

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

Attending

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

Call to Order

1. The meeting was called to order by the President.

Minutes Approved

2. The minutes from the meeting held March 04, 2016 and Special Meeting held April 22, 2016 were approved as written.

IDP Report

3. Ms. Jenny Chandela, State Architectural Licensing Advisor was unable to attend the meeting but provided the following report:

1 – Communication

- a. LSBAE Communication - Newsletter: Highlighted changes to AXP (formerly IDP)
- b. School Events: Visits to schools of architecture will resume in the fall

2 – Licensure Update

- a. Effective June 29, 2016:
 - 1- NCARB internship program is renamed **Architectural Experience Program (AXP)**
 - 2- AXP fees restructure: \$100 initial fee + \$85 annual renewal fee
 - 3- **Overhauled AXP** goes into effect; this update re-categorizes the program into the six broad areas of practice that align with ARE 5.0 testing categories.
- b. **Overhauled AXP** resources available:
 - 1- **Experience Calculator** (<http://idpcalc.ncarb.org>)
 - 2- **Experience Area Map** (http://www.ncarb.org/Experience-Through-Internships/IDP2-Experience-Categories-Areas/~media/Files/PDF/IDP/NCARB_IDP-Overhaul.ashx)
- c. March 2016: NCARB provided workshop to test prep companies to begin creation of study material

4. The Executive Director's Primary Activities were included in the Agenda for the meeting and summarized by the President. These included:
 - A. Updating the authorized signatories on the Whitney Bank checking account (to add Allen Bacque as an authorized signatory), with the assistance of Mr. Spaht and Ms. Porche.
 - B. Advertising the LSBAE Executive Director Vacancy.
 - C. Working on the Legal Services Contract for Paul Spaht, with the assistance of Mr. Spaht and Ms. Porche.
 - D. Continued working with Image Tech/Allen Gilbert, Laserfiche/John Strickland and Scanning America/Brett Benson on digitizing files;
 - E. Notifying Cox Communications that service needs to be upgraded (estimate contained in board packet) approved.
 - F. Preparing for LSBAE Summer Newsletter with Ellie Hebert/Peacock.
 - G. Preparing for firm renewals.
 - H. Attendance:
 1. March 8-13, 2016 – Board members attended SC/NCARB Regional Summit in Savannah, GA;
 2. April 12, 2016 – Paul Spaht and Dave Brinson at State Legislature to offer information before House Commerce Committee re: HB 472 and HB 532;
 3. April 22, 2016 – Special Board Meeting;
 4. May 11, 2016 – Paul Spaht and Dave Brinson at State Legislature to offer information before Senate Commerce Committee re: HB 472 and HB 532;
 5. June 1, 2016 – Attended Capitol for House Resolution No. 143 honoring Mary "Teeny" Simmons on the House Floor. Attended by Teeny along with family, friends, Board members and office staff (Resolution enclosed).

5. Mr. Spaht presented the following legal matters for discussion:
 - A. House Bill No. 472 re: Education and Research Fund – Mr. Spaht reported that HB No. 472 has been signed by the Governor, and it is now enrolled as Act No. 251, effective May 26, 2016. This led to a discussion of proposed Rule § 1323, which needs to be finalized, publicized in the Louisiana Register, and adopted. Several suggestions were made concerning the language of the proposed rule, which will be revised by Mr. McKinney. The aim is to publish the NOI proposing to adopt this rule in the August 20, 2016 issue of the Louisiana Register; this will allow the rule to be adopted at the December board meeting. To publish the rule on August 20, 2016, will require that the NOI and Fiscal and Economic Impact Statement be provided

to the Legislative Fiscal Office and legislative committees no later than July 20, 2016.

Mr. Spaht was asked to send Mr. McKinney a word version of the latest version of the proposed rule, so that he can make the changes discussed at the meeting.

The Board will work with Peacock/Ellie Hebert for a press release announcing this favorable legislation, the establishment of this Fund, and the parameters of the proposed rule. Initially, the sum of \$25,000.00 will be budgeted to this Fund.

- B. House Bill No. 532 re: Firm Practice -- Mr. Spaht reported that HB No. 532 has also been signed by the Governor, and it is now enrolled as Act No. 255, effective May 26, 2016. This led to a discussion of the NOI which has previously been reviewed and approved by the Board amending LAC 46:I.1701 concerning professional architectural corporations, LAC 46:I.1703 concerning architectural-engineering corporations, and LAC 46:I.1705 concerning limited liability companies. On motion by Mr. McKinney, seconded by Mr. Bacque, the publication of the proposed NOI in the Louisiana Register was approved. So that the proposed amendments can be adopted at the December board meeting, Mr. Spaht will publish this NOI in the Louisiana Register in July or August of 2016.
- C. Fire alarm system design/Ron Case – The board reviewed and discussed an email dated 3/28/16 from Ron Case complaining that he was in the middle of another poorly bid project where the design professional left it to the fire alarm contractor to design the fire alarm. Mr. Case had proposed no devices of a particular type because none were shown on the drawings; however, the architect said that it was his job to pick them up and therefore refused to issue a change order. According to Mr. Case, this is a huge problem for everyone involved, and he asks that the board “help us in this ongoing issue.”

The board observed that the issue raised by Mr. Case did not appear to be a licensing law issue. However, if Mr. Case would like to come to the board and explain why this was a licensing law issue and exactly what he would like the board to do, he may do so. The board will so advise Mr. Case.

- D. Fire Detection and Alarm System/Michael Head – The board reviewed and discussed an email to the board and to Joe Delaune of the OFM from Michael Head, Operations Manager of Tyco SimplexGrinnell, which included an email string between himself and Michael A. Hawkins, Professional Engineer, Leed AP Associated Design Group concerning the RSD McMain Secondary School Project in New Orleans. The email attached the Executive Director’s letter dated June 14, 2013, to Don Zeringue of the Office of State Fire Marshall, a drawing (E1.1), and Specification Section 283110 – Fire Detection and Alarm System.

Although Mr. Head's email referred to Ms. Simmons' 2013 letter and quoted portions of Board Rule §§ 1305 and 1307 (as well as LAPELS Rule § 2503), Mr. Head does not mention a particular architect in his email; however, he does mention specifically the "continued policy" of Associated Design Group (not an architectural firm). Mr. Head further states that "it has to be the responsibility of the engineer *at that time* the design is complete and accurate and meets all laws, codes, and ordinances" and "[s]o then if follows the if the engineer subsequently states the design is the responsibility of the fire alarm contractor, the application of the seal was not in compliance with the stated rules of conduct." (Head's emphasis).

The board observed that the issue raised by Mr. Head did not appear to be a licensing law issue. However, if Mr. Head would like to come to the board and explain why this was a licensing law issue and exactly what he would like the board to do, he may do so. The board will so advise Mr. Head.

- E. Enforcement/Diamond Design, LLC – Mr. Holt reported that this matter had been discussed and handled by the CRC.
- F. Architects Selection Board Results – Such results, architects elected without opposition to serve a one year term, were included in the agenda and reviewed by the board. No board action concerning this item was considered necessary.

6. Region 6 Resolution re: IDP/AXP for Consideration by Member Boards at the June, 2016 NCARB ABM – For informational purposes, the board reviewed and discussed information from Region 6 concerning Resolution 2016-10 which will be considered in Seattle. Although the board supports the resolution, it is uncertain whether it will pass.

7. State Civil Service Information/Notices -- For informational purposes, the board reviewed and discussed General Circular Number 2016-004 dated April 8, 2016 (suspending performance adjustment authority for FY 16-17) and General Circular Number 2016-5 (pertaining to the requirement that certain unclassified officials and employees attend an educational program), both circulars from State Civil Service.

Budget Report

8. The board reviewed the May of 2016 budget report which was included in the board packet. The board observed that income and expenses were generally in line with the previous year.

9. Budget for 2016-2017 – The board reviewed the proposed budget for 2016-2017. On motion by Mr. Blich, seconded by Mr. McKinney, the board amended the proposed budget to allocate the sum of \$25,000 as an expense for the Architecture and Education Fund. On motion by Mr. Blich, seconded by Mr. McKinney, the board approved the proposed budget for 2016-2017, as amended.

10. The board meeting dates for the remainder of 2016 are:

September 23
December 9

11. Executive Session – On motion by Mr. McKinney, seconded by Mr. Tumlin, and the board unanimously voting in favor thereof (Mr. LeBlanc, Mr. Blich, Mr. Bacque, Mr. Brinson, Mr. Cardone, Mr. McKinney, and Mr. Tumlin each voting in favor of the motion to enter into executive session to discuss the Executive Director vacancy), the Board entered into executive session to discuss the Executive Director vacancy.

On motion by Mr. Brinson, seconded by Mr. Cardone, the executive session was adjourned.

12. On motion by Mr. Brinson, seconded by Mr. Tumlin, the board meeting was adjourned.

9/23/16

Date


Richard J. LeBlanc, President


Ronald B. Blich, Secretary