

BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS,
SURVEYORS AND LANDSCAPE ARCHITECTS
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Thursday, July 14, 2011

Time: 9:00 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Shelli McCelvey, Chair, Landscape Architect Member
Norman Hong, Vice Chair, Architect Member
Michael Chu, Landscape Architect Member
Dan Hirota, Land Surveyor Member
Howard Lau, Structural Engineer Member
Jay Manzano, Public Member
Paul Murray, Chair, Land Surveyor Member
Clayton Pang, Electrical Engineer Member
Marc Ventura, Architect Member
Robert Yanabu, Civil Engineer Member
Roberto Yumol, Architect Member
Rodney Tam, Esq., Deputy Attorney General
James Kobashigawa, Executive Officer
Sandra Matsushima, Executive Officer
Terry Akasaka-Toyama, Secretary

Excused: Demetrio Constantino, Public Member
Ross Okuda, Secretary, Mechanical Engineer Member
Raymond Skelton, Public Member

Call to Order: There being a quorum present, Chair McCelvey called the meeting to order at 9:25 a.m.

Agenda: Additions and Revisions: None.

Approval of
Minutes:

It was moved by Mr. Hong, seconded by Mr. Murray, and unanimously carried to approve the minutes of the June 9, 2011 Board meeting.

Chapter 91, HRS,
Adjudicatory
Matters:

At 9:27 a.m., Chair McCelvey recessed the Board's meeting to discuss adjudicatory matters pursuant to Chapter 91, HRS.

- a. In the Matter of the Professional Engineer's License of Morton D. McMillen– Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

It was moved by Mr. Lau, seconded by Mr. Hong, and unanimously carried to accept this Settlement Agreement.

At 9:29 a.m., the Board came out of Chapter 91, HRS, and returned to its regular order of business.

Applications:

- a. Ratifications

It was moved by Mr. Hong, seconded by Mr. Lau, and unanimously carried to ratify the following:

APPROVED STRUCTURAL ENGINEER BY
ENDORSEMENT

- SCHWEITZER, Timothy

- b. Professional Engineer Committee (continued)

Mr. Lau presented the PROFESSIONAL ENGINEER COMMITTEE REPORT and recommended action as follows:

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- BALDWIN, Craig
- CAKE, Howard
- DAY, Christopher
- DUNN, James
- GRIMES, Anna
- HAMMELL, James
- JOHNS, Evor
- JOO, Seungdon
- LANCE, Jeffery
- NOWAK, Gregory
- TOBIAS, Sharon

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- BROWN, Gregory
- CHAN, Joseph
- GANSER, Joseph
- HOPKINS, Charles
- KEARNS, Patrick
- LANGERUD, Dennis
- MOSTAJABI, Mohammad
- ROPP, Michael

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- CAMPAGNA, Scott
- KAUWALE, Justin
- VANDER GRIEND, Samuel

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- BRAUN, Wesley
- BURKE, James
- DAVIES, Donald (Also CE by endorsement)
- GIROUARD, Randall
- HEMMATYAR, Khashayar
- O'BRIEN, Michael (Also CE by endorsement)
- STOVNER, Eric

APPROVE ENGINEER BY EXAM (PE)

- CHEE, Meredith (ME)
- KAULUKUKUI, Todd (EE)
- NUGENT, Cornelius (CE)
- PETERSEN, Andrew (ME)
- TANABE, Bryan (ME)
- TERRY, Christopher (SE)
- WONG, Wesley (CE)
- YOSHIDA, Jonathan (CE)

APPROVE ENGINEER BY EXAM (FE)

- BATANGAN, Benjie
- CHANG, Randee
- DANG, Kevin

- DIGUC, Willie
- HARPER, Jonathan
- HE, Xinwang
- JO, Stephen
- JUNG, Noah
- MIYASAKA, Muneaki
- TERRY, Christopher
- TOTOKI, Rustyn

DEFER CIVIL ENGINEER BY ENDORSEMENT

- DAVIES, Donald
- O'BRIEN, Michael
- TRAN-BROWN, Jane

DEFER MECHANICAL ENGINEER BY ENDORSEMENT

- BARTEE, Lucas

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- HARBIN, Sean
- HERRERA, Noel
- KIM, Sang-Cheol
- MAHAFFEY, Riley
- SIMON, Jerry
- STROH, Bernard
- YU, Jiang

DEFER ENGINEER BY EXAM (PE)

- HAAR, Shawn (ME)
- NOMURA, Matthew (EE)
- YIM, See Ming (EE)

DENY WAIVER OF FE EXAM

- TERRY, Christopher

It was moved by Mr. Chu, seconded by Mr. Pang, and
unanimously carried to accept the PROFESSIONAL
ENGINEER COMMITTEE REPORT.

c. Professional Architect Committee

Mr. Hong presented the PROFESSIONAL ARCHITECT COMMITTEE REPORT and recommended action as follows:

APPROVE ARCHITECT BY ENDORSEMENT

- CALLAN, Daniel
- CANDARI, Benjamin IV
- DWOSKIN, Stephen
- GREEN, Timothy
- PARCO, Thomas

APPROVE ARCHITECT BY EXAM

- MACZKOWSKA, Iwona
- RAYMOND, Aaron

It was moved by Mr. Yumol, seconded by Ms. McCelvey, and unanimously carried to accept the PROFESSIONAL ARCHITECT COMMITTEE REPORT.

d. Professional Land Surveyor Committee

Mr. Murray presented the PROFESSIONAL LAND SURVEYOR COMMITTEE REPORT and recommended action as follows:

APPROVE LAND SURVEYOR BY ENDORSEMENT

- HONSAKER, Russell (state-constructed exam)

APPROVE LAND SURVEYOR BY EXAM

- NONEZA, Carmela (FS, PS & state-constructed exam)
- TASATO, Keith (FS)

DEFER LAND SURVEYOR BY EXAM

- TASATO, Keith (PS & state-constructed exam)

It was moved by Mr. Lau, seconded by Mr. Yumol, and unanimously carried to accept the PROFESSIONAL LAND SURVEYOR COMMITTEE REPORT.

e. Professional Landscape Architect Committee

Mr. Chu presented the PROFESSIONAL LANDSCAPE ARCHITECT COMMITTEE REPORT and recommended action as follows:

APPROVE LANDSCAPE ARCHITECT BY EXAM

- LANGWORTHY, Ashley (LARE & state-constructed exam)

It was moved by Mr. Yumol, seconded by Mr. Lau, and unanimously carried to accept the PROFESSIONAL LANDSCAPE ARCHITECT COMMITTEE REPORT.

Old Business:

a. Rules Committee Report

Mr. Hirota summarized the minutes of the June 9, 2011 Rules Committee Meeting.

Pursuant to last month's Committee meeting, additional feedback was received from Mr. Miura, Mr. Hirota, Ms. McCelvey, Mr. Mitsumori, and Ms. Sakata as it relates to the latest draft of the proposed rules.

The following recommendations were made:

1. §16-115-2, under the definition of "Branch examination", add "fire protection" to the branches of engineering examined;
2. §16-115-39(a)(3) and §16-115-79(a)(2), amend the teaching load to 9 semester credit hours and 13 quarter credit hours;
3. §16-115-5, discussion on the requirement to display evidence of current validation of license at the place of business was deferred for further discussion;
4. §16-115-10.5, discussion on the language to add a new section on examination irregularities was deferred pending review of the language in the NCEES Model Law and Model Rules;

5. §16-115-2, discussion on the definition of "supervision" was deferred for further discussion;
6. §16-115-49, new subsection (c) should be added to allow early entry to sit for the A.R.E.; and
7. Discussion on restoration of license revisions was deferred pending concern raised by NCARB and review of draft previously submitted by Mr. Suzuki.

It was moved by Mr. Murray, seconded by Mr. Lau, and unanimously carried to approve the June 9, 2011 Rules Committee minutes.

It was suggested the Committee seek replacements to fill the vacancies of Mr. Richard Mitsumori and Mr. Richard Suzuki.

After discussion, it was moved by Mr. Lau, seconded by Mr. Murray, and unanimously carried to add the following to the Rules Committee:

- Jay Manzano
- Clayton Pang
- Roberto Yumol

b. Letter from Felix Agraan

Mr. Agraan requested reconsideration of the Board's decision in June so that the Principles and Practice of Engineering ("PE") Exam can continue to be waived as previously approved by the Board. Upon further research of Mr. Agraan's application file, it was found that Mr. Agraan continuously took the Fundamentals of Engineering ("FE") as required by the Board on the application that the Board previously approved in 1995 and credited Mr. Agraan for the PE exam. Since that application was not considered to be abandoned, it was moved by Mr. Hong, seconded by Mr. Yumol, and carried by a majority (ayes from Chu, Hirota, Hong, Manzano, McCelvey, Murray, Pang, Ventura, Yanabu, Yumol, while Lau recused himself) to rescind the Board's decision in June and allow Mr. Agraan to continue taking the FE exam and be credited for the PE exam.

New Business: a. NCEES Matters

- The 2011 NCEES Annual Meeting is scheduled for August 24-27, 2011 in Providence, RI. Mr. Kobashigawa will be attending as the Board's delegate.
- Highlights from the 2011 Western Zone Meeting:
 - ✓ The Guam Board of Professional Engineers, Architects, and Land Surveyors now regulates the practice of Landscape Architecture and is adding rules to reflect that addition. The Board is also adding the Fire Protection discipline.
 - ✓ The Montana Board of Professional Engineers and Professional Land Surveyors developed a handbook to distinguish the work of an engineer from that of an architect.
 - ✓ In California, Assembly Bill 1431 was signed in 2010 which renames the Board for Professional Engineers and Land Surveyors to the Board for Professional Engineers, Land Surveyors, and Geologists. The bill also changed the membership of the Board to including a professional member licensed under the Geologists and Geophysicists Act and another public member.
 - ✓ October 2010, Nevada successfully amended its regulations which included corporate registration, requirement for professionals to have a contract with their clients, allowing a professional to submit electronic documents to a public agency with an electronic signature, and a requirement that an applicant who has failed the exam three times has to furnish proof to the Board that a refresher course in professional surveying or the discipline of engineering in which the applicant is to be examined in was completed. The Board also deleted the provision that requires a structural applicant to be licensed as a civil engineer first.

- ✓ In Colorado, legislation was passed that altered the licensure criteria for land surveyor applicants. The changes required the Board to specify appropriate surveying course work that would meet the statutory requirements for a two year surveying curriculum, a four year engineering curriculum, or a four year non-surveying curriculum in order to be eligible for the examination for licensure. During legislation, the ability to become licensed as a Professional Land Surveyor without education beyond high school was also eliminated.
- NCEES will be recommending that licensing boards follow the Model Law Surveyor and require a four-year degree from an ABET-accredited program or from a substantially equivalent program approved by the licensing board to be eligible to sit for the Fundamentals of Surveying ("FS") examination. The NCEES Model Law includes three tracks:
 - ✓ Graduate from a 4-year surveying program accredited by ABET. (This program must be accredited by the ABET accreditation commission for either engineering, applied science, or technology.)
 - ✓ Graduate from a 4-year program related to surveying as approved by the board and have 2 years of progressive experience in surveying. ("Related" includes engineering, physical science, and similar programs.)
 - ✓ Graduate from any 4-year program as approved by the board and have 4 years of progressive experience in surveying.

b. NCARB Matters

- Mr. Yumol, Mr. Ventura and Mr. Kobashigawa attended the 2011 NCARB Annual Meeting and Conference in Washington, D.C. The following was reported:
 - ✓ All resolutions passed.

- ✓ NCARB's 54 U.S. Member Boards overwhelmingly passed a resolution significantly changing the continuing education ("CE") requirements as outlined in the NCARB Model Law and Model Regulations. The revision establishes the recommended standard that Member Boards require 12 CE hours in health, safety, and welfare ("HSW") subject each calendar year. Currently 46 jurisdictions have different CE requirements for licensure renewal.

In conjunction with the change in CE standard, the American Institute of Architects ("AIA") will bring down their CE requirement from 18 hours to 12 hours per year for their members.

- Mr. Kobashigawa reported that there was a case in Nevada where a candidate was suspended from taking the ARE exam for 8 years because of a violation of NCARB's exam policies.

c. CLARB Matters

The 2011 CLARB Annual Meeting is scheduled for September 15-17, 2011 in Chicago, IL.

d. Results of the April 2011 Fundamentals of Engineering Exam

Number of Candidates:	107
Number Passed:	71

e. Results of the April 2011 Principles and Practice of Engineering Exam

	<u>CE</u>	<u>EE</u>	<u>ME</u>
Number of Candidates:	47	14	7
Number Passed:	24	7	4

f. Results of the June 2011 Landscape Architect – Hawaii Plant Materials State Exam

Number of Candidates:	1
Number Passed:	0

Correspondence: a. Letter from Matthew Moy

Mr. Moy requested that his application to take the Architectural Registration Exam remain active although the last communication and exam taken from him was back in March 2008.

It was moved by Mr. Ventura, seconded by Mr. Hong, and carried by a majority (ayes from Chu, Hirota, Hong, Lau, Manzano, McCelvey, Murray, Ventura, Yanabu, and Yumol while Pang recused himself) to deny Mr. Moy's request to allow his application to remain current/active based on section 436B-9, Hawaii Revised Statutes.

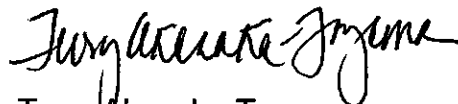
Announcements: a. The DCCA Disciplinary Actions list (through May 2011) from the Office of Administrative Hearings was circulated to the members for their information.

b. Mr. Kobashigawa announced that the October Board meeting has been moved from the 13th to the 6th.

Next Meeting: Thursday, August 11, 2011
9:00 a.m.
King Kalakaua Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

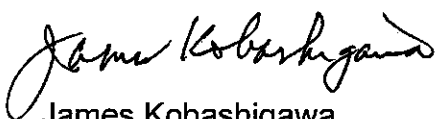
Adjournment: The meeting was adjourned at 10:29 a.m.

Taken and recorded by:



Terry Akasaka-Toyama
Secretary

Reviewed and approved by:



James Kobashigawa
Executive Officer
7/28/11

Minutes approved as is.

Minutes approved with changes; see minutes _____.