

**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

Professional Engineers

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

Land Surveyors

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

Interior Designers

Lorri B. Finn
Cameron C. Stiles

Landscape Architects

William H. Spell

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.

Call to Order

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.

Approval of Agenda

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

**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. Kent 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 members: 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. Nobsch 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. Nobsch 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 Ms. 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 26th through October

28th.

Ms. Nobsch 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.

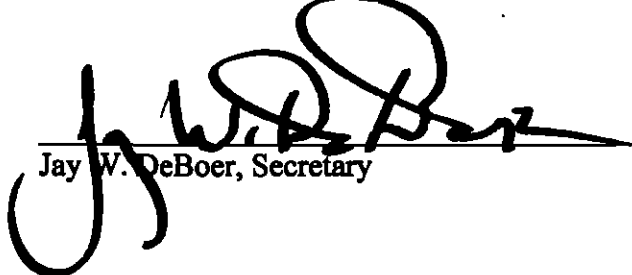
**Conflict of Interest
Forms**

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

Adjourn



Cameron C. Stiles, 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: John S. Clark, Jr.
2. Title: Board Member
3. Agency: Architects Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 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:

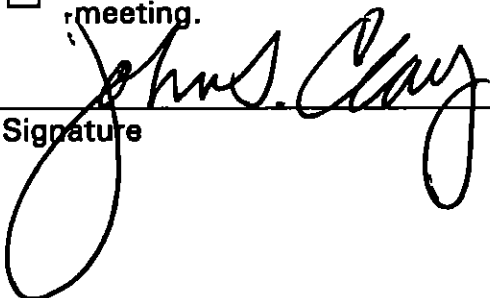
I am able to participate in this transaction fairly, objectively, and in the
public interest.

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

Sept. 17, 2008

**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: Board Meeting September 17, 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

9-17-08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: James R. Boyd
2. Title: Board Member
3. Agency: Architects Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 2008

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

Nature of Personal Interest Affected by Transaction:

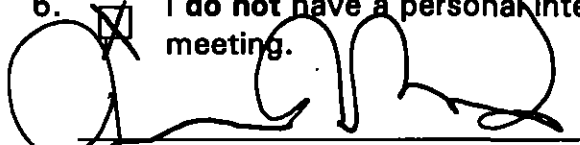
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

9/17/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Nico De León
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSC/IDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 2008

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

None

Nature of Personal Interest Affected by Transaction:

None

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

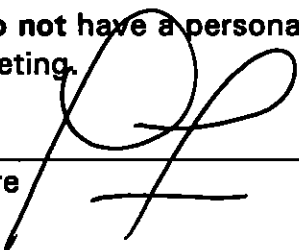
Engineering

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 9/17/08

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Stanley C. Harris
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 2008

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

NA

Nature of Personal Interest Affected by Transaction:

NA

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

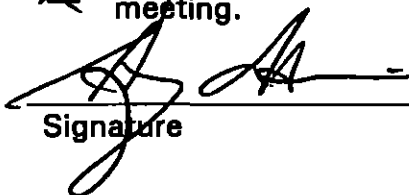
ASME, USPE

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

9/17/2008
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Wiley V. "Bif" Johnson, III
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 2008

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

Nature of Personal Interest Affected by Transaction:

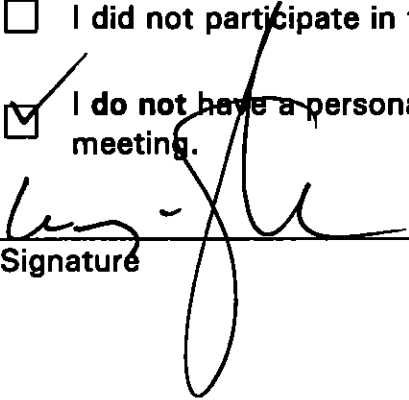
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

9.17.08

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: John R. McAden
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 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.

John R. McAden
Signature

9/17/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Nancy E. McIntyre
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 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:

LAND SURVEYORS & PROFESSIONAL ENGINEERS

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.

Nancy E. McIntyre
Signature

9/17/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: W. R. "Steve" Stephenson, Jr.
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 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

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: William H. Spell
2. Title: Board Member
3. Agency: Landscape Architects Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 2008

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

none

Nature of Personal Interest Affected by Transaction:

NA

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.

William H. Spell
Signature

9/17/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Lorri B. Finn
2. Title: Board Member
3. Agency: Interior Designers Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 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

9-17-08

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Cameron C. Stiles
2. Title: Board Member
3. Agency: Interior Designers Section/APELSCIDLA Board
4. Meeting/IFF Date: Board Meeting September 17, 2008

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

Nature of Personal Interest Affected by Transaction:

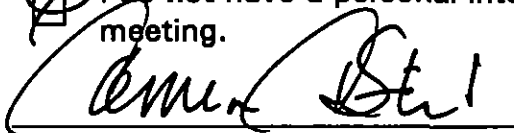
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

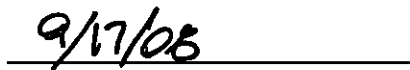
or

I did not participate in the transaction.

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



Signature



Date