

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

6
7 MINUTES OF MEETING

8
9 NOVEMBER 16-17, 2000

Draft

10
11 *The staff of the Division of Occupational Licensing prepared these draft*
12 *minutes. They have not been reviewed or*
13 *approved by the board.*

14
15 By authority of AS 08.01.070 (2) and in compliance with the provisions of AS 44.62, Article 6,
16 the Board of Registration for Architects, Engineers and Land Surveyors, (AELS) held a meeting
17 November 16-17, 2000, at the Atwood Building, Room 602, Anchorage, Alaska 99501.

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

20
21 Daphne Brown, Chair, called the meeting to order at 9:10 a.m.

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

24
25 Daphne Brown, Chair, Architect
26 Linda Cyra-Korsgaard, Landscape Architect, Temporary Board Member
27 Donald J. Iverson, Electrical Engineer
28 Patrick Kalen, Land Surveyor
29 Scott McLane, Land Surveyor
30 Kathleen Gardner, Secretary, Mechanical Engineer
31 Robert Miller, Vice Chair, Civil Engineer
32 Ernie Siemoneit, Mining Engineer
33 Marcia Davis, Public Member

34
35 Not present at roll call, but joining the meeting were:

36
37 Lance Mearig, Civil Engineer
38 Patricia Peirsol, Architect

39
40 Representing the Division of Occupational Licensing:

41
42 Nancy Hemenway, Executive Administrator
43 Ginger Morton, Licensing Examiner

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1
2 Joining a portion of the meeting, in person, were:
3

4 Catherine Reardon, Director, Occupational Licensing
5 Dr. Orson Smith, Associate Professor, School of Engineering, UAA
6 Dr. Steve E. Aufrecht, Public Administration Department, UAA
7 Dr. Irfan Ahmed, Assistant Professor, Business Administration
8 Department, UAA
9

10 **Agenda Item 2 – Review/Revise Agenda**
11

12 Mearig and Peirsol joined the meeting at 9:17 a.m.
13

14 Kalen asked that “travel authorizations” be placed under “New Business,” and that “land
15 surveyor license number search function for monument number” be taken up under “Old
16 Business.”
17

18 Miller asked that “foreign degree evaluations” be placed under “Old Business,” and that
19 “supervision of responsible charge” and “NCEES survey on model law” be placed under “New
20 Business.”
21

22 Peirsol asked that “response to Richard Heieren” be placed under “Old Business.”
23

24 **Agenda Item 3 – Ethics Report**
25

26 The Chair noted there were no reports by Board members.
27

28 **Agenda Item 4 – Review/Approve Minutes**
29

30 Kalen, Mearig, and Peirsol noted various corrections to the minutes.
31

32 On Page 5, Line 28, should read: Kalen responded that NCEES consultants were working to
33 contain costs, but it will be difficult because a quantum of engineering examination questions are
34 expected.
35

36 On Page 9, Line 6, insert: Kalen suggested we move slowly; what we have works now.
37

38 On Page 9, Line 40, should read: The Chair asked Executive Administrator to bring to the next
39 meeting a list of the fitness questions we ask applicants on their initial applications and licensees
40 on renewal forms.
41

42 Page 12, Line 40 should read: Kalen stated that he believed that there is a national trend to
43 provide requirements for continuing education, but in light of certain board opposition, there has
44 not been any interest by land surveyors to pursue this requirement.
45

46 Page 23, Line 27, insert, after existing programmer: “at \$65 hour.”
47

48 Page 24, Line 29, should read: Kalen asked questions about old licensee database and wanted
49 search capabilities to be able to search the surveyor or engineer license number on monuments.

1
2 Page 31, Line 34: add after Iverson, “McLane”.

3
4 Executive Administrator to check Larry Kemp’s title, the indirect cost %, and make the
5 corrections to the August minutes as noted.

6
7 **On a motion duly made by Kalen, seconded by Gardner and carried unanimously, it**
8 **was**

9
10 **RESOLVED to approve the August 24-25, 2000 AELS Board meeting**
11 **minutes as corrected.**

12
13 **Agenda Item 5 – Correspondence**

14
15 The Chair noted that the first item was from:

16
17 5-1, Gavin Hawk, FlossBrite, Architectural practice, construction administration

18
19 The question raised was: “Is an architect required to perform construction administration
20 services in this state; to be more specific, is the architect required to stay and observe the quality
21 and progress of the work and to determine if the work is proceeding in accordance with the
22 contract documents?”

23
24 The board had a short discussion:

25
26 Peirsol thought the definition of architecture in terms of construction administration could be
27 interpreted in several ways.

28
29 The Chair suggested that what they do is building inspections, but architects are not actually
30 observing the construction.

31
32 Kalen stated sometimes agencies do this function and sometimes they contract it out, but there
33 isn’t a legal requirement for it.

34
35 Davis explained that the definition of architecture doesn’t require direct observation, but there
36 certainly could be contractual agreements made to cover that work.

37
38 Mearig agreed with Davis.

39
40 Miller explained that unless there is some contract we don’t expect architects or engineers to be
41 observing the project 12 hours a day. It is the contractor’s responsibility, not the architect or
42 engineer’s responsibility to oversee the construction; the architect or engineer does the design
43 work and it would be covered in any agreement or contract.

44
45 Short discussion followed about the response.

46
47 The Chair asked Executive Administrator to respond that Alaska law does not require the design
48 professionals to observe the work during the construction phase. That does not preclude the

1 contractor, owner, and design professionals from entering into a contract to provide services, in
2 which case, the contract would indicate what additional services might be provided.

3
4 Short discussion followed about the impact on architects, owners, liability issues, and impact of
5 on disabled persons.

6
7 Peirsol wondered if the Board should review the definition of architect in terms of observation at
8 some future meeting.

9
10 5-2, Don Carlson, downloadable professional seal

11
12 Mr. Carlson asked that the Board consider having the “professional seal” in a downloadable form
13 available on the website.

14
15 Short discussion followed about the regulation requirement for the “professional seal”.

16
17 Kalen agreed with Mr. Carlson that the seals don’t always look like the seal in the regulation
18 book.

19
20 Davis suggested the board come up with a design for autocad and do a regulation project and
21 substitute the design.

22
23 The Board decided to email their “professional seals” to Mearig, put on the February agenda, and
24 let Mr. Carlson know “downloadable seals” would be on the next agenda.

25
26 5-3, Kevin Smith, question on frequency of administration of the Alaska Land Surveyor’s Exam

27
28 The Board reviewed the Executive Administrator response and agreed that there has not been
29 sufficient demand for the exam to be offered more than once a year.

30
31 **Council of Landscape Architectural Registration Boards (CLARB) Correspondence**

32
33 CLARB dues

34
35 The CLARB offers dues levels and the Division of Occupational Licensing paid dues at Type II
36 level in the amount of \$3,500. Type I is also offered at \$5,000 and would include \$1,500 for
37 travel expenses.

38
39 Brief discussion followed about which level of dues should be paid.

40
41 The Chair noted the item would be taken up with Catherine Reardon, Director, OL.

42
43 Mearig added that he’d like to see the regulations changed to require the CLARB council record
44 because it could reduce the dues the jurisdictions pay and it makes the approval process simple.

45
46 Cyra-Korsgaard wondered how many other jurisdictions require the CLARB council record and
47 indicated she has not found support for requiring the CLARB council record within the
48 landscape architect community and organization, Alaska Society of Professional Landscape
49 Architects (ASLA). She noted she would raise the issue with ASLA.

1
2 Dr. Steve Aufrecht joined the meeting and Dr. Miller introduced the Board and staff.
3
4 National Council of Examiners for Engineering and Surveying (NCEES), Betsy Browne letter
5 regarding examination reviews
6
7 The Chair noted that NCEES was restricting its reviews to those examinations that were essay.
8
9 Miller noted that he has proctored these reviews and now that the NCEES is providing the Board
10 and candidates information on weaknesses it seemed like a good idea to curtail the examination
11 reviews.
12
13 Kalen wondered if the Board would also want to curtail AKLS examination reviews.
14
15 Miller responded that until the candidate received areas of weakness that it was probably a good
16 idea to continue to offer the examination review.
17
18 Also included in the packet were surveys and staff responses:
19
20 Survey: John Ventura, regarding engineering faculty
21
22 No comments were made.
23
24 Survey: American Society of Highway Engineers
25
26 No comments were made.
27

1 Survey: NCEES Strategic Planning Survey

2

3 Also included in the packet were informational items.

4

5 National Conference on GIS, Photogrammetry Licensing conference

6

7 No comments were made.

8

9 MBA Law Enforcement Committee information, mbalist

10

11 No comments were made.

12

13 Oregon Ethics questionnaire

14

15 Kalen found the questionnaire interesting and thought the Board might want to consider doing
16 this in the future.

17

18 Short discussion followed.

19

20 The Chair thought it might be good to develop this for Alaska and post to the website at some
21 point in the future. Board members could consider this for the future.

22

23 Break: 10:30 a.m.

24 Reconvened: 10:41 a.m.

25

26 **Agenda Item 6 – Review Goals and Objectives**

27

28 Goal #1 – Increase Board’s work efficiency.

29

30 The Chair noted that, Objective #1, there are no new Board members.

31

32 Davis noted that Item #7 has a typo, it should read, ‘Provide letter of Board’s intent and
33 understanding relating to any proposed legislative changes.’

34

35 Cyra-Korsgaard indicated that somehow the landscape architects’ application is no longer
36 filloutable.

37

38 Short discussion. Executive Administrator indicated that some of the forms were updated and
39 the problem must have occurred when the forms were overwritten on the website.

40

41 Goal #2 – Increase the Board’s cost effectiveness.

42

43 No changes.

44

1 Goal #3 – Ensure that all individuals practicing within the state are either registered or fall within
2 appropriate exemptions to registration.

3
4 Siemoneit stated he has amassed some additional information regarding advertising in the yellow
5 pages. He noted that he has contacted the publisher, Berry Company, and has come up with a ¾
6 inch advertisement. If the ad were run in major phone books, Anchorage, Fairbanks, Juneau, and
7 Southeast Alaska, it would cost about \$900 per year; the ads would be staggered and set up by
8 contract.

9
10 Siemoneit added that he continues to work on this goal.

11
12 Discussion followed about the cost and efforts to try to get a public information notice in the
13 yellow pages as a means to inform the public that unlicensed advertising is not permitted.

14
15 Davis volunteered to assist Siemoneit with this goal; together they will work to try to get “public
16 information” advertisement inserted in the yellow pages at no cost to the Board.

17
18 Cyra-Korsgaard would also pursue with Alaska Professional Design Council to see if they would
19 be interested in running a larger ad (than the ¾ inch suggested) in order to inform the public of
20 registered design professionals’ requirement to address unlicensed advertising.

21
22 Miller explained that it is beneficial to have engineering faculty registered and believes that the
23 university administration is supportive and encourages faculty to register, but that registration is
24 not a requirement for employment.

25
26 Goal #4 – Ensure all testing materials used to establish competency in the professions are
27 appropriate for use within Alaska.

28
29
30 The Chair noted that item #6, NCARB publication reference, is included in the current
31 regulations project.

32
33 Goal #5 – Board will stay current on all competency, testing, and regulatory issues of other
34 jurisdictions to ensure that Alaska standards stay within the national norms and its licensing
35 systems are fair and applied uniformly.

36
37 Goal #6 – Improve communications with applicants and licensed professionals.

38
39 No changes were made.

40
41 **Agenda Item 7– Old Business**

1 **Expand engineering disciplines or offer a generic professional engineering license**

2
3 Mearig stated that this was a carryover from the last meeting and asked if the Board wanted to
4 join the ranks of the majority of states that don't license by discipline, but instead issue a generic
5 professional engineering license.

6
7 Discussion followed as the board explored how to allow environmental engineers (and other 8-
8 hour NCEES examination) disciplines the opportunity to work in Alaska.

9
10 The Chair indicated the Board would like to postpone this until February 2001 and get
11 information on any enforcement issues other states have. Staff could do targeted mailings to get
12 public comment. The Board asked staff to put "generic engineering licenses" on the February
13 board meeting agenda and to contact previously interested parties to advise them the item would
14 be taken up in February.

15
16 **CLEAR – Board Training**

17
18 Executive Administrator indicated this item was in the packet because it had good information
19 for board training and orientation and may be useful as the Board works on board training issues.

20
21 Kalen stated it looked familiar to materials he has previously seen in NCEES orientation
22 materials.

23
24 **Evaluation of Foreign Transcripts**

25
26 Miller explained that he has a list of foreign evaluators that the University of Alaska accepts for
27 translation of foreign degrees.

28
29 The Executive Administrator explained that staff recommends NCEES foreign evaluation
30 services for those applicants who have a foreign degree that would need to be translated and
31 evaluated for equivalency to the NCEES four-year Accreditation Board for Engineering and
32 Technology, Inc. (ABET) accredited degree for professional engineering licensure.

33
34 Short discussion about the list followed and, if adopted, staff could refer foreign applicants of
35 companies that provide services to evaluate their foreign degree.

36
37 The Chair noted that there were no objections to providing this information to applicants with
38 foreign degrees.

1 **Response to Richard Heieren**

2
3 Kalen explained that Mr. Heieren objected to the Board that the regulation project does not
4 adequately count a mathematics degree toward meeting the surveying education. To recap the
5 matter, Mr. Heieren, a licensed land surveyor, previously commented at the May 2000 meeting
6 that there might be a typographical error to the December 1999 regulations. Under 12 AAC
7 36.065(a)(2)(A) and (B), the Board will allow an education credit of two years for a graduate of
8 an ABET-accredited or Board-approved curriculum in civil engineering or related engineering
9 sciences. However, under 12 AAC 36.064(a)(2)(A) and (B), Eligibility for Fundamentals of
10 Land Surveying Examination, no credit is allowed for “related engineering sciences.”

11
12 Kalen indicated that neither he nor McLane felt there was an error in the table and that Mr.
13 Heieren could pursue this matter through the professional land surveyor’s organization, the
14 Alaska Society of Professional Land Surveyors(ASPLS).

15
16 Kalen indicated he would bring up the matter of the math degree to ASPLS at an upcoming
17 meeting and would report back at the February board meeting.

18
19 **Agenda Item 8 – New Business**

20
21 **AELS Sunset Audit**

22
23 The Chair indicated this could be discussed with Catherine Reardon, Director, Division of
24 Occupational Licensing, this afternoon.

25
26 **Design professionals doing their own design work and sealing documents**

27
28 The Chair brought up the matter of a stance the Municipality of Anchorage has taken based on a
29 1989 letter from an investigator where the Attorney General’s office had opposed an engineer
30 designing his own septic system. The Municipality of Anchorage was interpreting architects and
31 engineers could not seal their own work based on the 1989 letter. Brown suggested that there is
32 no conflict of interest and that design professionals can do their own work even if they are
33 owners. There should not be any concern about the appearance of impropriety because they are
34 professionals and anyone could see who did the work based on the seal.

35
36 Short discussion followed.

37
38 Kalen indicated that in some states, it is considered a conflict of interest, but it is not a conflict
39 under Alaska law.

40
41 Davis indicated that there is a presumption that the public may be harmed. She stated she hasn’t
42 heard of any need for this type of consumer protection because in this instance, everyone is
43 aware of who is signing and sealing the documents so there is no hidden chance someone would
44 be harmed.

45
46 The Chair indicated she would work with Executive Administrator to develop a letter to the
47 Municipality of Anchorage.

48
49 **Travel Authorizations**

1
2 Kalen explained that he frequently has seen that the amount he has submitted for travel expenses
3 has been changed and he has been able to determine what the items were that were disallowed,
4 but he doesn't appreciate the changes. He would like to have his original travel authorization
5 sent back along with any changes.
6

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

8
9 **RESOLVED that the processing of the travel authorization format be as**
10 **follows: (1) actual projected amounts, including totals, are to be filled out by**
11 **each person submitting a claim for reimbursement; and (2) a copy of the**
12 **original form containing the signature of the person who filled it out shall be**
13 **returned, with any changes made by the Department noted on the form.**
14

15 **The Chair noted that an objection was heard and a roll call vote was taken as follows:**
16

Roll Call	Yes	No
Brown		x
Davis	x	
Gardner		x
Iverson		x
Kalen	x	
McLane	x	
Mearig		x
Miller		x
Peirsol		x
Siemoneit		x

17
18 **And so the motion failed 7-3.**

19
20 Break for lunch: 12:00 p.m.

21 Reconvened: 1:15 p.m.
22

23 Peirsol and Kalen not present.
24

25 The Chair indicated that Dr. Orson Smith was present to discuss the web-based arctic course.
26

27 Miller introduced Dr. Smith and indicated that this course content was the same as the CE 603
28 Arctic Engineering course, except it will be available via the Internet. The course is being
29 presented so there would be time to make any changes the Board recommends prior to the course
30 being offered for the spring semester.
31

32 Peirsol rejoined the meeting at 1:20 p.m.
33

34 Dr. Smith indicated that the trend is to provide on-line delivery and the effort required is the
35 same as the regular CE 603, cold weather arctic engineering course. This course would need to
36 be completed in 16 weeks and there would not be any partial credit given. Students would be
37 given access by password and new modules would be presented weekly, except during mid-term

1 and final examination weeks. The course would be offered on a secure website and all the
2 modules would stay up for the duration of the course, once they were posted.

3
4 Kalen rejoined the meeting at 1:25 p.m.

5
6 Dr. Smith presented a slide show that demonstrated all aspects of the course.

7
8 Discussion followed about the delivery and cost.

9
10 **On a motion duly made by Mearig, seconded by Kalen, and approved unanimously,**
11 **it was**

12
13 **RESOLVED to approve the on-line arctic engineering course, to add it to the**
14 **current list of courses that meet the requirements of 12 AAC 36.110, which**
15 **will all be reviewed in 2001.**

16
17 **Miller recused himself from the vote since he teaches the CE 603 course at UAA.**

18
19 The Chair noted there was no objection and the web-based course offered by UAA would be
20 added to the current list of arctic courses.

21
22 Kalen asked if the University offered hydrographic surveying and wondered if hydrographic
23 surveying should be covered in the definition of land surveying.

24
25 Dr. Smith explained that he teaches that course and that hydrographers should be registered land
26 surveyors because they still need to have all the skills a surveyor has, plus the ability to interpret
27 the complicated hydrographic process.

28
29 Gardner asked that the web-based arctic course be mentioned in the AELS News Summary.

30
31 Short discussion followed about the potential enrollment and limit to 200 students for the
32 upcoming semester.

33
34 **Agenda Item 9 – Public Comment**

35
36 There were no members of the public to comment.

37
38 **Agenda Item 9a – Director's Comments**

39
40 Catherine Reardon, Director, Division of Occupational Licensing, joined the meeting at 2:10
41 p.m. She asked that the Sunset Audit Report be distributed and indicated that the report was
42 confidential until the audit was finalized and released sometime in December or January. She
43 noted that there is a requirement for Legislative Audit staff to comment on the regulatory scheme
44 and how the Board is doing. There was a management letter, with a ten-day response window,
45 that came out about a month ago that the Chair would have seen, but you wouldn't have.
46 Reardon responded to this letter. The preliminary audit has been released to the agency and the
47 Board and Reardon can comment. These are confidential reports so they will need to be
48 safeguarded and handed in at the end of the discussion.

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

3
4 **RESOLVED to go into executive session at 2:15 p.m. for the purpose of**
5 **discussing the preliminary Division of Legislative Audit Sunset Report dated**
6 **October 20, 2000.**

7
8 The Board came out of executive session at 3:23 p.m.

9
10 Break: 3:23 p.m.

11 Reconvened: 3:31 p.m.

12
13 The Chair indicated that Catherine Reardon Director, Division of Occupational Licensing, would
14 respond to the preliminary audit findings.

15
16 The Chair asked Reardon about the CLARB dues.

17
18 Reardon explained that she selected the lower dues because the travel money is in the budget and
19 all travel comes through her for approval. In this instance, there didn't seem to be any advantage
20 to including the travel in the dues, and that it was cleaner to have it appear as travel funding.

21
22 Short discussion.

23
24 Kalen asked about the license search mechanism for researching license numbers of land
25 surveyors stamped on a monument. The continuum lists the numbers and who they are assigned
26 to, but the Oracle system may not reflect all the numbers.

27
28 Reardon explained that for now, we would continue to refer to the written record if a question
29 arises, but that the request for funds for an additional licensing examiner, offset by the removal
30 of the half-time clerk, will be an increment in the Governor's budget. If the position is approved,
31 there would be more staff time to do data entry, if necessary.

32
33 The Chair asked about the pay scales and Reardon explained that there are still internal
34 discussions about the position description forms to get the whole class of licensing examiners
35 upgraded. Reardon expects that process would move forward in the next couple of weeks.

36
37 The Chair asked if the Board was being well served on the technology matters. Cyra-Korsgaard
38 noticed the on-line forms were not working.

39
40 The technology enhancements the Board agreed to last meeting were:

41

Option	
1.	Fill-out-able forms, mail in
2.	Oracle enhancements: Applicant entered for comity/examination at time of receipt
3.	Score or other reporting
4.	Equipment enhancements:

(new computers, preferably one laptop/station)
5. On-line access-checklist
6. On-line renewal
7. Scanned in documents/applicant review file
8. On-line direct application
9. Improvements to the home page

1
2 Reardon explained that there had been a delay in the enhancements because the contract for
3 Larry Kemp has not yet been approved. She felt that Larry could fix the on-line forms outside
4 the contract as part of his regular data processing activities. She anticipated the contract could be
5 worked out within the next two weeks, if all goes well.

6
7 Reardon went on to explain some improvements in technology. Sections of the database can
8 now be e-mailed to yourself and the business license renewal program is going well. Eight
9 hundred licenses have been renewed on-line and she suggested

1 Board members access and review the business license section. Applicants can renew their
2 license with a PIN number and can change data to update addresses or phone numbers.
3
4 Reardon went on to discuss the AELS budget (Agenda Item 14, Budget Summary Report).
5
6 Mearig said it looked like the Board was on track in its spending, but he was concerned about the
7 possibility of a surplus. If there is a surplus, then fees might need to be reduced and the Board
8 would like to have a stable fee schedule. It is disruptive to parties to have fees going up and
9 down every two years.
10
11 Kalen reiterated his hope that the fees would remain stable.
12
13 Reardon felt that AELS was likely on track and that if the Legislature approved the additional
14 position, the expenses would be increased for a half position (since the clerk would become a
15 full-time position for the Division of Occupational Licensing).
16
17 Mearig indicated that the percentage of indirect costs is down, but the overall dollar amount is
18 up.
19
20 Reardon responded that indirect costs have been increasing and the overall indirect costs will
21 reflect space rent for 2001 as contractual costs.
22
23 Peirsol asked about the fitness questions and wondered if that matter had been resolved.
24
25 The Chair explained that this was a matter that had arisen last meeting, that the renewal fitness
26 questions asked pertain only to the recent renewal cycle and the Ombudsman's memo expressed
27 concern all disciplinary action on an individual might not be captured.
28
29 Reardon indicated that the Ombudsman had asked Boards to look at the fitness questions and if
30 the AELS Board is comfortable with the questions, it may just mean that we don't have
31 questions posed to capture the applicants' whole history, just a two-year renewal span for the
32 question. It would affect those applicants who were licensed prior to 1985.
33
34 The Chair indicated that it didn't seem important to quiz people about what happened 15 years
35 ago. A short discussion followed.
36
37 The Chair indicated they would discuss this matter again tomorrow.
38

1 **Agenda Item 10 – Application Reviews**

2
3 **On a motion duly made by Kalen, seconded by Mearig, and unanimously carried,**
4 **the Board went into executive session at 4:02 p.m. for the purpose of applications**
5 **review.**

6
7 **Authorities for executive session are noted as AS 44.62.310(c)(3) and AS**
8 **08.48.071(d).**

9
10
11 **The Board came out of executive session at 5:18 p.m. and promptly recessed until Friday,**
12 **November 17.**

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Friday, November 17, 2000

AELS BOARD MEETING

Agenda Item 11 – Roll Call

Daphne Brown, Chair, called the meeting to order at 8:10 a.m.

Members present and constituting a quorum of the Board were:

- Daphne Brown, Chair, Architect
- Donald J. Iverson, Electrical Engineer
- Patrick Kalen, Land Surveyor
- Scott McLane, Land Surveyor
- Lance Mearig, Civil Engineer
- Robert Miller, Vice Chair, Civil Engineer
- Patricia Peirsol, Architect
- Ernie Siemoneit, Mining Engineer

Absent:

- Kathleen Gardner, Secretary, Mechanical Engineer

Not present at roll call, but joining the meeting were:

- Marcia Davis, Public Member
- Linda Cyra-Korsgaard, Landscape Architect, Temporary Board Member

Representing the Division of Occupational Licensing:

- Nancy Hemenway, Executive Administrator
- Ginger Morton, Licensing Examiner

Joining a portion of the meeting was:

- Ken Truitt, Assistant Attorney General, Alaska Department of Law.
- John R. Clark, Occupational Licensing Investigator

The Chair asked if there were any concerns about files that needed to be addressed. Mearig asked about the Canadian applicant. That applicant was given a conditional approval pending verification that the examination he took was equivalent to the NCEES 8-hour professional engineer examination.

The Chair brought back up **Agenda Item 8- New Business**:

1
2 **Responsible Charge Supervision**
3

4 Miller explained that there had been an inquiry by an engineer working for a state agency who
5 would like to become registered. The engineer would like to have someone supervise the
6 responsible charge time for chemical engineering work. He asked if a California engineer could
7 provide the work verification since there is the assumption that the registered professional
8 engineer has to be in state.
9

10 Davis joined the meeting at 8:12 a.m.
11

12 Iverson indicated that it would be up to the person doing the verification, if they felt they were
13 able to supervise the work.
14

15 Miller expressed concern because the person was in a different jurisdiction.
16

17 Mearig indicated that the applicant would not have a problem, but the engineer/ supervisor
18 signing the responsible charge work verification would have to be registered in Alaska.
19

20 The Chair wondered if the applicant could go through the mentoring process and indicated her
21 desire that the Board be consistent during application reviews.
22

23 Cyra-Korsgaard joined the meeting at 8:22 a.m.
24

25 **Survey – Model Law**
26

27 Miller indicated that he had a survey from NCEES on mobility and wondered if the Board would
28 be interested in responding. The Board discussed the questions and responded collectively after
29 discussion:
30

- 31 1. Does your board prefer that the criteria for the NCEES MLE designation be based on
32 “common denominator” criteria, in other words, criteria that is acceptable to a majority
33 of NCEES Member Boards?
34 *No, because of the Alaska requirement for arctic engineering.*
35
- 36 2. Does your board prefer that the criteria for the NCEES MLE designation be based on
37 “lowest common denominator” criteria, in other words, criteria that is acceptable to a
38 majority of NCEES Member Boards?
39 *No.*
40
- 41 3. Does your board prefer that the NCEES MLE designation be awarded only to holders of
42 EAC/ABET degrees?
43 *Yes.*

- 1
2 4. If your board's answer to number 3 is other than yes, would your board consider that the
3 NCEES MLE designation should be awarded to:
4
5 A. Graduates of non-US engineering programs that have been determined to be
6 substantially equivalent by ABET?
7 *Yes.*
8
9 B. Graduates of non-US engineering programs that have been determined not to
10 "appear to cover the curricular content specified in the ABET general and program
11 criteria" for an EAC/ABET-accredited non-traditional engineering program?
12 *No.*
13
14 C. Graduates of non-U.S. engineering programs that have been determined not to
15 "appear to cover the curricular content specified in the ABET general and program
16 criteria for an EAC/ABET-accredited non-traditional engineering program."
17 Rather, a US jurisdiction has accepted the degree based upon its own evaluation of
18 the deficiencies, e.g., insufficient in the area of humanities/social sciences?
19 *No.*
20
21 5. When determining qualifications for an NCEES MLE designation, does your board
22 prefer that credit be awarded for experience obtained in co-op programs?
23 *No, unless B.S. degree involved more than 4 years of study.*
24
25 6. When determining qualifications for an NCEES MLE designation, does your board
26 prefer that credit be awarded for earning an advance degree in engineering?
27 *Yes.*
28
29 7. When determining qualifications for an NCEES MLE designation, does your board
30 prefer that the NCEES MLE designation be awarded to a professional engineer who has
31 obtained four or more years of experience, even though the engineer has taken and
32 passed the professional engineer examination prior to obtaining those four years of
33 experience?
34 *Yes.*
35

36 **Agenda Item 14 – Budget Summary Report**

37
38 The Chair noted that this item had previously been discussed.
39

40 **Agenda Item 15- Director's Comments**

41 **This agenda item was rescheduled and taken up under 9a.**
42
43

44 **Agenda Item 16 – Attorney Comments**

45
46 Joining a portion of the meeting at 8:38 a.m. was Ken Truitt, Assistant Attorney General, Alaska
47 Department of Law.
48

49 Truitt briefed the Board on the regulation projects. One project the board previously adopted
50 now ready for his review would further identify the items the Board will accept for conditional

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1 approval of examination and comity applicants; fine tune the corporate regulation regarding
2 party in responsible charge; and technical edits to the last project.

3
4 Truitt indicated that Division of Occupational Licensing public noticed another regulations
5 project that (1) establishes regulations for limited liability companies and limited liability
6 partnerships; (2) removes collection of prior fees from retired status reinstatements to active
7 practice; and (3) accepts the NCEES Council record stamped “model law engineer” as meeting
8 the minimum standards for comity licensure, except that applicants will still need to complete the
9 arctic engineering course.

10
11 Truitt noted that in the current Board packet there were also draft regulations for the Board to
12 consider that (1) would remove the requirement for testing for lapsed licensees; and (2) that
13 would give the Board disciplinary authority.

14
15 Davis made comments on the proposal for amending 12 AAC 36.165(b)(12). Her concern was
16 that the Board would be eliminating all examination aspects for a license that expired for more
17 than five years, which might not be consistent with the statute under AS 08. 01.100(d). Except
18 as otherwise provided, a license may not be renewed if it has been lapsed for five years or more.

19
20 The Board held a discussion to determine if there was a need for reexamination. Several
21 meetings ago, the Board asked to have proposed regulations developed because they felt there
22 was not a need to reexamine candidates. While there seemed to be general support for those
23 regulation changes, the discussion continued.

24
25 Truitt suggested that he rework the proposed regulations for 12 AAC 36.165(d), so that this
26 provision for expired certificate reinstatement procedures would apply to all professions, not just
27 engineers.

28
29 Davis asked if the Board should consider “inactive” status and if “retired status” should be
30 changed (AS 08.48.215). She suggested there is flexibility in the statute that would not require
31 the regulation to require reexamination for those retired status licensees who reinstate after five
32 years in retired status.

33
34 **On a motion duly made by Kalen, seconded by Davis, and unanimously carried,**
35 **it was**

36
37 **RESOLVED to modify the retired status regulation requirement under 12**
38 **AAC 36.115 to not automatically require reexamination after five years, and**
39 **to define “retired status” in regulation.**

40
41 The Chair indicated that there was no objection and the motion carried.

42
43 Peirsol suggested lapsed licensees pay a fee and reapply and not have to be reexamined.

44
45 Truitt responded that he would revise the regulation under 12 AAC 36 165(b) and (d) to
46 accomplish this.

47
48 Short discussion followed.

49
50 **On a motion duly made by Kalen, seconded by Davis, and unanimously carried, it**

1 was

2
3 **RESOLVED to unify the expired certificates to make the rules consistent for**
4 **all professions covered under 12 AAC 36.165.**

5
6 The Chair indicated that there was no objection and the motion carried.

7
8 Davis suggested the Board should set out specifically the lapsed and expired license
9 reinstatement procedures so parties understand what the exact consequence will be if they choose
10 not to renew and let their license lapse and expire. She suggested it should be explicit and define
11 reexamination in regulation.

12
13 Truitt indicated it is within the Board’s authority to redefine reexamination.

14
15 Short discussion followed.

16
17 Kalen suggested Executive Administrator examine how other states handle inactive status and
18 lapsed licenses.

19
20 Peirsol suggested perhaps contacting three states might be appropriate.

21
22 The Chair suggested that since we now require landscape architects to stamp plans, it might be a
23 good topic to take up at the February meeting, and to clarify for the investigator what work
24 requires a landscape architect’s stamp. Cyra-Korsgaard could hold a work session.

25
26 Truitt brought up the proposed regulations for disciplinary action and explained that the change
27 to 12 AAC 36.320 would give the board more discretion.

28
29 Discussion followed.

30
31 The Chair suggested that Davis work with Truitt to develop the language.

32
33 The Chair asked about the fitness questions that are asked on initial registration and renewal
34 forms.

35
36 Short discussion followed about the need to ask questions and if it should be limited to the
37 actions happening within the profession or to crimes in general because of the “good character”
38 reference in statute.

39
40 The Chair moved to the next item on the agenda for discussion – engineers working for
41 unlicensed architects.

42
43 Peirsol explained that a situation has arisen where a licensed engineer has done work for an
44 unlicensed architect and when approached, indicated it was not his concern that the other
45 professional was not licensed, that the engineer stamped the work done.

46
47 Truitt referred the Board to 12 AAC 36.210(a)(3), professional conduct. This regulation would
48 address that the architect would also need to be registered.

1 The Chair moved to the next item on the agenda for discussion, certifying Americans with
2 Disabilities Act (ADA) compliance.

3
4 Peirsol explained that the state procurement department started requiring architects to certify
5 ADA compliance in leased areas to insure compliance. Engineers are not allowed to do the
6 certification, only architects. What has arisen is liability and insurance problems for the architect
7 doing the certification.

8
9 Truitt said he would check with the Department of Law to find out what has changed and what is
10 required.

11
12 Truitt left the meeting at 10:15 a.m.

13
14 Break: 10:15 a.m.

15 Reconvened: 10:30 a.m.

16
17 **Agenda Item 16 – Investigator’s Report, Discussion Items**

18
19 The Occupational Licensing Investigator, John R. Clark, joined the meeting at 10:30 a.m.

20
21 Clark gave a summary of the investigator’s report that is included in the Board’s packet. He
22 indicated he recently rejoined the investigator’s office and had not had an opportunity to review
23 the cases or the report.

24
25 He indicated that Division of Occupational Licensing is hiring two new investigators and his
26 view that the Board would be getting more attention and focus.

27
28 The Chair asked Clark about unlicensed advertising in telephone directory yellow pages. He
29 indicated that he does not have repeat offenders. Once he sends the Cease and Desist letter, he
30 has had good compliance.

31
32 Peirsol asked when a fine is paid, if it go into the general fund.

33
34 Clark responded that fines collected go into the general fund.

35
36 The Chair asked if Executive Administrator could ask Catherine Reardon, Director, Division of
37 Occupational Licensing, if those monies could be redirected to pay for yellow page advertising
38 for unlicensed advertising.

39
40 Mearig, Kalen, and Davis expressed concern that redirecting fines could give the appearance that
41 fines were being imposed as a revenue source.

42
43 Kalen mentioned that one reason behind Board autonomy has been the lack of attorney general
44 support.

45
46 The Chair wondered if the Board could hire its own regulation attorney if it were autonomous.

47
48 Clark brought up the matter of a licensee whose license is poised to expire. In 1991, a hearing
49 officer issued a decision in the case and the Board adopted the decision.

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

4
5 **RESOLVED that the Board go into executive session at 10:43 a.m. for the**
6 **purpose of discussing a renewal applicant and the hearing officer decision**
7 **previously issued.**
8

9 Back on the record: 11:37 a.m..

10
11 The Chair asked Clark about the building officials' handbook and offered to help update the
12 manual. He noted that it is outdated and inaccurate, and an updated version would be helpful to
13 clients.

14
15 The Chair asked Executive Administrator to work with Clark to update the manual.

16
17 Break for lunch: 11:45 a.m.

18
19 Reconvened: 1:16 p.m.

20
21 **Agenda Item 22 – Calendar of Events**

22
23 The Chair asked to bring up travel next since Mr. Aufrecht would be joining the meeting at 2:00
24 p.m. She noted that the Board has 12 board member trips authorized and 3 have been taken so
25 far: Two board members attended the NCEES annual meeting and one attended the annual
26 CLARB. Nine remain for the year. She recapped the travel:

27
28 Executive Administrator would be attending the NCEES President's Assembly in Phoenix in
29 February. Miller would be attending, but not as a function of the Board.

30
31 Peirsol and Brown would be attending WCARB meeting in Boise in March.

32
33 Iverson, Gardner, McLane, and Kalen would be attending the WCEES in Maui in May.

34
35 Peirsol, Gardner, Davis, and Brown would attend NCARB in June.

36
37 Mearig expressed interest in attending CLARB in March in Salt Lake City, UT if funding were
38 available and the Chair felt it would be available.

39
40 Miller expressed interest in attending the annual NCEES meeting in Arkansas in August.

41
42 Mearig suggested his name be taken off the annual NCEES meeting in August and Miller be
43 placed in that slot.

44
45 Iverson and Kalen asked to be added to attend the annual NCEES meeting.

46
47 Iverson indicated he would not be attending the AELS board meeting in February as he would be
48 on vacation.

1 **Agenda Item 19 – Member Board Reports**

2
3 The Chair brought up member board reports.

4
5 Executive Administrator reviewed her administrator’s report and the MBA workshop.

6
7 Kalen reviewed his Land Surveyor’s forum and NCEES annual meeting.

8
9 Mearig and Morton reviewed the CLARB annual meeting.

10
11 Board member reports are currently being posted to the website as part of the AELS draft board
12 minutes.

13
14 Davis rejoined the meeting at 2:00 p.m.

15
16 **Agenda Item 18 – Board Training**

17
18 Dr. Stephen Aufrecht and Dr. Irfan Ahmed joined the meeting and were introduced to the Board
19 members. They were there to assist the Board in training, primarily to assist them in developing
20 goals and improvements to group dynamics. Dr. Aufrecht made general comments about his
21 observations about the Board’s work based on his observations while the Board discussed its
22 goals and objectives the prior day. He thought the Board stayed on course and sensed that things
23 moved pretty well. He explained that there were several surveys he would pass out and the
24 Board members and staff could fill them out to be used for discussion purposes.

25
26 The Board filled out surveys handed out and discussed overall group dynamics and goals and
27 objectives with the university faculty.

28
29 Dr. Aufrecht said he would review answers, follow-up with individual board members by email,
30 phone or short meetings, and would summarize materials for their next meeting.

31
32 Dr. Aufrecht and Ahmed left at approximately 3:20 p.m.

33
34 The Chair suggested that the Board bring Mr. Aufrecht to Juneau for the February board meeting
35 to observe, then attend the Fairbanks meeting and provide Board training at that time.

36
37 Dr. Miller suggested that Dr. Aufrecht may not have the time to attend the meeting or it might
38 not be feasible.

39
40 The Board discussed various ways it might be more efficient in its work, from minimizing
41 comments on written reports submitted to breaking into subgroups for the purpose of reviewing
42 correspondence.

43
44 The Chair noted there was no objection to Dr. Aufrecht attending the February and May
45 meetings for additional training.

46
47 **Agenda Item 20 – Board Member Comments**

48
49 The Chair brought up Board Member comments.

1
2 Cyra-Korsgaard would like the Board to discuss what to call landscape architects without
3 licensure. She also thought that it might be a good idea for board members to review
4 applications outside their discipline or profession as it would help board members become more
5 familiar with the other profession's requirements.
6

1 **Agenda Item 21 – Read Applications into Record**

2
3 **On a motion duly made by Kalen, seconded by Davis, and carried unanimously, it**
4 **was**

5
6 **RESOLVED to approve the following list of applications for comity and**
7 **examination as read, with the stipulation that the information in the**
8 **applicant’s file will take precedence over the information in the minutes:**

9
10 **Comity Applicants**

11

#	LAST NAME	FIRST NAME	DISCIPLINE	BOARD ACTION
1.	Springer	Todd	Architect	Conditionally approved pending arctic
2.	Slack	Joseph	Architect	Approved
3.	Calla	Thomas	Architect	Approved
4.	Cyra-Korsgaard	Linda	Landscape Arch.	Conditionally approved pending verification of current licensure
5.	Hamberg	Barth	Landscape Arch.	Approved
6.	Ouderkirk	Eric	Landscape Arch.	Approved
7.	Schoenthal	Terry	Landscape Arch.	Conditionally approved pending arctic
8.	Smith	Randy	Land Surveyor	Conditionally approved pending verification of current Montana license
9.	Toney	Robert	PE/Chemical	Approved
10.	Chickonoski	Stephen	PE/Civil	Conditionally approved pending 1 reference and arctic
11.	Fleming	Arthur	PE/Civil	Approved
12.	Grant	Jim	PE/Civil	Conditionally approved pending NCEES approved exam and 2 reference letters
13.	Howard	Keith	PE/Civil	Conditionally approved pending arctic
14.	Morris	Henry	PE/Civil	Approved
15.	Rendely	Wayne	PE/Civil	Conditionally approved pending arctic
16.	Coad	John	PE/Electrical	Approved
17.	Beste	Benjamin	PE/Mechanical	Approved
18.	Bharani	Anil	PE/Mechanical	Conditionally approved pending verification of current licensure

1

19.	Cronk	Jon	PE/Mechanical	Approved
20.	Gamlen	Dennis	PE/Mechanical	Approved
21.	Penland	Eric	PE/Mechanical	Approved
22.	Wells	Kenneth	PE/Mechanical	Conditionally approved pending arctic
23.	Uzhansky	Yury	PE/Mechanical	Approved

2

3

4

Examination Applicants

#	LAST NAME	FIRST NAME	DISCIPLINE	BOARD ACTION
1.	Aughe	Gregory	FE (needs board review)	Approved
2.	Aleksich	Brent	FE	Staff approved
3.	Fawcett	Daniel	FE	Staff approved
4.	Gervais	Ardelle	FLS	Staff approved
5.	Heidemann	Ronald	PLS/AKLS	Approved
6.	Tolan	Michael	PLS/AKLS	Approved
7.	Klein	Joseph	PE/Civil	Conditionally approved pending 10 months experience after 7/99; arctic prior to licensure
8.	Merli	Jean	PE/Civil	Approved
9.	Kamienski	Edward	PE/Electrical	Approved for exam; arctic prior to licensure
10.	Hutchinson	David	PE/Petroleum	Approved for exam; arctic prior to licensure
11.	Adams	Dwayne	L.A.R.E.	Approved
12.	Schlosser	Gordon	L.A.R.E.	Conditionally approved pending 2 registered LA references

5

6 There were no incomplete or denied applicants.

7

8 **Agenda Item 22 – Review Calendar of events (continued)**

9

10 The Chair brought up the next item of discussion, the tentative schedule for the quarterly AELS
11 board meetings:

12

13	February 15-16, 2001 -	Juneau
14	May 17-18, 2001	- Fairbanks
15	August 23-24, 2001	- Anchorage
16	November 15-16, 2001	- Anchorage

17

18 **Agenda Item 21 – Review Task List**

19

20 The Executive Administrator indicated she would forward the task list, outlining each person’s
21 tasks as assigned at this meeting as part of the minutes.

22

Executive Administrator	1. Add “downloadable seal” to Feb. Agenda
	2. Contact CLARB jurisdictions to see how many require the council record (only) and how it works for them.
	3. Notify APDC the board will examine the feasibility of Board autonomy.
	4. Ask Catherine if fines collected are accounted for separately for AELS.
	5. Update Alaska information on CLARB web page (done 11/20 gm).
	6. Letter to MOA with Brown, to respond to design professionals sealing their work (see new business Nov. 00 meeting). Done 11/30/00.
	7. Gardner asked that the web-based course be mentioned in the AELS News Summary.
	8. Research inactive status licenses in other states.
	9. Research how other states handle lapsed licenses (3 states).
	10. Research with other states any problems encountered with generic professional engineer licenses.
	11. Research other states that have continuing education requirements.
Brown	1. Draft letter with Executive Administrator to MOA on stamping own work, construction observation (done 11/30/00).
	2. Ask APDC to write letter in support of yellow page advertising.
Davis	1. Work with Truitt on regulations.
	2. Work with Siemoneit on yellow page advertising.
	3. Work with Mearig & Executive Administrator on examination fee from NCEES.
Gardner	No tasks.
Iverson	No tasks.
Mearig	Work with Staff on technological upgrades and electronic seals.
Kalen	1. Report to ASPLS the issue of math credit for land surveyor education.
	2. Bring in projected cost information on AKLS workshop.
McLane	Work with Kalen on hydrographic survey goal.
Miller	1. Advise John Clark which environmental ethics courses were/are offered.
	2. Hydrographic surveying.

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Peirsol	1. Email seal to Mearig.
	2. Check web page.
Siemoneit	Work to bring closure on yellow page advertising.
Truitt	1. Check with department of law on ADA compliance certification.
	2. Rework the lapsed license regulation and put in a definition for retired status.

Agenda Item 24 – Housekeeping

The Board members signed wall certificates and submitted travel reports as completed.

On a motion duly made by Kalen, seconded by McLane, and carried unanimously, it was

RESOLVED to adjourn the meeting at 3:44 p.m.

There were no objections and the meeting was adjourned.

Respectfully submitted:

Nancy Hemenway, Executive Administrator

Approved:

Daphne Brown, Chair
Board of Registration for Architects,
Engineers and Land Surveyors

Date: _____