

## ARCHITECTS SECTION MEETING

### MINUTES

The Architects Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on May 3, 2006, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

John S. Clark, Jr.  
Kenneth A. Schwartz

Board member J. Everette Fauber, III, was not present for the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Mark N. Courtney, Executive Director  
Marian H. Brooks, Program Administrator  
Michelle Gowen, Administrative Assistant  
Earlyne Perkins, Legal Analyst

No representative was present from the Office of the Attorney General.

Mr. Schwartz, Chair, called the meeting to order at 9:00 a.m.

Call to Order

Mr. Clark moved to approve the agenda as written. Mr. Schwartz seconded the motion which was unanimously approved by members: Clark and Schwartz.

Approval of  
Agenda

**Public Comment Period** – Duncan Abernathy, VSAIA, was present to address the Board with regard to IDP Timing and HB553. Mr. Abernathy also noted that the VSAIA has an opening for a Statewide IDP Coordinator who will be the liaison for students, recent graduates, and recent licensees.

Public Comment

Donald Stansell was present to address the Section members and request that their decision take into account that he has been licensed for 30 years and has never had disciplinary action taken against him. Mr. Stansell also noted that this being his first disciplinary matter, he was unsure of how to proceed. Mr. Stansell gave the Section members his sincere apologies.

File Number  
2005-03617,  
Donald Stansell

Regarding File Number 2005-03617, Donald Stansell, the Section

member reviewed the record of the the Informal Fact-Finding Conference, which consisted of the investigative file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference, and Mr. Stansell's presentation. Mr. Schwartz recommended that the Board accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's 2002 regulations: 18 VAC 10-20-18 VAC 10-20-740 (Count 1) and 18 VAC 10-20-750 (Count 2).

After Ms. Perkins indicated that there have been no prior disciplinary actions against Mr. Stansell, Mr. Schwartz recommended that the Board accept the sanctions contained in the Summary of the Informal Fact-Finding Conference and impose a \$250.00 monetary penalty as well as the revocation of Mr. Stansell's architect license for each of the violations contained in Counts 1 and 2. As the presiding Board member, Mr. Clark was not present during the presentation, discussion, or recommendation.

The Section members reviewed and discussed the draft resolutions to be considered at the upcoming NCARB annual meeting.

**Discussion of  
NCARB Annual  
Meeting**

The Section members continued their discussion of allowing IDP participants to take the ARE prior to completion of the IDP. The Section members reviewed the regulations in place by Vermont and the slides prepared by Texas on this issue. Vermont requires that 2 out of 3 years be completed before taking the examination. The Section members suggested that they hold their discussion until their next meeting to be able to consider any resolutions from the NCARB annual meeting on this topic.

**Discussion of  
IDP Participants  
Taking the ARE**

Mr. Schwartz reviewed the IDP funding proposal and noted that other states are taking this action in order to assist students who may not be able to afford the cost. Mr. Schwartz stated there are several benefits to students entering into this program. Mr. DeBoer applauded the vision and interest to benefit the public and serve the Board and Commonwealth well. Mr. DeBoer noted that he came to the state by way of the legislature where he served on the General Laws committee, which oversaw legislation relating to regulatory programs. Mr. DeBoer stated that Virginia has a unique approach and it is clear that Virginia is very strict on the way its money is budgeted. If the Board's money is to be spent on such an initiative, there would need to be a specific authorization in the budget. At this time, neither the *Code of Virginia* nor the budget expressly authorize the expenditure of funds for this proposal. Mr. DeBoer also noted that the Office of the Attorney General can review the proposal and provide advice if desired. Further, the proposal could be

**Discussion of  
Board Funding  
IDP Application  
Fees**

presented to legislators as a request for a budget amendment for payment out of the general fund.

The Section members noted the importance and the benefits of Virginia being more involved at the national level with NCARB and how this is not something that can be accomplished with one Section member attending the meetings. Mr. DeBoer acknowledged and agreed with their concerns and will consider requests for needed funding on a case-by-case basis for efforts to hold regional and national office.

**Discussion of  
Funding for  
Attendance at  
NCARB  
Meetings**

Mr. Schwartz attended the Region II meeting in Charleston, SC, and gave a brief report on some of the meeting topics which were: ARE Timing, and the upcoming October meeting and the joint meeting with Region VI in Spring 2007. Mr. Schwartz stated that he has been elected as Secretary of the Region.

**Report from  
Region II  
Meeting**

Mr. Courtney provided the Section members with various memorandums and notices received by the Board office from NCARB during the last two quarters.

**Review of  
Quarterly  
Information  
Received from  
NCARB**

Mr. Clark nominated Mr. Schwartz to be the Chair of the Architects Section for the term from July 1, 2006, to June 30, 2007. Mr. Schwartz seconded the motion which was unanimously approved by members: Clark and Schwartz.

**Election of  
Chair**

Mr. Schwartz gave a brief report of his presentation at the VSAIA Board of Directors quarterly meeting in Charlottesville in March of 2006.

**Other Business**

Mr. Schwartz asked Duncan Abernathy to inform the Section of who the Statewide IDP Coordinator is when the position is filled so that they may be in contact with that person if need be.

Ms. O'Neal provided a brief summary of HB553. Mr. Schwartz suggested that Mr. Abernathy review HB553 and return to discuss with the Section at its July meeting if necessary.

Mr. Courtney and Mr. Schwartz discussed the upcoming meeting on the Visitability/Accessibility design competition and noted that DRS will be funding the competition.

Conflict of Interest forms were completed by all members present.

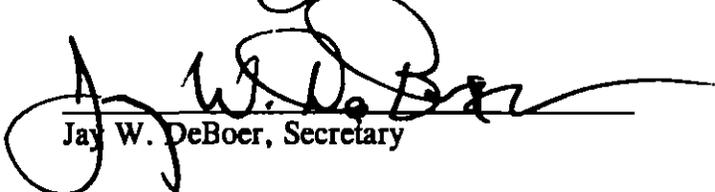
Conflict of  
Interest Forms

There being no further business, the meeting was adjourned at 10:25 a.m. Adjourn



---

Kenneth A. Schwarz, Chair



---

Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: John S. Clark, Jr.
2. Title: Member
3. Agency: Architects Section
4. Transaction: Section Meeting on May 3, 2006
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

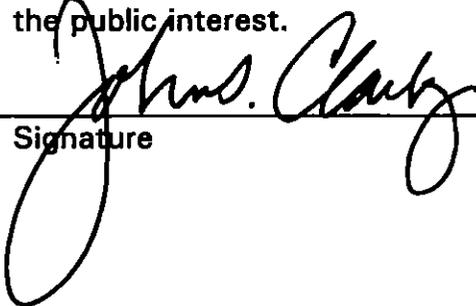
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

Date



5.3.06

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Kenneth A. Schwartz
2. Title: Member
3. Agency: Architects Section
4. Transaction: Section Meeting on May 3, 2006
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

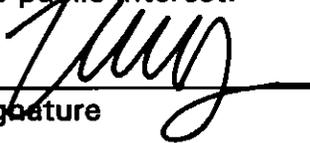
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

NONE

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature



Date

5/3/06