

**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 1, 2020, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present for all or part of the meeting:

Architects

Robert Boynton
Mel Price

Professional Engineers

James Kelly
Vinay Nair
Chris Stone

Land Surveyors

Doyle Allen
Mike Zmuda

Interior Designers

Cameron Stiles
Caroline Alexander

Landscape Architects

Ann Stokes

Citizen Members

Karen Reynes

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, Director
Kathleen (Kate) R. Nosbisch, Executive Director
Amy Goobic, Executive Assistant

Elizabeth Peay, Assistant Attorney General, was present from the Office of the Attorney General.

Ms. Stokes, Vice-Chair, called the meeting to order at 10:14 a.m.

Call to Order

Ms. Nosbisch informed the Board that Mr. Allen would be late, agenda items needing a vote would be tabled until he arrived. Also, agenda item #8, discussion on PE qualifying experience would be tabled until the December 1, 2020 meeting.

Ms. Stokes advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Ms. Nosbisch advised the Board of new board room safety procedures with regard to COVID-19. Ms. Nosbisch thanked the Board for attending to assure there was a quorum for the meeting, she also expressed regrets from those unable to attend: Ms. Snetter, Mr. Hancock, Ms. Anglin and Ms. Alexandria.

**COVID-19
Board Room
Safety
Procedures**

Ms. Nosbisch informed the Board that as vice-chair, Ms. Stokes would chair the meeting in Ms. Snetter's absence. Audience members were welcomed and introduced: Dave Gardy, representative from the Virginia Association of Surveyors; and DPOR staff members, Caroline Pruett, Joe Ciszek, and Shannon Webster.

There was no public comment.

**Public
Comment
Period**

Ms. Nosbisch provided a brief update on NCARB, CLARB, NCEES and CIDQ. Highlights included: NCARB to begin remote proctoring in November, and will be switching vendors from Prometric to PSI for the ARE exams; CLARB will also begin remote proctoring in December, beginning October 1 – exam candidates will take exam prior to applying, Ms. Stokes will be the voting delegate for the annual CLARB meeting; NCEES added additional exam dates due to COVID 19, virtual annual meeting held August 27, Mr. Zmuda was the voting delegate; CIDQ also discussing remote proctoring, virtual annual meeting November 11-12, Ms. Stiles will be the voting delegate.

**NCARB,
CLARB,
NCEES,
CIDQ
Updates**

Mr. Stone provided a brief update on the Virginia State Corporation Commission Division of Utility and Railroad Safety Stakeholders Group. Mr. Stone is a PE member of the stakeholder group representing the Board.

**Update – SCC
Stakeholders
Group**

Mr. Doyle Allen arrived at 10:28 a.m.

**Arrival of Mr.
Allen**

Mr. Stone moved to approve the agenda as amended. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Alexander, Boynton, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone and Zmuda.

**Approval of
Agenda**

Mr. Stone moved to approve the minutes of the following meeting:

- July 15, 2020 - APELSCIDLA Board Meeting

**Approval of
Minutes**

Ms. Stiles seconded the motion which was unanimously approved by members: Allen, Alexander, Boynton, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone and Zmuda.

Regarding **Prima Facie Disciplinary File Number 2019-01660, Artis Engineering**, the Board members reviewed the record which consisted of the

**File Number
2019-01660,**

Prima Facie Notice, the Report of Findings, and the recommendation.

**Artis
Engineering**

Artis Engineering did not request an Informal Fact Finding Conference. Artis Engineering did not appear at the Board meeting in person, by counsel, or other qualified representative.

Ms. Stiles moved to accept the recommendation which cites the following violation of the Board's regulations: 18VAC10-20-790.1 (Count 1); and 18VAC10-20-660.A (Count 2). Mr. Kelly seconded the motion which was unanimously approved by members: Allen, Alexander, Boynton, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone and Zmuda.

After Ms. Nosbisch indicated that there have been no prior disciplinary actions against Artis Engineering, Mr. Boynton moved to accept the recommendation and impose the following: No monetary penalties for the violations contained in Count 1 and Count 2; and revocation of license. Mr. Allen seconded the motion which was unanimously approved by members: Allen, Alexander, Boynton, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone and Zmuda.

Regarding **File Number 2020-02158, Matthew Joseph Ganci**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Kelly moved to accept the recommendation of the presiding officer and deny Mr. Ganci's application for professional engineer by examination. Ms. Stiles seconded the motion which was unanimously approved by members: Allen, Alexander, Boynton, Kelly, Nair, Price, Reynes, Stiles, Stokes, and Zmuda. As the presiding Board member, Mr. Stone was not present for the discussion or vote.

**File Number
2020-02158,
Matthew
Joseph Ganci**

Regarding **File Number 2020-02483, Whitney Gardenhire Campbell**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Ms. Stiles moved to accept the recommendation of the presiding officer and deny Ms. Campbell's application for an architect license by comity. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Alexander, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone and Zmuda. As the presiding Board member, Mr. Boynton was not present for the discussion or vote.

**File Number
2020-02483,
Whitney
Gardenhire
Campbell**

Regarding **File Number 2020-01162, Warren Weiren Chen**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Chen. Mr. Kelly moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-790.7 (Count 1). For this violation, Mr. Chen agrees to pay the following monetary penalties: \$500 for the violation contained in Count 1; and \$150.00 in Board costs, for a total monetary penalty of \$650. Ms. Price seconded the motion which was unanimously approved by members: Allen,

**File Number
2020-01162,
Warren
Weiren Chen**

Alexander, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone and Zmuda. As the presiding Board member, Mr. Boynton was not present for the discussion or vote.

Ms. Nobsisch provided a brief update on the Land Surveyor Guidance Document pertaining to property lines along public roads without recorded fee simple right of way. The Guidance Document was approved at the July 15, 2020, APELSCIDLA Board meeting. Ms. Nobsisch informed the Board that Public Comment opened August 31, 2020 and closes September 30, 2020. If there are not significant opposing comments, the guidance document becomes effective October 1, 2020.

**Update –
Land
Surveyor
Guidance
Document**

Ms. Nobsisch provided a brief update on proposed fee increases discussed at the July 15, 2020 board meeting. The Board voted to have new application fees lower than renewal, allowing the cost of entry into profession to be lower. All professions will pay the same amount in the board approved fee increase and a NOIRA has been filed.

**Update – Fee
Increases**

Board financial statements were provided for informational purposes.

**Financial
Statements**

Ms. Stokes reviewed the licensee counts as of August 1, 2020:

- APELSCIDLA Businesses 4,415
- Architects 7,506
- Professional Engineers 29,481
- Land Surveyors 1,264
- Land Surveyors B 70
- Land Surveyor Photogrammetrists 109
- Interior Designers 493
- Landscape Architects 938

**Licensed and
Certified
Population**

Ms. Nobsisch reported the following business entities were issued a Business Agreement for Registration:

- CARUSO TURLEY SCOTT, INC. - License #0407007885, Signed July 21, 2020
- SB ARCHITECTS, INC. - License #0407007870, Signed July 17, 2020
- TRAFFIC PLANNING AND DESIGNING, INC. - License #0407004670, Signed August 19, 2020
- COAST TO COAST ENGINEERING SERVICES, INC. - License #0407007915, Signed August 19, 2020

**Business
Agreements
Update**

Ms. Nobsisch reported that the public hearings for the study of the Soil Scientist, Waste Management Facility Operator, Landscape Arch., Common Interest Community Manager Employee, Interior Designer, Backflow Prevention Device Worker, and Wetland Delineator recommended by the JLARC Report, had to be canceled due to COVID 19. Ms. Nobsisch stated that she and Ms. Broz-Vaughan discussed opening Public Comment on Town Hall to receive comments instead of

**Other
Business**

in person public hearings. The comment period is open through September 30, 2020. The Board for Professional and Occupational Regulation will review comments at its December 17 meeting.

Ms. Nosbich reported that she and the land surveyor Board members will be participating in a virtual town hall at the Virginia Association of Surveyors Annual Meeting on November 9, 2020.

Board members reviewed correspondence received from Robert Allen, PE, regarding support to add a plumbing specialty option within the mechanical engineering exam. Ms. Nosbisch informed the Board that Mr. Allen and a colleague were enroute to the Board meeting, and asked for a brief recess.

The Board recessed from 10:45 a.m. to 10:57 a.m.

Recess

Board members discussed fraudulent use of a professional's seal, referring to case file previously considered and ways to possibly avoid. Ms. Nosbisch stated that she would research case files pertaining to fraud and report back at the December 1 Board meeting.

**Discussion on
Fraudulent
Use of Seal**

Robert Allen and Billy Smith arrived at 11:06 a.m.

Guest Arrival

Mr. Allen, PE, and member of the American Society of Plumbing Engineers, and Mr. Smith, CEO, American Society of Plumbing Engineers (ASPE), addressed the Board.

**Discussion on
Plumbing
Exam Option
Within**

Mr. Allen and Mr. Smith presented information regarding the addition of a plumbing specialty exam option within the mechanical engineer exam. They explained that NCEES requires 10 state boards to support the request before pursuing the addition of the plumbing option. Mr. Allen and Mr. Smith are asking the Virginia Board to support the inclusion of the exam option.

**Mechanical
Engineer
Exam**

Ms. Nosbisch stated that NCEES does not have a position on the issue. Discussion was held on the benefits of adding the option. Mr. Allen commented that university and college engineering programs should develop curriculum for the plumbing engineering option prior to the addition of an exam.

Ms. Nosbisch requested Mr. Smith provide the Board with a copy of his presentation, and confirmed that the Board will review and discuss at the December 1, 2020, Board meeting.

Conflict of Interest forms and travel vouchers were completed by all Board members present.

**Conflict of
Interest
Forms/ Travel
Vouchers**

The meeting was adjourned at 11:36 a.m.

Adjourn

Ann Stokes, Vice-Chair

Mary Broz-Vaughan, Secretary

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