

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS  
AND LANDSCAPE ARCHITECTS MEETING**

**MINUTES**

The Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on September 17, 2008, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

**Architects**

James R. Boyd  
John S. Clark, Jr.  
J. Everette Fauber, III

**Land Surveyors**

John R. McAden  
Nancy E. McIntyre  
W. R. Stephenson, Jr.

**Landscape Architects**

William H. Spell

**Professional Engineers**

Nico De León  
Stanley C. Harris, Sr.  
Wiley V. Johnson, III

**Interior Designers**

Lorri B. Finn  
Cameron C. Stiles

Board member Vaughn B. Rinner was not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director

Mark N. Courtney, Deputy Director for Licensing and Regulation Division

Kathleen R. Nosbisch, Executive Director

Marian H. Brooks, Program Administrator

Michelle Gowen, Administrative Assistant

Earlyne Perkins, Legal Analyst

Steven P. Jack, Assistant Attorney General, was present at the meeting.

Ms. Stiles, Chair, called the meeting to order at 9:00 a.m.

Mr. Clark moved to approve the agenda. Mr. Spell seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

Ms. Stiles introduced Mr. Boyd, the new Architect Section member, and welcomed him to the APELSCIDLA Board.

**Call to Order**

**Approval of Agenda**

**Introduction of  
James R. Boyd**

Ms. McIntyre moved to approve the minutes for the following meetings:

**Approval of  
Minutes**

- June 18, 2008, APELSCIDLA Board Meeting;
- July 15, 2008, Resource Guide Committee;
- July 29, 2008, Architects Section;
- August 5, 2008, Professional Engineers Section; and
- August 20, 2008, Land Surveyors Section.

Mr. Fauber seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**Public Comment Period** – Duncan Abernathy, VSAIA, was present to address the Board members regarding the legislative wish list. Mr. Abernathy stated that the VSAIA will be requesting that the term “Architectural Intern” be added as an exemption to the licensing act.

**Public Comment  
Period**

Regarding **File Number 2008-03198, David W. Kent**, the Board Members reviewed the record, the Consent Order as seen and agreed to by Mr. Kent. Mr. Fauber moved to accept the Consent Order, in which Mr. Hassan neither admits nor denies, but which cites a violation of 18 VAC 10-20-740.D of the Board’s regulations. For this violation Mr. Kent agrees to a fine in the amount of \$100.00 and Board costs in the amount of \$150.00 for a total monetary penalty of \$250.00. Mr. McAden seconded the motion which was unanimously approved by members: Boyd, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**File Number 2008-  
03198, David W.  
Kent**

As the reviewing Board member, Mr. Clark was not present during the presentation, discussion, or vote.

Regarding **File Number 2008-02975, Augusto I. Tono**, the Board members reviewed the as seen and agreed to by Mr. Tono. Mr. Fauber moved to accept the Consent Order which cites the following violations of the Board’s regulations: 18 VAC 10-20-740.D (Count 1) and 18 VAC 10-20-700.A (Count 2). For these violations, Mr. Tono agrees to the following monetary penalties: \$500.00 fine for the violation contained in Count 1, and \$500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total monetary penalty of \$1,150.00. Mr. Johnson seconded the motion which was unanimously approved by members: Boyd, De León, Fauber, Finn, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**File Number 2008-  
02975, Augusto I.  
Tono**

As the reviewing Board members, Mr. Clark and Mr. Harris were not present during the discussion or vote.

Regarding **File Number 2008-02330, C. Phil Wagoner**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Wagoner. Mr.

**File Number 2008-  
02330, C. Phil**

McAden moved to accept the Consent Order which cites the following violations of the Board's regulations: 18 VAC 10-20-750.A (Count 1) and 18 VAC 10-20-750.C (Count 2). For these violations, Mr. Wagoner agrees to \$150.00 in Board costs. Mr. Wagoner also agrees to the suspension of his license until such time as the North Carolina Board of Examiners for Engineers and Land Surveyors either reinstates Mr. Wagoner's license or declares his license ineligible for reinstatement. Further, if Mr. Wagoner's Virginia license is able to be reinstated, Mr. Wagoner agrees to pay any applicable fees for reinstatement. Mr. Harris seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, and Stiles.

**Wagoner**

As the reviewing Board member Mr. Stephenson was not present during the discussion or vote.

After reviewing the application and Agreement for Registration, Mr. Clark moved to accept the Agreement for Registration as seen and agreed to by Moshe Safdie & Associates, Inc. Ms. Finn seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**Agreement for  
Registration 2009-  
01, Moshe Safdie &  
Associates, Inc.**

After reviewing the application and Agreement for Registration, Ms. McIntyre moved to accept the Agreement for Registration as seen and agreed to by Willett Engineering Company, Inc. Mr. Spell seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**Agreement for  
Registration 2009-  
02, Willett  
Engineering  
Company, Inc.**

The Board members were provided with a draft of the Board response to the summary of the 761 comments received on the proposed continuing education regulations during the public comment period of March 3, 2008, to May 2, 2008. After review and discussion, Mr. Johnson moved to adopt the draft Board response as amended. Ms. McIntyre seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**Review Summary of  
Public Comments  
for Proposed  
Regulations and  
Draft Board  
Response**

After review of the proposed regulations for continuing education, Ms. McIntyre moved to approve the final regulations as amended. Mr. Harris seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

After discussion, Mr. Spell moved to repeal the existing public participation guidelines and adopt the model public participation guidelines via exempt action. Mr. Clark seconded the motion which was unanimously approved by Messrs. and Captains: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**Consideration of  
Adoption of Model  
Public Participation  
Guidelines**

After review and discussion, Mr. Clark moved to approve the Resource Guide as amended. Mr. Johnson seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

**Consideration of  
Resource Guide**

Ms. Nosbisch asked if the Board had any issues of critical or pressing nature that they wished to put forth to the General Assembly for review. Mr. Boyd mentioned a few matters that are not of a pressing nature; however, he feels they are of importance to the Board. The Board agreed by consensus that a draft be prepared by Mr. Boyd to be reviewed by the Board for consideration.

**Discussion of  
Legislative Wish  
List**

Mr. Fauber moved to approve the following meeting dates for 2009:

**Consideration of  
2009 Meeting Dates**

**ARCHITECTS**

Wednesday, February 4, 2009  
Tuesday, May 5, 2009  
Tuesday, July 28, 2009  
Wednesday, October 28, 2009

**PROFESSIONAL ENGINEERS**

Tuesday, February 10, 2009  
Tuesday, May 12, 2009  
Wednesday, August 5, 2009  
Thursday, November 5, 2009

**LAND SURVEYORS**

Wednesday, February 18, 2009  
Wednesday, May 20, 2009  
Wednesday, August 19, 2009  
Tuesday, November 17, 2009

**LANDSCAPE ARCHITECTS**

Thursday, February 12, 2009  
Thursday, May 14, 2009  
Thursday, August 6, 2009  
Thursday, November 12, 2009

**INTERIOR DESIGNERS**

Thursday, February 5, 2009  
Thursday, May 7, 2009  
Thursday, July 30, 2009  
Thursday, October 29, 2009

**APELSCIDLA BOARD**

Tuesday, March 31, 2009  
Thursday, June 25, 2009  
Tuesday, September 15, 2009  
Wednesday, December 16, 2009

Ms. Finn seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Spell, Stephenson, and Stiles.

The Board members were provided with a copy of the Virginia Open Book Examination for review. Ms. Nosbisch noted that this test is provided to all applicants at the time of application and must be returned to the Board office with a passing score before licensure may be obtained.

**Discussion of  
Virginia Open Book  
Examination**

The Board members took a break from 10:10 a.m. to 10:25 a.m.

**Break**

Mr. Courtney provided the Board members with training on the roles and responsibilities of members of the Board.

**Board Member  
Training**

The Board members were provided with a comprehensive report of

**Comprehensive**

enforcement activity since the last Board meeting.

The Board members were provided with financial statements from June 2008 for informational purposes.

Ms. Stiles presented Mr. Courtney with a resolution for his service to the Board. Ms. Stiles also presented Mr. Courtney with a Certificate of thanks from the Board for all her tasty treats at Board meeting during Mark's tenure.

**Report of CID  
Activity  
Review of Board  
Financial  
Statements**

**Other Business**

**MARK N. COURTNEY**

WHEREAS, **Mark N. Courtney** has faithfully and diligently served the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects from 1994 to 2008;

WHEREAS, **Mark N. Courtney** has devoted generously of his time, talent and leadership to the Board;

WHEREAS, **Mark N. Courtney** has endeavored at all times to render assistance and advice to the Board with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects wishes to acknowledge its gratitude for devoted service of a person who is held in the highest esteem by the members of the Board and the citizens of the Commonwealth; and

WHEREAS, the Board would like to congratulate **Mark N. Courtney** upon his promotion to the position of Deputy Director of Licensing and Regulation;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects this seventeenth day of September 2008, that **Mark N. Courtney** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

Ms. Nosbisch informed the Board that ABET will be visiting Virginia Tech and Mr. De León will be accompanying them October 26<sup>th</sup> through October 28<sup>th</sup>.

Ms. Nosbisch stated that the VDOT letter was mailed out as requested regarding Landscape Architects submitting site plans and also provided the Board members with the list of recipients of the letter.

The Board members were presented with the final *Record Drawings* statement from DGS for review.

The Board members were provided with a continuing education tracking log used by Board of Medicine to properly keep track of continuing education hours.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest  
Forms**

There being no further business, the meeting was adjourned at 10:55 p.m.

**Adjourn**

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Cameron C. Stiles, Chair

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Jay W. DeBoer, Secretary