

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 October 24, 2013, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Robert A. Boynton
Michael F. LeMay
Clint Good

Board staff present for all or part of the meeting were:

Kathleen R. (Kate) Nosbisch, Executive Director
Joseph (Joe) Shaver, Board Administrator
Amy Goobic, Administrative Assistant

Agency staff present for all or part of the meeting was:

Mark N. Courtney, Senior Director, Regulatory & Public Affairs
Samantha Vrscak, Legal Analyst

Mr. Good, Chair, called the meeting to order at 9:30 a.m.

Call to Order

Mr. Good advised the Section of the emergency evacuation procedures.

Emergency Evacuation Procedures

Mr. Boynton moved to approve the agenda. Mr. LeMay seconded the motion which was unanimously approved by members: Boynton, Good and LeMay.

Approval of Agenda

There was no public comment.

Public Comment Period

Ms. Nosbisch introduced audience members Bruce Justice, VSAIA, and Kristen Clay, DPOR Legal Analyst.

Regarding **File Number 2013-01752, Victor Montes**, the Section members reviewed the Consent Order as seen and agreed to by Mr. Montes. The Section concurred with the recommendation of the presiding Board member. Mr. Boynton moved to recommend the Board accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-730.C (Count 1). For this violation, Mr. Montes agrees to pay the following monetary penalties: \$500 for the violation contained in Count1; and Board costs in the amount of \$150.00, for a total of \$650.00. Mr. LeMay seconded the motion which was unanimously approved by members: Boynton, Good and LeMay. Former board member, John McAden, was the reviewing board member.

File Number 2013- 01752, Victor Montes

As requested by Mr. Good at the April section meeting, members were provided information collected from other jurisdictions with regards to unlicensed activity. Mr. Courtney stated that unlicensed activity is a criminal offense in Virginia. Ms. Nosbisch informed the section that when the agency receives a complaint, the Compliance and Investigations team investigates and seeks to achieve compliance. If compliance is not achieved, the matter is sent to the Commonwealth's Attorney and does not come before the Board. Mr. Courtney commented that any change to the process would have to go through the legislature, and they are not likely to give this type of authority to a regulatory board. Mr. Good thanked staff for providing the information.

**Follow-Up –
Unlicensed
Activity in Other
Jurisdictions**

Mr. LeMay nominated Mr. Boynton to serve as Section Chair for the 2013-2014 term. Mr. Good seconded the motion which was unanimously approved by members: Boynton, Good and LeMay.

**Election of Section
Chair**

Discussion was held on the Mutual Recognition Agreement (MRA) with Canada voted on at the NCARB annual meeting, with the membership voting in favor 47-3. The implementation of the agreement is contingent on more than half of all member boards signing the Letter of Undertaking. Mr. Boynton expressed concerns as the new agreement has changes to the IDP and the Canadian IAP and introduces Canada's own exam in lieu of the ARE. Mr. Courtney stated that the regulation language regarding comity would allow for licensing of Canadian architects. Ms. Nosbisch also commented that if the Virginia Board did not sign onto the letter, there could be repercussions to Virginia licensees who are applying to Canada. Mr. LeMay moved to sign the Letter of Undertaking. Mr. Boynton seconded the motion which was unanimously approved by members: Boynton, Good and LeMay.

NCARB Update

Ms. Nosbisch provided further NCARB updates: Mr. Boynton was selected to serve on the NCARB Professional Conduct Committee; the blackout ended in September with no problems; and discussions for revamping the ARE 5.0 are underway. Mr. Good informed the Section that he attended an ARE Committee meeting in Chicago.

Ms. Nosbisch also reported that changes to the IDP employment duration become effective December 16, 2013. Discussion was held regarding the Board's regulations employment duration now differing from NCARB's. Ms. Nosbisch stated the NCARB records must be checked to insure the Board's experience requirement is being met. Ms. Nosbisch further reported that ARE pass rates are now on the NCARB website.

Ms. Nosbisch informed the Section that the ArchEx East will be held in Richmond, November 6-8; and she attended a Northern Virginia AIA event in Arlington for newly licensed architects.

Other Business

Ms. Nosbisch reminded Section members of discussions at their April meeting regarding Virginia schools misrepresenting themselves as NAAB accredited. The issue was brought to the Section's attention by Duncan Abernathy, VSAIA. Section members stated in April they would discuss further at their next meeting. Ms. Nosbisch suggested VSAIA contact the schools regarding the accreditation issue. Section members agreed by consensus.

Conflict of Interest forms were completed by all members present.

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 10:07 a.m.

Adjourn

Clint Good, Chair

Gordon N. Dixon, Secretary