

Minutes of the Meeting of
Louisiana State Board of Architectural Examiners
September 23, 2016
10:00 AM

Richard J. LeBlanc, President
Ronald Blicht, Secretary
Allen Bacqué
J. David Brinson
Robert McKinney
Knox Tumlin
Paul H. Spaht, Board Attorney
Joe Holt, Investigator

1. The meeting was called to order by the President.
2. On motion by Mr. Blicht, seconded by Mr. Brinson, the minutes from the meeting held June 10, 2016 were approved as written.

On motion by Mr. Brinson, seconded by Mr. Bacque, the minutes from the special meeting held August 5, 2016 were approved as written.

On motion by Mr. Bacque, seconded by Mr. Blicht, the minutes from the special meeting held August 12, 2016 were approved as written.
3. Jenny Chandela reviewed the IDP report dated September 2016 which was included in the board packet. No action concerning the report was deemed necessary.
4. The Executive Director's primary activities were included in the Agenda for the meeting and summarized by the President. These included:
 - A. Re-advertising LSBAE Executive Director vacancy;
 - B. Working on Paul's legal services contract with the help of Mr. Spaht and Ms. Porche;
 - C. Accepting first group of digitized firm files from Scanning America;
 - D. Processing firm renewals;
 - E. Complying with new Legislative Act 587, report prepared and submitted;
 - F. Property Loss (two laptop computers in Teeny's home) due to flooding, report prepared and submitted;
 - H. Attendance:

1. June 14-19, 2016 – Board members attended NCARB Annual Meeting in Seattle, WA;
2. July 18, 2016 – Mr. Spaht and Ms. Porche emailed NOI for firm rule to the Legislative Fiscal Office, legislature, and Office of State Register;
3. August 09, 2016 – Mr. Spaht revised NOI firm rule; Ms. Porche hand-delivered revised impact statement to the Legislative Fiscal Office to get original signatures and then delivered it to the Office of State Register;
4. August 4-11, 2016 – Legislative Auditors conducted financial audit;
5. August 5, 2016 – Special board meeting to prepare for interviews to fill the Executive Director vacancy;
6. August 12, 2016 – Special board meeting to conduct interviews; and
7. September 9, 2016 - AIALA President’s Luncheon, attended by Messrs. LeBlanc, Blicht, Brinson, Bacque, and McKinney;

5. Mr. Spaht presented the following legal matters for discussion:

- A. Firm Practice (amendments to Chapter 17 of Rules) – The board reviewed the NOI published in the Louisiana Register on August 20, 2016, concerning the amendment to LAC 46:I.Chapter 17 pertaining to its regulation of professional architectural corporations, architectural-engineering corporations, limited liability companies, and architectural firms offering to practice or practicing architecture in Louisiana. Mr. Spaht reported that no comments to the proposed amendments had been received. The proposed amendments will be considered for adoption at the next board meeting (December of 2016).
- B. Architecture and Education Fund – After discussion, the board decided that Mr. McKinney, Mr. Blicht, and Ms. Chandela will serve on a committee to finalize the proposed rule concerning this fund. Representatives of the architectural schools of LSU and Louisiana Tech will be asked to serve on the committee. The committee will be co-chaired by Mr. McKinney and Ms. Chandela.

Mr. Spaht will send Mr. McKinney and Ms. Chandela a word version of the latest draft of the proposed rule.

- C. Olivia Pontiff – The board reviewed various materials concerning the internship of Olivia Pontiff, including her Separation Notice, IDP report, time sheets, and cancelled checks. Ms. Pontiff had been supervised by Ladd Ehlinger of Ehlinger Management Corporation; Mr. Ehlinger had refused to approve IDP hours for Ms. Pontiff. It appears that Ms. Simmons had previously spoken to Mr. Ehlinger about this issue, but that conversation is not documented and its substance unknown. After discussion, it was decided that Mr. Spaht will write Mr. Ehlinger and ask him to explain the reasons for his refusal to approve the IDP hours for Ms. Pontiff.

In addition, using Ohio Administrative Code 4703-3-07 (E) (6) as a template, Mr. Spaht will draft a proposed rule authorizing the board, if a supervisor does not

respond or provide adequate information to a board request for information concerning the performance of IDP hours, to award all or part of IDP hours which in the opinion of the board have been satisfactorily completed. This proposed rule will be considered at the December meeting of the board.

- D. Resolution 2016-01 Mutual Recognition Arrangement between NCARB and Australia and New Zealand – Mr. LeBlanc explained and the board reviewed a request from NCARB that it sign and return an executed copy of a Letter of Undertaking concerning a mutual recognition arrangement between NCARB and Australia and New Zealand. The board also reviewed the proposed letter and related information. On motion by Mr. Blich, seconded by Mr. Brinson, the board approved the Letter of Understanding and authorized its President to sign and return same to NCARB.
- E. AIA-LA presentation of Newly Licensed Architects – Mr. LeBlanc described the participation by the board in the recent presentation of newly licensed architects at the AIA-Louisiana convention in Lafayette. This matter was on the agenda for informational purposes, and no board action concerning this presentation was deemed necessary.
- F. Ward Elmo Bryant, Jr. – Mr. Bryant appeared to explain his recent request that the board advise whether his taking a plea to a felony conviction involving no jail time and paying a fine would allow him to continue to practice architecture. The board asked several questions to Mr. Bryant, including exactly what charges had been made against him and to what he might be taking a plea. So that the board can fully understand his request, Mr. Bryant will provide copies of the relevant documents and a history of the matter.
- G. Rule § 1535 (Name of Out-of-State Firm) – The board reviewed an email string originating July 25, 2016 from Nima Farzaneh concerning the name of an out-of-state architectural firm. The firm name of the out-of-state entity included the name of a deceased or retired member, and the question was whether the name of the out-of-state firm had to be changed. The staff had directed Ms. Farzaneh to Rule § 1535, which answered her inquiry. No further board action was deemed necessary.
- H. Continuing Education – The board reviewed a request from Alexander Adamick for approval of his attendance at the Goldman Sachs 10k Small Business Training for continuing education credit. Mr. Adamack explained that the course was intensive training on how to effectively run a small business. The board also reviewed its Rule § 1315 concerning continuing education, particularly §§ 1315.C (the definition of Continuing Education) and 1315.D.3 (“Continuing Education hours must be completed in health, safety, and welfare subjects ...”). The board concluded that the Goldman Sachs 10k Small Business Training was not in health, safety, and welfare within the meaning of its Rules, and that continuing

education credit for attending this Training would not be granted. The Executive Director will so advise Mr. Adamack.

- I. Forensic Architecture – The board reviewed an email dated August 26, 2016, from William Vukovich asking the board to confirm that he must be licensed to practice forensic architecture in Louisiana. For a typical forensic matter, Mr. Vukovich explained that an architect would possibly:
- Conduct a field investigation to observe, sketch, photograph, and measure a building, as well as gather samples and conduct tests;
 - Review field data; review owner, architect and contractor files; and analyze data;
 - Write a letter or report; and
 - Provide litigation support including trial testimony.

After discussion, the board concluded that, based on the services listed, licensing would be required. The Executive Director will so advise Mr. Vukovich.

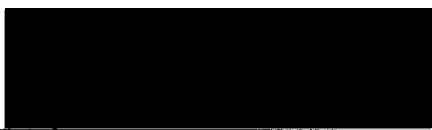

Shelly Strange – Ms. Strange is an architect licensed in Louisiana. In her email dated 9/14/2016, she advises that she is moving out-of-country for approximately twenty (20) months, where she will work for her present firm (Ashe Broussard Weinzette Architects located in Alexandria, LA) as an independent consultant. She asks, “Do I need to do anything with my license?” After discussion, the board concluded that Ms. Strange should be advised that she should renew her license every year. The Executive Director will so advise Ms. Strange.

- J. Enforcement – Mr. Holt provided an Enforcement Report concerning the eight (8) cases which he has handled since being hired. Three of those cases have been closed; others are ongoing before the CRC. Mr. Holt observed that some of the cases have been delayed because of difficulties in having certified letters delivered to respondents, perhaps because of the recent flooding. The CRC had authorized Mr. Holt to hire a private process server to effectuate delivery of the letters.

6. Board president, secretary, and CRC for 2017 – For 2017, Mr. Blich will serve as President and Mr. McKinney will serve as Secretary. For such year, Messrs. Brinson, LeBlanc, and Tumlin will serve as members of the CRC.
7. Kathy Hillegas/Executive Director – Kathy Hillegas was offered the position of Executive Director of LSB AE, and she has accepted. It presently appears that she will start November 14, 2016. Ms. Simmons will retire the day before Ms. Hillegas starts.
8. August 2016 Budget Report – The board reviewed the August of 2016 budget report which was included in the board packet. On motion by Mr. Tumlin, seconded by Mr. Brinson, the budget was approved.

9. Amended Budget for 2016-2017 – For informational purposes only, the board reviewed a copy of amended budget for 2016-2017 designating funds (\$25,000) for the Architecture and Education Fund.
10. Office of Risk Management/FEMA DR 4277 – As requested by the Division of Administration, ORM/FEMA DR 4277 was included in the board packet and reviewed.
11. The board meeting dates for the remainder of 2017 are:
March 3
June 16 (the NCARB annual meeting will be June 22-25)
September 15 (assuming this does not conflict the AIA-Louisiana annual meeting)
December 8
12. Adjournment – On motion by Mr. Tumlin, seconded by Mr. Bacque, the meeting was adjourned.

12/9/2016
Date


Richard J. LeBlanc, President

Ronald B. Blich, Secretary