12 Rearick: Comments about client needs.

13
14 Lent: This should protect the client and the professional.

15
16 Chair: Points out that somewhere in the book we say that you shall only seal completed
17 documents don't we?

18
19 Lent: Yes that's at the top of the page. It says all final documents.

20
21 Hanson: We took that out it just says all final. Not completed.

22
23 Rearick: It used to say you can seal only final documents?

24
25 Hanson: It says that you have to seal all final documents not only final documents.

26
27 The discussion continued for a few more minutes with rehashing already stated points, the
28 result being that the change would cover the problem. The Chair asked if a motion was
29 needed.

30
31 Lent: Notes, that we put off updating the Guidance Manual and we may want to make a
32 motion to delay further or go ahead and add these changes and wait for the rest of them.

33
34 Baker: Asks if we have quite a few changes?

35
36 Jones: Explains that normally the Guidance Manual is updated in the spring but we delayed
37 it this time. He recommends that we go ahead and update the Manual at this time and then
38 we can update it again in the spring.

39
40 **On a motion duly made by Baker, seconded by Fredeen it was**

41
42 **Resolved to go ahead and make current changes to the Guidance Manual.**

43
44 The motion passed unanimously.

45
46 **Legislative Liaison.**

47
48 Eriksen: Nothing to report.

49
50 **Emeritus Status.**

51
52 Chair: Asks if NCEES requires emeritus status? He then explains that this was to allow
53 former Board Members to continue with their NCEES or NCARB assignments after they are
54 off the Board.

1
2 Brownfield: Thinks that their language says that. That you can continue if your emeritus of
3 one of the member boards. Not sure if they require anything from us.

4
5 Jones: Yes, they require something from us. He adds that they will grant emeritus status
6 upon recommendation of the Board. He adds that that is emeritus status to the NCEES not
7 to the Board.

8
9 Baker: They are actually the one's that are granting we are just approving it.

10
11 Rearick: Explains that NCARB doesn't recognize emeritus status, that the way they see it is
12 if you're off the Board, you're off the Board and then you are just representing NCARB's
13 interests not the State's interest. The State gives them a list every year of who is on the
14 Board.

15
16 Chair: But NCEES does require it so we should keep this committee.

17
18 **Budget Committee.**

19
20 Walsh: We are on a good track, I just don't know if we're going to finish the race. He thinks
21 Richard's efforts to get the investigator funded is great and he will keep plugging away on
22 the travel budget. We will write a letter and have a face to face meeting next time.

23
24 Brownfield: Advises that he was encouraged to bring to the Board that the Legislators are
25 more attuned to this subject and that we do need more travel. He recommends that Board
26 Members continue to communicate with their Legislators and that we aren't the only Board
27 with this issue. He's not sure if it should be done as a Board or individually. He then
28 remembers that at the last meeting we were encouraged to do it as a Board so we should.
29 The bottom line is communicate, give them facts, they are catching on.

30
31 Jones: Advises the members to hit heavily on their individual participation in the National
32 Organizations, the committees they serve on, etc. That you help make the decisions that
33 govern the professions throughout the U.S.

34
35 Chair: Remembers that that is a task assigned to him and he will put something together
36 and have Richard and Dan review it and that he has a list of who it should go to.

37
38 Walsh: Notes the need to continue to push this with the Legislature but wonders if, as busy
39 as they are if they will catch it if it doesn't come from the Division in their budget request.

40
41 Brownfield: Responds that it is already being noticed. He thinks that if you're talking to a
42 Legislator and the time is right, go for it, if the timing isn't right leave it alone. We should talk
43 to them when we have the opportunity too.

44
45 Walsh: Asks if the message should be to call the Director and voice their support?

46
47 Brownfield: Thinks the Legislature acts on their own. They will ask questions, not to the
48 Division but.....

49
50 Eriksen: Adds, isn't it Legislative action we need for the appropriations?

51
52 Walsh: Thinks that if it doesn't come through in the budget request they won't notice it.

53
54 Jones: Explains that the appropriation is made to the Division, not to the Board. What they

1 see is the budget for the Division.

2
3 Eriksen: For travel probably just generically across the board?

4
5 Brownfield: Feels that the Legislature can show an interest in something that will make the
6 administration take notice.

7
8 Eriksen: Thinks that even though the request comes in as a generic request they have the
9 authority to appropriate to specific Boards if they want too. They can do a special
10 appropriation recognizing that this Board needs a little more than they are getting.

11
12 Chair: Adds that we need to mention that we tried to do our part in cutting costs by cutting
13 out the Fairbanks meeting but that thing got worse instead of better.

14
15 Brownfield: States the he is always sensitive about going around the boss. He asks if we
16 should, noting, that the Division encourage us to do that at the last meeting.

17
18 Jones: Recommends addressing the letter to whoever you want it to go to, via or cc to
19 everyone in the chain.

20
21 Discussion continue briefly on content and addressing of the letter.

22
23 **Continuing Education.**

24
25 Hanson: Thinks we need to continue combining those documents now that the regulations
26 are finalized and the forms online.

27
28 Rearick: Reports on the discussion at the NCARB meeting regarding the Model Law on
29 Continuing Education and how the States differed on requirements, crediting hours and
30 terminology. Their goal is to come up with a standard for all States. He adds that our
31 regulation is more complicated than what NCARB is proposing and that they allow a little
32 more flexibility. They want to come up with common terms that all use such as continuing
33 education hour instead of professional development hour. Theirs wouldn't allow writing
34 papers or books. They wanted to define broad categories for HSW. He then names the
35 categories and that they are proposing 12 hours per year.

36
37 Chair: Adds that they said they were going to work with NCEES.

38
39 Rearick: They said they were going to work with AIA. AIA has been doing this for several
40 years.

41
42 Chair: A lot of Boards are combined boards and there is some kind of dialog going on.

43
44 Baker: Asks if NCARB would keep track of the CE and about things like writing books that
45 we accept but they don't?

46
47 Rearick: Responds that they would get credit for our requirements but not NCARB's but that
48 that wouldn't keep another State from giving credit if they allowed it. He continues, that he
49 wanted to point out that there is a third party organization that NCEES refers to keep track of
50 CE and has a data base like AIA.

51
52 Heieren: Explains that it is NCEES not another organization and that they will even evaluate
53 courses.

1 Rearick: Asks if NCEES has anything in Model Law that structures what CE should be?
2
3 Fredeen: Responds, yes, and adds that some of the verbiage is in the motions in 16-J-8 in
4 the packet.
5
6 Heieren: Offers to provide him with the Model Law for CE and adds that the original CE
7 regulation we adopted for surveyors was almost verbatim out of NCEES Model Law and that
8 NCEES has a repository set up for CE tracking and they also provide courses for a nominal
9 fee.
10
11 Chair: The next item is that the IDP liaison be added to the standing committees. He then
12 explains the duties of the position.
13
14 Baker: Asks if it would be a good time to go back to what he wanted to discuss re surveyors
15 regulations.
16
17 Chair: Yes let's do that now.
18
19 Baker: Refers to 7-A-1. He states that the intent was that if an applicant submitted an
20 application before the cutoff date that his application would be considered under the old
21 tables so that if the applicant was lacking experience he would still be in the system and
22 would come under the old table. He notes that the regulation says Board approval of an
23 application submitted on or before June 30, 2014. He points out that if they are lacking
24 experience they can't be conditionally approved they can only be incomplete and he wants
25 to change the wording to an application submitted on or before this date. He feels that
26 would meet the intent and what they have been telling everyone.
27
28 Hanson: Thinks it is the same as what is in the regulation now and that making it
29 incomplete doesn't kick out the application it still remains active.
30
31 Baker: Is still concerned that it should be changed.
32
33 Jones: Offers the word "review" instead of "approval".
34
35 Heieren: Likes "review" but thought this was already out for public notice.
36
37 Jones: No we just did a motion earlier to put it back out.
38
39 Brownfield: Asks why we need to allow folks to "get into the system" so we can track them
40 before they are fully qualified?
41
42 Baker: Explains that there was a large discussion and part of the comments received at the
43 last meeting was to delay this. We responded that if they get their application in then they
44 are in the system and they have five years. That's what we've been telling everybody.
45
46 Heieren: Adds that it was a compromise with licensed surveyors who had people who were
47 in the process and felt they need an extended amount of time to qualify. They wanted to
48 push this out to 8 years and this accommodates them.
49
50 Hanson: Emphasizes that the language that is in the public notice is identical to what is in
51 every one of our tables. He then reads it and doesn't think that means that we have to
52 approve the application before that date. The application just has to be made before that
53 date. He doesn't see a problem with that.
54

1 Jones: Recommends that a solution would be to leave it as is and they will not bring an
2 application to the Board until the applicant is qualified.

3
4 Brownfield: Thinks there is merit to that and maybe we should ask other States how they
5 handle this. He doesn't think we should be getting people in the system before they are
6 qualified. He doesn't understand why we are bending over backwards to get people in the
7 system that aren't qualified yet.

8
9 Eriksen: Remembers that there was some discussion and conclusions that follow what Cliff
10 is talking about and we should change that after telling everyone that it would be this way.

11
12 Baker: Argues again that this is necessary to change this to be consistent with what the
13 public has been told. That someone in the process can get his application in now and be
14 under the old table. Because we have used language in the past doesn't mean it can't be
15 changed. Basically this is setting a sunset date for application under the old tables.

16
17 Brownfield: Asks staff how much time is spent guiding applicants through the system?

18
19 Kelly: Sixty to seventy percent.

20
21 Brownfield: Asks if there is clear guidance that already exists that he can pull up and read?

22
23 Kelly: Responds that it may not be clear to people not used to reading government
24 regulations. She adds that she provides a road map early on to help guide applicants
25 through the process and that works for seventy percent. That for two thirds that is enough
26 and it makes her work easier. The other third needs a lot more guidance.

27
28 Brownfield: He agrees with that and thinks that what they need to do is submit their
29 application and not have to be led through the process like 12 year olds. He adds that the
30 responsibility is theirs to apply correctly not ours to do everything possible to get them
31 qualified and do their job for them.

32
33 Heieren: Again states that this was a compromise offered to the surveying community to get
34 their approval for the change in requirements. They felt strongly that more time was needed
35 before implementation. He understands Brownfield's argument but this isn't really hand
36 holding. Its telling them to get their application in, commit to this career and we will give you
37 a timeline for you to become a licensed surveyor. This was a compromise, we had a lot of
38 opposition from the State Society and had to come up with this compromise that Cliff is
39 speaking to.

40
41 **On a motion duly made by Baker, seconded by Walsh it was**

42
43 **Resolved to change Board approval to board review in proposed regulation change to**
44 **12 AAC 36.064 (2)(A) and 12 AAC 36.065(2)(A).**

45
46 Baker: Again argues that by just changing the one word we are still doing what we have
47 always done. We are just saying that if it's not approved it's still good.

48
49 Walsh: Support Hanson's view that the emphasis is on when the application was submitted
50 not when it was approved. He then asks Jones if there is a five year reference to the
51 application in the regulations.

52
53 Jones: Responds that he has been thinking about this and agrees with Hanson. He further
54 states that this is done all the time now. If the application is incomplete that doesn't negate

1 it. It is still a valid application, the only thing that would negate it would be if it was denied.
2 He adds that we presently have quite a few incomplete application waiting for additional
3 documentation. The only requirement is that the applicant communicate with us annually.
4

5 Heieren: Another concern is the process of transition. He fears that as the board changes
6 that interpretation may change.
7

8 Baker: We have seen this happen.
9

10 Brownfield: I asked Vern if this would cause more work and he said no so I don't have an
11 argument.
12

13 Heieren: Requests a roll call vote.
14

15 Baker – yes

16 Brownfield – Yes – changed to No

17 Eriksen – Yes

18 Fredeen – Yes

19 Hanson – No

20 Heieren – defer - Yes

21 Hightower – Yes

22 Rearick – No

23 Shiesl – Yes

24 Walsh – No
25

26 Motion passed on a vote of 6 to 4.
27

28 There was a little further discussion on how the applicants are kept on track.
29

30 Jones: explains the abandoned file procedure.
31

32 Baker: Reiterated his argument. Since the regulation says board approval then incomplete
33 doesn't meet that intent.
34

35 Eriksen: Doesn't think what we did changed the intent.
36

37 Hanson: Remarks that we did change the intent because now we can't review their
38 applications until they have met the experience requirements. Think about that.
39

40 6:00 p.m. The Board recessed for the day.
41
42

43 **Friday August 12, 2011** 44

45 8:00 a.m. The meeting was called to order. Roll call, all present.
46

47 Heieren: Reconsidered his position on the matter of the amendment changing the language
48 in the surveying tables from "approved" to "review" and moved to leave the language as
49 "board approval" instead of "review".
50

51 **On a motion duly made by Heieren, seconded by Hanson it was**
52

53 **Resolved to leave the language "board approval" in 12 AAC 36.064 and 12 AAC**
54 **36.065.**

1
2 Motion passed.

3
4 Baker: Asks to put in policy that when we receive an application that it meets the deadline.

5
6 Hanson: Adds that it should clarify that the Board will continue to follow the policy used
7 now if application received before sunset date.

8
9 Shiesl: Asks why we would do that if it's there now and adds that he doesn't understand
10 what we are doing.

11
12 **On a motion duly made by Hanson, seconded by Walsh it was**

13
14 **Resolved to create a board policy regarding education and work experience as**
15 **applied to engineering, land surveying and architecture.**

16
17 Jones was asked to explain how applications are handled. He responded that when they
18 arrive at the front desk they are date stamped as received by the Division. At that point it is
19 a valid application if not approved by the Board it remains valid until denied, withdrawn or
20 abandoned. Before abandoned applications are destroyed the applicant is notified and
21 asked if they want to keep it active. They are also informed of any unused fees that are
22 eligible for refund if they decide to withdraw.

23
24 Shiesl: Again asks why we need to do this if it's already in place.

25
26 Baker: Responds that maybe we don't, that his concern is that once submitted the five year
27 thing doesn't come into play. They have way more than five years to qualify.

28
29 Jones: Adds that once the application is approved by the board then the clock starts, they
30 have 5 years or 5 tries to pass the exam. If it's found incomplete it can stay active
31 indefinitely.

32
33 Heieren: Notes that Board policies used to be in the Board packet then they were reduced
34 to historical data and we should reinstate publishing them and they should be in the front of
35 our Board packets.

36
37 Hanson: The motion puts this back in the minutes and reaffirms that this is the way we do it.
38 There was some concern that that might change in six months or a year because of the
39 makeup of the Board. Whether it need a motion or this discussion is good enough.

40
41 Chair: We've already got a motion and a second so it is on the floor.

42
43 Fredeen: Agrees that our intent is in the minutes and his only concern is that the Board
44 policy differs from the Division policy there could be problems.

45
46 Baker: Doesn't think a policy needs to be in a motion. His concern is the indefinite part. He
47 doesn't think someone should be able to submit something now and twenty years from now
48 still be under the same table. The likely hood of that happening would probably be remote
49 but....

50
51 Walsh: Agrees that that is a possibility but probably would only be one or two cases.

52
53 Baker: That would be something to get out to the naysayers too.

1 Heieren: Encouraged the motion maker to reword his motion to state that the policy that's
2 placed in our packets is the policy the Division has adopted and that would eliminate Craig's
3 concern but if them becomes more than just minutes it reaffirms what we already have.

4
5 Walsh: Could we just wait to see what shows up next in the packet next time.

6
7 Hanson: Withdraws his motion. The second agrees.

8
9 Chair: Asks Heieren if he wants to make a motion.

10
11 Heieren: Yes regarding corporations selling and offering to sell pre-engineered buildings.

12
13 **On a motion duly made by Heieren, seconded by Rearick it was**

14
15 **Resolved that regarding those entities requiring the seal of an Alaskan AELS**
16 **Professional Registrant shall be considered offering professional services in the**
17 **State of Alaska per 08.48.241 and 12 AAC 36.232 and are required to be registered as**
18 **a professional corporation.**

19
20 Rearick: Suggests a friendly amendment to say pre-engineered or modular buildings. He
21 thinks that it could be implied that a modular is pre-engineered but it's a different
22 terminology in the trade.

23
24 Shies: Asks if there are things that could get us in trouble later on beside buildings? He
25 suggests the word structures. He uses a pre-engineered bridge as an example.

26
27 Lent: Adds that pre-engineered shelters in public parks are used all the times and he would
28 like to see those included.

29
30 Hanson: Suggests that trusses could be pre-engineered and that it is component not a
31 structure. He thinks that we should go after all pre-engineered components not just
32 buildings or structures.

33
34 Walsh: Asks if this is meant to be policy or regulation? The answer was policy. He
35 continues that he doesn't have a problem with it. He notes that the Statute says engineering
36 services and the Board can interpret what that is.

37
38 Eriksen: Asks if there are any exceptions?

39
40 Baker: Talks about the loop hole with a sole proprietor and if a corporation sub's out to a
41 sole proprietor to offer their product, they are still offering it through him and they would
42 need a license.

43
44 Brownfield: Thinks the language closes that loop hole.

45
46 Heieren is asked to restate the motion with the amendments.

47
48 **On a motion duly made by Heieren, seconded by Rearick it was**

49
50 **Resolved that corporations selling or offering to sell pre-engineered structures or**
51 **parts of structures requiring the seal of an AELS professional registrant shall be**
52 **considered offering professional services in the State of Alaska per section 08.48.241**
53 **and 12 AAC 36.232 and are required to be registered as a Professional Corporation in**
54 **the State.**

1
2 Eriksen: If they are offering engineering services don't they have to be registered?
3
4 Hanson: Notes that they will probably just remove their stamp and then will someone in
5 Alaska be required to stamp it?
6
7 Rearick: Don't think this is all exclusionary that the purpose of this is to offer guidance to the
8 investigators as to when a corporation needs to have this endorsement.
9
10 Baker: Notes that a corporation that doesn't have a licensed engineer on staff can't apply
11 for a COA.
12
13 Rearick: Explains how the corporations get the calculations and doesn't believe anyone
14 could say they weren't involved in the engineering of the product.
15
16 Baker: Responds that they have to designate someone within their corporation who is
17 licensed in order to get a COA.
18
19 Rearick: Thinks if their doing engineering services they have to have someone that is
20 licensed.
21
22 Brownfield: Believes that if they are offering a stamped produce that is proof that they are
23 offering services. However he believes there is a loophole.
24
25 Jones: Explains exemption number 5 on page 8 of the Statutes.
26
27 Brownfield: That was the loophole.
28
29 Heieren: Knows of corporations that do not employ engineers but have them under
30 contract.
31
32 Hanson: Offers that under that exemption he could just claim that the engineer he hired
33 was a specialist and that I don't need a corporate license because it says associates,
34 consultants, or specialists retained by, I use very special software, (laughter), well it's not
35 very special but as a manufacture I would argue that I have a specialist here. He thinks we
36 want to be careful here and think about this a little bit and consider it carefully, how it
37 protects HSW.
38
39 Walsh: Points out that exemption number five doesn't say the corporation doesn't have to
40 be licensed it says that these people retained by them don't have to be licensed and it goes
41 on to say that as long as responsible charge remains with the corporation. So this isn't an
42 exemption for the corporation.
43
44 Heieren: Adds that the HSW is affected because they ship a building up here and then don't
45 follow through with everything so it's very appropriate that we adopt a guideline that the
46 investigator can follow.
47
48 Brownfield: Repeats that if their product has the stamp of a professional then they are
49 offering professional work period. We are making a difficult thing out of something I see as
50 pretty simple. And if you don't think it's HSW then you don't need the stamp so don't stamp
51 it. If it isn't stamped and it comes across the State line then another engineering firm will
52 have to provide all those services to include evaluating the structural part by someone here
53 in Alaska. So they can provide the produce but when it gets over the State line somebody
54 has to take a look at it. Site adaptation for instance, wind loads, seismic loads etc.

1
2 Rearick: Points out that this is just a policy to guide the investigators and if contested we
3 will get a decision from the AG's office.

4
5 Brownfield: Called for the question.

6
7 Call for the question passed.

8
9 Heieren: Reads the motion again.

10
11 Motion passed with one no vote. (Hanson)

12
13 Chair: Asks if they need to go into executive session for the next item.

14
15 Jones: Informs the Board that if everyone has read it and no discussion is necessary the
16 Chair can just ask for a motion and the Board can vote on it.

17
18 **On a motion duly made by Heieren, seconded by Baker is was**

19
20 **Resolved to accept the Consent Agreement in the case of Ronald G. Nelson case**
21 **number 2011-000613.**

22
23 The Board takes a few minutes to read the agreement.

24
25 Chair: The motion has been made and seconded. If we want to discuss then we need to go
26 into executive session.

27
28 The motion passed unanimously.

29
30 **Agenda item 19 – Licensing Examiner Report.**

31
32 Kelly: Went over her report and answered questions.

33
34 Eriksen: Ask if it would be possible to provide a historical chart to show the changes in
35 growth.

36
37 Kelly: Responds that she would have to do it manually and really doesn't have the time to
38 compile that kind of information.

39
40 Jones: Adds that the Division will soon be going to a new program and it may be possible to
41 incorporate these kinds of capabilities.

42
43 Eriksen: Adds that a 10% increase is a lot and that if it continues at that rate the capability
44 would be helpful in planning on future needs such as additional staff or investigators.

45
46 **Agenda item 20 – Meeting Reports.**

47
48 **A) NCEES Western Zone.**

49
50 Hanson: Notes that Alaska is in the schedule for 2016 and asks if we have been bumped.

51
52 Baker: Responds that we got out of sequence and moved up and since he has been on the
53 Board we've had a Western Zone and an Annual meeting in Alaska. He adds that
54 combining the meeting with another zone kind of complicates the schedule and that it is

1 basically alphabetical.

2
3 **B) NCARB National.**

4
5 Chair: Reports that the minutes were included and the only thing we want to talk about was
6 the continuing education.

7
8 Rearick: Asks to talk about the BEA program. He reports that they have changed the
9 verbiage to make it so that your experience has to be in the state you are licensed in.
10 Before individuals may have submitted projects that they worked on that were not in the
11 State they were licensed in. He adds that he was confused when drafting the comity
12 regulation for Alaska that he was confused about whether the engineers and surveyors
13 required responsible charge experience to be in the State. So he and Harley drafted their
14 regulation almost verbatim from the engineer regulation. He asks if the Board can look at
15 that at this time? He read the regulation and asks if his interpretation was correct. It was.
16 He further explained the process to obtain an NCARB Certificate and the IDP system and
17 why we are going to change our regulations to allow another path other than the NCARB
18 Certificate.

19
20 **Agenda item 21 – Board Travel.**

21
22 **A) NCEES Annual meeting.**

23
24 The three members attending will be Brownfield as the funded delegate, Hanson as a new
25 member funded by NCEES and Heieren will be funded by the Division.

26
27 Walsh: Requests that at the next meeting staff provide an updated list of the ranking of the
28 members for travel.

29
30 Hanson: Adds that he is on the civil exam review committee and will be traveling at NCEES
31 expense for that.

32
33 Heieren: Mentions that he went to the Western Zone meeting at his own expense.

34
35 **B) CLARB Fall meeting.**

36
37 **Agenda item 24 – Read applications into the record.**

38
39 **On a motion duly made by Baker seconded by Heieren it was**

40
41 **RESOLVED to approve the following list of applicants for registration by comity and**
42 **examination with the stipulation that the information in the applicant's files will take**
43 **precedence over the information in the minutes:**

44
45 *The subsequent terms and abbreviations will be understood to signify the following*
46 *meanings:*

47 'FE': refers to the NCEES Fundamentals of Engineering Examination

48 'FS': refers to the Fundamentals of Surveying Examination

49 'PE': exam': refers to the NCEES Principals and Practice of Engineering Examination

50 'PS': exam: refers to the NCEES Principals and Practice of Surveying Examination

- 1 'AKLS': refers to the Alaska Land Surveyors Examination
 2 The title of 'Professional' is understood to precede the designation of engineer,
 3 surveyor, or architect.
 4 JQ refers to the Jurisprudence Questionnaire.
 5 'Arctic course' denotes a Board-approved arctic engineering course
 6

Crichton, Marc N.	Architect	Comity	<i>Approved</i>
Schoenemann, Trent J.	Architect	Comity	<i>Approved</i>
Barker, John Hadley	Civil Engineer	Comity	<i>Approved</i>
Bennetts, Dustin E.	Civil Engineer	Comity	<i>Approved</i>
Chapman, Joseph Leigh	Civil Engineer	Comity	<i>Approved</i>
Gallea, Roy W.	Civil Engineer	Comity	<i>Approved</i>
Havenar, Thomas E.	Civil Engineer	Comity	<i>Approved</i>
Hoekstra, David B.	Civil Engineer	Comity	<i>Approved</i>
Janowsky, William R.	Civil Engineer	Comity	<i>Approved</i>
Johns, Evor F.	Civil Engineer	Comity	<i>Approved</i>
Larsen, Scott A.	Civil Engineer	Comity	<i>Approved</i>
Tuggle, Kurt V.	Civil Engineer	Comity	<i>Approved</i>
Tyson, Lance Garth	Civil Engineer	Comity	<i>Approved</i>
Zachreson, Daniel LaMar	Civil Engineer	Comity	<i>Approved</i>
Ferris, Harry John	Electrical Engineer	Comity	<i>Approved</i>
Tai, Yasin G.	Electrical Engineer	Comity	<i>Approved</i>
Ameson, Alex James	FE	Exam	<i>Approved</i>
Andrew, Michael Nick	FE	Exam	<i>Approved</i>
Balzarini, Matthew Paul	FE	Exam	<i>Approved</i>
Bergeron, Edward Charles Gabriel	FE	Exam	<i>Approved</i>

Carlson, Sam Tucker	FE	Exam	<i>Approved</i>
Chairat, Tachit	FE	Exam	<i>Approved</i>
Christiansen, Sarah Marie	FE	Exam	<i>Approved</i>
DeSignore, Julia Ann	FE	Exam	<i>Approved</i>
DeMallie, John Michael	FE	Exam	<i>Approved</i>
Dinstel, Miles T.	FE	Exam	<i>Approved</i>
Dougherty, Christian John	FE	Exam	<i>Approved</i>
Dufseth, Gordon M.	FE	Exam	<i>Approved</i>
Elbert, Michael D.	FE	Exam	<i>Approved</i>
Goodall, Joseph P.	FE	Exam	<i>Approved</i>
Green, Amanda Leann	FE	Exam	<i>Approved</i>
Halcomb, Robert Paul	FE	Exam	<i>Approved</i>
Hammond, Travis J.	FE	Exam	<i>Approved</i>
Homerding, Kristofer Richard	FE	Exam	<i>Approved</i>
Hoople, Adele Frances	FE	Exam	<i>Approved</i>
Hough, Chad Robert	FE	Exam	<i>Approved</i>
Irvine, Brandon Earl	FE	Exam	<i>Approved</i>
Jackson, Isaac John	FE	Exam	<i>Approved</i>
Janorschke, Alexander Bradley	FE	Exam	<i>Approved</i>
King, Daniel Thomas	FE	Exam	<i>Approved</i>
Kwiatkowski, Jason E.	FE	Exam	<i>Approved</i>
LaBelle-Hamer, Brendan	FE	Exam	<i>Approved</i>
Leonelli, Jeffrey Michael	FE	Exam	<i>Approved</i>
McCabe, Christine A.	FE	Exam	<i>Approved</i>

Megli, Everet D.	FE	Exam	<i>Approved</i>
Montz, Benjamin Daniel	FE	Exam	<i>Approved</i>
Ozols, Tija Lucija	FE	Exam	<i>Approved</i>
Parkinson, Craig Lowell Thomas	FE	Exam	<i>Approved</i>
Potter, Marisa Judith	FE	Exam	<i>Approved</i>
Ratnasigamani, Samuel	FE	Exam	<i>Approved</i>
Silveiro, Juaquine	FE	Exam	<i>Approved</i>
Steiner, Amy Lorie	FE	Exam	<i>Approved</i>
Stewart, Austin A.D.	FE	Exam	<i>Approved</i>
Turletes, Irene Stewart	FE	Exam	<i>Approved</i>
Van Thiel, Thomas Nathan	FE	Exam	<i>Approved</i>
Voehl, Dusten Charles	FE	Exam	<i>Approved</i>
Wehe Stephen Patrick	FE	Exam	<i>Approved</i>
Zhang, Shang	FE	Exam	<i>Approved</i>
Zottola, Jason T.	FE	Exam	<i>Approved</i>
Ditmer, Isaiah Jordan	FS	Exam	<i>Approved</i>
O'Neill, Kelly J.	FS	Exam	<i>Approved</i>
O'Callaghan, Donovan James	Mechanical Engineer	Comity	<i>Approved</i>
Paris, Anthony J.	Mechanical Engineer	Comity	<i>Approved</i>
Smothers, Justin Robert	Mechanical Engineer	Comity	<i>Approved</i>
Williams, David T.	Mechanical Engineer	Comity	<i>Approved</i>
Savikko, Brenton B.	Civil Engineer	Exam	<i>Approved - conditional on PE - Civil & JQ</i>
Gillie, Donald Lee	Civil Engineer	Exam	<i>Approved - conditional PE - Civil</i>
Harmon, Michael K.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil</i>

Flowers, Greg E.	Surveyor	Comity	<i>Approved - conditional upon AKLS</i>
Miller, Scott Aaron	Mechanical Engineer	Comity	<i>Approved - conditional upon Arctic</i>
Friedhoff, Bruce J.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic</i>
Waller, Robert A.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic</i>
Jones, Ronald Dee	Electrical Engineer	Comity	<i>Approved - conditional upon Arctic</i>
Robison, Mark D.	Mechanical Engineer	Comity	<i>Approved - conditional upon Arctic</i>
Matthews, Stephen Robert	Mechanical Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Diefenbach, William Lawrence	Architect	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Hendon, Brian Lee	Architect	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Polk, Robert G.	Architect	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Smith, Michael Bruce	Architect	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Brown, Dan A.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Dexter, Ryan Joseph	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
duSaint, Robin A.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Elkey, William E.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Finley, Robert C., Jr.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Flatt, Michael W.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Jones, Scott Nathan	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Kime, Joseph S.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Pfuntner, Jerry M.	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Stauffer, Jason Dean	Civil Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Camp, Kenneth	Electrical Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Levorsen, Dean P.	Electrical Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Keller, James N.	Landscape Architect	Comity	<i>Approved - conditional upon Arctic & JQ</i>

Husler, Stephen T.	Mechanical Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Scott Aaron Miller	Mechanical Engineer	Comity	<i>Approved - conditional upon Arctic & JQ</i>
Morgen, Bryan Joseph	Mining Engineer	Exam	<i>Approved - conditional upon Arctic & JQ</i>
Commander, Brett C.	Structural Engineer	Comity	<i>Approved - conditional upon Arctic & JQ; & addition of SE branch</i>
Gambardella, Giovanna	Architect	Exam	<i>Approved - conditional upon ARE; & JQ</i>
Schuh, Jeffrey C.	Civil Engineer	Comity	<i>Approved - conditional upon completing Question 1</i>
O'Mullane, Megan	Civil Engineer	Exam	<i>Approved - conditional upon FE & PE - Civil</i>
Booher, Steven Patrick	Architect	Exam	<i>Approved - conditional upon IDP; ARE; Arctic & JQ</i>
Cox, Braxton James	Architect	Exam	<i>Approved - conditional upon IDP; ARE; Arctic & JQ</i>
Walters, Lance C.	Architect	Exam	<i>Approved - conditional upon IDP; ARE; Arctic & JQ</i>
Johnstone, III, Henry W.	Mechanical Engineer	Comity	<i>Approved - conditional upon JQ</i>
Schaefer, Gerard Francis	Mechanical Engineer	Comity	<i>Approved - conditional upon JQ</i>
Willis, Michael Wayne	Mechanical Engineer	Comity	<i>Approved - conditional upon JQ</i>
Nicolai, David Clarence	Mechanical Engineer	Exam	<i>Approved - conditional upon JQ</i>
Owens, Christian P.	Architect	Comity	<i>Approved - conditional upon JQ</i>
Alonzo, Robert A.	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Archibald, Jonathan R.	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Babcock, Steven	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Boschert, Matthew J.	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Colliander, Travis S.	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Harrison, Preston Lee	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Hijazi, Mark H.	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Spotts, Richard	Civil Engineer	Comity	<i>Approved - conditional upon JQ</i>
Thompson, Brian C.	Fire Protection or Civil	Comity	<i>Approved - conditional upon JQ</i>

	Engineer		
Casanova, Marvin C.	Electrical Engineer	Exam	<i>Approved - conditional upon payment of fees; transcripts; PE - Elec; & JQ</i>
Cacy, Cynthia Marie	Chemical Engineer	Exam	<i>Approved - conditional upon PE - Chemical; & JQ</i>
Rossiter, Brian William	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil</i>
Lestochi, Christopher	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil</i>
Aliu, Sadat	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Chaney, Joshua Marcus	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Dow, Brian Robert	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Gephardt, Grant C.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Grim, Matthew L.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Hanson, Julia R.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Holmes, Jennifer M.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Keifer, Kristen E.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Mayrberger, Torsten	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Pribyl, Richard Dale	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Sastamoinen, Shawna L.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Sayers, Jessica R.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Schutte, Laura E.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Trickey, Brendan Roston	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Vedenoja, Kai A.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Rasmussen, Per'Christian	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Strait, Sterling H.	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil & JQ</i>
Persinger, David Andrew	Civil Engineer	Exam	<i>Approved - conditional upon PE - Civil; & JQ</i>
Moothart, Nicholas A.	Civil Engineer	Exam	<i>Approved - conditional upon PE -</i>

			<i>Civil; Arctic & JQ</i>
Moe, Jacob Karl	Electrical Engineer	Exam	<i>Approved - conditional upon PE - Elec</i>
Murphy, Spencer Weilyn	Electrical Engineer	Exam	<i>Approved - conditional upon PE - Elec; & JQ</i>
Saunders, Adam J.	Electrical Engineer	Exam	<i>Approved - conditional upon PE - Elec; & JQ</i>
Leetch, David Warfield	Electrical Engineer	Exam	<i>Approved - conditional upon PE - Elec; Arctic & JQ</i>
Saunders, Adam J.	Electrical Engineer	Exam	<i>Approved - conditional upon PE - Elec; Arctic & JQ</i>
Lovejoy, Justin Clay	Mechanical Engineer	Exam	<i>Approved - conditional upon PE - Mech; JQ</i>
Bisch, Jeffrey D.	Mechanical Engineer	Exam	<i>Approved - conditional upon PE - Mech; & JQ</i>
Posma, Andrew J.	Mechanical Engineer	Exam	<i>Approved - conditional upon PE - Mech; & JQ</i>
Bommarito, Olivia Omann	Petroleum Engineer	Exam	<i>Approved - conditional upon PE - Petroleum</i>
Roby, David S.	Petroleum Engineer	Exam	<i>Approved - conditional upon PE - Petroleum</i>
Worthington, Aras J.	Petroleum Engineer	Exam	<i>Approved - conditional upon PE - Petroleum & Arctic</i>
Bertus, Anca Romana	Petroleum Engineer	Exam	<i>Approved - conditional upon PE - Petroleum; & JQ</i>
Bommarito, Forest	Petroleum Engineer	Exam	<i>Approved - conditional upon PE - Petroleum; & JQ</i>
Winfrey, Michael Alex	Petroleum Engineer	Exam	<i>Approved - conditional upon PE - Petroleum; reference signature; & JQ</i>
Powell, Robert Douglas	Civil Engineer	Comity	<i>Approved - conditional upon transcripts; verification of exams; & Arctic</i>
Elias, Craig S.	Mechanical Engineer	Comity	<i>Approved - conditional upon verification of current registration</i>
Shulman, Joel	Architect	Comity	<i>Approved - conditional upon verification of current registration</i>
Petersen, James Carl	Civil Engineer	Comity	<i>Approved - conditional upon verification of exams</i>
Hoffman, Julie A.	Civil Engineer	Comity	<i>Approved - conditional upon verification of exams & current license</i>
Burnley, R. Breese	Civil Engineer	Comity	<i>Approved - conditional upon verification of exams; & JQ</i>
Peters, Raymond N.	Civil Engineer	Comity	<i>Approved - conditional upon verification of exams; & JQ</i>
Engel, Chandler S.	Civil Engineer	Exam	<i>Approved - conditional upon</i>

			<i>verification of FE exam; PE - Civil & JQ</i>
Tannahill, Derek Stephan	Civil Engineer	Exam	<i>Approved - conditional upon verification of FE exam; PE - Civil & JQ</i>
Kidd, Donald F.	Civil Engineer	Comity	<i>Approved - conditional upon verification of FE; & JQ</i>
Brooks, Heather M.	Civil Engineer	Exam	<i>Approved - conditional upon verification of FE; PE - Civil & JQ</i>
Frey, Lee Albert	Civil Engineer	Exam	<i>Approved - conditional upon verification of FE; PE - Civil; & JQ</i>
Trantham, Heather H.	Civil Engineer	Comity	<i>Approved - conditional verification of exams; transcripts; & JQ</i>
Kaminski, Scott Jerome	Mechanical Engineer	Exam	<i>Approved- conditional upon FE, Arctic & JQ</i>
Powers, James M.	Surveyor	Comity	<i>Approved, conditional upon AKLS</i>

1
2 Chair: All those in favor signify by saying aye. Opposed say nay.

3
4 Motion passed unanimously.

5
6 **On a motion duly made by Baker, seconded by Brownfield it was**

7
8 **RESOLVED to find the following list of applicants for registration by comity and**
9 **examination incomplete**

10

Mastny, Ethan Allen Sturman	Petroleum Engineer	Exam	<i>Incomplete - pending 12 months additional experience in Petroleum</i>
Leffler, Russell D.	Civil Engineer	Comity	<i>Incomplete - pending Civil exam or addition of SE disc; & JQ</i>
Ward, Walter C.	Mechanical Engineer	Exam	<i>Incomplete - pending additional info re: experience documented; & JQ</i>
Reynolds, Bradley F.	Electrical Engineer	Comity	Mastny, Ethan Allen Sturman
Maxwell, Jake L.	Surveyor	Exam	<i>Incomplete - pending 21 months additional experience; PS & AKLS</i>
Irimescu, Vlad	Architect	Comity	<i>Incomplete - pending NCARB certificate; ARE; & JQ</i>
Schwarz, Guy Lamont	Petroleum Engineer	Exam	<i>Incomplete - pending additional reference info; FE & PE- Petroleum; & Arctic</i>
Walker, Jason Allen	Civil Engineer	Exam	<i>Incomplete - pending 8 months additional experience; & JQ</i>
Geise, Brian Lowell	Civil Engineer	Exam	<i>Incomplete - pending 8 months additional experience; & JQ</i>
Strouth, Alexander Brian	Civil Engineer	Comity	<i>Incomplete - pending 8 months</i>

			<i>additional experience & FE</i>
Nicolai, David C.	Mechanical Engineer	Exam	<i>Incomplete - pending additional 39 mos experience; PE - Mech; & JQ</i>

1
2 Chair: All those in favor signify by saying aye. All those opposed say nay.

3
4 Motion passed unanimously.

5
6 **Agenda Item 22 – Board Tasks.**

7
8 Fredeen: Asks to discuss the report on alternate pathway to licensure from NCEES. He
9 explains the report and the motion that will be made at the National meeting. He took issue
10 with the mentoring process. He felt that the process was onerous in that they would require
11 6 years of experience, 6 years of structured mentoring and additional education.

12
13 Brownfield asks if this is a continuation of B+30 or a true alternate path?

14
15 Fredeen: Responds that this is an alternate path to B+30. You have the +30 path, you also
16 have the super B path which is the 150 credit path and this is a third path which is 6 years
17 experience, a bachelors degree, 6 years mentoring plus formal continuing education.

18
19 Baker: Asks if the TEAC degree would be accepted.

20
21 Fredeen: Notes that ABET has several groups and the EAC is what is approved for
22 engineers and that technical degrees are not approved by NCEES on the engineering side.

23
24 Baker: Feels that 36 hours per year is a pretty low mentoring level.

25
26 Fredeen: Explains that the italics are what came from the original engineering task force a
27 couple years ago and the non-italics are what the committee did.

28
29 Lent: Comments on the comparison between the Alaska program and what they are
30 proposing and that some of the item should be done by the management of the program
31 instead of the mentee.

32
33 Rearick: Asks if what we need to do here is decide if we support this change to their model
34 law.

35
36 Hanson: Responds to the affirmative. Whether we adopt is or not is another question.

37
38 Rearick: Asks if this is a stepping stone to requiring all experience to be through mentoring
39 program?

40
41 Fredeen: No, just if you're going down this path.

42
43 Baker: Asks how the 5 year BS program would fit in?

44
45 Fredeen: That would be the 150 credit program and not many schools offer that. He then
46 goes into explaining qualifications to be a mentor. It requires a 2 week training course every
47 year, you have to be certified by NCEES, a Professional Society or Technical Society and
48 also be approved by the Member Board. He adds that they recommend that you are not the
49 employer of the person you are mentoring.

1 Brownfield: Believes that with the addition of these programs we are just convoluting what it
2 takes to become an engineer. And the requirement to be a mentor is assumed requirement.
3 He doesn't understand what the purpose of the third alternative is. He wonders what
4 causes us to look for more way to license an engineer? When does it stop? He isn't so
5 sure he supports something like this.

6
7 Baker: Isn't sure we could take the approach that we should approve this because we don't
8 have to adopt it. He brings up some things going on in the surveying community and that a
9 lot of the surveyors are saying that just because National does it doesn't mean we have too.
10 He doesn't feel that for mobility between jurisdictions it is right to support something and
11 then not adopt it in our own state.

12
13 Lent: Advises that the CLARB set up their mentoring program taking into account the
14 remoteness of parts of Alaska.

15
16 Hanson: Feels that even though we might see some areas that need tweaking we should
17 support this. As far as how many paths should we have, he feels we should have as many
18 as are needed to keep people interested in licensure. One path doesn't fit all and the more
19 people we can bring into the field the better off we are. We already have a mentoring
20 program so this is a minor tweak on what we already have. He may suggest some changes
21 in it but would support it.

22
23 Brownfield: Addresses the mentoring program for LA's vs Engineers and notes that in at
24 least one remote area there is only one licensed LA that could mentor and he refuses to
25 because he doesn't want the competition and he feels the LA's system is flawed.

26
27 Walsh: Points out that the mentoring program at NCEES and ours are two different
28 programs. Theirs deals with education and ours deals with experience.

29
30 Lent: Responds to Brownfield's comments and points out that LA's have had one
31 successful mentoring since and the individual is now licensed. He acknowledges the
32 situation that Brownfield was talking about was bad for their program and that those things
33 need to be worked on.

34
35 Fredeen: Agrees that if we don't like a National motion then we should offer amendments
36 that we could support because if adopted it will eventually come to Alaska and if it's not
37 going to work for us we need to communicate that. He adds that he believes that we should
38 work with other boards at the National meeting to try and get rid of the onerous training
39 requirements and the certification process for mentors.

40
41 Brownfield: Doesn't understand why we would support this since our program is based on
42 experience and this is on education.

43
44 Walsh: Thinks we voted against this at the Denver meeting and asks Fredeen if this was an
45 expansion of those two paths?

46
47 Fredeen: Explains that most States felt that +30 was too onerous and so far no State is
48 making any movement to adopted +30. He adds that they felt that there needed to be an
49 alternate pathway for those who had a BS and wouldn't benefit from +30 in their field of
50 practice.

51
52 Hanson: Points out that everyone has been in a mentor program, some longer than others
53 and that this is a formal way of documenting it. He doesn't like the training requirements
54 either.

1
2 Baker: Feels that some people don't make good mentors and that having mentors that are
3 trained by NCEES isn't a bad thing. He doesn't think you need it every year, one time
4 should be sufficient.
5
6 Lent: Doesn't think the requirements for being a mentor should be so onerous as to
7 discourage people from wanting to be a mentor.
8
9 Brownfield: Agrees that everyone has been mentored but that it was by their boss and that
10 these requirements discourage that.
11
12 **On a motion duly made by Fredeen, seconded by Heieren it was**
13
14 **Resolved to endorse the concept of the alternate licensure path motion with the**
15 **following modifications, eliminate the certification and training requirements of the**
16 **mentor.**
17
18 Chair: Asks if anyone has anything new to add to the discussion?
19
20 Walsh: Would vote against it because of the mentoring concept combined with education.
21
22 Baker: Would vote against it because the requirements are so onerous.
23
24 Fredeen: Feels that if we say we will approve it we approve it as is and he has issues with
25 that and he knows others feel the same and will kill it if it stays as is. However, he does feel
26 we need an alternate path other than +30.
27
28 Heieren: Offers an amendment that we say we support the concept and leave it to the
29 delegates at National to amend it.
30
31 Fredeen: Changed the wording of the motion to "**endorse the concept of the alternate**
32 **licensure path motion**".
33
34 Brownfield: Asks if this will affect our comity regulations?
35
36 Hanson: Responds that we already have a mentoring program in place.
37
38 Heieren: Calls for the question.
39
40 Chair: Asks for a roll call on the question.
41
42 Baker – Yes
43 Brownfield – Yes
44 Eriksen – Yes
45 Fredeen – pass
46 Hanson – Yes
47 Hightower – Yes
48 Rearick – Yes
49 Shiesl – Yes
50 Walsh – Yes
51 Fredeen – Yes
52
53 Jones: Question passed now you vote on the motion and he re-reads the motion.
54

1 Chair: Request a roll call vote.

2

3 Baker – No

4 Brownfield – No

5 Eriksen – No

6 Fredeen – Yes

7 Hanson – Yes

8 Heieren – Yes

9 Hightower – No

10 Rearick – No

11 Shiesl – No

12 Walsh – No

13

14 Motion failed.

15

16 Walsh: Points out that NCEES passed this concept at their last meeting and that this is just
17 an expansion on that language.

18

19 Fredeen: Feels that if we need to give them a course correction now is the time because it
20 will be much harder later on.

21

22 **Agenda item 25 – Review Calendar of Events.**

23

24 **A) Confirm meeting dates**

25

26 Jones: Advises that we need to set a date for the February meeting and asks for the 2nd and
27 3rd to provide as much time as possible between the meeting and the deadline for the
28 NCEES exams.

29

30 Lent: Points out that CLARB's spring meeting is later in the month and he prefers the Board
31 meeting be early in the month.

32

33 Heieren: Thinks that the second week would be better because NCEES has committee
34 meetings in early February.

35

36 It was decided that the tentative dates for the February 2012 meeting would be the 9th and 10th.

37

38 It was decided to wait until November to set the May dates.

39

40 Chair: Returns to agenda item 22, Board Tasks. Specialty contractors, incidental practice
41 and exemptions, we just need to track that now.

42

43 Board to do List:

44

45 Brownfield: Track regulations. Work on procedures for grandfather review.

46

47 Hanson: CE instructions. List of engineers for grandfathering.

48

49 Walsh: Mining engineers/geologists. Review Harley paper on specialty contractors,
50 incidental practice and exemptions and track. Continue with Budget requests and track.
51 Look into geologist and environmental engineering.

52

53 Shiesl: Guidance Manual review with Bert. Continue on a proposed regulation for
54 disciplinary action regarding probation.

1
2 Lent: Guidance Manual.

3
4 Rearick: Liaison with NCARB re enforcement exchange. Track architect by comity
5 regulation change. Review NCEES Model Law.

6
7 Hightower: Track all Statute change re exemptions, incidental practice and specialty
8 contractors. Track architect by comity regulation change. Letter to Governor re travel.
9 Definition for as built/record drawings.

10
11 Eriksen: Legislative liaison. Review Harley's paper and track. Follow-up on Mark's
12 application to Canada.

13
14 Fredeen: Provide input on specialty contractors and track. Track fire protection engineer
15 regulation. Get together with Savage re commissioning. Review Statutes re practice of
16 engineering and how it pertains to commissioning.

17
18 Baker: Coordinate with NCEES and NCARB re disciplinary actions. Work with Brian re CE.

19
20 Jones: Get info on CE tracking by NCEES and how to file a complaint to APDC for their
21 news letter. Letter to Vlad Irimescu. Ask other Board how they deal with prefab structures.
22 Check w/Savage re Keith Mobley complaint. Revise Annual Report. Update Guidance
23 Manual. Draft a response for Harley re honorary architect license. Check on definition of
24 geologist in Alaska. Letter to Kenneth Gruskin.

25
26 Heieren: Track statute to add investigator. Letter reply to Carl Josephson. Look into
27 moving AKLS to CBT. Check with NCEES re/Industrial exemption.

28
29 Walsh: Asks about suite against the Board.

30
31 Jones: Responds that the Board is being sued by John Squires re the original denial of his
32 license. He adds that Mr. Ward has appealed his case to the Superior Court.

33
34 **Agenda Item 26 – Board Member Comments.**

35
36 Heieren: Notes that it was a fast meeting. That being on the Board is a rewarding
37 experience and he thanks the Staff for their hard work.

38
39 Fredeen: Thanks the Staff and compliments Harley on his first meeting as chair. And adds
40 that he will look for a mechanical engineer to replace him.

41
42 Eriksen: Thanks Harley for his leadership. He appreciates level of participation of the
43 Board Members.

44
45 Kelly: Comments that it is a pleasure to work with a board that gets along so well together
46 and that it was an excellent meeting.

47
48 Baker: Appreciates the efficient meeting and congratulates Harley.

49
50 Shiesl: Knows how hard it is to get through the first meeting as chair. He is glad we are
51 returning to a meeting in Fairbanks. He feels that when looking for replacements for the
52 members leaving next year the Board should look at minorities and women.

53
54 Lent: He complements Harley on the conduct of the meeting and thanks the staff for their

1 help.

2

3 Hanson: Complements Harley and feels the guidance to the investigator will be helpful to
4 him. He is glad to see the regulations moving forward. He feels the Board has
5 accomplished quite a bit over the last year.

6

7 Rearick: Thought it was a good meeting and was hoping to call point of order on Harley.
8 (Laughter)

9

10 Walsh: Felt it was a good meeting and enjoyed dinner last night.

11

12 Brownfield: Echo's everyone else's comments and thanks the Staff and Harley for a good
13 job. He feels the debates on the issues are great and he's proud to be part of it.

14

15 Jones: Feels it was an excellent meeting. He advises Rearick to get a letter in for
16 reappointment since his first term ends next year. He further advises that next year we will
17 need a civil, mechanical and mining engineer and a surveyor. He requests that any Board
18 members that know of someone that is qualified and wants to be on the Board to have them
19 contact him and he will provide them with an application.

20

21 Baker: Questions whether or not Dan could get another term since he didn't get two full
22 terms?

23

24 Jones: If you are appointed to complete another members term it counts as yours.

25

26 Walsh: If it's over two years. I've ask the legislature to tell me when I was appointed and
27 haven't received a response yet.

28

29 Hightower: Thanks the Board and Staff for their hard work. He has really enjoyed being on
30 the Board and working with WestCarb and NCARB. He has never been around so many
31 type A personalities and hard working people and it's really been a pleasure. He adds when
32 I got on the Board if I'd known how much work it was I wouldn't have done it then I
33 requested a second term. (Laughter) He adds that he knows an outstanding woman
34 architect that would be a good member and will encourage her to apply.

35

36 Eriksen: Move to adjourn, Lent second.

37

38 10:15 a.m. Meeting adjourned.

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Respectfully submitted:

Richard V. Jones, Executive Administrator

Approved:

Harley H. Hightower, FAIA Chair
Board of Registration for Architects,
Engineers and Land Surveyors

Date: _____