Minutes of the Meeting of
Louisiana State Board of Architectural Examiners
Baton Rouge, Louisiana
December 16, 2011

Attending

Richard LeBlanc, President presiding
Allen Bacqué
Creed Brierre
J. David Brinson
John Cardone, Jr.
Robert McKinney
Teeny Simmons, Executive Director
Paul H. Spaht, Board Attorney
Robert Eddleman, Board Investigator

Call to Order

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

Minutes Approved

2. The minutes from the meeting held September 30, 2011 were approved as written.

IDP Report

3. Ms. Marsha Cuddeback presented the following IDP report:

1

Update on LA IDP Forum 2012

- NCARB attendance confirmed (Nick Serfass)
- AIA LA contribution ($4,000 - December, $1,000 - February)
- Current Registration - 55 participants
- Online Registration: https://laidpforum2012.wufoo.com/forms/q7x3z9/

2

IDPAC (Intern Development Program Advisory Committee)

- Appointment
  Louisiana's State IDP Educator Coordinator was appointed as the IDP Educator for the current IDPAC funded through AIA. The Committee coordinates the internship-related activities between and among NCARB and the AIA, ACSA, AIAS, and the Society for Design Administrators (SDA). Reports, recommendations, etc. made on behalf of the IDPAC are advisory to the NCARB and AIA Board of Directors. Results of its deliberations provide feedback to the participatory organizations to increase the effectiveness of all aspects to the IDP. Fall meeting, November 2011, Dallas, TX

3

NCARB IDP NEWS

- Final Phase IDP 2.0, April 2012
  This phase will include new experience categories and areas, simplified experience settings, and an enhanced electronic system to report IDP experience.
- NCARB Prize Retired
  NCARB Prize has recognized over 76 projects from 43 different architecture schools and NCARB has awarded over $600,000 to architecture schools to support the integration of practice and education in the academy.

- NCARB Grant Recipient
  Tulane School of Architecture: Kentaro Tsubaki and Z. Smith, Field Studies to Inform Design for Healthy, High-Performance Buildings, $13,000

4

UPCOMING EVENTS

LA IDP Forum 2012

LSU College of Art + Design, Saturday, January 21, 8:00 AM - 7:00 PM, a draft agenda was handed out for review.

Executive Director's Report

4. The Executive Director reported the following office functions:

   A. Prepared and processed 2012 renewals.

   B. After advertising expired terms, advised governor in letter dated November 1, 2011, names of the following architects to fill vacancies beginning January 1, 2012: District 2/Ronald Blitch; District 3/Richard LeBlanc/Edwin W. Elberson

   C. Fiscal Year 10-11 Audit completed with no problems.

   D. Preparation completed for 2011 Winter Newsletter.

   E. Met with Sherry (Rotary) relating to a new lease. Present lease expires July 31, 2012. Rotary will not ask for any increase in new lease.

   F. Attendance:

      1. October 6-7 AIA/LA (Shreveport, LA).
      2. October 12 Arch/Eng Committee Meeting (McKinney/Blitch/Brinson).
      3. October 27 Meeting/Marsha Cuddeback.
      4. November 3-6 MBE Meeting/Washington DC.
      5. November 17 AIA/LA and AIA/BR (BR Foundation).
      6. December 1 Robertson/Cuddeback (IDP Forum).
      7. December 7 Arch/Eng Committee Meeting (McKinney/Brinson).

Legal

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

   A. Rule § 1315 (Continuing Education) – The board reviewed the NOI published on November 20, 2011, in the Louisiana Register proposing to amend Rule § 1315 of the board rules concerning continuing education. The NOI was reviewed for informational purposes only, as insufficient time had expired for adoption of the proposed amendments. Formal adoption will be considered at an upcoming meeting.

   B. Rule § 1305 (Placing of Seal or Stamp) – The board reviewed for informational purposes a draft of a NOI which will be published on January 20, 2012, in the Louisiana Register proposing to amend Rule § 1305. The proposed rule amendment, if adopted, will provide that contract drawings and specifications

include construction documents prepared for bidding or for receipt of proposals, as well as such documents submitted for permitting.

C. Building Official's Guide to Architecture Requirements – Mr. McKinney reported on the meetings of members and representatives of the board and LAPELS held on October 12 and December 7, 2011, concerning updating the Reference Manual for Building Officials and Design Professionals. Comments and suggestions were received from the OFM and the Louisiana Uniform Construction Code Council, and the manual is being updated in accordance with those comments. Ms. Simmons will provide the current draft to AIA Louisiana, and LAPELS will likewise provide the current draft to its professional organization. Ms. Simmons and Lynn Robertson will coordinate the best manner for informing architects of this update.

D. 2013 Southern Conference – Mr. McKinney reported that New Orleans is one of the venues being considered for the 2013 meeting of the Southern Conference. Puerto Rico is the more likely venue, if it is interested. After discussion, it was decided that Ms. Simmons, working with the board, will submit a proposal for the 2013 meeting.

E. Writing Specifications – The board reviewed a string of emails to/from Robert Swan, an emeritus architect, asking if "writing specs" is considered the practice of architecture. R.S. 37:141.B.3 defines the practice of architecture; it provides that architectural services include "providing . . . specifications, and other technical submissions." Rule § 1313.A.1 interprets R.S. 37:152.B, and it clarifies when specifications or other related documents will be deemed to have been prepared either by the architect or under the architect's responsible supervision. After discussion, the board concluded that "writing specs" is the practice of architecture, as provided by R.S. 37:141.B.3. The board further concluded that Mr. Swan, as an emeritus architect, could "write specs" for an architect, provided the requirements of Rule § 1313.A.1 are satisfied. Ms. Simmons will so advise Mr. Swan.

F. Appearance of Lynn Robertson – Ms. Robertson distributed the very recent Attorney General Opinion 11-0048 dated December 7, 2011. The opinion has already received some criticism, and it is currently being reviewed and its full implications explored by AIA Louisiana.

G. Continuing Education Reciprocity – The board reviewed a string of emails to/from Robert Steinmetz describing problems that he believed existed regarding continuing education reciprocity. No action by the board on this issue was deemed necessary, as the information was provided by Mr. Steinmetz to the board for its general knowledge on this issue.

H. Architectural Steel Design, LLC – The board reviewed a letter dated November 30, 2011, from Bennett Johnson asking permission to use the name Architectural Steel Design, LLC. The letter stated that neither Mr. Johnson nor anyone who works for him is a licensed architect.

R.S. 37:145 provides: "[n]o person shall practice architecture in this state, or use the title 'architect', or any term derived therefrom, or display or use any title, sign, advertisement, or other device to indicate that such person practices or offers to practice architecture, or renders architectural services, or is an architect, unless such person shall have secured from the board a certificate of registration and license in the manner hereinafter provided . . . ." After discussion, the board concluded that the name "Architectural Steel Design, LLC" violates R.S. 37:145. The board was uncertain whether it had the authority to grant a waiver of the prohibition contained in R.S. 37:145; regardless, the board is unwilling to grant any waiver. Ms. Simmons will so advise Mr. Johnson.

I. Emeritus/Joe Holt – By email dated December 8, 2011, Joe Holt advised that he was interested in pursuing Emeritus Status and asked if, as an emeritus architect, he could provide certain services. Mr. Holt advised that he does not prepare drawings or specifications for architectural purposes, does not stamp drawings or specifications, does not provide architectural services for any architectural clients or architectural firms, and holds AIA emeritus status at this time. Mr. Holt described the activities that he provides as a consultant for project owners, attorneys, and architects. For project owners, Mr. Holt's activities include:

- acting as Owner Representative on construction projects, advising Owners as to correct procedures of the Architect and Contractor on a construction project
- reviewing Architect's drawings on the project
- reviewing contractor Pay Applications
- attending regular project meetings

Rule § 1105 provides, in pertinent part, that "[o]nly a registrant who is fully and completely retired from the practice of architecture may request emeritus status." After discussion, the board concluded that the activities mentioned above by Mr. Holt constitute the practice of architecture. If Mr. Holt intends to perform the activities described above, he may not request emeritus status. Ms. Simmons will so advise Mr. Holt.

J. CRC matters – Mr. Eddleman presented the following CRC matters:

Case # 2011-42 – Design Perspectives, Inc. – Mr. Eddleman reported on an unlicensed firm that may have used an advertisement or other device to indicate that the firm practiced or offered to practice architecture in Louisiana. It has signed and returned a proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved a motion by Mr. Bacque, seconded by Brinson, to approve the signed Consent Order.

Case # 2011 – 3 – Foil-Wyatt Architects & Planners, PLLC – Mr. Eddleman reported on an unlicensed architectural firm that submitted an application for

firm licensure, admitting therein to the practicing and/or offering to practice architecture prior to obtaining licensure. It has signed and returned a proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved the motion made by Mr. Brierre, seconded by Mr. Bacque, to approve the signed Consent Order.

Case # 2011 – 7 – Bounds and Gillespie, Architects, Inc. – Mr. Eddleman reported on an unlicensed architectural firm that submitted an application for firm licensure, admitting therein to the practicing and/or offering to practice architecture prior to obtaining licensure. It has signed and returned the proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved the motion made by Mr. Brinson, seconded by Mr. Bacque, to approve the signed Consent Order.

Enforcement Report – Mr. Eddleman presented a written Enforcement Report for the period September 30, 2011 - December 16, 2011. As set forth more fully in this report, the CRC at its September 30, 2011 meeting authorized the issuance of two consent orders. Further, since the September meeting, four (4) cases have been opened, and at the direction of the CRC ten (10) cases were closed. Three cases of unlicensed practice were referred to the CRC for its review.

Budget Report

6. The November, 2011 budget report was reviewed.

7. The Executive Director and Ms. Porche will meet with Civil Service at the beginning of the year (2012).

8. The following meeting dates for 2012 were approved:

Friday, March 16
Friday, June 15
Friday, September 21
Friday, December 14

3.16.12
Date

Robert W. McKinney, President

Creed W. Brierre, Secretary