

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

7 **MINUTES OF MEETING**

9 **November 13-14, 2003**

Draft

11 ***These draft minutes were prepared by the staff of the***
12 ***Division of Occupational Licensing.***
13 ***They have not been reviewed or approved by the Board.***

15 By authority of AS 08.01.070 (2) and in compliance with the provision of AS
16 44.62, Article 6, the Board of Registration for Architects, Engineers and Land
17 Surveyors, (AELS) held a meeting at the State Office Building, 550 W 7th
18 Avenue, Suite 1270, Anchorage, Alaska 99501.

20 **Thursday, November 13, 2003**

22 **Agenda Item 1 – Call to Order and Roll Call**

24 The Chair called the meeting to order at 9:08 a.m. and announced McLane
25 would be delayed several hours due to weather, and Mills would be arriving on
26 the 8:35 a.m. flight.

28 Members present and constituting a quorum of the Board were:

30 Robert Miller, Chairperson, Ph.D., Civil Engineer
31 Daphne Brown, Architect
32 Linda Cyra-Korsgaard, Landscape Architect, Temporary Board Member
33 Robert Gilfilian, Civil Engineer
34 Donald J. Iverson, Electrical Engineer
35 Patrick Kalen, Land Surveyor
36 Kathleen Gardner, Vice-Chairperson, Mechanical Engineer
37 Ernie Siemoneit, Secretary, Mining Engineer

39 Patricia Peirsol, Architect, joined the meeting at 9:25 a.m.
40 Kimberly Mills, Public Member, joined the meeting at 10:33 a.m.
41 Scott McLane, Land Surveyor, joined the meeting at 11:32 a.m.

43 Representing the Division of Occupational Licensing:

45 Nancy Hemenway, Executive Administrator
46 Julie Adamson, Licensing Examiner
47 Eleanor Vinson, Licensing Examiner

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

1
2 John R. Clark, Occupational Licensing Investigator

3
4 Grover Johnson
5 Alaska Society of Civil Engineers (ASCE)
6 6921 Shane Place
7 Anchorage, AK 99507

8
9 Kenneth Maynard, FAIA, USKH
10 Northern Design
11 2237 Forest Park Dr.
12 Anchorage, AK 99517

13
14 Robert Lang, Ph.D., P.E., Dean
15 UAA School of Engineering
16 PO Box 243636
17 Anchorage, AK 99524

18
19 Ted Trueblood, Tryck Nyman, Hayes
20 PO Box 873644
21 Anchorage, AK 99687

22
23 Shawn Florio
24 Florio Engineering Services
25 1436 M St.
26 Anchorage, AK 99508

27
28 Orson Smith, Ph.D., P.E.
29 UAA School of Engineering
30 3211 Providence Dr.
31 Anchorage, AK 99508

32
33 Jon Zufeld
34 UAA School of Engineering
35 3211 Providence Dr.
36 Anchorage, AK 99508

37
38 Bart Quimby
39 UAA School of Engineering
40 3211 Providence Dr.
41 Anchorage, AK 99508

42
43 Steve Sharader
44 Alaska Society of Professional Engineers (ASPE)
45 4700 S. Bragaw Street
46 Anchorage, AK 99507
47

1 Herb Schroeder
2 UAA School of Engineering
3 3211 Providence Drive
4 Anchorage, AK 99508

5
6 Grant Baker, P.E.
7 PO Box 240986
8 Anchorage, AK 99524

9
10 Jang Ra
11 UAA School of Engineering
12 3211 Providence Drive
13 Anchorage, AK 99508

14
15 Mike Warde
16 UAA School of Engineering
17 3211 Providence Drive
18 Anchorage, AK 99508

19
20 **Agenda Item 2 – Review/Revise Agenda:**

21
22 The Chair asked if there were any revisions to the agenda.

23
24 The Executive Administrator mentioned a draft travel policy was circulated for
25 comments among supervisors. She reviewed the draft, and made some
26 comments as this may have some implications for the Board. Meeting start-up
27 time could be affected if the agency decided staff would travel on the morning
28 of the meeting, and may affect closure if the Board is expected to complete its
29 work by 4:00 p.m. She forwarded comments to the supervisor and noted that
30 the Director may not have knowledge of this since this is still a draft policy, but
31 these changes may affect the Board meeting, and may warrant Board
32 discussion.

33
34 The Chair asked to add this as an item to discuss with the Director.

35
36 **Agenda Item 3 – Ethics Report**

37
38 The Chair noted there were no ethics reports or disclosures by Board members.

39
40 Gilfilian asked to have Ethics examination added under New Business.

41
42 The Idaho Board has a take home ethics examination and the Board may wish
43 to institute a similar provision.

44
45 The Chair added Ethics Education under New Business.

46
47 **Agenda Item 4 – Review/Approve Minutes**

48
49 The Chair asked for any corrections or additions to the August 2003 AELS
50 draft minutes.

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

4
5 **RESOLVED to approve the August 2003 AELS Board meeting**
6 **minutes.**

7
8 **On a motion duly made by Kalen, seconded by Gilfilian, it was**

9
10 **RESOLVED to approve the September 30, 2003 AELS Board**
11 **meeting teleconference minutes.**

12
13 A short discussion followed.

14
15 Kalen asked for clarification on Page 4, Line 16-19, and asked to correct it to
16 read: “. . . 5 hour course which would translate to a 1 semester credit course”
17 instead of “a 1 CE course.”

18
19 The Executive Administrator indicated she would make the change.

20
21 The Chair asked if there were any objections to approve the minutes with the
22 correction noted.

23
24 There were no objections and the minutes were approved, as corrected.

25
26 **Agenda Item 5 – Correspondence**

27
28 The Chair brought up the first item, the Council of Landscape Architectural
29 Registration Boards (CLARB) **Computer administered LARE and Schedule.**

30
31 Cyra-Korsgaard indicated the exam method would change because the
32 multiple-choice exams will be held at computerized exam centers. The vignettes
33 (Sections C and E) will continue to be administered by the Boards but
34 candidates would apply directly to CLARB to take the multiple-choice portion of
35 the examination. Cyra-Korsgaard felt there are enough centers in Alaska to
36 make this a feasible plan for candidates. CLARB will allow candidates to test
37 for multiple choice exams without authorizations from Boards. CLARB may
38 only offer the vignettes to Boards once a year instead of twice a year.

39
40 The Board held a short discussion to consider if they agreed with these
41 changes that would allow some candidates to apply only after they had taken
42 the multiple-choice portions of the examination. Alaska allows a combined
43 table of experience and education and it could require some regulation
44 changes. There were no objections.

45
46 The Chair noted that the Executive Administrator and Cyra-Korsgaard would
47 review the regulations with respect to these changes.

48
49 Grover Johnson joined the meeting at 9:40 a.m.

1 **Subdivision of Land Questions e-mail of October 10, 2003, from Randy**
2 **Johnson, Fairbanks North Star Borough.**

3
4 The Board held a discussion about the e-mail questions and when a land
5 surveyor could do the work, and when it required oversight of an engineer. The
6 Board referred to the definitions of land surveying and engineering in statute
7 and the specific regulation for civil engineering under 12 AAC 36.990.
8 The Chair asked to hold this item until McLane arrives so that he can
9 participate in the discussion.

10
11 John Clark, investigator, joined the meeting at 9:50 a.m.

12
13 **E-mail from Airborne 1, Michael McGee, PLS, regarding LiDAR and any**
14 **requirements for lands surveyor license.**

15
16 The Chair asked to table this item until McLane arrives.

17
18 **ANTHC Letter of September 2, 2003, requiring definition of “engineering**
19 **surveys.”**

20
21 The Chair asked to table this item until McLane arrives.

22
23 **E-mail from Kenneth Maynard regarding yellow page listing for**
24 **“Architects and Builders Services.”**

25
26 Clark explained that the Berry Company created a heading to accommodate
27 support services.

28
29 The Board held a discussion about the use of any derivative of “architecture”
30 and use of “design” because it may be misleading to the public. They referred
31 specifically to the wording of the advertisements by the individuals advertising.
32 The Board discussed the statutory exemptions for consulting to and designing
33 for other architectural firms under AS 08.48.331.

34
35 Brown felt that the exemptions were to allow the unlicensed individuals to
36 provide support services to firms but that they cannot design for the public.

37
38 Gardner felt the ads were worded and aimed toward the general public, not
39 design professionals

40
41 The Chair reminded the Board that the regulations say “conveys the
42 impression” that someone is a registered architect.

43
44 Gilfilian suggested adding the terms “architectural support services.”

45
46 The Chair suggested the Board respond by writing a letter to the Berry
47 Company and ask them to change the heading of the category so that the
48 public would not get the impression the people listed could provide
49 architectural services.

1 The Executive Administrator stated she would assist the Board Chair.

2
3 The Chair suggested that the investigator could write to the individuals listed
4 under the heading so that the next advertisement they list would not imply
5 that they provide design services to the public, but rather their services are
6 done to provide support to the registered design professionals.

7
8 Break: 10:15 a.m.

9 Reconvene: 10:33 a.m.

10
11 Mills joined the meeting at 10:33 a.m.

12
13 **Agenda Item 6 – Subgroups**

14
15 The Chair indicated there would be no subgroup breakout as McLane was
16 delayed in attending the meeting, but he asked to discuss the Engineering
17 Disciplines.

18
19 The Chair explained that there was a plan to discuss engineering disciplines
20 and Landscape Architecture practice but that McLane was in the landscape
21 architecture group so it would not be possible.

22
23 The Chair reviewed the options available to the Board. He explained that in
24 some jurisdictions, California, for instance, an applicant is required to pass an
25 appropriate exam (environmental for instance), and California licenses them as
26 a Civil Engineer, but the registrant is required to work within his/her
27 discipline. Some states issue a general professional engineering license.

28
29 The Board discussed if a specific regulation required that someone not practice
30 out of their field of expertise.

31
32 The investigator referred the Board to 12 AAC 36.185, regarding sealing. He
33 explained that there is no statement regarding examination but that it does
34 reference education and experience. He also referred to 12 AAC 36.245 (2) that
35 states, “shall accurately represent to a prospective or existing client or
36 employer his or her qualifications and scope of responsibility in connection
37 with work for which the registrant is claiming credit;”

38
39 Iverson suggested a regulatory provision could be added to tighten up the
40 ethical requirements.

41
42 The Board discussed treating examination candidates and comity applicants
43 differently, in terms of examination accepted, and which specific examination
44 disciplines could be lumped together if the Board wanted to continue to offer
45 the six disciplines (civil, electrical, chemical, mechanical, mining and
46 petroleum).

47
48 The Chair indicated there is a subgroup that he is on, along with Iverson and
49 Gilfilian, that could discuss these issues further and report back to the Board
50 in February 2003.

1
2 Landscape Architect Practice subgroup: Cyra-Korsgaard, Gilfilian, Mills, and
3 McLane, was postponed until February.

4
5 **Agenda Item 7 – Regulation Changes**

6
7 The Executive Administrator reminded the Board the necessity to consider the
8 impact and cost to private citizens when adopting regulation changes.

9
10 The Chair asked the public member to take on this responsibility and ensure
11 that the Board does not fail to do this.

12
13 The Chair moved to the **Land Surveyor Model Law**.

14
15 Kalen asked to have McLane present for the discussion. He reviewed the
16 general changes to the Model Law for professional land surveyors. He
17 indicated photogrammetrists have been included in about one third of the
18 states as surveyors. NCEES has changed the phrase “land surveyor” to
19 “surveyor” which allows including the photogrammetrists and GIS.

20
21 Kalen discussed photogrammetry, and how they would fit in as land surveyors,
22 and no one would be allowed to do land surveying without taking the
23 Fundamentals of Land Surveying and Professional Land Surveying exams. If
24 photogrammetrists wanted to work as land surveyors they would need to meet
25 the examination, education, and experience required to do so.

26
27 Cyra-Korsgaard asked how the investigator or the public would be able to know
28 by looking at the stamp.

29
30 Kalen explained the Model Law for Land Surveyors was adopted at the NCEES
31 Annual Meeting and the matter would be discussed at the Alaska Professional
32 Society of Land Surveyors (ASPLS) meeting, in terms of Alaska adopting the
33 model law. He advised that draft legislation will be forthcoming and one issue
34 will be the title change from land surveyors to surveyors and the definition will
35 include photogrammetrists. He felt that this would be ready to take to the
36 Legislature in 2005.

37
38 Brown asks if there is a national examination for photogrammetrists.

39
40 Kalen stated there was not and Brown asked Kalen to take this back to the
41 ASPLS for discussion.

42
43 The Chair brought up **Design Competitions**.

44
45 Brown explained that some states are strict about only allowing design
46 professionals to participate and some states are more flexible. Brown
47 explained the design professional is licensed in another jurisdiction and would
48 be required to become licensed in Alaska upon being awarded the competition.
49

1 The Chair expressed concern that it may be possible they would not be eligible
2 for licensure.

3
4 Brown responded that they would have to affiliate with a local firm.

5
6 Brown asked to have this brought up at the February meeting.

7
8 Brown asked that Emergency (temporary) licenses be moved to the February
9 2004 meeting agenda.

10
11 McLane arrived at 11:32 a.m.

12
13 The Chair brought up draft proposed regulation changes:

14
15 **Temporary or Courtesy License for Emergencies**

16
17 Brown reviewed the idea of issuing courtesy licenses under emergency
18 circumstances.

19
20 Iverson felt local registrants can handle the emergency circumstances and was
21 opposed to developing regulations.

22 Gilfilian expressed concern that the Board would not be able to respond timely
23 in emergency circumstances.

24
25 The Board held a short discussion and the Chair asked Peirsol to check with
26 emergency services in Fairbanks and Gilfilian to check with emergency services
27 in Anchorage and to report back at the February 2004 meeting.

28
29 **Architect Education Standards:**

30
31 Brown explained that NCARB updates the education standards publication
32 annually, and the Board must correspondingly update the reference to the
33 current version of the education standard in its regulation on an annual basis.

34
35 **On a motion by Brown, seconded by Cyra-Korsgaard, and adopted**
36 **unanimously, it was**

37
38 **RESOLVED to adopt the draft proposed regulation for Architect**
39 **Education Standards, the LARE Retake Deadline, and to public**
40 **notice the proposed draft regulations.**

41
42 The Executive Administrator explained that at the May 2003 meeting, the
43 Board adopted, but held and did not public notice a proposed regulation which
44 would set the Landscape Architect Registration Exam retake deadline to a time
45 prior to the date staff must order the exams. She explained for new members
46 that often times small regulations projects would be held until the Board felt
47 they had enough to send to interested parties, or to all registrants, for
48 comment.

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

2
3 The Executive Administrator explained that the proposed regulation change for
4 specifications included in final stamped plans came about as a result of the
5 statute requiring final specifications to be sealed. In practice, many registrants
6 seal the final plans and attach specifications that are included as part of the
7 final plans. The regulation change is meant to allow registrants to do so, and
8 still have the practice fall within the spirit of the statutory requirement. To
9 recap the intent, when final plans include specifications, registrants who sign
10 the plans take the responsibility for any associated attached specifications.

11
12 The Board discussed the draft and adopted it conceptually at the August 2003
13 meeting:

14
15 12 AAC 36.185 (e) The registrant, by sealing plans, takes responsibility for
16 documents and associated specifications for the work performed.

17
18 The Board asked to have the Executive Administrator ask the attorney to
19 review the draft regulation. The attorney suggested changes to the draft
20 proposed regulation, to read:

21
22 12 AAC 36.185 (e) The registrant, by sealing final plans, takes responsibility
23 for all documents and associated specifications included in the final plans,
24 unless pursuant to AS 08.48.221, the registrant certifies on the face of the
25 document the extent of the registrant's responsibility.

26
27 **On a motion by Brown, seconded by Gilfilian, it was**

28
29 **RESOLVED to adopt the language regarding sealing specifications**
30 **associated with final plans under 12 AAC 36.185 (e).**

31
32 A short discussion followed.

33
34 The Chair asked if there were any objections, and there were none.

35
36 The Executive Administrator explained that there was one other regulation
37 pending that was adopted at the August 2003 meeting. At that time, it was
38 noted by Iverson that the engineering table under 12 AAC 36.063 (a) (3) (A)
39 does not address an applicant who has a combination of an ABET accredited
40 B.S. degree in engineering (which is not one of our six disciplines offered),
41 combined with a master's or doctorate (in one of our six disciplines). The credit
42 for that would be 4 years (3 years for the undergraduate degree and one year
43 for the graduate degree), combined with 4 years of work experience for a total of
44 8 years.

45
46 The Chair asked the Executive Administrator to request the Regulations
47 Specialist to send out to public noticing the four draft proposed regulation
48 changes to interested parties.

1 The Executive Administrator stated she would do so, and would ask to have the
2 following proposed regulation changes public noticed to interested parties:

- 3
- 4 12 AAC 36.061 Architect Education Standards
- 5 12 AAC 36.063 (a) (3) (A) Engineering Table Clarification
- 6 12 AAC 36.185 (e) Sealing Specifications
- 7 12 AAC 36.040 LARE Retake Deadline.
- 8

9 The Chair advised that the Executive Administrator requested that the Board
10 specifically consider the cost to private parties, and that this be specified in the
11 minutes.

12

13 Brown stated that the draft regulation changes do not add any costs to private
14 individuals but rather further refine the regulations and more clearly inform
15 the public of the requirements.

16

17 The Chair asked if there were any objections or comments and there were
18 none.

19

20 **Agenda Item 8 – Call Attorney, if necessary**

21

22 The Chair asked if there were any new questions for the attorney and there
23 were none that Board members thought should be brought up prior to meeting
24 by teleconference with the attorney tomorrow.

25

26 Break: 12:00 p.m.
27 Reconvene: 1:15 p.m.

28

29 **Agenda Item 9 – Public Comment**

30

31 The Chair noted that all members were present except Cyra-Korsgaard, Brown
32 and Kalen.

33

34 Brown joined the meeting at 1:20 p.m.

35

36 The Chair indicated the Board would now take up Public Comment and noted
37 that there were visitors present: Kenneth Maynard, USKH, Northern Design;
38 Dr. Robert Lang, Dean, UAA School of Engineering; Ted Trueblood, Tryck,
39 Nyman and Hayes; and Grover Johnson, President, Alaska Society of Civil
40 Engineers (ASCE).

41

42 Grover Johnson, ASCE, addressed the Board and expressed concern about the
43 ongoing consideration with respect to engineering licensure, to allow
44 environmental engineers to be licensed as civil engineers. He was concerned
45 that an environmental engineer might work outside the practice of
46 environmental engineering. He also expressed concern about non-discipline
47 specific licensure and indicated it is not receiving a lot of support among the
48 engineers.

1 The Chair explained that the applicant would have a B.S. degree in Civil
2 engineering, and could take the PE Civil Engineering examination, with the
3 environmental afternoon segment.

4
5 Dr. Robert Lang, Dean, UAA School of Engineering explained that the applicant
6 would not have design experience in concrete or steel structures.

7
8 The Chair indicated that they would go ahead and begin work on the review of
9 the arctic engineering courses. He explained that the Board created a
10 subgroup to review the course content and report back to the whole Board.
11 The Executive Administrator sent a letter to course providers outlining the
12 minimum course criteria and advised them that the Board would look at the
13 courses at this meeting. If any other visitors want to comment to the Board,
14 the Board would revert back to Public Comment.

15
16 **Agenda Item 10 – Review Arctic Engineering Courses**

17
18
19 Ken Maynard, USKH, presented an overview of the Northern Design Course.
20 He explained that he will be adding a chapter to the course, and would be glad
21 to answer questions.

22
23 The Chair asked about homework expectations for students.

24
25 Maynard responded the students get the notes a week ahead of time and are
26 expected to go over them prior to the class in which they are presented. The
27 overall class time is 39 credit hours, and students are eligible for 3 CEUs or 3
28 academic credits.

29
30 Sean Florio joined the meeting at 1:35 p.m.

31
32 Dr. Lang reviewed the short course requirements. He estimated the amount of
33 time needed to complete the course at 45 hours, in order to view presentations
34 and complete the assignments. He said the University curriculum committee
35 has evaluated the course at 4.5 CEUs. UAA is involved in distance education
36 and they are comfortable with the content and presentation of the course. The
37 course has been modified to meet the criteria established at the September 30,
38 2003 AELS teleconference for the minimum qualifications of the course.

39
40 Iverson stated that the web-based course really helps out-of-state applicants.

41
42 Gardner stated she is glad to see that the course has been expanded and
43 qualifies for the additional CEUs.

44
45 The Board discussed the initial web-based course, and concerns that had been
46 raised by registrants and providers, which led to the Board doing a detailed
47 evaluation of the course materials provided by all course providers at the last
48 review.

1 The Chair expressed concern that time taken to complete homework
2 assignments is included in the overall course evaluation that led to the
3 determination to count it as 4.5 CEUs.

4
5 Dr. Lang assured the Board that the University worked to address the concerns
6 that the Board initially had about the course and that there is a set method for
7 the University to evaluate the CE credit allowable.

8
9 Iverson asked if the course could be given undergraduate credits, as well.

10
11 Dr. Lang responded the course could not also be used for academic credit, but
12 as a best guess, he thinks it would be about a 2-credit course.

13
14 Kalen joined the meeting at 1:45 p.m.

15 Cyra-Korsgaard joined the meeting at 1:50 p.m.

16
17 The Board held a discussion about the course costs, and continuing education
18 credits.

19
20 From UAA: Dr. Orson Smith, Jon Zufelt, Bart Quimby, Herb Schroeder, Grant
21 Baker and Steve Sharader, Alaska Society of Professional Engineers (ASPE)
22 joined the meeting at 2:00 p.m.

23
24 Break: 2:00 p.m.

25 Reconvene: 2:15 p.m.

26
27 The Chair introduced the public participants to the board.

28
29 Dr. Orson Smith presented an overview of his web-based short course. He
30 passed out large binders that held course materials and copies of the power
31 point presentation. He explained in detail the course subject matter, class by
32 class, and the communication guided web based network discussion that
33 students participate in that helps them to understand the concepts.

34
35 Jang Ra and Mike Warde joined the meeting at 2:20 p.m.

36
37 The Board held a discussion with Dr. Smith about the overall increased course
38 content, the University's granting of 4.5 CEUs, the homework hours included
39 as part of the overall course hours, the requirement for arctic engineering
40 basics granted with continuing education versus the in-depth knowledge of a
41 semester-based college course, and feedback from students.

42
43 The Chair asked how the University ascertains that the person taking the
44 course is actually the applicant.

45
46 Dr. Smith responded he monitors the on-line hours and locations of students,
47 and also relies on ethical standards.

48 Bart Quimby mentioned the outcome from a web based course is similar to the
49 face-to-face courses.

1 Iverson discussed the drawbacks of the outcome-based systems.

2
3 Quimby stated he was in favor of the outcome-based system, and again
4 affirmed the web-based course is comparable to the other courses.

5
6 Peirsol asked if the University makes any attempt to document this favorable
7 outcome, and if could this be shared.

8
9 Quimby thought something could be made available.

10
11 Siemoneit and Brown felt the course met the minimum standards since the
12 course was accredited 4.5 Continuing Education Units (CEUs).

13
14 The Chair felt that homework should not count towards the total hours of the
15 course.

16
17 Peirsol felt the initial valuation by UAA of the course as one academic credit
18 created a reaction in the engineering community, and suggested the University
19 communicate directly with the engineers to provide them with the newly-
20 developed structure and course content.

21
22 The Chair thanked the participants for the presentation.

23
24 Break: 3:35 p.m.

25 Reconvene: 3:50 p.m.

26
27 The Chair held a short discussion about the agenda and his intention to hold
28 over discussion on land surveyor issues until the next day to allow time to
29 review applicant files.

30
31 **Agenda Item 11 – Application Reviews**

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

35
36 **RESOLVED to go into executive session for the purposes of**
37 **reviewing applicant files at 4:05 p.m.**

38
39 A Licensing Examiner placed a sign on the door that the Board was now in
40 Executive Session.

41
42 The Board came out of Executive session at 5:59 p.m.

43
44 The Board recessed at 6:00 p.m.

1 **Friday, November 14, 2003**

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

4
5 Members present and constituting a quorum were:

6
7 Robert Miller, Chairperson, Ph.D., Civil Engineer
8 Daphne Brown, Architect
9 Linda Cyra-Korsgaard, Landscape Architect
10 Kathleen Gardner, Vice-Chairperson, Mechanical Engineer
11 Robert Gilfilian, Civil Engineer
12 Donald J. Iverson, Electrical Engineer
13 Patrick Kalen, Land Surveyor
14 Scott McLane, Land Surveyor
15 Kimberly Mills, Public Member
16 Patricia Peirsol, Architect
17 Ernie Siemoneit, Secretary, Mining Engineer
18

19 Representing the Division of Occupational Licensing:

20
21 Nancy Hemenway, Executive Administrator
22 Julie Adamson, Licensing Examiner
23 Eleanor Vinson, Licensing Examiner
24

25 Joining a portion of the meeting, in person, on November 14, 2003 were:

26
27 John R. Clark, Investigator
28
29 James Gray, Municipality of Anchorage,
30 1518 Norene Street, Anchorage, AK 99507
31
32 Grover Johnson
33 6921 Shane Place
34 Anchorage, AK 99507
35

36 Joining a portion of the meeting, by teleconference were:

37
38 Rick Urion, Director, Division of Occupational Licensing
39 David Brower, Assistant Attorney General
40

41 The Chair called the meeting to order and asked if there were any concerns
42 about files that needed to be addressed.
43

44 The Executive Administrator explained there were several files needing
45 additional review.
46

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

49 **RESOLVED to go into executive session for the purposes of**
50 **reviewing applicant files at 8:05 p.m.**

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

The Chair moved forward to Agenda Item 21.

Agenda Item 21 – Read Applications into the Record

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

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

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

APPLICANT	DISCIPLINE	EXAM-COMITY	BOARD ACTION
1) Bandara, Nishandara	PE-Civil	Comity	Approved
2) Bicket, Christopher	PE-Civil	Comity	Approved
3) Bishop, John	PE-Civil	Comity	Approved
4) Burleigh, Roger	PE-Civil	EXAM	Approved
5) Coullahan, Matthew	PE-Civil	EXAM	Approved
6) Dun, Robert	PE-Civil	Comity	Approved
7) Edgar, Steven	PE-Chemical	Comity	Approved
8) Evans, Danny	PE-Mechanical	Comity	Approved
9) Filucci, David	PE-Civil	EXAM	Approved
10) Forsyth, Eric	PE-Civil	EXAM	Approved
11) Foster, William	PE-Electrical	Comity	Approved
12) Fulton, Andrea	PE-Civil	Comity	Approved
13) Glaisyer, Charles	PE-Electrical	Comity	Approved
14) Hargrave, Deanne	PE-Civil	EXAM	Approved
15) Holland, Sean	PE-Civil	Comity	Approved
16) Hooker, Wayne	Landscape Arch.	EXAM	Approved
17) Hull, Shawn	PE-Civil	Comity	Approved
18) Jackson, Jennifer	PE-Petroleum	EXAM	Approved
19) Martin, Jason	PLS/AKLS	EXAM	Approved
20) Miranda, Rys	PE-Civil	EXAM	Approved
21) Painter, William	PE-Mechanical	Comity	Approved
22) Reynolds, Daniel	PE-Civil	EXAM	Approved
23) Shetler, Rock	PE-Civil	Comity	Approved
24) Simpson, David	PE-Civil	Comity	Approved
25) Smedley, Mark	Architect	Comity	Approved
26) Smith, Jeff	PE-Chemical	Comity	Approved
27) Van Alstine, Matthew	PE-Civil	EXAM	Approved
28) Waring, Kelly	PE-Mechanical	Comity	Approved
29) Fetterley, William	Architect	Reinstatement	Approved #6670
30) O'Donnell, William	PE-Civil	Reinstatement	Approved #6725
31) Popovich, Paul	Architect	Reinstatement	Approved #6749

32) Chiles, Michael	PE-Mechanical	Comity	Conditionally approved pending Arctic Course
33) Jensen, Darrell	PE-Electrical	EXAM	Conditionally approved pending Arctic Course, FE application and fees
34) Lee, Gary	PE-Civil	Comity	Conditionally approved pending Arctic Course
35) Li-Patrick	PE-Civil	Comity	Conditionally approved pending Arctic Course
36) MacKenzie, James	PE-Civil	Comity	Conditionally approved pending PE exam and current license registration
37) Prinzhorn, David	PE-Civil	EXAM	Conditionally approved pending FE Application and fees
38) Spanioli, Mark	PE-Civil	Comity	Conditionally approved pending transcript
39) Stewart, Jeffrey	Architect	Comity	Conditionally approved pending Arctic Course
40) Turner, Kenneth	PE-Civil	EXAM	Conditionally approved pending Arctic Course
41) Veillette, Mathieu	PE-Civil	Comity	Conditionally approved pending registration #s of references
42) Winnick, Stacy	Landscape Arch.	Comity	Conditionally approved pending transcripts
43) Coily, Bartly	FE	Exam	Approved
44) Eden, Jennifer	FE	Exam	Approved
45) Filucci, David	FE Waiver		Approved
46) Wells, Steven	FE	Exam	Approved
47) Winfree, Michael	FE	Exam	Approved

2

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

5

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

10

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

12

1. Carey, Matthew	PE-Civil	EXAM	INCOMPLETE needs 5 months responsible charge
2. Hoffman, Paulette	PE-Civil	EXAM	INCOMPLETE needs 9 months additional responsible charge
3. Krepel, Michael	PE-Mechanical	EXAM	INCOMPLETE needs 24 months of work experience verified by Mechanical Engineer

13

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

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

18

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

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

48) Scott, Michael	PE-Mechanical	Comity	DENIED Approved to take Mechanical exam
---------------------------	----------------------	---------------	--

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

Agenda Item 13 – Administrator's Report

The Executive Administrator informed the Board that the on-line renewal process had begun and encouraged Board members to try to renew on-line. So far there is an increase in the number of registrants that are renewing online and that about 600 have completed the process. There were a few programming problems initially. The biggest complaints have surrounded the form space for applicants to fill in social security number and date of birth with a number of people expressed concerns about identity theft. The form has always contained this information and it had not occurred to us at the time we updated the form to consider identity theft. This is a legitimate concern and at the next renewal cycle the form should not contain this information.

The Executive Administrator outlined proposed changes to the travel policy that could impact the Board. Currently, staff travels the afternoon prior to the meeting and it is possible that staff could be required to travel the morning of the meeting, thereby delaying start up time. Additionally, the policy requests that the meeting end at 4:00 p.m. to allow staff ample time to pack, and arrive at the airport 2 hours ahead of time.

The Board held a short discussion about constraints for meeting time and the desire to have two full days of meetings but not stretched over 3 days. The Chair indicated this could be brought up during the teleconference with the Director.

The Executive Administrator mentioned she just returned from the NCARB Member Board Executive Committee meeting (renamed from Administrator to Executive) and how beneficial the networking, the contacts, and the information is to her job as administrator. One presentation given explained the Broadly Experienced Architect process, which was informative. The process is a rigorous and costly method to obtain a council record for those who cannot qualify for certification, generally due to the degree they hold.

Agenda Item 14 - Budget Summary Report

The Chair asked if there were any questions.

1 Brown asked why the total expenditures have increased since last year.

2
3 The Chair responded that the way expenditures are billed may be different.

4
5 Iverson also responded that the locations of the annual meetings held were on
6 the east coast instead of the west coast so some additional travel costs were
7 incurred.

8
9 The Chair moved to the next agenda item, Tab 15, Investigator's Report.

10
11 **Agenda Item 15 – Investigator's Report**

12
13 The Chair asked if there were any questions.

14
15 Brown asked if George Weaver could also attend the meeting to answer
16 questions.

17
18 Clark explained that Weaver was out of town and was unable to attend the
19 meeting.

20
21 Brown asked if the report reflected new unlicensed practice or registrants
22 working outside their field.

23
24 Clark indicated that the activity was primarily engineers who were doing
25 architectural work. He added in the instances where cease and desist orders
26 were issued, the individuals are entitled to a hearing and that the process
27 could take up to one year to complete.

28
29 Gilfilian asked if, when a cease and desist order is not contested, it would
30 become part of the record

31 Clark responded that after 15 days, with no request for a hearing, it becomes a
32 licensing action and is part of the record.

33
34 Gardner asked about some cases that were referred to the attorney general's
35 office but have not yet had actions taken and requested that Clark explain the
36 process.

37
38 Clark responded once an accusation is filed, it is referred to the attorney
39 general's office if the individual refuses to comply.

40
41 Brown asked how cases are handled when more than one case is listed for the
42 individual.

43
44 Clark responded that when an individual is being investigated for more than
45 one violation, each case is listed individually, but there will be only one hearing
46 for all the cases.

47
48 Grover Johnson joined the meeting at 8:45 a.m.

1 Peirsol reminded the Board they hoped to invite a Code authority to each
2 meeting, and hoped the Board would continue to do so.

3
4 Clark indicated in some instances, the assistant attorney general did not take
5 any action and some cases are stale dated and the investigators may then need
6 to re-hire an expert witness again to rework the case. He thought that was
7 what was happening on the two accusations.

8
9 Gardner asked what action the investigator takes when a company has a
10 building project and does not have an architect or engineer involved.

11
12 Clark responded that, outside of municipalities, the Fire Marshal's office gets
13 involved and is getting better about stopping work and taking action. But it is
14 not always the case.

15
16 Peirsol asked if the Board could have the State Fire Marshal affirm his current
17 policy.

18
19 The Board held a short discussion and the Chair indicated he and John Clark,
20 Investigator, would visit the Fire Marshal and bring examples of issues that
21 have arisen.

22
23 Break: 9:03 a.m.

24 Reconvene: 9:10 a. m.

25
26 The Chair reverted back to unfinished Correspondence.

27
28 Agenda item 5- Correspondence

29
30 The Chair took up the letter from Randy Johnson, Fairbanks North Star
31 Borough regarding subdivisions on the questions posed. He mentioned he
32 discussed the email with the administrator and the notes on the email were
33 from that discussion. He read the questions:

- 34
35 *1. Can a surveyor provide/propose the layout / design of roads within the*
36 *subdivision? For example, can a surveyor design the grades for the road,*
37 *location of horizontal curves, location of vertical curves, etc?*

38
39 The Board held a discussion and the general consensus was that, in many
40 cases, the surveyor could provide the layout for roads within a subdivision
41 using topographical alignments for platting purposes. The general discussion
42 held that an engineer must design the sub-base of the road, curves, cross-
43 sections, or provide on-site wastewater. But in some instances there is a
44 specific boilerplate and the land surveyor can do the work (based on their
45 education, experience, and exam). The Board felt that "design" implied the use
46 of an engineer, and cross sections and sub-bases are generally outside the
47 scope of land surveying, recognizing that each borough and area of the state
48 has different rules that confuse the issue. The Board also felt that in instances
49 with steep grades, an engineer would likely be needed to do the design.

2. *Can a surveyor provide the design of intersection within a subdivision? For example, can a surveyor provide the angle of attachment, attachment along a horizontal curve, provide the correct signage and site distance, etc?*

The Chair responded he thought this would be yes.

McLane discussed site distances, recording measurements and responded that the surveyors were recording these measurements.

Cyra-Korsgaard and Mills agreed that the professional should not go outside his expertise.

Peirsol felt the technical and aesthetic part of design does require training beyond that of a land surveyor.

3. *Can a surveyor provide the drainage plan for a subdivision?*

The Chair responded he thought no, and referred to 12 AAC 36.990 for the definition of civil engineer.

4. *Can a surveyor provide the cross section design of a road?*

The Chair responded he thought no, and referred to 12 AAC 36.990 for the definition of civil engineer.

5. *Can a surveyor design the signage within a subdivision? For example, can a surveyor on a sharp corner design the signage necessary to reduce speed and install curve-warning signs?*

The Chair responded that it appeared to him most subdivisions that have new road designs should have engineers and surveyors working jointly.

The Board agreed that both should work together.

The Chair thought designing the signage within a subdivision would fall under traffic engineering. The general consensus was that in many instances the engineer and the land surveyor are working together.

The Board discussed issues that were raised as a result of the email and decided that the Board could not answer the questions in a way that would encompass all circumstances. Members felt that in some instances the work mentioned could be done by a land surveyor, in other instances, the situation would be too complex and would require the expertise of a civil engineer, in conjunction with the land surveyor.

The Chair created a subgroup of McLane, Gilfilian, and Cyra-Korsgaard to review the land surveyor model law to see if the regulations need to be changed for clarity.

1 The Chair brought up the Correspondence, Airborne 1, from Michael McGee for
2 McLane's input.

3
4 McLane indicated this falls under land surveying. Data collection is part of the
5 surveyor's job regardless of the type of equipment used.

6
7 Cyra-Korsgaard felt that some of the questions on the survey would require
8 more information.

9
10 The Executive Administrator responded she would send specific references with
11 the survey and refer to our website and statutes and regulations.

12
13 The Chair brought up the letter from ANHTC.

14
15 Gilfilian stated he felt the situation requires surveying.

16
17 The Chair mentioned that Civil engineers also could perform construction
18 surveying.

19
20 The Board held a brief discussion and the Chair asked the Executive
21 Administrator to draft a response to ANTHC.

22
23 **Agenda Item 16 – Meet with Building Official**

24
25 The Executive Administrator indicated the Building Official's office reported
26 that Ron Thompson was not going to be able to attend the meeting. Although
27 it was listed on his schedule, he is out of town today.

28
29 Brown offered to invite James Gray, a Building Official to see if he could attend
30 about 4:15 p.m. this afternoon.

31
32 Break: 10:20 a.m.

33 Reconvenes at 10:34 a.m.

34
35 **Agenda Item 17 – Meet with David Brower, Attorney**

36
37 The Board held a brief discussion to recall questions for the attorney.

38
39 Brower joined the meeting by teleconference at 10:43 a.m.

40
41 The Chair indicated that the Board members had a few questions. One that
42 has been ongoing has been the issue of incidental practice of minor
43 importance. The Board has grappled to identify which types of work could be
44 done under the statute that defines the practice of architecture and
45 engineering (AS 08.48.341). While there is a statute that allows incidental
46 practice, the Board has not found it easy to define. In one case, an action
47 could be minor, but in another the same action could have significant
48 repercussions, such as with building systems.

1 The Chair asked if it is permissible for two Board members to meet with the
2 Fire Marshal or would that be considered a meeting and need public noticing.

3
4 Brower indicated that he would suggest one Board member meet to be on the
5 safe side. There are several provisions that apply but he would get back to the
6 Executive Administrator. He spoke to the Executive Administrator prior to this
7 Board meeting and they had some discussions about whether two or three
8 members could meet on issues. In his view, so long as the two Board
9 members met informally, and the matter came to the whole Board for review
10 and action, the Board met the spirit of the Open Meetings Act. If the two Board
11 members met with a third party, it would require public noticing. If a
12 subgroup, committee, or other group of Board members met to conduct
13 business, the meeting should be public noticed so the public could observe and
14 participate in the meeting.

15
16 Iverson asked if the Board has discretion under 12 AAC 36.100 (c) to accept a
17 control systems exam instead of the mechanical engineering exam in order to
18 license a control systems engineer as a mechanical engineer.

19
20 Brower responded he felt that it was up to the Board to decide but whatever
21 decision the Board arrived at should be detailed in the regulation so it is clear
22 which exams are accepted. He suggested they specifically list exams
23 acceptable for each discipline.

24
25 The Chair asked if the Board has authority to issue stop work orders.

26
27 Brower responded that the Division has the authority under AS 08.48.131 but
28 that it would require taking action in Superior Court. He specified that the
29 investigator does not have the authority as it extends only to the Board.

30
31 The Chair indicated that the Board wants the investigator to have the ability to
32 issue a stop work order immediately and do not want him to have to wait until
33 a Board meeting to take specific action.

34
35 Brower indicated reasonable notice has to be given to the party and that they
36 are afforded an opportunity for a hearing. The Commissioner may be able to
37 issue a temporary injunction, as well.

38
39 Clark asked if the Division issues a cease and desist order, could a stop-work
40 order be implemented.

41
42 Brower responded that the hearing would have to be offered immediately, and
43 he does not know how to get hearings arranged immediately. He believes that
44 the legislature envisioned the hearing would be held before the cease and
45 desist order was issued.

46
47 The Chair thanked Brower for his assistance.

48
49 Brower left the teleconference call at 11:20 a.m.

1 **Agenda Item 18 – Meet with Rick Urion, Director (by teleconference)**
2

3 The Chair indicated the Board was present, as was John Clark, Investigator,
4 and the AELS staff.
5

6 The Director joined the meeting at 11:25 a.m. and advised the Board that
7 Jenny Strickler, Administrative Manager, was also present, in case the Board
8 had any questions about the Budget.
9

10 The Chair asked the Director to review the “contractor’s letter” drafted in June
11 and reconsider his directive to not send it. He stated the Board views this
12 letter as being “outreach and educational.”
13

14 The Director agreed to reconsider the directive but said he did not have good
15 feelings about the letter.
16

17 The Chair advised the Director that there had been a complaint about
18 unlicensed activity in advertisements in the yellow pages and that the Board
19 desires to have the advertising reinstated.
20

21 Strickler advised that all advertising had been cut by the Governor’s office by
22 directive.
23

24 The Chair brought up the draft travel policy and that the Board has some
25 concerns. The Board uses two full days to conduct its meeting and doesn’t
26 want to have fractions of days, possibly spilling over to a third day.
27

28 Urion responded he does not envision any changes in the Board meeting
29 arrangements.
30

31 Brown asked if the Division could add another hearing officer or attorney
32 general to expedite hearings on the Board business.
33

34 The Chair referred to the investigator’s report and several accusations that are
35 on the list going back to 1998.
36

37 Urion thought that the hearing officer decisions were where the delays are
38 occurring and the Department of Law office does not have delays. Urion has
39 farmed out the hearing officer cases to expedite cases, and believes this will
40 hasten the process and shorten the amount of time on cases.
41

42 The Chair asked for support for its legislative request in the Annual Report for
43 the Division’s investigator to have authority to “stop-work” on commercial or
44 public projects without design professional seals on plans.
45

46 The Chair explained that when the investigator does site visits and finds
47 commercial projects without stamped plans, at times the projects continue and
48 the owners merely pay the fines rather than stopping work and obtaining the
49 appropriate sealed drawings.
50

1 The Chair also asked for support for their legislative request in the Annual
2 Report for statutory authority for their administrator to be classified as
3 “partially exempt” and for specific authority to delegate certain tasks to its
4 administrator.

5
6 Urion asked if the Board expected someone to plead guilty before a hearing. He
7 also advised the Board that the lack of definition of engineering and
8 architecture overlap in regulation makes it hard for the attorney general to
9 enforce some cases. He mentioned there are cases pending that are being held
10 up for that reason.

11
12 The Chair responded that the Board want to work toward compliance and are
13 concerned about the health, safety and welfare issues with buildings built
14 without qualified design professionals’ involvement.

15
16 The Director had no objections to the legislative requests but said the Board
17 should try to find a legislator to introduce the bills because there is not time to
18 get a bill through the process right now.

19
20 McLane asked about timely board appointments. By March, there will be five
21 board members whose terms have expired. For an 11-member Board, it means
22 that nearly half of the members would be new.

23
24 The Chair added that the Governor’s office does make the appointments, and
25 while the Board does hope for timely appointments, one Board member, Brown,
26 serves on regional and national committees that meet in March and June
27 2004. The Board would ask that the Director request she continue to serve
28 through June 2004, but make appointments to replace the other members
29 whose terms expire.

30
31 Urion did not think there is much he could do about the appointments, but will
32 talk to the Governors’ Office.

33
34 Gilfilian added that the board business is quite complex and, especially in
35 application approvals, it is necessary to have past experience.

36
37 Urion does not think the Board should be approving applications and felt it
38 should be done by staff as much as possible.

39
40 The Chair explained that staff does not have knowledge about the practices of
41 engineering, architecture, land surveying, and landscape architecture so the
42 Board makes the determination in many instances.

43
44 The teleconference with the Director ended at 11:55 a.m.

45
46 The Board adjourned for lunch at 11:56 a.m.
47 Reconvened: 1:15 p.m.

48
49 **Agenda Item 19- Old Business**

1 The Chair brought up Canadian Reciprocity and the FE Waiver, as a related
2 item and tabled Canadian Reciprocity until the February 2004 meeting.

3
4 The Chair moved to Engineering Disciplines.

5
6 The Board held a discussion about sub-discipline work within the fields of
7 some engineering such as civil (structural and environmental), mechanical
8 engineering and electrical engineering (control systems and fire protection).
9 The Board discussed non-discipline-specific licensure with the national exams
10 by sub-discipline.

11
12 The Chair indicated there is a sub-group consisting of Gilfilian, Iverson, and
13 Miller and they could work during the interim and report back to the Board in
14 February 2004.

15
16 The Chair brought up the Fundamentals of Engineering Waiver with an ABET
17 accredited degree or equivalent and explained this proposed change has come
18 about as a means to accommodate Canadian engineers because they are not
19 required to take an equivalent exam in Canada. Many feel it is onerous to have
20 to take the Fundamentals of Engineering exam and that the exam should not
21 be a requirement for the registered engineers in Canada seeking licensure in
22 Alaska.

23 So far, there has not been a minimum number of years of experience
24 established in order to qualify for the exam waiver.

25
26 The Chair asked the Executive Administrator to draft a proposed regulation
27 change for the February meeting.

28
29 Gardner brought up calculator issues and mentioned she received an email
30 with concerns that some calculators were being banned due to exam security
31 issues.

32
33 Kalen stated that some calculators are being banned and that he does not
34 believe the Board will have any option but to accept the calculators the
35 National Council of Engineering Examiners (NCEES) offers and that we should
36 educate our candidates.

37
38 Iverson suggested the issue has been overblown but the board could send a
39 letter to NCEES stating opposition to the new policy.

40
41 Mills mentioned the recent Licensure Exchange newsletter from NCEES
42 presents their position regarding security in a compelling way.

43
44 The Chair agreed the security issues of NCEES are urgent.

45
46 **On a motion by Iverson, seconded by Peirsol, it was**

47
48 **RESOLVED to write a letter to NCEES objecting to the calculator**
49 **policy.**

The Chair noted the **Motion failed 3-6**, with Brown, Iverson, and Peirsol as yeas.

Kalen offered to take the proposed legislative request requesting legislative authority for a temporary stop work order, and to change the status of the executive administrator from a supervisory to partially exempt position to the Alaska Professional Design Council and to find a legislator who would be willing to introduce the legislation, probably in two separate bills. He thinks he has a legislator who would be willing to introduce the executive administrator partially exempt position.

On a motion by Brown, seconded by Gilfilian, and unanimously passed, it was

RESOLVED to nominate the Executive Administrator for distinguished service award from NCEES.

The Board briefly discussed the award and outstanding service the Executive Administrator has given the Board.

The Chair noted there was no objection and the motion passed.

Agenda Item 20 – New Business

The Chair brought up the Arctic Engineering Course, under new Business. At its September 30, 2003 meeting, the Board approved minimum criteria, with one correction subsequently made (remove “or” after Geotechnical Fundamentals).

Board Approved Arctic Course Criteria

Minimum Course Requirements:

A Course must provide lecture, homework, and examination to the Board’s satisfaction that provides the applicant with an introductory working knowledge of arctic design principles as it relates to the major design areas of Architecture, Engineering, Land Surveying and Landscape Architecture. Subject matter is to include but not be limited to:

- Arctic Climate and Geography
- Heat Transfer Fundamentals
- Arctic Building
- Arctic Utilities
- Geotechnical Fundamentals, [or] Frozen Ground and Arctic Roads
- Building Foundations
- Ice and Snow Engineering
- Arctic Construction
- Arctic Hydrology and Hydraulic Engineering
- Mechanical Engineering Issues

1 ▪ Electrical Engineering Issues

2
3 The course must be a University level course or its equivalent equal to 3
4 Continuing Education Credits (CEUs) with exam, or 3 University Credits with
5 exam. The current course listing is as follows:

6
7 1a. University of Washington
8 Cold Regions Engineering Short Course University of Washington
9 Cold Regions Engineering Short Course
10 Debra Bryant
11 University of Washington

12
13 2a. University of Alaska-Anchorage
14 UAA Arctic Engineering - CE A603
15 Orson P. Smith, Ph.D., P.E., Assoc. Professor
16 Semester web-based course
17 School of Engineering

18
19 2b. UAA Arctic Engineering- CE A680
20 Arctic Engineering web-based Short Course
21 Orson P. Smith, Ph.D., P.E. Assoc. Professor
22 School of Engineering
23 University of Alaska Anchorage

24
25 2c. UAA Northern Design Course
26 Ken Maynard, FAIA

27
28 3. Oregon State University
29 Cold Regions Engineering Short Course*
30 Professor Ted Vinson, Ph.D., P.E.

31
32 4a. Video Correspondence Course
33 Nada I. Raad, Ph.D., Video Coordinator
34 University of Alaska Fairbanks

35
36 4b. Semester Course, CE 603
37 Robert Carlson, Ph.D., P.E.
38 Chair, Department of Civil Engineering

39
40 The Board held a discussion about the arctic courses.

41
42 Gilfilian explained that he felt the Northern Design Course is deficient in some
43 aspects of the criteria.

44
45 The Chair suggested that Ken Maynard resubmit the information on the
46 Northern Design course and add to the course content by May 2004.

47
48 Gardner stated the book currently before them is not the whole course and that
49 there are other materials that are also used in the course. She thought the
50 rest of the materials brings the course up to our standards.

1
2 The Board held a short discussion about whether the course was appropriate
3 for engineers as well as architects and landscape architects.
4

5 The Executive Administrator indicated that she received notification from Dr.
6 Carlson that the video course would no longer be offered. Anyone who is
7 currently enrolled would continue the course but the UAF would not accept
8 new students.
9

10
11 **On a motion by Brown, seconded by Mills, and unanimously adopted, it**
12 **was**
13

14 **RESOLVED to approve the arctic courses 1a, 2a, 2b,. 2c, 3 and 4b.**
15 **on the Board-approved arctic course listing.**
16

17 **On an Amendment by Brown, seconded by Mills, it was**
18

19 **RESOLVED to add that the Northern Design course meet the Arctic**
20 **Hydrology and Arctic Roads criteria and that the Board receive a**
21 **response from the Oregon course provider by May 2004 confirming**
22 **the course is still offered and meets the criteria.**
23

24 A short discussion followed.
25

26 The Chair noted there were no objections to the amendment.
27

28 The Chair asked if there were any objections to the main motion and there were
29 none and the motion passed approving the University of Washington Short
30 Course, the UAA web based semester course, the UAA web based short course,
31 the Oregon Course, and the UAF semester course.
32

33 The Chair noted he abstained from voting because he once taught the course
34 and that his name is still listed on some of the old materials.
35

36 Break: 3:40 p.m.

37 Reconvene: 3:53 p.m.
38

39 The Chair brought up the definition of health, safety, and welfare.
40

41 Brown mentioned that NCARB had developed a definition:
42

43 The NCARB Procedures and Documents Committee developed and
44 presented a definition which was adopted in February 2002:
45

46 “An architect promotes the health, safety and welfare of the public by
47 planning and designing buildings, structures, and spaces within and
48 surrounding such buildings and structures, that:
49

- minimize the risk of injury to persons or property, and comply with all applicable building and safety codes;
- are durable, environmentally friendly, cost effective and conserve resources;
- are aesthetically appealing;
- function properly in all relevant respects; and
- enhance the public's overall sense of well being, harmony and community, and integrate effectively with the surrounding environment.

An architect shall prefer the client's interests over the architect's interests and, when the issues are clear, the public's interest over both."

Brown also noted the Washington State Board that adopted a definition for "public welfare" that reads:

"Public welfare means that architects shall promote the enhancement of both the natural and built environment. These enhancements shall be functional, aesthetically pleasing, sustainable, and cost effective. The result of architects' professional service shall contribute to the physical, socio-cultural, and emotional well-being of the public."

Gardner mentioned the mission statement that is part of the Goals and Objectives.

Brown discussed the NCARB Intern Development training program (IDP) and reviewed briefly the Architect Registration exam (ARE) which is now a computerized exam. The IDP is scheduled as a three-year process but many candidates are taking up to 4 and one-half years to complete it. NCARB is allowing candidates take some exam sections directly after graduation rather than wait until the IDP process is complete. Brown suggested the Board consider making this change.

Gilfilian reviewed requirements for an ethics exam by other states and mentioned some states have a take home exam.

The Board discussed the merits of offering an ethics exam, with some members having experience with other jurisdictions' exams, and some not supporting the concept.

Brown suggested one means of distributing the exam would be by email and suggested the Executive Administrator check on the feasibility of creating a data base of the emails from candidate applications.

Agenda Item 22 – Goals and Objectives

The Chair indicated that discussion of Goals and Objectives would be held until February 2004. He mentioned that the Board added a mission statement last meeting, as follows:

AEELS Mission Statement:

To protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:

- Ensuring that those entering these practices meet minimum standards of competency, and maintain such standards during their practice;
 - Requiring licensure to practice in the State of Alaska; and
 - Enforcing both the licensure and competency requirements in a fair and uniform manner.
- Dated: 2/15/00

The AEELS Board's Goals and Objectives currently are:

Goal #1 – Increase Board's work efficiency.

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

Goal #2 – Increase Board's cost effectiveness.

Objectives	Lead Responsibility	Target Date
a) All Board members or administrators who attend a regional or national professional function on behalf of Board shall submit a written report to rest of Board to share knowledge gained.	Attending Board member and/or Staff	Every Board meeting; ongoing
b) Examine feasibility of Board autonomy.	Gardner, Gilfilian, Kalen	2/2004

c) Obtain and analyze Board budget annually and request audit of income or expenses as appropriate.	Chair & Exec. Administrator	Ongoing
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Goal #3 – Ensure that all individuals practicing within state are either registered or fall within appropriate exemptions to registration.

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

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

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

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

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

e) Research CLARB council record.	Exec. Administrator, Miller, Cyra-Korsgaard	Ongoing
f) Stay current on all competency and regulatory issues of other jurisdictions	Board and Exec. Administrator	Ongoing

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

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

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

Objectives	Lead Responsibility	Target Date
a) Issue Public Service Notice with contact information for complaints.	Executive Administrator	Ongoing/Website
b) Letter to BBB/Ombudsman re: contact for complaints.	Executive Administrator	11/2003
c) Educate Public about Benefit of using Licensed Professionals (in Public Service Notices).	Mills & Executive Administrator	Ongoing/Website

James Gray, Municipality of Anchorage Building Official, joined the meeting at 3:30 p.m.

The Chair greeted the visitor and mentioned issues the Board is concerned about and the Board held discussions on issues.

Gray mentioned he often comes in contact with architectural drawings that have structural details sealed and signed by the architect. He stated he has referred professionals to the Board's investigator for clarification of the requirements and this has proved beneficial.

Gray brought up an issue where up to 50 units can be built under the international residential code.

Gray explained that an exemption for specialty contractors does not require that shop drawings be sealed.

Brown suggested a draft of HB 268/SB 206 be provided to the Building official. The bill was requested in order to make clear that the exemption allows specialty contractors to prepare shop drawings for work but does not allow them to do design work on commercial and public projects.

Gray brought up multi-family buildings that still fall under the 4-plex exemption but the designs are becoming increasingly complicated. He

1 explained, for example, that some buildings are being bermed to avoid the
2 three stories that would require an architect. He stated that some home
3 designs are huge projects, and sometimes the projects should be better
4 designed.

5
6 Cyra-Korsgaard asked the Building Official to pass on any suggestions for
7 regulation changes to the Executive Administrator.

8
9 Kalen mentioned the 2-hour walls separating the attached homes that some
10 contractors want to have considered as separate buildings not needing design
11 professionals.

12
13 Gray mentioned that he has a good relationship with the Board's investigators
14 and can report any issues that warrant attention and that the investigator can
15 issue a cease and desist order when needed.

16
17 The Chair asked whether incidental practice is something he sees often.

18
19 Gray responded that engineers are usually working within their practice but
20 that some architects submit drawings with engineering changes that require
21 stamping by a civil engineer for structural work.

22
23 The Chair asked if the definition of incidental practice would be helpful.

24
25 Gray responded that he did not think it was needed. He informed the Board
26 that 9 out of 11 members of his staff are registered professionals, so his staff is
27 capable of deciding these matters.

28
29 Gray mentioned that a few design professionals do not accept the Building
30 Officials' interpretation of code requirements.

31
32 Brown referred to AS 08.48.331 (8) and stated that the Building Official would
33 use his own judgement to decide whether changes should be stamped.

34
35 The Board thanked the Building Official for attending the meeting.

36
37 Break: 3:55 p.m.

38 Reconvene: 4:05 p.m.

39
40 The Chair indicated that Mills left the meeting.

41
42 The Chair read the certificate for Marcia Davis and board members signed it.

43
44 The Chair brought up the next item on the agenda, Tab 23.

45
46 **Agenda Item 23 – Board Member Reports**

47
48 Iverson noted that his report for the Baltimore NCEES meeting was distributed.

1 Cyra-Korsgaard informed the Board she attended the Council of Landscape
2 Architectural Boards (CLARB) annual meeting September 10 –14, 2003. Her
3 report was distributed.

4
5 Cyra-Korsgaard advised the major item was that CLARB is computerizing the
6 exams, and response has been positive. The testing sites are provided by Laser
7 Grade and she will check on sites in Alaska. The LARE will be a two-day exam
8 instead of a three-day exam. CLARB will also allow candidates to take exams
9 before their experience would allow them to be licensed. Candidates apply
10 directly to CLARB for the computerized exams. One of the reasons that CLARB
11 has made these changes has been because candidates are specializing more,
12 and as they practice in a narrow field it becomes more difficult for them to be
13 tested in areas that fall outside their specialization. So, the longer the
14 candidates wait before testing, the harder it is for them to pass a generalized
15 exam.

16
17 Cyra-Korsgaard said the current regulation for comity licensure does not
18 require a current license, just a council record.

19
20 The Executive Administrator advised the council record would reflect
21 verification of the current license and the Council would provide a copy of the
22 the verification. For CLARB to offer the exams prior to the application beign
23 approved by the Board, a regulation change may be required. She indicated
24 she would work with Cyra-Korsgaard on this issue.

25 26 **Agenda Item 24 – Review Calendar of Events**

27
28 The Board reviewed the future meeting dates, discussed, and confirmed:

29 30 2004:

31 February 19-20 (Thursday/Friday) in Juneau.

32 June 3-4 (Thursday, Friday) in Fairbanks

33 (Note: this date changed from June 2-3, 2004).

34 August 19-20 (Thursday/Friday) in Kenai.

35 November 18-19 (Thursday/Friday) in Anchorage.

36
37 The Chair indicated that McLane, Iverson, and Gilfilian would attend the
38 Western Zone Meeting in May. He advised that Peirsol and Brown would
39 attend the WCARB regional meeting in March, provided that Brown continues
40 to serve on the Board.

41 42 **Agenda Item 25 – Board Member Comments**

43
44 Brown felt the meeting was interesting and the Board discussed issues that
45 needed to be discussed.

46
47 Siemoneit thanked staff for their efforts and felt some issues were resolved at
48 this meeting.

Iverson appreciated being able to voice his opinion on matters. He stated he would miss the outgoing Board members whose terms expired.

McLane apologized for being late due to weather and invited members to stop by the Hilton Hotel for the Alaska Land Surveyor's Workshop on Saturday or Sunday.

Peirsol also thought the meeting was interesting and she appreciated learning more about the arctic engineering courses.

Cyra-Korsgaard appreciated all of the work that Gardner and Gilfilian put forth in the review of the arctic engineering courses, and thought the outcome was appropriate. She missed not meeting in subgroups at this meeting.

Gardner mentioned the importance of having seasoned Board members serve on the Board. She expressed surprise at the yellow page advertising being dropped because of its importance in the Board's outreach efforts to the public. She mentioned that Board autonomy is an ongoing issue.

Iverson suggested sending a letter to present a case to the Governor about reinstating the advertising.

Gilfilian wondered if two members could meet without public noticing.

The Executive Administrator responded that two members can discuss issues to be presented to the Board as a whole but if three members meet, the meeting must be public noticed at least ten working days ahead of time. She mentioned the attorney felt that if two or more Board members meet with the public, the meeting should be public noticed. She added if a subgroup wanted to meet, there should be a site where the public could join in, and the licensing examiners could public notice it and that advance notice is helpful because the meetings could be public noticed with the general monthly noticing.

Kalen is glad the Arctic Engineering issue is finally addressed but was concerned about the subdivision design/land surveying issue that is back before the Board.

The Board Chair thanked the licensing examiners for their work and acknowledged that there is a team effort required in order that the AELS Board staff to function well. He specifically thanked Julie Adamson, Licensing Examiner, for her professional work.

Agenda Item 25- Task List and Housekeeping

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

Brown	-
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Cyra-Korsgaard	Review the landscape architect by exam and comity regulations for possible changes in order for the LARE multiple choice sections to be offered by CLARB.
Miller (Chair)	Write a letter to the Berry Company with suggested heading changes for Architectural Support and Building Services.
	Work on subgroup for engineering sub-disciplines.
Kalen	Continue work on GIS & Model Law Engineer.
McLane	Continue work on GIS & Model Law Engineer.
Gardner	-
Gilfilian	Check with emergency services in Anchorage (regarding Emergency processes for design professionals) and to report back at the February 2004 meeting.
Peirsol	Check with emergency services in Fairbanks (regarding Emergency processes for design professionals) and to report back at the February 2004 meeting.

1

Executive Administrator	Assist the Chair with correspondence.
	Review the landscape architect by exam and comity regulations for possible changes in order for the LARE multiple choice sections to be offered by CLARB.
	Send letters to Northern Design Course requesting Arctic Hydrology and Arctic Roads be added (or increased) to the course, and Oregon State University requesting information on the arctic course being offered.
	Agenda items to add: Under Regulations: <ul style="list-style-type: none">• Design Competitions (Brown)• Emergency License (Gilfilian and Peirsol to report)
	Send copy of specialty contractor bill to James Gray, Building official.
	Forward regulations adopted to the Regulations Specialist to send to interested parties.

2

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

5 **RESOLVED to adjourn the meeting at 4:50 p.m.**

6

7 There were no objections and the meeting was adjourned.

8

9

10 Respectfully submitted:

11

12

13

14 _____
Nancy Hemenway, Executive Administrator

15

16

17 Approved:

18

19

20

21 _____
Robert Miller, Chair, Ph.D., P.E.
22 Board of Registration for Architects,
23 Engineers, and Land Surveyors
24

25

26

27 Date: _____

28