Louisiana State Board of Architectural Examiners
Meeting Minutes
Baton Rouge, LA
January 12, 2018

Present: Robert W. McKinney, President
Ronald B. Blitch
J. David Brinson
Allen J. Bacque
John Cardone, Jr.
Richard LeBlanc
Robert W. McKinney
Knox H. Tumlin
Paul H. Spaht, Board Attorney
Katherine E. Hillegas, Executive Director
Tyson Ducote, Deputy Director

Guests: Lynn Robertson, Executive Director – AIA Louisiana

The meeting was called to order by McKinney who reviewed the agenda.

Blue Sky Follow Up
The Board reviewed the Mission and Vision Statements and draft Goal Statements for the Strategic Plan and agreed to accept the following Goal Statements:

Outreach: LSBAE's outreach efforts will lead to better understanding of laws and rules surrounding licensure requirements and the practice of architecture.
Celebrating Licensure: By celebrating licensure, LSBAE strives to ensure open communication with the profession and those aspiring to the profession.
Enforcement: Through a strong enforcement effort, LSBAE will ensure adherence to the Architects Licensing Law and protect the health, safety and welfare of the citizens of Louisiana.
NCARB: Participation in NCARB allows LSBAE to maintain strong relationships at the national level and stay abreast of changes in the regulation of architecture.

It was agreed that the Strategic Plan should be published in the Spring Newsletter and that the board should review the goals and objectives at its next meeting in April.

September 29, 2017 Minutes
The Board reviewed minutes from the September 29, 2017 meeting.

> **Motion: Tumlin/Blitch:** To approve the minutes from the September 29, 2017 meeting. **Passed. 7-0.**

AIA Louisiana
Lynn Robertson, Executive Director of AIA Louisiana, joined the meeting to discuss a proposed amendment to R.S. 44:3.2(G) of the Public Records Law concerning proprietary and trade secret information and allow LSBAE and the Louisiana Professional Engineering and Land Surveying Board (LAPELS) access to plans submitted to the Fire Marshall. She indicated that joint meetings had been held with representatives from AIA, LAPELS, the Louisiana Engineering

Society (LES), and LSBAE, and LES had taken the lead and written a draft bill which would be introduced to the legislature in the 2018 Legislative Session.
Ms. Robertson then reported that in response to a series of unlicensed practice violation letters issued by LAPELS to architects in December, AIA was establishing a Task Force to begin working on developing a clearer definition of "incidental practice". The Task Force would be comprised of representatives from AIA, the American Council of Engineering Companies of Louisiana (ACEC), LAPELS and LSBAE.

Legal Counsel Report
Spaht reported that the Architecture & Education Research Fund Rule had been posted on the board website with no additional comments received.

> **Motion: Tumlin/Blitch:** To adopt the Architecture & Education Research Fund Rule (LAC 46:1, Chapter 22). **Passed. 7-0.**

Spaht then discussed a concern regarding information that may be released concerning an individual architect in response to a Public Records request. He recommended that the Board consider an amendment to the Public Records Law that would provide an exemption for certain information in the custody or control of the Board concerning a person's fitness to receive or continue to hold a license or certificate of registration to practice architecture. Spaht noted that a number of other licensing boards had sought and obtained such an exemption.

> **Motion: Blitch/Cardone:** To direct Legal Counsel to prepare draft legislation that would provide an exemption for certain information concerning a registrant's fitness to receive or continue to hold a license to practice architecture. **Passed. 7-0.**

Complaint Review Committee Report
Tumlin reported that staff had brought forward several renewal applications of individual licensees in which the licensee had responded "yes" to any of the moral character questions on the application. Those applications were segmented into categories and presented to the Complaint Review Committee for review and consideration. He indicated that staff was asking for Board ratification of the renewals and for operating guidelines on handling these routine types of applications in the future.

Continuing Education Violations
Renewal applications of licensees who had been disciplined by another jurisdiction for failure to meet the Continuing education requirements following a CE Audit were presented to the Board.

> **Motion: Cardone/Bacque**: To approve renewal applications for the following individuals: Matthew Freeby, Michael Habel, Christopher Kidd, Gary Martinez, Daniel Winter, and Reza Hadaegh and, further, to send Letters of Caution to all of the aforementioned individuals with the exception of Mr. Kidd. The Board further agreed to establish an operating guideline that for future similar violations of non-compliance with a continuing education requirement in another state, staff should process the renewals,

issue a standard letter of caution for licensees, and inform the board at the appropriate time following such renewals. **Passed. 7-0.**

Texas Accessibility Standard Review

Applications of four licensees who indicated that they had received warnings or were disciplined by the Texas Board for violations of the Texas Accessibility Standard Review requirements were reviewed.

Motion: Bacque/Blitch: To approve renewal applications for Max C. Cannon, Jaron Daily, Sanford Steinberg and Richard Sutton. Further, to approve the renewal application for Donald Powell and issue a Letter of Caution for possible mis-statement on his renewal. The Board further agreed to establish an operating guideline that for future similar violations involving discipline for non-compliance with the Texas Accessibility Standard Review, staff should process the renewals with no further action. **Passed. 7-0.**

Plan Stamping

A renewal application of an individual who had been disciplined by the Mississippi Board for plan stamping and subsequently suspended for 2 years was reviewed.

Motion: Blitch/Cardone: To approve the renewal application and issue a Letter of Caution for Phillip Pecord. The Board further agreed to establish an operating guideline that for future similar violations involving plan stamping in another state, staff should process the renewal, issue a standard letter of caution, and inform the board at the appropriate time following such renewals. **Passed. 7-0.**

Failure to Notify of Prior Discipline/Investigation

Renewal applications of three architects who had been disciplined by the Wisconsin Board for failing to notify that Board of a disciplinary action by another board within 48 hours were reviewed.

Motion: Bacque/Blitch: To approve the renewal applications for David Ohlemeyer and William McMahon and further to approve the renewal application and issue a Letter of Caution to Dustin Curtis. The Board further agreed to establish an operating guideline that for future similar violations of the Wisconsin law requiring architects to notify them of disciplinary actions within 48 hours, staff should process the renewals and no further action would be required. **Passed. 7-0.**

Inactive/Revoked License Due to Failure to Renew

Renewal applications for two architects whose licenses were either revoked or placed in inactive status due to failure to renew in that state were reviewed.

Motion: Cardone/Bacque: To approve the renewal applications for William Rutherford and Angela Watson. The Board further agreed to establish an operating guideline that for future similar violations related to licenses being placed in revocation or inactive status due to failure to renew, staff should process the renewals and no further action would be warranted. **Passed. 7-0.**

Unlicensed Practice in Another State

Renewal applications for architects who had been disciplined by other boards for the unlicensed practice of architecture were reviewed.

> **Motion: Blitch/Bacque:** To approve the renewal applications for Georgia Coundoussias, Scott Lasky, Russell McElroy, Stephen Oliver, Lindsay Works and the firm renewal application for Sterling Barnett and issue Letters of Caution to all individual licensees. The Board further agreed to establish an operating guideline that for future similar violations related to unlicensed practice of architecture in another state, staff should process the renewals and issue a letter of caution for licensees and then notify the Board at the appropriate time following renewal of the architect's license. **Passed. 7-0.**

Criminal Activities/Misdemeanors

Renewal applications for architects who were disciplined by the authorities for various criminal activities or misdemeanors, including DWI, DUI (alcohol and prescription medication), open container and possession of marijuana were reviewed.

> **Motion: Cardone/Blitch:** To approve renewal applications for Fernando Andrade, Anthony Butler, Kevin Cooper, William Foley, and Noam Platt. Further the Committee recommends that Mr. Marcus Moorehead be asked to provide the Committee with updates related to his court case. The Committee agreed to recommend that the Board establish an operating guideline that for future similar violations for various misdemeanor criminal activities, including DWI, DUI, open container and possession of marijuana, staff should process the renewals, and no further action would be required. **Passed. 7-0.**

Investigation Not Resulting in Discipline

A renewal application who reviewed for an architect who was investigated by the Mississippi Board of Architecture for possible improper use of confidential and proprietary information then submitted as his own creation in response to a RFP and the possible improper listing of his spouse as a member (and therefore an owner) of their firm in the annual report filed with the Mississippi Secretary of State and in various Mississippi publications. After an investigation was concluded, both points were dismissed without prejudice.

> **Motion: Bacque/Blitch:** To approve the renewal application for William McElroy. **Passed. 7-0.**

Unlicensed/Expired Practice in Louisiana

Renewal applications for an individual and a firm who had practiced architecture on an expired license or prior to licensure were reviewed.

> **Motion: Cardone/Blitch:** To approve the applications, and to open cases against both the individual for expired practice and the firm for unlicensed practice. The Board further agreed to establish an operating guideline that for future similar violations, staff

should process the renewals or applications and open a case for unlicensed practice. **Passed. 7-0.**

Multiple Issues

Renewal applications of several architects who had multiple disciplinary actions with other states were then reviewed.

Motion: Blitch/Bacque: To approve the renewal applications of Robert Coleman, III, Paul Donaldson, Thomas Smith and Wynn Waring Warner and, further, issue a letter of caution to each. The Board further agreed to establish an operating guideline that for future similar violations, staff should process the renewals and bring them before CRC if the licensee's license was revoked, suspended or placed on probation in another jurisdiction, and that no further action was warranted if the violations are minor in nature. **Passed. 7-0.**

Unlicensed Practice of Engineering

Two renewal applications for architects who were disciplined for the unlicensed practice of engineering in other states were reviewed.

Motion: Blitch/Cardone: To approve the renewal applications for Zhi Feng and Peter Lichomski and issue a letter of Caution to Mr. Feng for possible mis-statement on his renewal. The Board further agreed to establish an operating guideline that for future similar violations, staff should process the renewals and no further action would be warranted. **Passed. 3-0.**

Staff then requested direction on other scenarios which may occur in future renewal periods:

Aiding and assisting in Unlicensed Practice –

Motion: Cardone/Bacque: To establish an operating guideline that staff process renewals or applications where an individual has been disciplined by another state for aiding and assisting in unlicensed practice and document such information in the licensee's file. **Passed. 7-0.**

Actions not in violation of the Louisiana laws and/or rules –

Motion: Bacque/Cardone: To establish an operating guideline that staff process renewals or applications where an individual has been disciplined by another state for actions that would not be in violation of the Louisiana laws or rules and document such information in the licensee's file. **Passed. 7-0.**

Discipline previously reported to Board through the firm registration or prior notification.

Motion: Bacque/Blitch: To establish an operating guideline that staff process renewal applications for individuals or firms who have previously reported discipline to the Board and document such information in the individual or firm's file. **Passed. 7-0.**

Staff then requested discussion and direction on processing applications for licensure as related to the following topics:

a. Applications received during renewal period – It was agreed to establish an operating guideline instructing staff to issue licenses through the following renewal period for applications received during a renewal cycle.
b. Renewals received after renewal period (grace period, late fee, lapse-expire timeline) – It was agreed that, per the rules, a registrant is considered late for 90 days following the renewal deadline, and then his license is considered expired.
c. Reporting sanctions to the NCARB disciplinary database – It was agreed that staff should take whatever steps necessary to ensure that future Consent Orders include language indicating that such sanctions will be reported to a national disciplinary database for architects and, further, to then report such disciplinary actions to the NCARB Disciplinary Database.

2018 Committees
McKinney reviewed the Committee assignments for calendar year 2018 as follows:

Complaint Review Committee: Knox Tumlin, David Brinson, Richard LeBlanc
Research Fund Subcommittee – Ron Blitch, Robert McKinney
Continuing Education Subcommittee – Richard LeBlanc, Allen Bacque
Law/Rule Review Subcommittee – Robert McKinney, John Cardone, Paul Spaht
Incidental Practice Task Force – Ron Blitch, Robert McKinney

Executive Directors Report
Hillegas presented the Executive Directors Report and provided a review of the October 2017 Financial Statement. She then provided the Board with a listing of licenses issued for the period September 21, 2017 through January 10, 2018.

Motion: McKinney/Bacque: To ratify all licenses issued during the period September 21, 2017 through January 10, 2018. (Attached). **Passed. 7-0.**

Hillegas discussed concerns received by a licensee regarding a determination that a program she had attended sponsored by the National Business Institute did not qualify for HSW continuing education.

Law/Rules Review
Hillegas reported that there was a section in the Rules (1301(D)) which still reflected the old firm fees of $50. There was agreement to begin developing a Rule change in order to correct this oversight.

NCARB
Hillegas presented the NCARB Letter of Undertaking for the Trinational Agreement with Canada and Mexico to the Board for consideration. Originally signed in 2013, NCARB is now asking boards to sign the Letter of Undertaking indicating that they would accept any candidates who achieve an NCARB Certificate through the terms of this agreement. She noted that Legal

Counsel had made her aware of a state law requirement that all licensure candidates in Louisiana must provide a Social Security Number at the time of application. She reported further that NCARB had their legal counsel investigating this requirement as they believed there might be federal statutes that would allow a jurisdiction to not require a SSN from licensure candidates.

> **Motion: Tumlin/Blitch:** To defer signature on the Letter of Undertaking for the Trinational Agreement with Canada/Mexico until such time as the legal opinion from NCARB's legal counsel is received and reviewed. **Passed. 7-0.**

The Board considered a request from NCARB to identify funded delegates for the upcoming Regional Summit and Annual Business Meeting.

> **Motion: Tumlin/Cardone:** To approve Allen Bacque and David Brinson as the Funded Delegates to the 2018 NCARB Regional Summit and 2018 NCARB Annual Business Meeting. Further, to approve funding for the remaining Board members to attend both meetings. **Passed. 7-0.**

There being no further business,

> **Motion: Tumlin/Brinson:** To adjourn. **Passed 7-0.**

Respectfully submitted,

Robert W. McKinney, Chair

John Cardone, Secretary

LICENSES ISSUED BY STAFF

September 21, 2017 through January 10, 2018

INITIAL APPLICATIONS					
FNAME	LNAME	LIC_ID	STATE	LIC_STATUS	REGIS_DATE
Whawn Marie	Allen	8809	LA	ACTIVE	27-Nov-17
Vicenzo F.	Alvero	8797	LA	ACTIVE	25-Oct-17
Jessica	Baker	8794	LA	ACTIVE	16-Oct-17
Michael J.	Bourque	8788	LA	ACTIVE	11-Oct-17
Sarah Elizabeth	Daigle	8812	LA	ACTIVE	03-Jan-18
Brad	Deal	8815	LA	ACTIVE	03-Jan-18
Charles Delay	Jones	8796	LA	ACTIVE	25-Oct-17
Bryce J.	Lambert	8783	LA	ACTIVE	22-Sep-17
Joseph Trey	Pamplin	8799	LA	ACTIVE	27-Oct-17
Monica Lynn	Perez	8813	LA	ACTIVE	03-Jan-18
D. Ravelle	Reed II	8798	LA	ACTIVE	27-Oct-17
Graydon	Zanyk	8824	LA	ACTIVE	10-Jan-18

RECIPROCAL APPLICATIONS					
FNAME	LNAME	LIC_ID	STATE	LIC_STATUS	REGIS_DATE
M. Steven	Camp	8782	CA	ACTIVE	22-Sep-17
Farzan	Kholousi	8784	TX	ACTIVE	25-Sep-17
J. Kevin	Roth	8786	MO	ACTIVE	29-Sep-17
Douglas Leonard	Engel	8785	TX	ACTIVE	29-Sep-17
John A.	Baer	8787	FL	ACTIVE	09-Oct-17
Jeffrey	Foster	8790	FL	ACTIVE	12-Oct-17
David	Masters	8789	TX	ACTIVE	12-Oct-17
Gregory L.	Dehne	8792	MD	ACTIVE	13-Oct-17
Gregory Basil	Rousos	8793	MD	ACTIVE	13-Oct-17
Raymond D.	Gignac	8791	TX	ACTIVE	13-Oct-17
Gary Allen	Rausch	8795	OH	ACTIVE	23-Oct-17
James A.	Wallis	8800	OH	ACTIVE	27-Oct-17
James Thomas	Mann Jr	8801	TN	ACTIVE	30-Oct-17
Stephen	Wise	8802	PA	ACTIVE	03-Nov-17
John Paul	DeFrank	8803	TX	ACTIVE	06-Nov-17
Wesley Raymond	Osmer	8804	AL	ACTIVE	07-Nov-17
David Louis	Child	8805	PA	ACTIVE	08-Nov-17
Doug	Shaw	8806	GA	ACTIVE	15-Nov-17
Kris	Ainsworth	8807	MO	ACTIVE	20-Nov-17
Matthew Michael	Wilkus	8808	MN	ACTIVE	27-Nov-17
Jeffrey	Dungan	8810	AL	ACTIVE	29-Nov-17
Christopher W.	Giffin	8811	GA	ACTIVE	04-Dec-17
Harold Neil	Terry	8820	AZ	ACTIVE	03-Jan-18
Duc-Huy	Huynh	8817	CA	ACTIVE	03-Jan-18
Michael	DeCarlo	8816	GA	ACTIVE	03-Jan-18
John	Davidson	8814	KS	ACTIVE	03-Jan-18
Bruce T.	Runyon	8819	OH	ACTIVE	03-Jan-18
Stephen	Oliver	8818	TX	ACTIVE	03-Jan-18
Craig P.	Vaughn	8821	TX	ACTIVE	03-Jan-18
Jeffrey Arthur	Williams	8822	WA	ACTIVE	03-Jan-18
Annette Fortman	Vise	8823	MS	ACTIVE	09-Jan-18