Minutes of the Meeting of
Louisiana State Board of Architectural Examiners
Baton Rouge, Louisiana
September 20, 2013
10:00 AM

Attending

Creed Brierre, President presiding
Allen Bacqué
J. David Brinson
John Cardone, Jr.
Richard LeBlanc
Robert W. 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 June 7, 2013, were approved as written.

IDP Report

3. Ms. Marsha Cuddeback, IDP State Coordinator, appeared before the Board offering her letter of resignation because career goals as a practitioner and faculty member were beginning to move in a different direction. The Board expressed their disappointment, but understood her decision. The Board thanked her for her years of service and extraordinary accomplishments. She agreed to help in the selection of a new state coordinator and transition process. The Board also appointed Mr. Brinson, Mr. McKinney and Mr. Bacque to help with the transition.

Executive Director's Report

4. The Executive Director reported the following:

   A. Preparing for architect renewals.

   B. Preparation for annual audit.

   C. Preparation for fall newsletter.

   D. Worked with AIA/LA on new licensee presentation and award.

   E. Discussions with state fire marshal office (Zeringue vacancy appointment).

   F. Attendance:

      1. June 19-23, NCARB annual meeting (San Diego).
      2. July 24-28, IDP Coordinators meeting (Miami).
      3. July 31-August 4, AIALA Design Conference/New.Licensee (Destin).

Legal

5. Mr. Spaht presented the following legal matters:

A. Rules §§ 1103 and 1109 (Military-trained Architects) – The board reviewed a NOI published on May 20, 2013, in the Louisiana Register proposing to amend Rule § 1103 (Individuals Registered in Other States) and Rule § 1109 (Military-trained Architects and Architect Spouses of Military Personnel). These proposed rules seek to implement the provisions Act 276 of 2012 (R.S. 37:3651) and provide a procedure for the licensing of military-trained architects and spouses of military personnel. On motion by Mr. Cardone, seconded by Mr. Brinson, the board adopted the proposed rules. The adopted rules will now be published in the Louisiana Register.

B. Rule § 1539.A (Architect Emeritus) – The board reviewed a NOI published on May 20, 2013, in the Louisiana Register regarding the title which an architect who has received emeritus status from the board should use. On motion by Mr. Cardone, seconded by Mr. Brinson, the board adopted this proposed rule. The adopted rule will now be published in the Louisiana Register.

C. Rule Regulating Architectural Firms – The board reviewed a revised draft of proposed rules regulating architectural firms. The revised draft included those changes discussed during the June 7, 2013 board meeting, including particularly changes to proposed Rule §§ 1705.K, 1705.L, and 1705.N. The board approved the changes made and suggested that the definition of "architectural firm" in § 1705.A be amended to include a sole proprietorship. The board instructed its attorney to make this additional change, after which the proposed rule will be sent to AIA Louisiana for its information and comments. The proposed rules will be reconsidered at the December meeting.

D. Joint Venture – The board reviewed an email dated August 14, 2013, from Bobby Boudreaux, an architect registered in Louisiana, asking if the licensing laws "will allow us [Mr. Boudreaux and his partner] to joint venture with another firm that is not licensed in Louisiana." The board also reviewed Ms. Simmons' letter dated August 19, 2013, which responded to Mr. Boudreaux's letter by providing a copy of her letter dated September 17, 2010. In addition, Ms. Simmons had advised Mr. Boudreaux that the board was in the process of amending its rules related to firm practice, including a proposed rule concerning joint ventures. The board concluded that Ms. Simmons had fully and adequately responded to Mr. Boudreaux's inquiry and that no further letter or action is necessary.

E. Appearance of Lynn Robertson, AIA Louisiana – Ms. Robertson appeared and brought the board up to date on recent activities of AIA Louisiana. Activities mentioned included a task force regarding design/build on public projects and a committee to update the public bid law.

F. Appearance of Joe Delaune, Fire Marshall Chief Architect – Mr. Delaune appeared, introduced himself, and described his initial couple of very busy months as Chief Architect of the OFM. The board welcomed Mr. Delaune and expressed its hope that he or other representatives of the OFM would attend future meetings.

G. Trade Name: Corgan – The board reviewed emails dated September 9, 2013, from Susan Moon of Corgan Associates, Inc. which is looking to dba as just "Corgan." After discussion, the board concluded that it should obtain information regarding possible rules or laws of other states concerning the use of trade names or dba names

by architectural firms. The executive director will obtain such information and report at the next meeting.

H. Trade Name: Hernandez Consulting/Albert Architecture, llc – The board reviewed a letter dated August 12, 2013, from Richard Albert of Albert Architecture Urban Design apllc. Mr. Albert advised that Hernandez Consulting llc recently purchased a portion of Albert Architecture & Urban Design apllc. Albert Architecture & Urban Design apllc is not requesting a name change. Rather, it is requesting (i) confirmation that use of the trade name "Hernandez Consulting/Albert Architecture llc" by Albert Architecture & Urban Design apllc is permissible, and (ii) that the trade name "Hernandez Consulting/Albert Architecture llc" be listed as a firm on the Roster of Architects in addition to Albert Architecture & Urban Design llc. After discussion, the board concluded that it should obtain information regarding possible rules or laws of other states concerning the use of trade names or dba names by architectural firms. The executive director will obtain such information and report at the next meeting.

I. Louisiana Architect Selection Board/Coleman Brown – For informational purposes, the board reviewed a letter dated August 6, 2013, to Governor Bobby Jindal from Coleman D. Brown, a registered architect currently serving on the LASB. Mr. Brown commented upon the voting of the governmental entity members on the LASB, and he made recommendations concerning the counting of such votes. The executive director will thank Mr. Brown for his letter and ask that the board be kept posted.

J. CEH – Charrette – The board reviewed an email dated September 10, 2013, from Kim Mitchell concerning a charrette that was held on September 13-14, 2013, in Shreveport. The board also reviewed the attachments to the email, that is, a completed program pre-approval form followed by the charrette handout. Mr. Mitchell requested that the board approve continuing education hours for the charrette. The board discussed Mr. Mitchell's request and the materials submitted, and it concluded that the charrette would not be approved for continuing education hours. The executive director will so advise Mr. Mitchell.

K. Mutual Recognition Agreement with Canada – The board reviewed a Letter of Undertaking in Respect of the Mutual Recognition Agreement between NCARB and the Canadian Architectural Licensing Authorities and other information attached to Kathy Hillegas' email dated August 8, 2013. On motion by Mr. McKinney, seconded by Mr. Bacque, the board authorized its president, Mr. Brierre, to execute the Letter of Undertaking. The executive director will return the executed copy of the Letter of Undertaking to Allison Smith, as requested.

L. Generating Hope: How to Build a Solar Home – Stories of the Beau Soleil Louisiana Solar Home – The board reviewed an email dated June 18, 2013, from W. Geoff Gjertson requesting that the board donate $2,500 towards the cost of the book *Generating Hope: How to Build a Solar Home – Stories of the Beau Soleil Louisiana Solar Home*. Mr. Gjertson proposes that the book include a continuing education quiz, either within the book or available online, so that Louisiana architects may read the book and then take a quiz for continuing education hours in HSW and Sustainability. The board also reviewed Attorney General Opinion 10-0304 dated June 15, 2011. After discussion, the board concluded that its use of funds for this

request was limited by this Attorney General opinion, and the request should be denied. The executive director will so advise Mr. Gjertson.

M. Enforcement Report – The CRC at its June meeting authorized the issuance of three (3) Consent Orders. Since the June meeting, Mr. Eddleman has opened five (5) cases and at the direction of the CRC closed fourteen (14) cases due to ratified Consent Orders, cease and desist letter, or no violation.

Mr. Eddleman referred five (5) cases to the CRC for review:
Two (2) cases of unlicensed practice;
One (1) case of alleged misconduct, and
Two (2) cases for failure to comply with consent order.

N. Formal Disciplinary Actions – Mr. Eddleman presented the following CRC matters to the board:

Case # 2012-2– SMP Architecture P.A., Inc. – Mr. Eddleman reported on an unlicensed architectural firm that submitted an application for firm licensure who admitted to practicing and/or offering to practice architecture prior to obtaining licensure. The respondent has signed and returned the proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved the motion made by Mr. LeBlanc, seconded by Mr. Bacque, to approve the signed Consent Order.

Case # 2012-11 – Phillip Partington – Mr. Eddleman reported on an unlicensed architect that offered and/or provided architectural services in Louisiana prior to obtaining licensure in Louisianan. The respondent has signed and returned the proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved the motion made by Mr. Bacque, seconded by Mr. McKinney, to approve the signed Consent Order.

Case # 2012-11 – General Design, Inc. – Mr. Eddleman reported on an unlicensed architectural firm that offered and/or provided architectural services in Louisiana prior to obtaining licensure. The respondent has signed and returned the proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved a motion made by Mr. Bacque, seconded by Mr. McKinney, to approve the signed Consent Order.

Case # 2012-18 – M3A Architecture, PLLC – Mr. Eddleman reported on an unlicensed architectural firm that offered and/or provided architectural services in Louisiana prior to obtaining licensure. The respondent has signed and returned the proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved a motion made by Mr. LeBlanc, seconded by Mr. Bacque, to approve the signed Consent Order.

O. New Orleans Architecture Foundation/Waiver – The board reviewed a letter dated September 13, 2013, from Michael J. Bell, a registered architect, requesting that the board issue a waiver so that the New Orleans Architecture Foundation ("Foundation") may use the word "Architecture" in its corporate name. Mr. Bell explained that the Foundation will not practice architecture. Rather, its mission is to advance public interest and education in architecture and related design. It will accomplish this by developing a comprehensive program of architecture tours,

exhibitions, public lectures, and education programs, and by providing a venue for such activities through its purchase of the AIA New Orleans Center for Design. The board discussed the request and concluded the name "New Orleans Architecture Foundation" did not indicate that such entity practiced or offered to practice architecture, or rendered architectural services, or is an architect. The board will issue the requested waiver, and the executive director will so advise Mr. Bell.

6. Mr. John Cardone and Mr. Allen Bacque were elected President and Secretary, respectively. They will serve a one year term beginning January 1, 2014. It was discussed that Mr. Brinson and Mr. Bacque would serve as President and Secretary, respectively, in 2015.

7. A letter dated August 15, 2013 from Ladd Ehlinger (Professional Focus Group) was presented as a matter of information, the letter requested the Board to, again, notify the architects in the state of the PFG award vouchers grants to ten (10) intern to aid in payment for two (2) ARE divisions. The Executive Director advised she had sent out said email as requested.

Budget Report

8. The August, 2013 budget report was reviewed. The Executive Director also presented June, 2013 budget report to show the Board Members the total expenditures and revenues for fiscal year 2012-2013.

9. The next Board meeting is Friday, December 13

12/13/2013

Date

Creed W. Brierre, President

J. David Brinson, Secretary