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 December 13, 2016, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Architects		
Robert A. Boynton		
R. Corey Clayborne		

Christine Snetter

Land Surveyors

Doyle B. Allen Michael Zmuda

Professional Engineers

Wiley V. Johnson, III Carolyn B. Langelotti Christopher M. Stone

Interior Designers

Cameron Stiles Caroline Alexander

Landscape Architects

A. Cabell Crowther Andrew M. Scherzer

Board member, Charles F. Dunlap, was not present for the meeting.

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

Kathleen (Kate) R. Nosbisch, Executive Director Marian Brooks, Board Administrator Bonnie Davis, Administrative Assistant

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

Jay W. DeBoer, Director
Bonnie Adams, Director, Complaint Analysis & Resolution
Jessica Eldridge, Presiding Officer, Post-Adjudication and Licensing Section
Samuel Thomason, Adjudication Specialist, Adjudication
Sarah Towell, Legal Analyst, Complaint Analysis & Resolution

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

Mr. Crowther called the meeting to order at 9:33 a.m.

Call to Order

Mr. Crowther advised the Board of the emergency evacuation procedures.

Emergency Evacuation

Procedures

Ms. Nosbisch welcomed guests in the audience, and introduced agency staff members in the audience.

Welcome & Introduction of

Guests

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Ms. Nosbisch also welcomed and introduced Thom Banks, Executive Director of Council for Interior Design Qualification (CIDQ).

Mr. Scherzer moved to approve the agenda. Ms. Stiles seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda.

Approval of Agenda

Approval of Minutes

Ms. Stiles moved to approve the minutes of the following meetings:

- September 14, 2016 APELSCIDLA Board Meeting;
- September 14, 2016 Architects, Certified Interior Designers & Landscape Architects Section Meeting;
- September 14, 2016 Land Surveyors Exam Workshop Meeting
- October 3, 2016 Regulatory Review Committee Meeting
- October 24, 2016 Regulatory Review Committee Meeting
- November 10, 2016 Professional Engineers and Land Surveyors Section Meeting;
- November 10, 2016 Land Surveyors Exam Workshop Meeting.

Mr. Boynton seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda.

Mr. Stone arrived at 9:36

There was no public comment.

Arrival of Board Member

Public Comment Period

File Number 2017-00502, Reuben S. Rhodes, III

Regarding File Number 2017-00502, Reuben Rhodes, III, Mr. Rhodes was present to address the Board. 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 and the presiding Board member's recommendation. Mr. Johnson moved to accept the recommendation of the presiding Board member and deny Mr. Rhodes application for licensure as a professional engineer. Mr. Boynton seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda. As the presiding Board member, Mr. Stone was not present for the discussion or vote.

Regarding File Number 2017-00293, Keyan Kashefi, 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 and the presiding Board member's recommendation. Mr. Boynton moved to accept the recommendation of the presiding Board member and approve Mr. Kashefi's application for licensure

File Number 2017-00293, Keyan Kashefi APELSCIDLA Board Meeting Minutes December 13, 2016 Page 3 of 8

via comity as a professional engineer. Mr. Scherzer seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda. As the presiding Board member, Mr. Johnson was not present for the discussion or vote.

Regarding File Number 2017-00629, Richard Butler Klein, 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 and the presiding Board member's recommendation. Mr. Scherzer moved to accept the recommendation of the presiding Board member and approve Mr. Klein's application for reinstatement as a professional engineer. Ms. Snetter seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda. As the presiding Board member, Mr. Johnson was not present for the discussion or vote.

File Number 2017-00629, Richard Butler Klein

Regarding File Number 2017-00496, Frank M. Emery, IV, Mr. Emery was present to address the Board. 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 and the presiding Board member's recommendation. Mr. Boynton moved to accept the recommendation of the presiding Board member and approve Mr. Emery's application for licensure as a professional engineer. Mr. Johnson seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda.

File Number 2017-00496, Frank M. Emery, IV

Regarding File Number 2016-01603, Glen Christopher Otto, the Board members reviewed the Consent Order as seen and agreed to by Mr. Otto. Mr. Scherzer moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-760.B.2 (Count 1). For this violation, Mr. Otto agrees to pay the following monetary penalties: \$100 for the violation contained in Count 1; and \$150.00 in Board costs, for a total monetary penalty of \$250. Mr. Boynton seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda. As the presiding Board member, Mr. Stone was not present for the discussion or vote.

File Number 2016-01603, Glen Christopher Otto

Regarding File Number 2017-00144, Joseph Edwin McDonald, III, the Board members reviewed the Consent Order as seen and agreed to by Mr. McDonald. Mr. Scherzer moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-760.B.2 (Count 1). For this violation, Mr. McDonald agrees to pay the following monetary penalties: \$100 for the violation

File Number 2017-00144, Joseph Edwin McDonald, III APELSCIDLA Board Meeting Minutes December 13, 2016 Page 4 of 8

contained in Count 1; and \$150.00 in Board costs, for a total monetary penalty of \$250. Mr. Boynton seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Stone. As the presiding Board member, Mr. Zmuda was not present for the discussion or vote.

Ms. Nosbisch reported that two business agreements were issued since the Board's last meeting. Jewell Engineering Consultants, PC agreement was executed on November 28, 2016 and Tomarco Contractor Specialties Inc. t/a ISAT Seismic Bracing was executed on December 12, 2016. Both businesses will be on probation for one year.

Business Agreement Update

Ms. Nosbisch stated that the edited Land Surveyor Apprenticeship document is available on the Board's website. The internal version has the historical background information.

Land Surveyor
Apprenticeship
Document

Mr. Boynton provided a brief update on the Regulatory Review Committee. He reported that the Committee has met three times, and will meet again on January 30, 2017. He stated that the Committee has received input from several sections. Mr. Boynton moved to file a Notice Of Intended Regulatory Action (NOIRA). Ms. Langelotti seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda.

Regulatory Review Committee Update

Mr. Boynton stated that each individual section will meet to review the regulations.

VGIN Update

Ms. Nosbisch and Mr. Zmuda attended the Virginia Geographic Information Network (VGIN) Advisory Board meeting on October 11, 2016. The Advisory Board listened to the APELSCIDLA Board's concerns, but it seems the Board already has a plan and process in place for 2017. The APELSCIDLA Board is concerned that even though there is a disclaimer on these maps, they are being used by many people for other reasons, and it may affect the health, safety, and welfare of the public. Ms. Nosbisch and Mr. Zmuda plan to attend the next meeting on January 9, 2017 and invited Elizabeth Peay, APELSCIDLA's Board counsel, to join them.

Mr. Zmuda moved to request Mr. DeBoer to have an informal meeting with VGIN and/or the contractor. Mr. Allen seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda.

Ms. Langelotti stated the Board should provide Mr. DeBoer with specific examples of where health, safety, and welfare are in jeopardy. Ms. Nosbisch stated that the issue will be revisited at the next meeting.

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Mr. Stone stated that the Virginia Department of Transportation (VDOT) may be defining responsible charge differently than how it is defined in the Board's regulations. The VDOT Request for Quote has the responsible charge accepting full responsibility for construction which is not in sync with regulations and may pose as an insurance liability issue. Mr. Stone moved to request Mr. DeBoer to informally meet with his counterpart at VDOT to explain the Board's language concerns. Mr. Allen seconded the motion which was unanimously approved by members: Alexander, Allen, Boynton, Clayborne, Crowther, Johnson, Langelotti, Scherzer, Snetter, Stiles, Stone, and Zmuda. Ms. Nosbisch stated that the issue will be revisited at the next meeting.

VDOT Requirement Project Key Personnel

Mr. Crowther read the following resolution from the APELSCIDLA Board to former Board member Sheila Wilson, Certified Interior Designer:

Resolution for Sheila Wilson

Resolution for Sheila E. Wilson

WHEREAS, Sheila E. Wilson, did faithfully and diligently serve the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects from 2012 to 2016;

WHEREAS, Sheila E. Wilson, did devote generously of her time, talent and leadership to the Board;

WHEREAS, Sheila E. Wilson, did endeavor at all times to render decisions with fairness and good judgement 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 high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects this thirteenth day of December 2016, that Sheila E. Wilson be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

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

The Board approved the resolution by consensus.

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The Board recessed from 10:28 a.m. until 10:40 a.m.

Recess

Ms. Nosbisch stated that there are many nominations for NCEES leadership, which will be presented at the next Professional Engineers and Land Surveyors Section meeting on February 15, 2017.

NCEES, NCARB, CIDQ, and CLARB Updates

Mr. Clayborne and Ms. Nosbisch attended the NCARB 2016 Member Board Chairs/Member Board Executives Summit on October 28, 2016. Mr. Clayborne reported some key points that were discussed: the role of NCARB in education and accreditation, NCARB counter parts, and the impediments; help each other, how to handle the media, and NCARB updates.

Ms. Nosbisch reported that NCARB is requesting a call for issues from the various professions. She stated that in January, NCARB, NCEES, CLARB and CIDQ, as an observer, will be meeting to collaborate any issues involving the professions. Ms. Nosbisch asked Board members to provide her with any concerns or issues they want the collective group of organizations to discuss.

Mr. Boynton presented information on the Freedom by Design program that is being offered by NCARB where students and board members partner to offer assistance or mentorship at the local AIAS Chapter. Students who participate can use their experience to satisfy requirements for Architectural Experience Program (AXP). At this time, architectural students at University of Virginia have expressed interest. AIAS Chapter is looking for interested board members.

Mr. Banks presented "2016 Year of Change". He noted that the CIDQ office relocated from Washington DC to Alexandria Virginia; there was restructuring of staff, the new website was unveiled, and in Fall of 2017 the Practicum Exam will become computer based. Mr. Banks provided exam pass rates; and information on the Alternative Application Review Program (AARP).

Ms. Stiles reported that the 2017 CIDQ Annual meeting will be in Alexandria Virginia. Ms. Stiles attended the 2016 Annual meeting in November; and gave a brief report to the Board regarding board makeup, focus on new regulants and schools, and receptions for new certificate holders as a group; and students presenting to boards.

Mr. Scherzer attended the CLARB Annual meeting in September; he stated the meeting focused on ethics. He noted that some boards provide information on professional standards and conduct when the applicants receive their license. He stated that some states are providing newsletters with the ability to obtain continuing education credits.

The Board was provided the license population counts as of November 1, 2016.

Licensed Population

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Board members were provided financial statements for informational purposes. Ms. Nosbisch informed the Board she confers with the Financial Services Director annually to review fees and there is no increase to fees anticipated in the foreseeable future.

Financial Statements

Ms. Nosbisch reported that she and Mr. Boynton provided an informal presentation at the AIA Board of Directors meeting on October 14, 2016. While at this meeting, 2016 AIA President Nick Vlattas awarded Mr. Boynton the Presidential Citation. The Board members congratulated Mr. Boynton.

Other Business

Corey Clayborne was presented the Award for Distinguished Achievement at the Visions for Architecture Gala on November 4th. The Board members congratulated Mr. Clayborne.

Ms. Nosbisch noted that the Sewage Handling and Disposal Advisory Committee (SHADAC) House Bill 558 is a work in progress. The bill mandates that Virginia Department of Health (VDH) develop a plan to move evaluation and design of onsite sewage systems to the private sector. Mr. Scherzer suggested that Board members read all of the information. He stated that it may affect clients and practice because of the alternative systems; and there could be unintended consequences. It was noted that SHADAC will not be meeting again until 2017.

Ms. Nosbisch stated she received notification from the Department of Environmental Quality (DEQ) that the certification statement was emailed to all localities on September 16, 2016.

It was noted that Board Member Annual Financial Disclosure forms must be electronically filed by January 15, 2017 to be in compliance. The forms cannot be completed before January 1, 2017; Board members will receive notification electronically.

Ms. Nosbisch thanked the Board for their time and expertise and wished them a happy holiday.

Mr. Stone requested the Regulatory Review Committee provide clarification in the regulations regarding an unlicensed person working from home and oversight of that work. Mr. Stone will be present at the next Regulatory Review Committee meeting.

Ms. Nosbisch stated that the next Regulatory Review Committee meeting is on January 30, 2017. The focus of the meeting will be on businesses.

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

Conflict of Interest Forms APELSCIDLA Board Meeting Minutes December 13, 2016 Page 8 of 8

The meeting was adjourned at 11:20 a.m.

Adjourn

A. Cabell Crowther, Chair

ay W. DeBber, Secretary

1.	Name:	Robert A. Boynton	
2.	Title:	Board Member	
3.	Agency:	Architects Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
	9 0900 D	terest in the following transaction:	
		nterest 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 pa public interest.	rticipate in this transaction fairly, objectively, and in the	
	or		
	☐ I did not partici	pate in the transaction.	
6.	do not have a meeting.	personal interest in any transactions taken at this	
	Signature	Date 12.13_2016	

1.	Name:	Corey Clayborne	
2.	Title:	Board Member	
3.	Agency:	Architects Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	I have a personal int	terest 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:		
	am able to participate in this transaction fairly, objectively, and in the public interest.		
	☐ I did not partici	pate in the transaction.	
6.	do not have a heeting	personal interest in any transactions taken at this 12/13/20/6 Date	

1.	Name:	Christine Snetter	
2.	Title:	Board Member	
3.	Agency:	Architects Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	I have a personal interest in the following transaction:		
	Nature of Personal Interest Affected by Transaction:		
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	a member of the following business, profession, o, the members of which are affected by the transaction:		
	I am able to pa	articipate in this transaction fairly, objectively, and in the	
	or		
	☐ I did not partic	ipate in the transaction.	
6.	I do not have a	a personal interest in any transactions taken at this	

1.	Name:	Doyle B. Allen	
2.	Title:	Board Member	
3.	Agency:	Land Surveyors Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	I have a personal int	erest in the following transaction:	
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	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:		
	public interest.	rticipate in this transaction fairly, objectively, and in the pate in the transaction.	
6.	I do not have a meeting. Signature	personal interest in any transactions taken at this 12 13 16 Date	

1.	Name:	Mike Zmuda	
2.	Title:	Board Member	
3.	Agency:	Land Surveyors Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	11/2	terest in the following transaction:	
	Nature of Personal I	nterest Affected by Transaction:	
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	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction		
	am able to pa	rticipate in this transaction fairly, objectively, and in the	
	or		
	☐ I did not partic	ipate in the transaction.	
6.	do not have a meeting.	personal interest in any transactions taken at this	
4	Signature /		

1.	Name:	A. Cabell Crowther	
2.	Title:	Board Member	
3.	Agency:	Landscape Architects	Section/APELSCIDLA Board
4.	Meeting/IFF Date:	APELSCIDLA Board M	eeting December 13, 2016
5.	I have a personal in	erest in the following tr	ransaction:
,			
8	Nature of Personal Interest Affected by Transaction:		
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	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction		
	l am able to pa	rticipate in this transact	ion fairly, objectively, and in the
	or		
	☐ I did not partic	pate in the transaction.	
6.	I do not have a meeting.	personal interest in any	y transactions taken at this
ş	Signature		12.13.10 Date

1.	Name:	Andrew M. Scherzer	
2.	Title:	Board Member	
3.	Agency:	Landscape Architects Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	I have a personal in	terest 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 pa public interest.	rticipate in this transaction fairly, objectively, and in the	
	☐ I did not partici	pate in the transaction.	
6.	☐ I do not have a meeting.	personal interest in any transactions taken at this	

١.	Name:	Wiley V. "Bif" Johnson, III	
2.	Title:	Board Member	
3.	Agency:	Professional Engineers Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	I have a personal int	terest in the following transaction:	
	Nature of Personal I	nterest 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:		
6.	public interest. or I did not partici	pate in the transaction. personal interest in any transactions taken at this 12/13/16 Date	

1.	Name:	Carolyn B. Langelotti	
2.	Title:	Board Member	
3.	Agency:	Professional Engineers Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	I have a personal in	terest 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 pa public interest.	rticipate in this transaction fairly, objectively, and in the	
	or		
	I did not participate in the transaction.		
6.	I do not have a meeting.	personal interest in any transactions taken at this	

1.	Name:	Christopher Stone		
2.	Title:	Board Member		
3.	Agency:	Professional Engineers Section/APELSCIDLA Board		
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016		
5.	I have a personal interest in the following transaction:			
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	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 pa public interest.	rticipate in this transaction fairly, objectively, and in the		
	or			
	☐ I did not partici	ipate in the transaction.		
6.	I do not have a meeting.	personal interest in any transactions taken at this		
4	Men Lef M Store 19/13/16			

1.	Name:	Cameron Stiles	
2.	Title:	Board Member	
3.	Agency:	Interior Designers Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
5.	I have a personal in	terest 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 pa public interest.	rticipate in this transaction fairly, objectively, and in the	
	or		
	☐ I did not partici	pate in the transaction.	
6.	I do not have a meeting.	personal interest in any transactions taken at this	

1.	Name:	Caroline Alexander	
2.	Title:	Board Member	
3.	Agency:	Interior Designers Section/APELSCIDLA Board	
4.	Meeting/IFF Date:	APELSCIDLA Board Meeting December 13, 2016	
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 pa	articipate in this transaction fairly, objectively, and in the	
	or		
	☐ I did not partic	ipate in the transaction.	
6.	I do not have a personal interest in any transactions taken at this meeting. Arolese Alyander Signature 12/13/16 Date		