

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 May 3-4, 2012**

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 May
14 3-4, 2012 in Zach's Board Room at Sophie's Station 1717 University Avenue, Fairbanks,
15 AK.

16 **Thursday May 3, 2012**
17

18 **Agenda Item 1 – Call to Order and Roll Call**
19

21 The Chair called the meeting to order at 8:00 a.m. and ask the Board members to introduce
22 themselves. New members attending their first meeting are Colin Maynard civil engineer,
23 Dave Hale, land surveyor, Kathleen Schedler, mechanical engineer and Keith Walters
24 mining engineer. Roll call, all present.
25

26 Members present and constituting a quorum of the Board:
27

- 28 • Harley Hightower, Architect, Chair
29 • Richard Heieren, Land Surveyor, Vice Chair
30 • Eric Eriksen, Electrical Engineer, Secretary
31 • Colin Maynard, Civil Engineer
32 • David Hale, Land Surveyor,
33 • Donald Shiesl, Public Member
34 • Burdett Lent, Landscape Architect
35 • Keith Walters, Mining Engineer
36 • Kathleen Schedler, Mechanical Engineer
37 • Richard Rearick, Architect
38 • Brian Hanson, Civil Engineer
39

40 Representing the Division of Corporations, Business and Professional Licensing were:
41

- 42 • Vern Jones, Executive Administrator
43 • Alicia Kelly, Licensing Examiner
44 • John Savage, Investigator
45

46 Members of the public in attendance for portions of the meeting were:
47

- 48 • Bill Mendenhall, P.E. P.S., representing himself.
49 • Elizabeth Johnston, P.E., representing IEEE.
50 • Michael Dean, P.E., representing himself.
51 • Chris Miller, P.E., representing himself.
52

1
2 **Agenda Item 2 – Review/Amend Agenda**
3

4 **On a motion duly made by Heieren, seconded by Lent and passed unanimously it was**
5 **resolved to approve the agenda as amended.**

6
7 **Agenda item 3 – Ethics reporting**
8

9 No ethics problems were reported.
10

11 **Agenda item 4 – Review and approve minutes from February 2012 meeting.**
12

13 Lent: Had some grammar and spelling corrections that he forwarded to Jones.
14

15 Chair: page 8 down at the bottom on the motion duly made by Heieren and seconded by
16 Baker and approved unanimously it isn't finished and I can figure out what it is supposed to
17 be.
18

19 Lent: To form. Also on page 3 item 18 special committee for changes to 12 AAC 36.068.
20

21 **On a motion duly made by Heieren, seconded by Shiesl and passed unanimously**
22 **it was resolved to approve the minutes from the February 2012 meeting as amended.**
23

24 **Agenda item 5 – Investigative Report.**
25

26 Savage: I would like to touch base on a couple of things, one you know is our investigator
27 slot did not go through so I guess we put our heads down and keep moving forward and do
28 what we can do. He welcomes all the new board members and then covers the correct way
29 to handle complaints. He emphasizes that there are no web complaint forms so when
30 someone contacts him he sends them a packet that explains the investigative process and a
31 complaint form for them to sign, date and mail back. He asks if anyone has questions.
32

33 Rearick: Adds that listening to their complaint will taint your position on the Board if it comes
34 to the Board for adjudication so it is very important to stop them right away and direct them
35 to John.
36

37 Lent: Adds that there is a section in the Guidance Manual on the proper way to report
38 violations.
39

40 Heieren: Asks him to cover the Investigative Committee and points out the fact that
41 complaints are not anonymous.
42

43 Savage: He explains more on how investigations are done and that the person making the
44 complaint may be asking for updates but that it is a very slow process and during the
45 process he isn't allowed to talk to them about it. This sometimes makes them mad but that
46 is just the way it is. So if they start hammering on you wanting to know what's going on and
47 how long it will take there is just no way to tell. He then goes into the Investigative
48 Committee explaining that once he gets enough information on a complaint he will get
49 together with two Board members, usually Harley and Bo Brownfield and they will let him
50 know if it is a violation or not. He then will either close it, investigate it further, refer it to the
51 AAG where it sometimes sits for years. He points out that he has to get permission to send
52 it to the AAG and sometimes that takes quite a bit of time. If there was no violation and no
53 licensing action taken then all they will be told is that there was no violation and that doesn't
54 sit well with a lot of people. They want to know what about this or what about that, I can't

1 discuss it. If there was no licensing action taken it's not public record and I won't be
2 discussing it with them. That truly ruffles some feathers so be prepared for them to come to
3 you saying this is crazy, how it works, but you have to look at it from your own perspective,
4 that if there was an erroneous complaint made against you would you want people
5 discussing it. And if they did a FOIA (Freedom Of Information Act) request most of the
6 important information would be redacted anyway so they wouldn't get too much out of that
7 either. He adds that he sometimes calls others if the usual two are not available or if the
8 complaint is out of their discipline and hopes everyone is ok with that.
9

10 Lent: Asks what will happen with the Statute change regarding the investigator.
11

12 Chair: We will talk about that under 7.A.1.
13

14 Rearick: Asks how his relationship is with the Fire Marshal Office since the change in
15 personnel.
16

17 Savage: He feels that it is good and adds that Diana Parks is a fine individual and there will
18 be a transition, a little bit of change. He adds that they invite him to their Building Officials
19 forum and he makes a lot of good contacts. He gets a lot of calls from them asking if a
20 given situation is ok or if he needs to look at it. He gives an example of maybe someone
21 calling with a set of drawings for a building that has no mechanical stamp. He
22 acknowledges all the help and expertise of Carol Olsen and that it will be missed but that
23 Diana Parks is a good, strong person and that the relationship will continue to be good.
24

25 Chair: Quinton ask for us to support some training for John. What training was that?
26

27 Savage: Explains that with the cut in travel funds that he hasn't been able to travel out of
28 the State very much if at all. It's been several years since he attended a meeting such as
29 the NCEES Annual meeting in St. Louis. It is coming up in August and the contacts we
30 make there are invaluable. I've shown the Director and others on paper what it has done to
31 save our bacon on numerous occasions. The contact with other investigators, the
32 situations they share, the training session and forums are invaluable. He was hoping that he
33 would be allowed to attend the meeting in August.
34

35 **On a motion duly made by Heieren, seconded by Lent and approved unanimously it**
36 **was resolved that the Board strongly endorses sending John Savage to the NCEES**
37 **Annual Conference in St. Louis.**
38

39 Chair: Advises the new members that it is very important for John to attend these meetings.
40

41 Heieren: Mentions a situation one of the other Boards shared at the Denver meeting
42 several years ago that came up in Alaska and potentially saved the State of Alaska
43 hundreds of thousands of dollars.
44

45 Savage: The path we were going down with a particular case, I went to the Denver
46 conference, hooked up with some individuals there that were explaining a path they had
47 gone down and what had happened was their Board went after an individual for XYZ. The
48 individual sued the Board, the Board was sun set. The governor ended up doing away with
49 the entire Board over this situation and it cost them hundreds of thousands of dollars and we
50 were going down that same path. There have been other situations like that that have been
51 so helpful. That's why these things are so important. This isn't hillbilly Alaska we need to
52 keep up with the Jones's so to speak. He adds that Quinton Warren is the Chief
53 Investigator, is a good man and has the utmost respect for this Board and will help however
54 he can. He will bring him into the next meeting in Anchorage and introduce him.

1
2 **Agenda item 6 – Expenditure Report.**
3

4 Chair: We are going to forgo that Vern?
5

6 Jones: Yes, I will call Misty in a little bit and let her know.
7

8 Chair: Wants to keep the meeting moving because we have a lot of work to do.
9

10 **Agenda item 7 – Regulation update.**
11

12 A) Regulations filed by the Lt. Governor and effective 3/11/12.
13

14 Chair: All these items under 7 A were signed by the Lt Governor and became effective
15 March 11th.
16

1. He explains that the Architect Registration by Comity change just eliminated the requirement for an NCARB Certificate and that we are trying to get more in line with the engineer regulation.
2. We added 9 more branches of engineering. This was a long hard battle and we have some loose ends to take care of but at least we got it through the process.
3. Just indicates that each new branch needs to be indicated on the seal.
4. Scope of Practice just elaborates on the subject
5. Definitions just defines all the branches of engineering.

26 Any questions on 7 A?
27

28 Maynard: Expands on his comment that we aren't done yet. He points out that our chart
29 says that if you don't have a particular degree you have to wait two more years to take the
30 test and that may need changing due to the fact that there are only two schools that offer a
31 BS in structural engineering. He also isn't sure about the availability of control systems and
32 fire protection engineering degrees. He doesn't feel making people wait an extra two years
33 to take the exam because of their degree is necessary and in fact is ridiculous. He adds an
34 example that if you have an architectural degree and 24 hours of structural engineering
35 classes you can take the structural exam and go into that kind of detail. Because now
36 everyone has to wait a lot longer, unnecessarily in my opinion.
37

38 Chair: This is something we should take care of right away then?
39

40 Maynard: Yes, because it's going to become a problem in a hurry.
41

42 Chair: Tasks the Licensure Implementation Committee with Maynard as chair to take care
43 of it and report at the next meeting.
44

45 B) Status of Statute changes.
46

1. AS 08.48.055 Executive Secretary of the Board (SB143)(HB337)

47
48 Chair: Notes that this is the one Bert ask about previously and this is the statute that added
49 the requirement for a full time investigator. He adds that a lot of effort went into this and it
50 almost made it through but was held up in the Rules Committee by Senator Ellis. He adds
51 that Senator Geisel sponsored SB 143 and Representative Thompson sponsored HB 337
52 and that they did a great job and it passed through all the committees and was held up in
53 rules at the last minute. He has received a letter from Representative Thompson and they
54 are ready to go on it next year. Richard Heieren was a key player in this. The Senate bill

1 wasn't going any place and he went to see Representative Thompson and he sponsored it
2 and it was off and running.

3
4 He continues, items 2, 3 and 4 are items that are trying to clean up incidental practice,
5 persons practicing outside their area of expertise and unlicensed practice. He feels that the
6 Board should concentrate on number 1 because the rest of them are controversial and may
7 slow number 1.

8
9 Maynard: Feels that since item 1 is a separate bill there shouldn't be a problem with trying
10 to find a sponsor for the other three items and that the Board should be proactive in that
11 effort. He doesn't think number 1 will be a problem since it went so far this year. The others
12 will probably take a couple years so the education process should start now.

13
14 Rearick: Asks if number 1 has to be introduced as a new bill.

15
16 Maynard: Responds, yes. He then explains the process and reiterates that since it passed
17 the House and there wasn't a single do not pass from anyone so it shouldn't have any
18 problem next time. It got to the rules committed late in the session and there were a lot of
19 bills there and they can't get to all of them.

20
21 **Agenda item 9 – Board Correspondence Sent Since February 2012.**

22
23 A) Position paper from Chair to support HB 337 and SB 143.

24
25 Chair: Recommends that the new members read to get up to speed on the subject. He
26 adds that the rest of the correspondence is mostly information only and will just ask if there
27 are any questions on any of them.

28
29 B) E-mail from Vern to Narcisco Flores (DOT) re naval Architects and Marine
30 Engineers

31 C) E-mail from Vern to APDC for inclusion in their news letter.

32 D) E-mail from Vern to B. J. Lowe re review of arctic syllabus.

33
34 **Agenda item 10 – Old Business.**

35
36 A) Procedures for reviewing applicants for grandfathering

37
38 Hanson: Notes that we need a check list and that we have been getting a lot of questions
39 asking if this or that is acceptable. He advises that anyone getting questions be aware that
40 they can't speak for the Board. They can give general information what you personally think
41 might happen but that it is up to the Board as a whole to decide.

42
43 Rearick: Points out that A and C are on the same subject and that he has had a lot of
44 questions from within his firm and as it got closer to the meeting and people were
45 scrambling to get their packages together it was obvious to him that we didn't have answers
46 for a lot of those questions even the question of what format it should be in. He feels we
47 need to discuss this and come to a consensus as to how we are going to review these. He
48 thinks that we should just be looking to see if they submitted the projects, their experience
49 over the years and not get into the specifics of the projects themselves. He notes that some
50 environmental projects may not require calculations. Is that a valid project? It could be. He
51 thinks the Board need to come to a consensus before a check list can be done. He asks
52 Vern if those projects were brought to the meeting.

53
54 Jones: Responds that we have two boxes of plans and calculations to review.

1
2 Rearick: Maybe we should look at those and then will have an idea what kind of list to come
3 up with.
4

5 Maynard: Notes that the engineer may do the work but not stamp the drawings so are we
6 going to make them stamp it or is the fact that it has a stamp and they worked on it enough?
7 In our office were they the responsible charge that did the drawings and calculations? Yes
8 but they are not the one that will stamp as the principle responsible charge.
9

10 Chair: So we should call all of this a work in progress?
11

12 Rearick: Suggests that after reviewing the projects in executive session and the Board is
13 back out of executive session this should be discussed.
14

15 Chair: Asks if we have any application for grandfathering to review this meeting.
16

17 Jones: Responds yes and adds that he told most of the applicants that it may take more
18 than one meeting to complete the review.
19

20 Heieren: Brings up the idea that review by engineers in the state may give the perception
21 of turf protection. He adds that he has made contacts in Western Zone with engineers that
22 would volunteer to help review files if needed.
23

24 Maynard: Points out that even if we turn someone down they can still do the work they were
25 doing before they will just not have the new license. It's not like we are going to be limiting
26 anyone's practice.
27

28 Heieren: Brings up the subject of the structural code having a flaw in it that was brought out
29 by the earthquake in Chile recently. That buildings of a certain height resonated at a
30 frequency that brought them down and didn't affect others that were higher or shorter.
31

32 Maynard: Hadn't heard of that one but in the Mexico City earthquake buildings that were 8
33 to 10 stories had problems and others didn't.
34

35 Chair: Any further questions or comments on item 10?
36

37 Rearick: Points out that he had item B) Electronic signatures and that he wanted to do a
38 white paper but didn't have it completed yet. He asks that it be kept the agenda for next
39 meeting.
40

41 **Agenda item 11 – New Business.** 42

43 A) Letter to nominate former member for emeritus status to NCEES
44

45 Chair: Explains that NCARB doesn't have this requirement to continue on committees or as
46 officers. Do we have any former members who want emeritus status?
47

48 Jones: Yes, four former members Brownfield, Baker, Fredeen and Walsh all serve on
49 NCEES committees and they have indicated that they want to continue to serve. NCEES
50 requires that our Board nominate them for emeritus status to NCEES.
51

52 **On a motion duly made by Maynard, seconded by Heieren and approved unanimously**
53 **it was resolved to nominate Boyd Brownfield, PE, Clifford Baker, PS, Craig Fredeen,**
54 **PE, and Dan Walsh, PE for emeritus status to NCEES.**

1
2 B) Alaska Seismic Hazards Safety Commission (ASHSC)
3

4 Chair: Explains that the letter is asking the Board to require a course for seismic like the
5 arctic course.

6
7 Rearick: Feels that this is covered already by the requirements for design and testing.
8

9 Chair: Notes that the NCARB exam includes seismic for architects that satisfies the
10 California requirement. All ARE exams since 1974 have been pretty heavy in seismic for
11 what the architects need to know. Do the engineer's exam cover that?

12 Maynard: Responds that there is seismic in the structural exam and the civil structural exam
13 and one of the other civil exams but that all engineering exams don't cover seismic at all.
14 He doesn't see what problem they are trying to solve as there hasn't been any buildings
15 falling down.

16
17 Rearick: Agrees with Maynard. He doesn't see a problem.
18

19
20 C) Additional requirements for multiple exam failures.

21
22 Chair: Asks if the engineers have any limitations on this.

23
24 Jones: Explains that our requirements are that once approved by the Board an applicant
25 has 5 years or 5 tries to pass the exam. After that the only requirement is that they have to
26 reapply. Some states have additional educational or other requirements such as a waiting
27 period after multiple failures. He adds that this is being discussed by all the Boards and that
28 it came up during the last meeting when applications were being reviewed. There was one
29 where the applicant was on their second or third application and still hadn't passed.

30
31 Rearick: Points out that NCARB believes that some people take the exam multiple times to
32 gather information on the exam content to pass on to others. He thinks it is good to have
33 limitations in place.

34
35 Maynard: Asks if there is a mechanism in place to let examinees know where their weak
36 areas are so they know where to study.

37
38 Hanson: Responds that there is a diagnostic report that tells examinees where they need to
39 study.

40
41 Jones: Adds that there are no limits to the number of times. All an applicant has to do is
42 reapply to the Board and if approved they are good for another 5 tries or 5 years.

43
44 Eriksen: Adds that he knows one of the individuals and that they are an asset to the
45 profession that maybe they are just a bad exam taker or they aren't preparing adequately
46 enough and that maybe the requirement of some additional education but he doesn't want to
47 take the opportunity to be a PE away from them.

48
49 Schedler: Would be in favor of better articulated requirements, that reapplying after 5 years
50 or 5 tries is not really a restriction. She asks if you want someone who has taken the exam
51 more than 10 times stamping your drawings. She doesn't feel that the Board is monitoring,
52 managing and overseeing architects, engineers and land surveyors registration.

53
54 Heieren: Points that the NCEES exam measure minimum competency. They look at

1 themselves as the underwriter laboratory for individuals and that they are just saying they
2 are acceptable.

3
4 Chair: Where do we go from here on that?

5
6 Jones: If the Board wants to add additional requirements it would need to initiate a
7 regulation project.

8
9 Maynard: We could have a regulation for us to discuss in August if we work fast. The
10 question is whether the Board wants to add additional requirements. If we don't we don't
11 have to do it, but if we do then.

12
13 Chair: From the comments I heard we need to address this.

14
15 Eriksen: Asks how many people we have in this situation.

16
17 Jones: Probably three or four. It's up to the Board, it's your regulation the only reason I
18 brought it up was because during application review you always turn to me and ask why this
19 person has taken the exam 55 times, well, because you let them. (Laughter)

20
21 Rearick: Suggests that we require a one year waiting period or some kind of buffer to at
22 least give them time to properly prepare for the exam.

23
24 Eriksen: Would rather see proof that they have improved themselves than just a waiting
25 period.

26
27 Hale: Asks what other professions do.

28
29 Maynard: Knows someone who has take the Bar exam every year for the past 25 years.

30
31 Jones: Some of the other Boards have requirements for additional education, continuing
32 education, a waiting period. Some offer an opportunity for the applicant to come before the
33 Board to discuss it. There is one, Rhode Island I think, that has a three strikes and you're
34 out policy. It varies from state to state.

35
36 Chair: Asks for some examples to look at and suggests that we take this up next meeting.

37
38 D) Regulation project for architect by examination.

39
40 Break 9:08a.m. – 9:22a.m.

41
42 Chair: Explains that him and Richard will be looking at this and may want to get input from
43 the architect community.

44
45 **On a motion duly made by Heieren, seconded by Rearick and passed unanimously it**
46 **was resolved to go into executive session in accordance with AS 44.62.310 to review**
47 **applicant files and continuing education audit.**

48
49 09:25 in executive session.

50
51 12:00 adjourned for lunch.

52
53 13:10 Back on record.

1 **Agenda item 12 – Public Comment.**

2
3 Note: Bill Mendenhall signed in but didn't want to comment. He was here to listen to others
4 who said they would be here to comment.

5
6 Chair: It's 1:15 so I'll open the meeting to public comment.
7

8 Mendenhall: I will make a comment. My name is Bill Mendenhall, I was on the Board about
9 a dozen or 15 years ago. I'm a registered land surveyor and civil engineer, I'm also a
10 mechanical engineer but I let that lapse. I do have one comment. As we transition into
11 more fields open for registration I think the way it is now your regulations are going to make
12 it more difficult for people to obtain some of these newer type registrations. Back a long
13 time ago in the 60's they registered, of course, land surveyors and they also had a provision
14 that civil engineers and mining engineers could also practice land surveying. This was
15 because many of the academic curricula had several courses in surveying and a lot of
16 people had experience doing it and it was fairly easy. When the board wanted to make
17 everybody be a land surveyor they wanted to do something with the civil and mining
18 engineers. So they gave them a grandfather entrance, the fee I believe was \$10 and that
19 was it. Most of those never did anything with surveying they just wanted to be able to do
20 something with their own lot if it became necessary. At any rate it was a way to transition
21 people in. I think now with the new fields of engineering open I think what's going on now is
22 making it much too difficult for people to come in. I'd almost be willing to say if people had
23 any claim to having practiced in, say, environmental or some other field, let them have it and
24 it'll work out, test people in the future. That's my one comment.
25

26 I was at a land surveyors meeting and my impression was that several people were coming
27 today. My guess was a little bit wrong (laughter). I intended to just shut up and listen but
28 nobody else is here. I'm retired and I had the time to come and I like to come.
29

30 Chair: Well we may give them a few more minutes.
31

32 Mendenhall: The Board does a good job. I was on it for 4 years and I think it's one of the
33 better operating boards in the State.
34

35 Heieren: Talks a little about Mr. Mendenhall's history. That he was a professor at UAF and
36 his class was one he looked forward too.
37

38 Mendenhall: Notes that he has the lowest number licenses in surveying and engineering.
39

40 There was a conversation between Mr. Mendenhall and various Board members while the
41 Board waited for the rest of the Public attendees to arrive.
42

43 Chair: Let's go to 17 and if someone else shows we will go back to public comment.
44

45 **Agenda item 17 correspondence Received Since February 2012**
46

47 A) E-mail from Timothy Krug re Boiler & Furnace Replacements.
48

49 Jones: I should have asked John to be present for this one. This is regarding boiler and
50 furnace replacements and he is asking for an opinion from the Board and Investigator
51 because he doesn't feel the proper procedures are being followed.
52

53 Note: Several members of the public entered and signed in and the Board went back to
54 Public Comment.

1
2 Chris Miller: My name is Chris Miller I'm the Chief Mechanical Engineer at Design Alaska.
3 I'm here speaking not as Design Alaska just as a PE in the State. When I was going over
4 the agenda I found a couple of things I wanted to touch on. Vern sent me some of the
5 feedback from DEC, they wrote some message about signing stamps and I was real
6 interested to read what DEC had to say about signing of plans. It has been a perennial
7 difficulty between us as design professional and DEC. Nowhere else in our industry do we
8 sign the "as built drawings", the "as built drawings" are done by contractors. The
9 professional engineers do not sign the "as-builts. DEC does require that the as-builts be
10 signed therefore the professional engineer is always trying to come up with a way to say, I'm
11 signing this, I reviewed this, I inspected it in the field, I did all those kind of things that DEC
12 requires but they are not my construction documents, they are as-builts. So it has been a
13 perennial conflict with DEC. We've tried to resolve it with DEC several different ways, we
14 just haven't gotten there. They have their policies, you have your policies, they don't match.
15 So it was interesting to read that discourse with DEC, that's the very same discussion I've
16 been having with them for years. So I would suggest that if you are going to continue on
17 that, that you can get lot's more input with those of us that have dealt with DEC over the
18 years. Get DEC at the table and we can have some legitimate back and forth discussion on
19 how to get us all what we are looking for.

20
21 The other topic was the boiler and furnace install that was mentioned by the Mat-Su
22 Burrough, I believe. The same interesting discussion that we have had in the past, as well,
23 what constitutes an R&R job, which is a maintenance activity and what is an engineering
24 task? That is not easy to do. The city of Fairbanks has struggled with that for years. Where
25 is the line between an R&R and something that has to be re-engineered? I've got plenty of
26 examples of where it's worked just fine and I've got plenty of examples where difficulties
27 have happened because there was no systems knowledge of how that system worked.
28 That's what we do, that's not necessarily what the installers are great at. They're great at
29 following instructions. So those are the two I'd encourage....that one I would say, leave it,
30 that one is a little touchier. I'm not sure I would get as deep into that. That R&R issue,
31 maybe leave it to the Building Departments describe in their issues what is an R&R, what do
32 they consider an R&R, where are they comfortable at a remove and replace. What's the
33 definition of a remove and replace and not let this Board try to figure out that definition is of
34 what's a remove and replace. That's just my opinion. I think that's a touchy subject.

35
36 Those are the two subjects I had the most concern about and I'm happy to answer any
37 questions that you may have.

38
39 Chair: We will take this under advisement and review it and see if we need to get it on the
40 agenda.

41
42 Michael Dean: My name is Michael Dean, I'm a structural engineer with Design Alaska. I've
43 also been the previous President of the Alaska Society of Professional Engineers. I'm here
44 to observe, don't have any particular comments to address at this particular time but I will
45 have a number of letters in the future, thank you.

46
47 Chair: Thank you for coming. Elizabeth did you have something?

48
49 Elizabeth Johnson: My name is Elizabeth Johnson, I am an electrical engineer with Design
50 Alaska but I was asked to come here today on behalf of the Institute of Electrical and
51 Electronic Engineers. I believe they sent you guys a letter when you were considering your
52 last round of regulation changes and they felt the concerns of that letter were not address as
53 far as the definition of the scope of practice of electrical engineering. I don't have any
54 testimony on that but in a future letter you will be able to put a face to the name.

1
2 Chair: Thank you and again we will review that and if we need to get this back on the
3 agenda we will. Any other public comments? No? Ok, we will continue with 17.
4
5

6 B) Mbalist request from Ohio re Use of consultants.
7

8 Jones: Explains that the question was concerning expert witness and consultants hired by
9 the board being immune from legal action or if sued, represented by the State or Board
10 Lawyer. He further explained that he put this on the agenda because of the plan to get
11 volunteers from other states to help in the review of plans and calculations of the applicants
12 under 12 AAC 36.106. A check with legal revealed that if an applicant wants to sue them
13 that they are on their own and the AG will not represent them in a lawsuit.
14

15 C) CLARB 1 through 4.
16

17 1. Letter from California LSA Tech committee.
18

19 Lent: Explains that the California educational institutions have set up a non degree program
20 and the concern is that other states will jump on the band wagon and do this as well. They
21 are trying to decide if the LARE people are going to go along with this program or
22 discourage it. It's in the study phase and just for your information.
23

24 Heieren: Asks to go back to 17 B and asks that even if the consultant was to be paid a
25 token amount the State would not defend them.
26

27 Jones: No, and even John said that if he hires an expert witness they are not immune from
28 lawsuits.
29

30 Hanson: Asks to go back to 17 A and if it warrants a response and asks to open a
31 discussion on it. He believes it depends on whether the installers are specialty contractors
32 and therefore exempt. He thinks that if it's a heating and plumbing contractor that they
33 would come under the specialty contractor exemption.
34

35 Chair: Believes that the way the exemptions are currently interpreted that would be correct
36 but that the proposed Statute changes would change it. Too bad John isn't here because
37 he has had a lot to say on that subject in the past.
38

39 Hanson: Believes that the question is whether a professional engineer is required and the
40 answer would be not if it's done by a specialty contractor.
41

42 Rearick: Adds unless otherwise required by the local jurisdiction.
43

44 Hanson: Agrees.
45

46 Shiesl: Asks what's a specialty contractor.
47

48 Hanson: Responds that if he calls a licensed plumbing contractor to install a new boiler
49 whether it's in a residential, or I hate to say it, a commercial installation if they fall under that
50 and are licensed as a contractor then that's what they are right or wrong whether we
51 disagree and it's going to work out in most cases and as our public testimony pointed out it's
52 not going to work out in a few and right or wrong, unless we make a Statute change that's
53 the way....
54

1 Shiesl: So public beware is what you're saying?
2
3 Hanson: Well no it's not public beware we have an exemption in place.
4
5 Maynard: The theory is that they have some expertise in those systems and if not their
6 license should be revoked.
7
8 Short free for all discussion continues for a few minutes.
9
10 Chair: Points out that in the regulations for contractors there is a definition for specialty
11 contractors and it's quite broad and there is a dozen different categories that are considered
12 specialty contractors.
13
14 Chris Miller: Interjects that it is the change in size that is the issue.
15
16 Chair: Adds that under the present verbiage that would not be covered and that the Board
17 is working on changes to that Statute.
18
19 Jones: Who is going to respond to it?
20
21 Hanson: I'll give you a draft response today.
22
23 Chair: Asks if the Muni of Anchorage would require an engineer.
24
25 Rearick: Responds that if it's a swap out, no, they would just need a licensed mechanical
26 contractor but if they are re-designing a system then they probably would.
27
28 Maynard: Adds that when his boiler was replaced there was no mechanical engineer
29 involved but it was inspected by a Muni inspector to make sure it met code.
30
31 D) NCARB 1 through 13.
32
33 Chair: I believe most of that is for information only. Do you want to add anything Richard?
34
35 Rearick: Points out number 12 the IDP reporting format has been changed. He adds that
36 he met with the AIA's IDP coordinator in Anchorage and he thinks most of the interns are
37 aware of the change.
38
39 Chair: Adds that at the recent NCARB meeting, Rearick was elected to the Executive
40 Committee on that Board. He then goes to 17 J and explains that the Lt Governor asked the
41 Board to do a couple things for him concerning workforce development and research and I
42 suggested that it wasn't under the charter of the Board and that it would be better suited for
43 APDC to do that. What he was asking was for professional to go to the local schools and
44 give presentations on our professions and encourage students to get involved in
45 engineering, architecture and surveying and we are trying to get this organized through
46 APDC.
47
48 Lent: Points out that CLARB is already involved in this type of activity.
49
50 Chair: The Lt. Governor had suggested the middle school and high school level and at the
51 APDC meeting the engineers suggested the elementary school level because they needed
52 to get their education path in line earlier so in my letter back to the Lt. Governor I suggested
53 the elementary level.
54

- 1 E) NCEES 1 through 6.
2
3 Chair: This is for information anyone have any comments?
4
5 Hanson: Mentions that NCEES is adding software engineering examination next April so
6 that's a potential additional branch for Alaska if we want to consider that.
7
8 Jones: They are also changing the surveyor exam to a closed book exam.
9
10 F) Email from Roy Robertson (DEC) re disclaimers on record drawings.
11
12 Chair: Notes that this is the same subject that we had public comment on and will be
13 looking into and see if we need to get this on the agenda.
14
15 Maynard: Asks if this needs a response from the Board.
16
17 Jones: Is this something you're already working on?
18
19 Rearick: Thinks what DEC is asking for is in conflict with our regulations. We need to
20 express to DEC and they modify their requirements or we change our regulations and allow
21 them to do that without a conflict.
22
23 Maynard: Agrees. Record drawings are not something done by your direction, they are not
24 a construction document they are just what the contractor said he did and not something I
25 would stamp. He indicates that they put disclaimers on them. He agrees that DEC's
26 requirement that the engineer stamp them is in conflict with our regulations.
27
28 Hanson: Echo's the point that it is in direct conflict. He feels that DEC is putting the
29 engineers in conflict with the Statute by requiring a stamp when the engineer didn't oversee
30 all the work.
31
32 Chair: I will respond to this and let them know that.
33
34 G) E-mail from Kelly Nicolello re DFLS Code Adoption Plan 2012-2015.
35
36 Chair: This is more for information.
37
38 H) Gilbert Chavez for WZ VP
39
40 I) Von Hill for WZ VP
41
42 Chair: Both H and I are for information.
43
44 Heieren: Points out that the Board endorsed Von at the last meeting and folks that are
45 attending the WZ meeting should realize that.
46
47 **Agenda item 18 – Special Committees.**
48
49 Licensure Implementation:
50
51 Chair: We've changed the title of General Licensure to Licensure Implementation and
52 appointed Colin Maynard as chair.
53
54 Registration and Practice:

1
2 There was a short discussion on renaming the Incidental Practice committee. Jones looked
3 back in the last minutes and found that it had been renamed the Registration and Practice
4 committee.

5
6 Licensure Mobility:
7

8 Rearick: Nothing to report.
9

10 Chair: Are you and Eric comfortable with that?
11

12 Rearick: Explains that it's just something they are monitoring in NCARB and NCEES to see
13 how they are dealing with licensure mobility.
14

15 Engineers and Geologists:
16

17 Hanson: Nothing happening at this time.
18

19 Lent: Recaps what Dan had done on that regarding geologists and asks if the Board is
20 interested in licensing geologists.
21

22 Hanson: Notes that we have been receiving comments from geologists and other regarding
23 adding them and he thinks the committee should remain to address conflicts between
24 geologists and engineers.
25

26 Maynard: Asks if this would require a Statute change.
27

28 Heieren: Points out the Statute that covers geologists. He adds that there is a lot of
29 education and testing involved in getting the national certification and he agrees that the
30 committee should remain.
31

32 Maynard: Asks if there is a definition of what a geologist does.
33

34 Jones: No.
35

36 Hanson: That's where we get into conflicts.
37

38 Maynard: So that may be where our Statutory fix is.
39

40 Chair: Asks Brian to assume the Chair of the committee and adds Keith as a member.
41

42 Changes to 12 AAC 36.068 and timing of such changes:
43

44 Lent: Explains that this change is about allowing candidates for licensure to take portions of
45 the LARE while still in school or immediately after school instead of requiring them to get 8
46 years of experience prior to starting the LARE. He points out that studies showed that
47 candidates did better on certain portions of the exam during or immediately after school. He
48 adds that CLARB is recommending students be allowed to take sections 1 and 2 of the
49 exam earlier and that he would bring a regulation change to the Board for consideration at
50 the August meeting.
51

52 Rearick: Asks if CLARB has already passed the Model Law allowing this or are they
53 considering it.
54

1 Lent: They are not there yet they have just finished their study that showed that applicants
2 did better on two portions of the exam if allowed to take soon after finishing school. He adds
3 that the exam is being changed from half graphic to all digital and reduced from 5 sections
4 to 4 sections.

5
6 Rearick: Are you suggesting that we get ahead of CLARB instead of waiting until they get
7 their standard set?

8
9 Lent: Answers that he had asked this question and CLARB said that the Board did not have
10 to wait for them that they would back us up if we wanted to adopt a change prior to CLARB
11 adopting the new standards. They only have standards. They bow to what the States want
12 to do.

13
14 Rearick: Indicates that NCARB recently did the same thing, allowing students to take the
15 ARE prior to completing the IDP. He asks if we want to get out in front of CLARB instead of
16 waiting for them to set the standard.

17
18 Lent: Adds that this will be discussed at the September CLARB meeting and that he would
19 like to get the ball rolling now before he is off the Board.

20
21 Chair: Anything else on that? Lets finish up Special Committees, Richard could you talk
22 about the TWiST program?

23
24 Heieren: Explains that TWiST stands for Teaching with Spatial Technology and is a
25 program to introduce Middle and High School teachers to the tools used for surveying, in
26 particular GPS and GIS mapping and seems to be a very effective program to educate
27 teachers on the surveying profession. He adds that it is supported primarily by NCEES and
28 ASPLS presently but it will probably go national.

29
30 Hale: Would like to be on that committee. He adds that he has been talking to two
31 teachers, one from UAA and one from West High about it but so far there isn't enough
32 responses to put the course on.

33
34 Chair: Any other comments? That sounds like an exciting program. With that why don't we
35 go back into executive session?

36
37 **On a motion duly made by Hanson, Seconded by Maynard and passed unanimously it**
38 **was resolved to return to executive session in accordance with AS 44.62.310 to**
39 **continue review of applicant files.**

40
41 14:18 Went into executive session.

42
43 17:15 Back on Record

44
45 17:17 Adjourned for the day.

46
47 **Friday May 4, 2012**

48
49 08:00 Called to order, Roll Call, all present.

50
51 Chair: What we will do this morning is finish up on the agenda and then go to the Branches
52 of Engineering review. For the Branches of Engineering review we will have three groups
53 with Brian, Colin and Eric as leaders and the rest of us will join a group.

1 **Agenda item 18 Standing Committees.**

2

3 Investigative Advisory Committee:

4

5 Chair: Anyone have any comments? In Anchorage usually on the engineering and
6 architectural issues Boyd Brownfield and I were called to work with John Savage and Boyd
7 is no longer with us so Brian will probably be called unless. He adds that Bo and John had
8 talked about using past Board Members on this committee so present members wouldn't be
9 excluded from voting on any cases that came up and asks for comments.

10

11 **On a motion duly made by Heieren, seconded by Hanson and passed unanimously it**
12 **was resolved that board policy allow past Board Members to participate as members**
13 **of the Investigative Advisory Committee at the discretion of the Investigator.**

14

15 Chair: Mentions that Boyd has already volunteered to do this and he would be off the Board
16 next year and would volunteer his services also.

17

18 Guidance Manual:

19

20 Lent: Gives his report on updates to the Guidance Manual.

21

22 Maynard: Asks that the engineers be in alphabetical order and add the clarification re fire
23 protection engineers be right after the definition of fire protection engineering.

24

25 Lent: That would require retyping.

26

27 Jones: I can fix it if that's what the Board wants.

28

29 **On a motion duly made by Maynard, seconded by Lent and passed unanimously it**
30 **was resolved to approve changes to the Guidance Manual and to alphabetize the**
31 **branches of engineering definitions and place the fire protection clarification after the**
32 **definition of fire protection engineering.**

33

34 Chair: Thanks Bert for all his work on this over the years and also thanks Don and Mrs.
35 Shiesl for their help.

36

37 Legislative Liaison:

38

39 Eriksen: Nothing to report other than the bills that were discussed earlier.

40

41 Chair: Thanks Eric and the whole board for all their help in this effort. He mentions that
42 Representative Thompsons office has encouraged us to get ready for next year and he will
43 coordinate with Colin on timing.

44

45 Maynard: Encourages people to go to the fundraisers that are about to start and talk about
46 the Board and what we do so they are familiar with what we do and don't cut our budget.

47

48 Chair: Advises that he will send out position papers so the new member will know what the
49 talking points are. He mentions that it would be good to write letters as well as attend the
50 fundraisers.

51

52 Emeritus Status:

53

54 Chair: Any comments?

Budget Committee:

Shiesl: Nothing to report without a report to look at.

Continuing Education:

Hanson: Nothing to report.

Heieren: Asks if it might be valuable in the future to give Staff more authority to evaluate and approve continuing education submissions.

Chair: Adds and take care of those that are obviously ok and we can take a look at the tough ones. He asks if that would be putting too much work on the Staff.

Jones: No.

On a motion duly made by Heieren, seconded by Maynard and passed unanimously it was resolved to allow the staff to evaluate CEU submittals and approve those that meet minimum standards.

Eriksen: Asks if they all come in last minute.

Jones: No they trickle in. I send the letters out in mid to late February and they have 30 days to respond. Most get them in on time. I had quite a few requests for extension this year. A lot of people are traveling during that time period, vacations, its winter time and I've been pretty lenient with extensions. If they go to the Board they aren't going to be looked at until May anyway so I didn't see any rush in getting them back. If they send a note from their doctor that they are going through cancer treatment or something I give them an exemption.

IDP Liaison:

Chair: This has been mostly Richard during this legislative session. Any report Richard?

Rearick: Reports that he has been working with the IDP coordinator and helped with a presentation on the new IDP.

Chair: Explains that the IDP liaison coordinates with the IDP coordinator for AIA and they do a good job keeping the intern architects up to speed on the changing requirements.

Rearick: Adds that at the AIA conference this fall there will be an educational seminar on IDP.

Agenda item 19 – Licensing Examiner Report

Kelly: Gives her report consisting of two charts (1 for individuals and 1 for corporate) showing the annual totals from 2008 to 2011 and the projected totals for 2012. She comments that it is unknown at this time what effect the new branches of engineering will have. The second page is fun factoids on the professions regulated by the Board.

Agenda item 20 – Board Travel

Jones: Reports that the next meeting is Western Zone in Jackson Hole, WY and there are

1 three Board members and myself going to that one. He adds that the next one after that will
2 be St. Louis and getting approval anytime soon will be kind of tough because it's after the
3 change of the FY and they will be busy with end of the year and won't want to worry about
4 August but he will try to get approval as soon as possible. He continues, after that we go to
5 San Francisco in September for CLARB. He explains how he will make up the travel
6 requests with those who traveled last going to the bottom of the list. He adds that we should
7 have more money next year but we will see.

8
9 Chair: Any questions on travel?

10
11 Schedler: It's as clear as mud, I have no idea what you're talking about.

12
13 Jones: We're talking about the National meetings.

14
15 Schedler: I don't know what the organizations are. I don't know who goes and why or what
16 our benefit is.

17
18 Jones: Jones explains what the organizations are and that each has two meetings a year.
19 He goes into Board travel and what he needs from each member for receipts. He needs a
20 copy of the itinerary with the cost of the ticket, hotel receipts and any taxi/shuttle or parking
21 receipts. He doesn't need food receipts because members get a set per diem for meals.

22
23 Rearick: You might want to add if you're going to travel on either end....

24
25 Jones: Adds, that's very important and he explains that any personal travel combined with
26 official travel needs to be approved in advance. He also will need two itineraries one for the
27 travel that includes the personal travel and one with just the official travel so it can be
28 determined what costs the State is responsible for.

29
30 Lent: Explains the trouble he has had trying to do this.

31
32 Heieren: Gives a history of NCEES and what they offer for the new members. He
33 encourages participation by the new members. He encourages all members to support
34 travel to these meetings and to voice that support to the Division and the Legislature. He
35 adds that in State and out of State travel is included in the same budget.

36
37 Jones: Adds that the Director doesn't have any problem with the Board lobbying the
38 Legislature for additional funding or anything else that concerns the Board.

39
40 Chair: Adds that through these National Organizations members have the opportunity to
41 participate in committees and as officers if they are so inclined. He adds that most of our
42 members have participated in this way and that it is very rewarding and educational.

43
44 Rearick: Adds that the Board MBE's attend these meetings which is helpful in finding out
45 how other states handle a given situation and also access to the staff of the National
46 Organizations who can be very helpful in doing research for you.

47
48 Schedler: Was confused on what was expected of her as a new member in regards to
49 these meetings and how she should plan her schedule. She needs more than a month to
50 plan and was wondering about the August NCEES meeting and when we would know who
51 needs to go and when they need to make a reservation. You can't tell me in July.

52
53 Jones: Unfortunately it probably will be July before we know how many we can fund
54 because it's in next fiscal year and they haven't worked up the budget yet.

1
2 Schedler: Like you can block the time and then suddenly give it up because you haven't
3 heard anything.
4

5 Chair: That is what I do, I block the time and hope I can go because it is beneficial to go
6 and if I can't then I have extra time to do something.
7

8 Heieren: Notes that there is a perception that these meetings are just a waste of time or a
9 party and there is nothing farther from the truth. He adds that he is drained mentally and
10 physically every time he attends one. It has been very rewarding and has meant a lot to me
11 to be able to participate on a National level for my profession. He advises that members put
12 aside the time in case travel funds are available.
13

14 **Agenda item 21 – National meeting reports.**
15

16 A) CLARB Spring meeting Coral Gables FL.
17

18 Lent: Refers everyone to item 21B in the in their Board packets. He goes over the meeting
19 and echo's the value of the meetings and importance with the face time with the other
20 Boards throughout the U.S and the Territories. He also emphasizes the International
21 participation. He notes that the MBE's (Member Board Executives) participation is very
22 important and that CLARB has an MBE session the first day that is closed to licensed
23 members.
24

25 B) WCARB Seattle WA.
26

27 Chair: Refers to Board Packet item 21A and reports on how NCARB is trying to standardize
28 CE among all the Boards and National Organizations. He mentions that the yearly dues will
29 be going up to the tune of \$500 a year over the next five years. He notes that Richard
30 Rearick was elected to a Regional office on the Executive Committee. He adds that Richard
31 has been very active in Regional and National committees.
32

33 Rearick: Reports on NCARBS vision and strategic planning and the improvements in the
34 organization such as the addition of a new CEO position which is a staff position and will
35 provide continuity. He reports on the practice survey that NCARB recently did.
36

37 **Agenda item 22 – Board tasks.**
38

39 Chair: Notes that the first item was Boyd Brownfield who is now off the Board and did an
40 excellent job. He asks Brian if he has anything to report.
41

42 Hanson: Everything is ongoing.
43

44 Chair: Next is Dan Walsh who was our mining engineer and also did a fine job. He has
45 been replaced by Keith. He asks Don if he has something to add.
46

47 Shiesl: Reports on a conversation he had with an attorney regarding disciplinary actions by
48 the Board and that the attorney said that it must be backed up in statute not a Board policy.
49

50 Jones: Adds that the statement about policy not being enough depends on the Judge.
51 Sometimes a Judge will accept policy that has been in place over a long period and
52 enforced consistently as setting a precedent.
53

54 Shiesl: He referred to a previous conversation regarding DUI's and the effect on a

1 professional license. He noted that the attorney said that under our judicial system that
2 once you have paid your dues you are presumably clear to go on with your life. He
3 questions the Board's authority to use a past violation that has been adjudicated and the
4 sentence served as a reason to refuse a license. This attorney suggested that if there is a
5 question that the Board ask the AAG for an opinion on what action can be taken. Handle it
6 on a case by case basis.

7

8 Schedler: Believes that there is huge ravine between not doing anything because they've
9 met their burden to society and they are free and clear and there is a lot that we can do. A
10 stern letter still holds weight you know if you continue to act in this manner the Board may
11 consider proceedings to revoke your license.

12

13 Shiesl: Likes the idea of a probationary license.

14

15 Eriksen: Notes that we have ability with our regulations to take care of professional issues
16 but what we are talking about are character issues outside the profession.

17

18 Schedler: Thinks it's all one, its repeated bad judgment. It's do you have the ability to use
19 good judgment, that's in designing a bridge and taking a drink before you drive. She is
20 afraid we are setting the bar too low.

21

22 Shiesl: Adds that the attorney was just cautioning against expecting a policy to be
23 enforceable that we need to get it through the Legislature.

24

25 Hanson: Adds that a probationary license is provided for in Statute. Adds that we struggle
26 with this every time, there is one or two where we wonder should we give them a license or
27 not. And he believes that the committee's project was to see if should or we can put a policy
28 or regulation in place and have it hold up.

29

30 Hale: Thinks what we are talking about is the limits of our authority. It's not that we are
31 regulating morality we are here for the public safety and we have limits on what we can do
32 to meet that charter. What is that limit?

33

34 Shiesl: I don't know what else to do on this. I have looked at other States Statutes and they
35 have pretty much what we have.

36

37 Chair: Burt, Guidance manual, already done. Richard you have three items there.

38

39 Rearick: Reports that CE is an ongoing thing. He is still on the Professional Conduct
40 Committee at NCARB and he reports on their activity in the model law and disciplinary
41 guidelines.

42

43 Chair: Five items for me to discuss. Items 1 through 4 are part of the Legislative work I
44 have going. We are also working getting the definitions in the Statutes and Regulations. He
45 will work on a letter to NCEES to get Fairbanks as an exam site for CBT.

46

47 There was a short discussion for the benefit of the new members explaining the transition
48 from paper exams to CBT for the engineering and surveying examinations. From two paper
49 exams each year to several windows per year for computer based exams.

50

51 Heieren: Asks Jones to go over the public meeting act for the new members.

52

53 Jones: Explains that all meetings need to be public noticed and available for public
54 attendance. Board members should not be contacting each other by any means to discuss

1 Board business outside of the noticed meetings. He adds that if a member of the public
2 call's and wants to further their agenda that you can't speak for the Board. All Board actions
3 must be done as a Board not by individual members. Don't make any promises.
4

5 Rearick: Shares how he handles these things and suggests that they can refer any calls
6 requesting board action to Vern. Any complaints should not be discussed but should be
7 referred to the Investigator.
8

9 Jones: Yes, if you want an easy out just refer them to me.
10

11 Chair: Eric, Legislative Liaison?
12

13 Eriksen: We've already touched on that. He notes that IEEE had referred to a letter they
14 sent and he can't find it and would work with Jones on getting a copy. He brings up the
15 issue of a probationary license and suggests a conference with the AAG.
16

17 Jones: I'll set up a conference call for the August meeting with Dan Branch.
18

19 Chair: Next item was Craig, our former mechanical. We can scratch the first two items and
20 I'll get with him and see where we are on Commissioning. He adds that it may necessary to
21 pass the torch to Kathleen on that but he will find out what the status of that issue is.
22

23 Cliff, specialty contractors, he was working with me on that issue so we can scratch that.
24 Vern?
25

26 Jones: Goes over the items on his list and what has been done and what still needs to be
27 done. He brings the new member up to date on the Mobility issue with Canada.
28

29 Heieren: Believes he handled numbers 1, 3 and 5 and isn't sure what 2 and 4 were about.
30

31 There was a short discussion on the Industrial Exemption and Heieren suggested maybe
32 Maynard could take over on that one. Maynard recapped a previous effort to get rid of it that
33 was unsuccessful and doesn't want to fight that battle again.
34

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

37 **On a motion duly made by Rearick, seconded by Maynard and passed unanimously it
38 was resolved to find the following list of applicants for registration by comity and
39 examination incomplete**
40

41 Maynard: Notes that there several applicants for additional branches that we need to make
42 a decision on what exams we are going to accept for structural engineer before we do this.
43 He elaborates on the methods the various states used to license structural engineers and
44 the acceptance by NCEES of the structural I and structural II and structural III exams and
45 the evolution of the exams pointing out that they are not equivalent to the present 16 hour
46 exam NCEES administers. He asks what the will of the Board is on this issue.
47

48 Chair: Asks if when we review these additional branch application will we have others to
49 read in?
50

51 Jones: Yes and we should probably review them before we do the record reading.
52

53 Rearick: I withdraw my motion.
54

1 Jones: Points out that before Alaska started using the NCEES exams that Alaska, Oregon,
2 Washington all used the same exams to license their engineers. So if we had licensed
3 structural engineers that is probably the path we would have taken.

4
5 Eriksen: Asks Maynard if he has a preference.
6

7 Maynard: States that his preference is that if you only have a structural I then you don't get
8 the license. We would have probably followed Washington who had a 16 hour exam.
9

10 Hanson: Notes that the 8 hour civil and the 8 hour structural I is 16 hours and that some
11 states require a PE license before you can take the structural I so they have taken 16 hours
12 of examination.
13

14 Rearick: Points out that we didn't have this license before we really have no method to
15 accept anything that doesn't meet our current regulation.
16

17 Maynard: Thinks there is a provision that you accept what you would have if you had the
18 license at that time. You accept what the standard is.
19

20 The discussion continued for a few minutes on whether or not we can accept something
21 other than our current regulations or assume that if we had one of the new licenses we
22 would have accepted what was the standard at that time. It was suggested that since we
23 required the civil exam to practice structural we can't second guess what we might have
24 required back then. With comity if they are licensed in another state we will probably have
25 to accept it. Another point was that all the exams have evolved over time. The civil exam
26 today is not the same exam people took years ago. Another point was that NCEES required
27 16 hours of examination to meet the Model Law for structural engineer. Another point was
28 that if the other state found an applicant qualified and he has been practicing for a number
29 of years that we must accept that. Another point was that if it was accepted by NCEES is
30 should be acceptable whether it was 8 hour or 16 hours.
31

32 Chair: Asks for a motion:
33

34 **On a motion duly made by Maynard, seconded by Shiesl and passed unanimously by
35 roll call vote it was resolved to accept the SE I, SE II or a state specific SE exam or a
36 combination of them for licensure by comity as a structural engineer.**
37

38 Chair: Asks for a motion for executive session.
39

40 **On a motion duly made by Maynard, seconded by Rearick and passed unanimously it
41 was resolved to go into executive session under authority of AS 44.62.310 to review
42 applicant files.**
43

44 09:45 Went into executive session.
45

46 12:33 Back on record. Roll call, all present.
47

48 Chair: Asks for motion reading applicants into the record.
49

50 **On a motion duly made by Rearick, seconded by Maynard and passed unanimously it
51 was resolved to find the following list of applicants for registration by comity and
52 examination incomplete**
53

1 The subsequent terms and abbreviations will be understood to signify the following
2 meanings:

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

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

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

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

7 'AKLS': refers to the Alaska Land Surveyors Examination

8 The title of 'Professional' is understood to precede the designation of engineer,
9 surveyor, or architect.

10 JQ refers to the Jurisprudence Questionnaire.

11 'Arctic course' denotes a Board-approved arctic engineering course

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Daugherty, Leslie K.	Structural Engineer	G'father	Incomplete - pending letter with stamp & signature attesting to preparation by the applicant
Doggett, Timothy Hugh	Structural Engineer	G'father	Incomplete - pending 2 nd letter of reference
Graetz, Ethan E.	Civil Engineer	Exam	Incomplete - pending additional 17 months experience; PE Civil; & JQ
Gyene, Ors Zsolt	Mechanical Engineer	Comity	Incomplete - pending foreign degree evaluation; description of work experience, or, verification of 12 years experience; Arctic & JQ
Hepler, David Russel	Mechanical Engineer	Exam	Incomplete - pending additional description of work experience; PE exam; & JQ
Holmes, Travis S.	Environmental Engineer	G'father	Incomplete - pending letter on MSW project indicating responsible charge
Keyser, Jared F.	Structural Engineer	G'father	Incomplete - pending 2 nd letter
Kienle, Florian J.	Control Systems Engineer	G'father	Incomplete - pending one additional work verification for 2 nd project; missing sealed drawings & calculations for both projects
Lam, Peter H.	Structural Engineer	G'father	Incomplete - pending project letters
Machara, Anthony	Electrical Engineer	Comity	Incomplete - pending clearance by Investigations
McPherson, Ronald Lee	Civil Engineer	Comity	Incomplete - additional 5 months experience

Robison, Edward George	Civil Engineer	Comity	Incomplete - pending additional 12 months experience
Stierwalt, David D.	Structural Engineer	G'father	Incomplete - pending project letters
Varney, Joshua Wm.	FS	Exam	Incomplete - pending additional 12 months experience
Vesecky, Peter	Civil Engineer	Comity	Not reviewed - pending clearance by Investigations; FE & JQ

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On a motion duly made by Rearick seconded by Maynard and passed unanimously it was resolved to approve the following list of applicants for registration by comity and examination under 12 AAC 36 with the stipulation that the information in the applicant's files will take precedence over the information in the minutes:

Abrams, Ted Alan	Chemical Engineer	Comity	Approved
Abuniaj, Jamil	Civil Engineer	Exam	Approved - pending PE exam; transcripts; payment of all fees; Arctic & JQ
Aholt, Michael O.	NA/ME Engineer	Comity	Approved
Anderson, James C.	Electrical Engineer	Comity	Approved - pending verification of FE; payment of all fees; & JQ
Anderson, Jason A.	Fire Protection Engineer	Comity	Approved
Arndt, Travis Wm.	Structural Engineer	G'father	Approved
Beehler, David R.	Civil Engineer	Comity	Approved - pending verification of NCEES PE exam
Berryhill, Bruce R.	Structural Engineer	Exam	Approved - pending SE exam & JQ
Bertelsen, Kennet	Civil Engineer	Comity	Approved
Brown, David A.	Chemical Engineer	Comity	Approved
Bui, David Q.T.	Mechanical Engineer	Comity	Approved - pending JQ
Bui, David Quang-Trung	Mechanical Engineer	Comity	Approved - pending JQ
Burton, Howard S.	Structural Engineer	Comity	Approved - pending Arctic & JQ
Bytheway, Cecelia H.	Electrical	Comity	Approved

	Engineer		
Carlson, Keith C.	Structural Engineer	G'father	Approved
Chang, Kuo-Chuan	Structural Engineer	Comity	Approved - Pending JQ
Christensen, Ruth D.	Civil Engineer	Comity	Approved - pending JQ
Christensen, Thad H.	Fire Protection Engineer	Comity	Approved - pending Arctic & JQ
Clift, Daniel H.	Architect	Exam	Approved - pending IDP; A.R.E; Arctic & JQ; & payment of all fees
Coleman, Zeke D.	Civil Engineer	Comity	Approved
Commander, Brett C.	Structural Engineer	Comity	Approved - pending Arctic & JQ
Crosby, Adam C.	Structural Engineer	Comity	Approved - pending JQ
Dapp, Steven Douglas	Civil Engineer	Comity	Approved - pending verification of FE; transcripts; Arctic & JQ
Doran, Zachariah James	FE	Exam	Approved
Dumont, David Stephen	NA/ME Engineer	Comity	Approved - pending JQ
Eberhardt, Patrick Timothy	NA/ME Engineer	Comity	Approved - pending JQ
Edgerly, Michael James	Civil Engineer	Comity	Approved - pending JQ
Elliott, Lynn Edward	Architect	Comity	Approved
Farmand, Anthony E.	Civil Engineer	Comity	Approved
Flynn, Brian Michael	Mechanical Engineer	Comity	Approved - pending verification of NCEES FE
Freeman, Jared Robert	FE	Exam	Approved
Gatto, Kip	Civil Engineer	Comity	Approved - pending verification of exams, registration; Arctic & JQ
Gaulke, Michael S.	Structural Engineer	G'father	Approved

George, Nicholas A.	Control Systems Engineer	Comity	Approved - pending FE exam or waiver
Goentzel, Ryan D.	Civil Engineer	Exam	Approved - pending PE Civil exam; & JQ
Greer, Elizabeth Ann	Civil Engineer & Structural Engineer	Comity	Approved - pending transcripts; & JQ
Greer, Elizabeth Ann	Civil Engineer & Structural Engineer	Comity	Approved - pending transcripts; & JQ
Griffin, Gregory Lee	Civil Engineer	Comity	Approved - pending JQ
Haan, Scott M.	Structural Engineer	G'father	Approved
Hamel, Ellen E.	Structural Engineer	Comity	Approved
Hanzon, Kenneth C.	Electrical Engineer	Comity	Approved - pending verification of exams; Arctic & JQ
Harvey, Richard J.	Fire Protection Engineer	Comity	Approved
Hengst, Kevin P.	Architect	Comity	Approved - pending verification of reference; & Arctic
Herndon, Benjamin James	Civil Engineer	Comity	Approved
Herzog, Ronald Christopher	Mechanical Engineer	Comity	Approved - pending JQ
Hoffman, Julie A.	Environmental Engineer	Comity	Approved - pending verification of PE Environmental exam
Hopewell, Derek W.	Structural Engineer	G'father	Approved
Hurd, Michael A.	Structural Engineer	Comity	Approved - pending Arctic
Husler, Stephen T.	Mechanical Engineer	Comity	Approved - pending Arctic & JQ
Hwang, Jong T.	Electrical Engineer	Comity	Approved
Irimescu, Vlad	Architect	Comity	Approved - pending ARE; current experience references; verification of current registration; & JQ
Jaynes, Michael	Environmental Engineer	Exam	Approved - pending PE Environmental exam
Johnson, Devin M.	Architect	Comity	Approved - pending Arctic

Kammerer, Christopher M.	Structural Engineer	Comity	Approved
Kelso, Michael W.	Structural Engineer	Comity	Approved - pending JQ
Kenny, Tait Darius	Mechanical Engineer	Exam	Approved - pending PE Mechanical & JQ
Keyser, Jared	Architect	Comity	Approved - pending verification of exam; registration; transcripts; & JQ
Knoke, Mark Stuart	Architect	Comity	Approved - pending one additional Architect reference
Kolb, Charles Henry	Architect	Comity	Approved - pending JQ
Latzke, Robert E.	Civil Engineer	Comity	Approved - pending JQ
Leffler, Russell D.	Structural Engineer	Comity	Approved - pending Arctic & JQ
Leifheit, Andrew M.	Structural Engineer	Comity	Approved - pending JQ
Lemchen, Aaron J.	Architect	Exam	Approved - pending ARE
Levine, Charles J.	Civil Engineer	Comity	Approved - pending verification of FE; & JQ
Linner, David P.	Architect	Comity	Approved - pending Arctic & JQ
Marx, Elmer E.	Structural Engineer	G'father	Approved
Moen, Keith C.	Civil Engineer	Comity	Approved - pending JQ
Morgan, Nathan A.	Architect	Comity	Approved - pending Arctic & JQ
Moyers, Sarah S.	Environmental Engineer	G'father	Approved
Naples, Robert Conti	Civil Engineer	Comity	Approved - pending JQ
Nickum, William C.	NA/ME Engineer	Comity	Approved
Nipper, Charles C.	Civil Engineer	Comity	Approved - pending Arctic & JQ
Nisenbaum, Ralph David	Civil Engineer	Comity	Approved - pending JQ & payment of all fees

Noziska, Daniel Charles	Civil Engineer	Comity	Approved
Oliver, Michael Leon	Civil Engineer	Comity	Approved - pending Arctic & JQ
Paoinchantara, Nuttpone	Civil Engineer	Comity	Approved
Parkington, Todd S.	Civil Engineer	Comity	Approved - pending JQ
Peyton, Dean Harry	Civil Engineer	Comity	Approved - pending Arctic & JQ
Prendeville, Brendan James	Civil Engineer	Comity	Approved - pending Arctic & JQ
Pyeatt, David Alexander	Civil Engineer	Comity	Approved
Raj, Vaibhav	FE	Exam	Approved
Robertson, Ryan Graham	Petroleum Engineer	Exam	Approved - pending PE Petroleum & JQ
Ryan, Daniel F.	Structural Engineer	Comity	Approved - Pending JQ
Sadler, Thomas R.	Structural Engineer	Comity	Approved
Salmon, Nicholas Peter	Architect	Comity	Approved - pending Arctic & JQ
Sattler-Smith, Petra	Architect	Comity	Approved - pending verification of references
Scerbak, Matthew Brian	Architect	Comity	Approved - pending JQ
Schroeder, Karl Ludwig	Civil Engineer	Comity	Approved - pending verification of FE; & JQ
Schroeder, Travis Neal	Structural Engineer	Comity	Approved - pending JQ
Sealy, Heather A.	Architect	Exam	Approved - pending completion of IDP; ARE; & JQ
Sehgal, Rajesh	Structural Engineer	Comity	Approved
Smith, Steven A.	Structural Engineer	Comity	Approved - pending JQ
Sultani-Wright, Katherine Veronica	Civil Engineer	Comity	Approved - pending JQ

Tanaka, Nobuyoshi	Civil Engineer	Comity	Approved
Thompson, Brian C.	Fire Protection Engineer	Comity	Approved
Trullinger, John G.	Structural Engineer	Comity	Approved - pending JQ
Tuazon, Frederick P.	Fire Protection Engineer	Comity	Approved
Vandehey, Ronald	Civil Engineer	Comity	Approved - pending verification of FE; & JQ
Vierhuff, Christian A.	Electrical Engineer	Exam	Approved - pending PE Electrical & JQ
Von Buhr, Michael	Civil Engineer	Comity	Approved - pending verification of FE; & JQ
Walter, Robert J.	Civil Engineer	Comity	Approved - pending JQ & payment of all fees
Watt, George L.	Architect	Comity	Approved - pending Arctic & JQ
Weldon, Corey C.	Fire Protection Engineer	Comity	Approved - pending Arctic & JQ
White, Elizabeth E.	NA/ME Engineer	Comity	Approved - pending verification of FE; & JQ
White, Patrick C.	Civil Engineer	Comity	Approved - pending JQ
Wiebe, Richard G.	Civil Engineer	Comity	Approved
Wolff, Douglas M.	NA/ME Engineer	Comity	Approved - pending verification of FE exam; & Arctic
Wolski, Michael E.	Environmental Engineer	G'father	Approved
Wright, Bradford A.	Civil Engineer	Comity	Approved
Yagodin, Sergey	Civil Engineer	Comity	Approved
Young, David K.	Fire Protection Engineer	Comity	Approved - pending Arctic & JQ

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On a motion duly made by Rearick, Seconded by Maynard and passed unanimously it was resolved to find the following list of applicants for registration in additional branches of engineering under 12 AAC 36.106 incomplete.

Note: The applicants are included in the list above with the other incomplete applicants.

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6 **On a motion duly made by Rearick, seconded by Maynard and passed unanimously it**
7 **was resolved to approve the following list of applicants for registration in additional**
8 **branches of engineering under 12 AAC 36.106 with the stipulation that the information**
9 **in the applicants files will take precedence over the information in the minutes.**

10 Note: The applicants are included in the list above with the other approved applicants.
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12 **On a motion duly made by Hanson, seconded by Eriksen and passed unanimously it**
13 **was resolved to prepare an applicant checklist for registration in additional branches**
14 **of engineering to provide to applicants and reviewers.**

15 **Agenda item 24 – Review calendar of events.**

16 Jones: Recaps the scheduled board meeting for August and November and the Western
17 Zone meeting in May and the NCARB Annual in June, the NCEES Annual in August and the
18 CLARB Annual in September.

19 Schedler: Advises the Board that she is calendar driven and requests that the calendar be
20 set for at least a full year if not longer. She advises that she will not be able to attend the
21 August or November meetings with the dates set as they are.

22 The 2013 meeting schedule was set as follows:

23 February 7-8, 2013 in Juneau;
24 May 2-3, 2013 in Fairbanks;
25 August 1-2, 2013 in Anchorage;

26 It was decided to leave the August 2012 meeting as scheduled. The November meeting
27 was moved up to November 1-2, 2012.

28 **Agenda item 25 – Board member comments.**

29 Hanson: Good meeting, nice to see new faces. The additional registration approval
30 process was exciting. It's good to finally be able to license structural engineers in Alaska.
31 My only regret is that Bo wasn't able to be here.

32 Maynard: Good meeting, interesting. We definitely need that check list. We need to think
33 about adding the jurisprudence for those guys.

34 Walters: It was interesting and I haven't been scared off yet.

35 Rearick: Welcomes all the new members and he appreciates the deliberative process this
36 Board uses and how they can consider all angles.

37 Hale: Glad to be here, looking forward to the next four years.

38 Schedler: Thanks everyone for their patience. This is a great Board and the action is very
39 stimulating and she is glad to be a part of it.

40 Eriksen: Echo's other comments and welcomes the new members.

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2 Chair: Welcomes the new members and thanks the Board for all the help during the
3 legislative session. Thanks staff for all the hard work and wishes all a safe trip home.
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5 13:05 Motion to adjourn, passed unanimously.
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6 Respectfully submitted:
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12 Richard V. Jones, Executive Administrator
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20 Approved:

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32 Date: _____

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