

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 6, 2008, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 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:

Saba L. Shami, Chief Deputy
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

Duncan Abernathy of VSAIA was present to introduce the Vice President of Government Affairs, Jim Boyd. Mr. Boyd stated that National AIA's position is the interns should be allowed to use the term "Intern Architect." Mr. Boyd also requested that the APELSCIDLA Board begin to accept anonymous complaints from the public and regulants. My Boyd has received some concerns from regulants of non-regulants using the term "Architect" in advertisements for their businesses. Mr. Boyd suggested that the regulants file a complaint with the Department but both declined due to the fear that their reputations will diminish in the area, as this is where they live and work. Another issue Mr. Boyd brought to the attention of the Section was the BPOL legislation, ownership of corporations, and architect services rendered for not-for-profit organizations.

Public Comment
Period

Mr. Schwartz requested that Mr. Boyd submit this request in writing so that staff will be able to research the request.

Received
JUN 23 2008
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Mr. Courtney stated that the Department does accept anonymous complaints; however, when you file anonymously, if there is not enough information for the Compliance and Investigations Division to proceed, the complaint will be closed as there is no way to contact the person filing to complaint to get the needed information.

Mr. Schwartz turned the position of Chair over to Mr. Clark and recused himself from the meeting.

Robert Travers, Esquire, and Mr. Hassan were present to address the Section. Mr. Travers stated that Mr. Hassan did not mark his drawings as preliminary, which in fact was a violation of the Board's regulations. As soon as this complaint was brought to Mr. Hassan's attention, the discrepancy was corrected. Mr. Travers noted that Mr. Hassan was not clear on the requirements at that time. Mr. Hassan stated that he has implemented a training program at his office twice a year for all staff to be updated on Board regulations and the *Code of Virginia*.

Regarding File Number 2007-03878, Ahmed H. Hassan, the Section Members reviewed the record, the Consent Order as seen and agreed to by Mr. Hassan, and the presentation by Mr. Travers and Mr. Hassan. Mr. Fauber moved to recommend that the Board accept the Consent Order, in which Mr. Hassan neither admits nor denies, but which cites a violation of 18 VAC 10-20-760.B.2 of the Board's regulations. For this violation Mr. Hassan agrees to a fine in the amount of \$100.00 and Board costs in the amount of \$500.00 for a total monetary penalty of \$600.00. Mr. Clark seconded the motion which was unanimously approved by members: Clark and Fauber. As the presiding Board member, Mr. Schwartz was not present during the discussion or vote.

Mr. Schwartz returned to the meeting and resumed the position of Chair.

The Section members discussed the NCARB Region II meeting held in Omaha, Nebraska, in April. Mr. Schwartz reported that resolutions for the NCARB Annual meeting were reviewed and the election of officers for the Region was conducted.

Mr. Schwartz noted that there are three or four IDP related resolutions, one being the six month rule which would be implemented in July of 2009 for new interns and in July 2010 for existing interns, and another which involves clarifying the IDP duration rule of eight weeks at 15 hours per week. Mr. Schwartz also noted that there is a contested election for the position of Secretary.

Transfer of
Chair

File Number
2007-03878,
Ahmed H.
Hassan

Transfer of
Chair

Discussion of
NCARB Region
II Meeting

Discussion of
NCARB Annual
Meeting

Received
JUN 23 2008
AAB

The Section members were provided with the handout regarding the use of a Land Surveyor's seal for preparation of plans which include BMP's. After review and discussion, the Section members agreed by consensus that they saw no problems with a land surveyor designing BMP's using manufactured systems

Discussion of
Use of LS Seal
for Plans
Including BMP's

The Section members reviewed draft language from the Department of General Services for a proposed change to the Construction and Professional Services Manual. After review, the Section members noted that consistent and up to date terminology needs to be used and clarification that the record drawings should not be sealed as the professional did not oversee the work done in the field to create the as-built drawings.

Discussion of
Records
Drawings

Mr. Clark nominated Mr. Fauber as Chair of the Architects Section for a term beginning July 1, 2008, and ending June 31, 2009. Mr. Schwartz seconded the motion which was unanimously approved by members: Clark and Schwartz. Mr. Fauber abstained from the vote.

Election of
Officers

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

Mr. Fauber requested that Mr. Abernathy and Mr. Boyd of VSAIA educate their members that they have a duty as licensees of the Board to report activity which violates the Board's statutes or regulations.

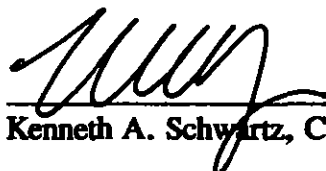
Other Business

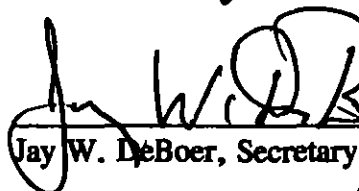
Conflict of Interest forms were completed by all members present.

Conflict of
Interest Forms

There being no further business, the meeting was adjourned at 10:21 a.m.

Adjourn


Kenneth A. Schwartz, Chair


Jay W. DeBoer, Secretary

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JUN 23 2008
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**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 May 6, 2008

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

Nature of Personal Interest Affected by Transaction:

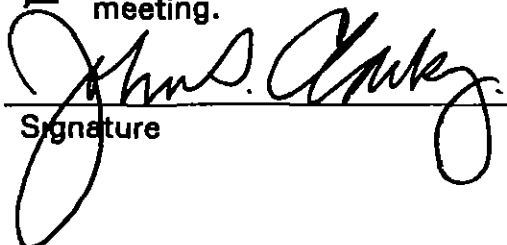
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

5.6.08
Date

**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 May 6, 2008

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

5-6-8
Date

**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 May 6, 2008

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:

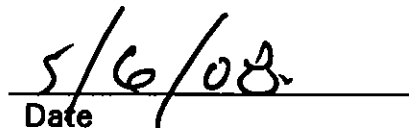
I am able to participate in this transaction fairly, objectively, and in the public interest.

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