

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, February 14, 2013

Time: 9:00 a.m.

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

Present: Norman Hong, Chair, Architect Member
Demetrio Constantino, Public Member
Dan Hirota, Land Surveyor Member
Joel Kurokawa, Landscape Architect Member
Howard Lau, Structural Engineer Member
Shelli McCelvey, Landscape Architect Member
Ross Okuda, Vice Chair, Mechanical Engineer Member
Clayton Pang, Electrical Engineer Member
Roberto Yumol, Architect Member
Rodney Tam, Deputy Attorney General
James Kobashigawa, Executive Officer
Sandra Matsushima, Executive Officer
Terry Akasaka-Toyama, Secretary

Excused: Jay Manzano, Public Member
Paul Murray, Land Surveyor Member
Raymond Skelton, Secretary, Public Member

Call to Order: There being a quorum present, Chair Hong called the meeting to order at 9:15 a.m.

Agenda: Additions and Revisions: It was moved by Mr. Yumol, seconded by Mr. Hirota, and unanimously carried to add the following to the agenda:

- Under Correspondence, add d. E-mail from Maui County
- Under NCEES Matters, add NCEES Seeks Licensed Professional Surveyors

Approval of
Minutes:

It was moved by Mr. Lau, seconded by Mr. Constantino, and unanimously carried to approve the minutes of the January 17, 2013 Board meeting.

Chapter 91, HRS,
Adjudicatory
Matters:

At 9:17 a.m., Chair Hong recessed the Board's meeting to discuss the following adjudicatory matter pursuant to Chapter 91, HRS:

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

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

At 9:20 a.m., the Board came out of Chapter 91, HRS, and returned to its regular order of business.

Applications:

- a. Ratifications

APPROVED CIVIL ENGINEER BY ENDORSEMENT

- GRALIK, Phillip

APPROVED ELECTRICAL ENGINEER BY ENDORSEMENT

- CASH, Matthew

APPROVED MECHANICAL ENGINEER BY ENDORSEMENT

- ELIOPULOS, Robert
- GLEASON, Michael
- MYERS, Michael

APPROVED ENGINEER BY EXAM (PE)

- GUTIERREZ, Joseph (SE)
- HIRONAGA, Blaine (EE)
- KUROIWA, Guy (CE)
- MAGRAS, Jan (CE)

APPROVED ENGINEER BY EXAM (FE)

- ANDERSON, Carl
- BARNES, Austin
- BRAMAN, Ryan
- CAROEE, Maja
- CHAN, Kit Woei
- FERRUFINO, Alejandra
- GASILOS, Jason
- KUTAKA, Noah
- LEWIN, Miguel
- MA, Tianwei
- MISHRA, Narayan
- MONIUSZKO, Jordan
- TREMBLAY, Caroline
- VIERRA, Preston

b. Professional Engineer Committee Recommendations

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

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- ALSOP, Trevor
- HOSTETLER, Gary
- JOHNSON, Saint
- KARAMATSU, Lara
- LAW, Timothy
- MICHELS, Alan
- OSTHUS, Joakim
- SHAW, Reece
- WEIERBACH, Dayne

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- BEAN, Faron
- BECKER, Frank
- DAVIS, Thomas
- FELONI, Edmund
- GILBERT, Kenneth
- LARGENT, Bruce
- MOLNAR, Craig

- RIZK, Yasser
- STACHELSKI, Patrick

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- ELKINS, Robert Jr.
- LEIFFER, David
- McNAIR, Daniel

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- SCURRY, Kevin
- SPARROW, Jason

APPROVE ENGINEER BY EXAM (PE)

- MILLER, Michael (CE)
- TEIJEIRO, Stephen (CE)

APPROVE ENGINEER BY EXAM (FE)

- QUISANO, Tyson

DEFER ELECTRICAL ENGINEER BY ENDORSEMENT

- BIRKE, Thomas
- LISKA, Christopher

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- LEW, Stephen
- NAGUIB, Wassim
- SCHMITT, Nicholas

DEFER ENGINEER BY EXAM (PE)

- TYLER, Jacob (CE)

DENY STRUCTURAL ENGINEER BY ENDORSEMENT

- ROKACH, Abraham

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

c. Professional Architect Committee Recommendations

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

APPROVE ARCHITECT BY ENDORSEMENT

- EMSIEK, Richard
- MILLER, Scot
- MITCHELL, William
- PED, Ronald
- TRIPLETT, William
- TROMBLY, Jonathan
- YAMAMOTO, Michael

APPROVE ARCHITECT BY EXAM

- INOVEJAS, Brad

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

d. Professional Land Surveyor Committee Recommendations

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

APPROVE LAND SURVEYOR BY ENDORSEMENT

- JONES, Michael (state-constructed exam)
- SHAW, Justin (state-constructed exam)
- WELLMAN, David (state-constructed exam)

APPROVE LAND SURVEYOR BY EXAM

- LAPERA, Thomas Jr. (FS, PS & state-constructed exam)

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

e. Professional Landscape Architect Committee Recommendations

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

APPROVE LANDSCAPE ARCHITECT BY ENDORSEMENT

- HART, Patrick (state-constructed exam)

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

Old Business:

a. Rules Committee Report

Mr. Kobashigawa summarized the minutes of the January 17, 2013 Rules Committee meeting.

At the meeting, Mr. Kobashigawa informed the Committee that he just received a memo from the Governor approving the proposed rules related to concurrent IDP and exam to go to public hearing. Accordingly, Mr. Kobashigawa will be drafting a public hearing notice.

Mr. Kobashigawa distributed a draft of language related to amending the language to clarify the education requirements for exam and licensure.

After discussion, the Committee decided to continue discussion at its next meeting.

It was moved by Ms. McCelvey, seconded by Mr. Pang, and unanimously carried to approve the minutes of the January 17, 2013 Rules Committee meeting.

New Business:

a. NCEES Matters

- NCEES Board Presidents' Assembly

Mr. Pang and Mr. Kobashigawa attended the Board Presidents' Assembly on February 8-9, 2013 in Atlanta, GA and the following are highlights from Mr. Pang's report:

- ✓ The Advisory Committee on Council Activities recommended that the four years of work experience not be tied to the requirement for taking the PE/PS exams. The candidate should be allowed to sit for the exam right after college.
- ✓ The Executive Director reported that NCEES may contract with a foreign entity to administer exams in a foreign country. Also, all foreign exams will be in the English language and NCEES will retain the score information for examinees of foreign entities and will transmit that information to any member board when requested.
- ✓ The FE Computer-Based Test ("CBT") will be a six (6) hour exam which consists of 100 test questions and 10 pre-test questions. After a 10 minute tutorial and non-disclosure, time allowed for the exam is five hours and 20 minutes with a 25 minute break after question 55 and a five (5) minute post exam survey. At the Pearson Vue test center, a candidate's palm will be scanned for identity/security before the exam and after the break. There will be one security camera for every two test carrels. No FE/FS candidates taking the same exam will be allowed to sit next to each other and candidates do not have to sit for the exam in the state that they registered with.
- ✓ NCEES is using Facebook, Twitter and YouTube to reach out and communicate with the young demographics. They have a staff of three to monitor and reply to questions and inquiries through these social medias.
- ✓ The PE exam in agriculture is still on probation as there is not enough use.
- ✓ The structural exam I and II may not go CBT.

- ✓ When the PS changes to CBT, the state portion of the exam will not be combined with the PS exam by Pearson Vue. The state specific portion would be separate. If the Board wants the option of the state specific exam, they would need to set up a separate contract to have it administered by Pearson Vue.

- NCEES Western Zone Meeting

This meeting is scheduled for April 18-20, 2013 in San Francisco, CA. Mr. Lau and Mr. Kobashigawa will be attending this meeting.

- Memo on Notice of Initiating of Computer-Based Testing

Effective January 1, 2014, the FE and FS exams will be administered via CBT. There will be four testing windows to take these exams annually. Each window will last two months with a month between them. Candidates for a CBT exam may take the exam only one time per testing window and no more than three times in a 12-month period.

NCEES has been working to develop two options to register candidates for the FE and FS exams, effective with the opening of registration on November 4, 2013.

Option 1: Examinees will register directly with NCEES and be required to attest to the following statement: "Passage of the FE/FS exam alone does not ensure certification as an engineer/surveyor intern or engineer/surveyor-in-training in any U.S. state or territory. To obtain certification, you must file an application with an engineering/surveying licensing board and meet that board's requirements." Once examinees attest to this statement, they are automatically approved to take the exam. Examinees are notified directly of their results and can log in to retrieve them typically within 48 hours of taking the exam. When a board receives an application for intern certification, the board would then verify the FE/FS results. Several member boards already use this option.

Option 2: The board must manually approve examinees for each exam attempt. Once approved by the board, examinees register with NCEES. Results can be released to boards or directly to the examinees.

As a concerned alumni, Mr. Lau inquired whether the Board would be able to receive a report on the FE exam results of those candidates who attend or have graduated from the University of Hawaii. Mr. Kobashigawa indicated that he would look into the matter.

After discussion, it was moved by Mr. Lau, seconded by Mr. Pang, and unanimously carried to go with option 1 to allow candidates to register directly with NCEES to take the FE, PE, FS and PS exams.

- Memo Spring 2013 Exams

The Spring exams will be administered on April 12 and 13, 2013.

- Electronic Verification System

NCEES has implemented an electronic verification system. Instead of using the "paper and pencil" verification system currently used by many states, states can opt in to the electronic verification system. A person licensed in State A who wishes to obtain a license in State B can request NCEES to obtain verification of licensure and exam information from State A and upon verification, transmit the information to State B.

- NCEES Seeks Licensed Professional Surveyors

NCEES is currently seeking volunteers to participate in a standard-setting study for the PS exam. To qualify, volunteers must have taken and passed the NCEES PS exam and must be licensed professional surveyors.

The standard-setting study will take place May 17-18, 2013 in Clemson, SC. Travel and lodging expenses will be paid by NCEES. Selected volunteers will review and rate the difficulty of items that will be included on the

updated PS exam. The volunteers' responses will help NCEES determine the passing score for the exam. To volunteer you will need to complete a short online questionnaire at www.ncees.org/PSstandards.

b. NCARB Matters

- WCARB Region 6 Meeting

This joint regional meeting with Regions 1, 2 and 6 is scheduled for March 15-16, 2013 in Providence, RI.

- NCARB Fast Facts

- ✓ Legislation pertaining to the licensing of members of the military and their spouses are being proposed all around the country. To ensure protection of health, safety, and welfare, this legislation typically requires that military-trained applicants meet levels of military training standards "substantially equivalent to or exceeding" the requirements for licensure of architect generally in the state.

- ✓ ARE Examination Updates

- As of July 2013, the ARE will no longer include references to metric measurements. All units will be noted in imperial only.
- The Council is beta testing a cloud-based service that will allow customers with 64-bit Windows operating systems and Macs to access the ARE Practice Programs software. The beta test will be available for candidates to test from January 22, 2013 to March 18, 2013. The test is intended to help NCARB troubleshoot any technical issues, determine potential usage levels, and gain customer feedback.

If NCARB decides to offer the service, it will be on a paid subscription basis as an alternative to the free practice programs software that will remain available on NCARB's website.

- ✓ NCARB's Annual Meeting is scheduled for June 19-22, 2013 in San Diego, CA.

- NCARB Committee Application

Member Board Members and Executives interested in serving on an NCARB committee in fiscal year 2014 should submit an application by March 1, 2013.

- CEO Update

In the January 2013 issue of the "CEO Update", it reported:

- ✓ 208 of 281 rolling clock extension requests were approved in 2012. The NCARB Rolling Clock policy allows for extensions to the rolling clock in case of birth or adoption of a child, serious medical conditions, active military duty service, or other like causes.
- ✓ The fee amnesty offer ran from October to November 2012 where a total of 842 architects and 1,541 interns took advantage of the program and reactivated their records.

c. CLARB Matters

- CLARB E-News

- ✓ L.A.R.E. administration will be from April 8-20, 2013 and registration deadline is March 29, 2013.
- ✓ CLARB has been using social media as a communication vehicle.

- CLARB Spring Meeting

The Spring Meeting is scheduled for March 1-2, 2013 in Scottsdale, AZ.

d. Legislative Matters

- H.B. 326/S.B. 57 – Relating to Taxation

These bills would require professional architects, engineers, land surveyors, and landscape architects to present a tax clearance certificate to licensing agency prior to the issuance or renewal of the license.

- H.B. 323/S.B. 506 – Relating to Professional and Vocational Licensing

These bills clarify that licensing authorities shall consider relevant education, training, or service completed by service members. It also specifies which service members are subject to these provisions and permits licensure by endorsement or licensure by reciprocity in certain situations for service members. These bills would also establish procedures for service members to receive a license by endorsement or license by reciprocity, permit issuance of a temporary license if certain requirements are met and requires the licensing authority to expedite consideration of the application and issuance of a license by endorsement, license by reciprocity, or temporary license to a qualified service member.

- H.B. 718/S.B. 965 – Relating to Professional and Vocational Licensing

These bills would establish qualifications for "nonresident military spouses" eligible for expedited procedures for professional and vocational licensing by endorsement or reciprocity, and temporary licensing. It would also establish requirements for nonresident military spouses to maintain licenses and requires reporting of changes in status or circumstances that may affect licensure.

- H.B. 1381 – Relating to Professional and Vocational Licensing

This bill would require a licensing authority to consider in the process for licensure by endorsement or reciprocity nonresident military spouses or service members who have served in a combat zone after September 11, 2001, and service members who provide retirement, separation, or discharge documentation.

Correspondence: a. Letter from Harold Alejandro

Mr. Alejandro requested for an extension to keep his application valid and still be eligible to take the PE exam. His application was deemed as abandoned as there was no continued effort on his part to complete the licensure process within a two (2) year period.

After discussion, it was moved by Mr. Lau, seconded by Mr. Constantino, and unanimously carried to deny Mr. Alejandro's request as his application was deemed as being abandoned.

b. E-mail from Ron Darville

Mr. Darville is with the County of Kauai Building Division and inquired if an architect submits plans which are subsequently approved, but after the project starts, the architect is fired and a second architect is then hired. Does the first architect own the plans or does the client who paid for the plans/project own the plans? If the answer to this question is the original architect, would the project owner then be required to submit to the building department a second set of plans to be approved and issued a new permit before construction can proceed?

By consensus of the Board, the contractual terms would specify who owns the plans. If an AIA document was used, it would clearly indicate that the architect owned the plans.

With regards to whether a new set of plans needs to be drawn would be determined by the Building Department unless the first architect allows the plans to be used. If the first architect removes himself or herself as the architect of record, the second architect would need to submit new plans.

c. E-mail from Kathy McKinney-Tovar

Ms. McKinney-Tovar inquired whether certification from an engineer would be required for Spill Prevention Control and Countermeasures qualified facilities?

By consensus of the Board, this would probably fall under the jurisdiction of the Department of Health.

d. E-mail from Maui County

It was questioned whether it would be acceptable to have one architect do just the site planning work while the other architect design the residence and there is no association between the architects.

By consensus, the Board determined that an architect may design the site planning work only for the residence.

Next Meeting: Thursday, March 14, 2013
9:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: The meeting was adjourned at 10:35 a.m.

Taken and recorded by:

/s/ Terry Akasaka-Toyama

Terry Akasaka-Toyama
Secretary

Reviewed and approved by:

/s/ James Kobashigawa

James Kobashigawa
Executive Officer

2/28/13

Minutes approved as is.

Minutes approved with changes; see minutes _____.