

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 July 26, 2007, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

John S. Clark, Jr.
J. Everette Fauber, III
Kenneth A. Schwartz

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Karen W. O'Neal, Deputy Director of Licensing and Regulation
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. Fauber moved to approve the agenda as written. Mr. Clark seconded the motion which was unanimously approved by members: Clark, Fauber and Schwartz.

Approval of
Agenda

Public Comment Period – Duncan Abernathy, VSAIA, was not able to attend the meeting; however, he did submit his public comment in writing regarding continuing education for the Section's review.

Public Comment

Edwyn A. Bayo, Esquire, and Charles Scott Hughes were available to answer any questions and to make note that they are not in agreement with the Presiding Officer's assessment of Mr. Hughes' case. Mr. Bayo noted that Florida's laws are much different from Virginia's and Mr. Hughes did not purposely deceive the Virginia Board by not disclosing his disciplinary action by the Florida Board.

File Number
2007-04402,
Charles Scott
Hughes

Regarding **File Number 2007-04402, Charles Scott Hughes**, the Board Members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, the Summary of the Informal Fact-Finding Conference, and Mr. Bayo's and

Mr. Hughes' presentations. Mr. Clark moved to accept the recommendation of the Presiding Officer and recommend the Board deny Mr. Hughes' Virginia architect license renewal application. Mr. Fauber seconded the motion which was unanimously approved by members: Clark, Fauber, Schwartz.

Mr. Fauber reviewed with the Section members the resolutions voted on at the NCARB Annual Meeting. The following are the resolutions and their outcomes:

Discussion of
NCARB Annual
Meeting

Resolution 07-1	Rules of Conduct Amendment – Incorporating Architect's Primary Duty to the Public's Health, Safety and Welfare	Passed
Resolution 07-2	Bylaw Amendment – Member Board Executive to Serve on the Board of Directors	Passed
Resolution 07-3	Bylaw Amendment – Public Director to Serve on the Board of Directors	Passed
Resolution 07-4	Handbook Amendment – Treating CACB-Accredited Degrees the Same as NAAB-Accredited Degrees for Prior Versions of the ARE	Passed
Resolution 07-5	Rules of Conduct Amendments – Receipt of Compensation From More than One Party and in Connection with Specifying or Endorsing a Product	Passed
Resolution 07-6	Bylaw Amendment – Notice of Annual Meeting and Conference	Passed
Resolution 07-7	Model Regulations Amendment – Continuing Education 12 Units to be in Health, Safety and Welfare Subjects	Passed
Resolution 07-8	Handbook and Model Law Amendment – ARE Timing: NCARB Required Eligibility to Complete the ARE	Passed
Resolution 07-9	Model Law Amendment – ARE Timing	Withdrawn

Resolution 07-10	Model Law Amendment – Adopting a Definition of Health, Safety and Welfare	Withdrawn
Resolution 07-11	Model Regulations Amendment – Sustainable Design	Withdrawn
Resolution 07-12	Continuing Education Credit for NCARB Activities	Passed

The Section members were provided with the draft proposed regulations for continuing education. After discussion, the Section members agreed by consensus that the last sentence of 18 VAC 10-20-683.C.1 should read as follows:

**Review of Draft
Continuing
Education
Requirements**

“The required continuing education credit hours may not be in areas related to business practices unless these have demonstrated relevance to the licensee’s area of practice as defined in Chapter 4 of Title 54.1 of the *Code of Virginia*.”

Mr. Courtney noted to the Section members that their recommendation will be provided to the other Sections as they meet on this matter and then the recommendations of all the Sections will be brought before the Board in September for consideration and action.

The Section members were provided with the request from *Engineers Australia* as well as other information on how national organizations have handled this type of matter in the past. The Section agreed by consensus that this is a matter for the Professional Engineers Section.

**Discussion of
Request from
Engineers
Australia**

The Section members reviewed the material provided by Clifton Strickland at the June 14, 2007, APELSCIDLA Board meeting. After careful review and discussion, the Section members do not believe any changes are necessary at this time as the exemptions currently contained in § 54.1-402 of the *Code of Virginia* were subject to the intense scrutiny by the General Assembly through the public policy process as they were adopted.

**Discussion of
Exemptions
Contained in §
54.1-402**

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

**Review of
Quarterly
Information
from NCARB**

The Section members agreed by consensus to adopt the following meeting dates for the Architects Section in 2008:

Other Business

Tuesday, February 5, 2008
Tuesday, May 6, 2008
Tuesday, July 29, 2008
Tuesday, October 28, 2008.

The Section members asked Mr. Courtney to get the word out on the ARE timing regulation change, when it becomes final, to Virginia schools, VSAIA, and other organizations of interest.

Mr. Fauber noted that the NCARB travel funding policies have changed and asked that Mr. Courtney find out when the notification of these changes was sent as he had no recollection of receiving the notification from NCARB.

Conflict of Interest forms were completed by all members present.

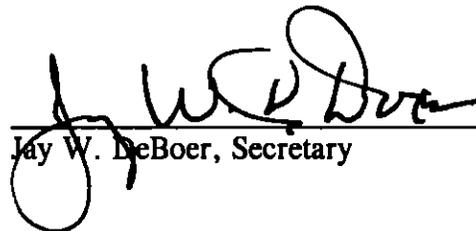
**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 10:23 a.m.

Adjourn



Kenneth A. Schwartz, 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: J. Everette "Ebo" Fauber, III
2. Title: Board Member
3. Agency: Architects Section/APELSCIDLA Board
4. Meeting/IFF Date: Section Meeting July 26, 2007

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

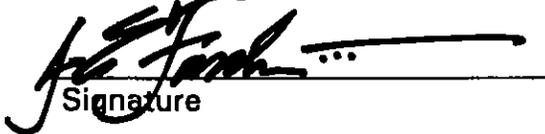
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.


Signature

7-26-7
Date

**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: Board Member
3. Agency: Architects Section/APELSCIDLA Board
4. Meeting/IFF Date: Section Meeting July 26, 2007

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

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

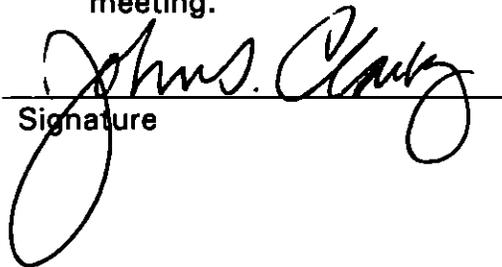
I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.

Signature



Date

July 26, 2007

**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: Board Member
3. Agency: Architects Section/APELSCIDLA Board
4. Meeting/IFF Date: Section Meeting July 26, 2007

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

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

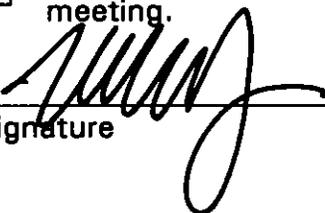
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

