

Louisiana State Board of Architectural Examiners
Meeting Minutes
February 26, 2021
Via Zoom

- Present:** Allen J. Bacque – Chair; J. David Brinson – Secretary, Ronald B. Blicht, John Cardone, Richard J. LeBlanc, Kevin Singh, Knox Tumlin
- Staff:** Katherine E. Hillegas, Executive Director; Tyson J. Ducote, Deputy Director
- Legal Counsel:** Paul Spaht, Attorney
- Guests:** Michael J. Armstrong, CEO – NCARB; Joshua Batkin – Vice President – Council Relations – NCARB; Shannon French – Licensing Coordinator; Emily Joel Jones – Licensing Coordinator

Bacque welcomed everyone to the meeting and reviewed the agenda. He opened the floor for comments from the public, and there were none.

NCARB Presentation/Discussion

Bacque welcomed Armstrong and Batkin to the meeting and thanked them for taking the time to meet with the Board. Armstrong provided an update on NCARB activities including an overview of the transition to launching a remote proctoring option for the ARE, new initiatives that are underway this fiscal year which include Task Forces addressing Incidental Practice, Responsible Charge, continuation of the development of a Business Continuity Exam in the event of a breach of ARE exam content, and development of disciplinary action case studies which will be utilized as HSW continuing education opportunities. He also provided a review of potential resolutions that will be placed in front of the membership for consideration at the Annual Business Meeting in June.

Armstrong reported that, given the current environment related to COVID-19, the Council was investigating the possibility of hosting a hybrid Annual Business Meeting where those attendees who were comfortable with travelling would be able to attend the meeting in person and those who were either travel restricted or uncomfortable with travel would be able to attend virtually. He expects that a final determination on the format for that meeting will take place by late April.

He reported that the Council continues to track legislation that may impact licensing boards across the country and is working with Alliance for Responsible Professional Licensing to support policies and legislative initiatives that seek to build pathways to interstate practice for professionals in highly technical professions.

Bacque thanked Armstrong and Batkin for their presentation and support of the licensure process.

Legal Counsel Report

Incidental Practice Task Force

Spaht provided an update on activities related to the Incidental Practice Task Force noting that there had not been another meeting since the Board last met. There was discussion regarding the need to prepare an alternate solution to the engineers proposed definition of incidental practice for Task Force consideration. He noted that a conference call of the Task Force will be held in March.

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Batkin reported that NCARB Legal Counsel is surveying how incidental practice is addressed in the laws/regulations of a sampling of architectural boards but this does not provide a clear solution. He will share that information with the Board. It was agreed that the research should be evaluated, and the Task Force should work toward redrafting the definition, preferably without the thresholds that are in the current draft.

NOLA Proposed Ordinance

Spaht reported that the Board received an inquiry from Zach Smith, the Chief of Staff and Chief Building Official for the City of New Orleans, regarding amendments being considered to the Code. In short, they are proposing to require pre- and post-construction surveys of city right of way infrastructure to ensure that any damage sustained to said infrastructure during a permitted construction job is noted and properly fixed before occupancy on the structure is permitted. Mr. Smith indicated that utilizing licensed professionals (architects or engineers) to ascertain the conditions is the best way to ensure adequate documentation and analysis.

There was considerable discussion regarding this issue with the Board agreeing that the actions requested of architects in the proposed amendments fell outside the scope of the practice of architecture. Staff was asked to follow up with LAPELS to determine its position on this issue and to share this information with AIA Louisiana.

SCS Request: Use of Title Architect

Spaht reported on an inquiry received from Janelle Haynsworth, Compensation Program Manager for Louisiana State Civil Service, regarding use of the title “architect.” She is working with the Division of Administration, Office of Technology Services (OTS), on a job assessment for which SCS would like the Board’s opinion on some of the job titles being proposed by the OTS. OTS falls within the Division of Administration and is comprised of over 800 positions. Some of the sections within OTS are proposing to use the term “Architect” in their official job titles to refer to information technology positions that design information technology systems. The agency advises that it is common in the Information Technology industry for the private sector to use this term for these types of positions, and the agency would not require such positions to hold an architect’s license.

The Board reviewed the sample listing of titles and role descriptions and noted no issues with many of the proposed titles. However, there were a small number of titles that closely mirrored titles that are held by architects in the building and construction industry, such titles indicating that such positions would be practicing or offering to practice architecture, or rendering architectural services, within the meaning of the Architect Licensing Law. The Board also expressed concern regarding the use of the word “architect” within the position descriptions, as such use seemed unnecessary and potentially misleading.

Rulemaking

LAC 46:I, Chapter 23 §2303 – Adoption and Amendment of Rules

Following up from presentation in December, Spaht reported that the Administrative Procedures Act (R.S. 49:953(C)(1)) requires the Board to incorporate a provision in its Rules to allow interested persons to petition the board requesting adoption, amendment, or repeal of a rule. He and Hillegas have prepared proposed language for Board consideration.

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LAC46:I, Chapter 23 §2305 – Declaratory Orders and Rulings

Spaht further reported that he had recently become aware of LA R.S. 49:962 which is a state statute that requires state agencies adopt language in their rules providing for the filing and prompt disposition of petitions for declaratory orders and rulings as to the applicability of any statutory provision or of any rule or order of the agency. To remedy the deficiency in our rules, he and Hillegas have reviewed language from other state agencies, as well as language used by other boards in the Southern Conference of NCARB, to prepare proposed language for Board consideration.

LAC 46:I, Chapter 11 §1109 – Military Licensure

Spaht reported that legislation passed in the regular session of 2020 requires the Board to update its rules related to military licensure. He and Hillegas have developed proposed language for Board consideration which blends language from the proposed NCARB Model Law/Regulations and the legislation passed in 2020.

The Board agreed that steps should be taken to begin the rulemaking process for each of these items with language as proposed.

Minutes

The Board reviewed the minutes of the December 11, 2020 meeting.

Motion #1: Tumlin/Brinson: To approve the minutes of the December 11, 2020 meeting. Passed. 7-0.

Complaint Review Committee Report

Singh and Ducote presented the report of the Complaint Review Committee (“CRC”) consisting of Singh, Blich, and LeBlanc.

Case #2019-15 - Ducote reported on an unlicensed individual who **(a)** practiced and/or offered to practice architecture, **(b)** used the terms “architect,” “architectural,” “architecture,” or anything confusingly similar to indicate that such person practiced or offered to practice architecture without proper licensure, and **(c)** presented or attempted to use the seal of another, or falsely impersonated any other registrant or certificate holder of like or different name. The respondent had signed and returned the proposed consent order offered by the CRC. The proposed consent order contained the following sanctions:

1. Respondent to pay a fine of \$3,500 and costs of \$753.61,
2. Publication of this disciplinary action on the Board’s website and a summary of this matter in the Board’s newsletter identifying Respondent by name, and
3. Reporting this matter to NCARB Disciplinary Database identifying Respondent by name.

Motion #2: Tumlin/Bacque: To accept the consent order for Case #2019-15 and authorize staff and legal counsel to move forward in obtaining a judgment against the respondent in an attempt to collect the fine and costs. Passed 4-0, with CRC members abstaining.

After the motion was passed, the respondent was identified as **Jeremiah Bell Sr. d/b/a 3JMS Drafting Services.**

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Case #2020-07 - Ducote reported on a professional architectural firm which practiced and/or offered to practice architecture with an expired licensure. The respondent signed and returned the proposed consent order offered by the CRC. The proposed consent order contained the following sanctions:

1. Respondent to pay a fine of \$1,500 and costs of \$509.82,
2. Publication of this disciplinary action on the Board's website and a summary of this matter in the Board's newsletter identifying Respondent by name, and
3. Reporting this matter to NCARB Disciplinary Database identifying Respondent by name.

Motion #3: Tumlin/Brinson: To accept the consent order for Case #2020--7. Passed 4-0, with CRC members abstaining.

After the motion was passed, the respondent was identified as **Lickel Architecture, P.C.**

Case #2021-01 – Ducote reported on a professional architect who failed to comply with the Board's Continuing Education requirements and committed fraud, deceit, material misstatement or perjury in applying for a renewal certificate with the Board. The respondent signed and returned the proposed consent order offered by the CRC. The proposed consent order contained the following sanctions:

1. Respondent to pay a fine of \$1,500 and costs of \$317.03,
2. Earn 12 Continuing Education Hours in Health Safety and Welfare subjects within 60 days of Board acceptance of the consent order and forward proof to LSBAE,
3. Publication of this disciplinary action on the Board's website and a summary of this matter in the Board's newsletter identifying Respondent by name, and
4. Reporting this matter to NCARB Disciplinary Database identifying Respondent by name.

Motion #4 Tumlin/Singh: To accept the consent order for Case #2021-01. Passed 4-0, with Continuing Education Committee members (Brinson, Bacque and Cardone) abstaining.

After the motion was passed, the respondent was identified as **Kimberly K. Finney**

Ducote provided an update on current enforcement statistics noting that there were 14 open cases, 4 cases which had been closed since the last meeting, 4 cases that had been opened since the last meeting, and 10 pending cases.

CE Committee Report

Hillegas reported that the 2019 Continuing Education audit had been completed resulting in one disciplinary action and one non-response on which the Committee had provided direction to the staff.

HSW CEU Opportunities

She reported that previous discussion in December led to the possibility of offering a jurisprudence exam for HSW credit in the newsletter and possibly as a requirement for licensure. The Board further explored the possibility of a jurisprudence exam which may be used as a requirement for licensure or for renewal. Armstrong indicated that NCARB was considering ways to assist Member Boards in the development of

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jurisprudence examinations. Staff was directed to research how and whether other jurisdictions offered such examinations or CE offerings.

Licenses Issued for Ratification

Hillegas reported the following registrations had been issued since the last Board meeting:

- 11 initial
- 34 reciprocal
- 27 reinstatement
- 18 Architectural Firms (5 in-state; 13 out-of-state)
- 3 Architectural Engineering Firms (1 in-state; 2 out-of-state)
- 3 PACs (1 in-state; 2 out-of-state)

Total: 1,297 in-state, 2,022 out-of-state, and 86 emeritus, for a total of 3,580 individual licensees.

Total: 1,134 firms (435 in-state and 699 out-of-state).

Motion #5: Tumlin/Brinson: To approve the list of licenses and certificates of authority issued for the period November 30, 2020 through February 21, 2021. **Passed. 7-0.**

Executive Directors Report

November, December 2020 and January 2021 Financial Statements

Hillegas reported that as of January 31, 2021, revenue exceeded total budget projections for the year. This is due in part to the extension of the firm registration deadline by 90 days and the reduction in anticipated revenue as a result of the pandemic. She further reported that the individual renewal cycle ended on December 31 and that staff had taken additional measures this year to reach out to licensees whose licenses had expired to encourage them to renew before the 90 day right of renewal period ended. She reported that those efforts had resulted in an increase of licenses renewed following the December 31 expiration date.

She then reported that expenses are running on target, and she reminded the Board that steps were taken to reduce expenses as a result of anticipated decreases in revenue due to the pandemic.

Upgrade to Laserfiche Cloud

Hillegas reported that efforts to update systems and software were completed with the exception of the Laserfiche software which is used as the electronic document repository for licensing records and other critical records of the Board. She requested that the Board consider re-allocating \$10K in operating expense funds budgeted for replacement of the server to transition to a cloud-based platform for the Laserfiche software. She indicated that making this transition to the cloud would be the final step necessary to release the Board from the need to maintain a server in the office.

Motion #6: Blitch/Tumlin: To reallocate \$10K from the operating expense fund to cover expenses related to migrating the Laserfiche software to the cloud. **Approved. 7-0.**

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Minutes on Website

Hillegas reported that following an incident where the signature of a former Board officer was compromised, staff would no longer be posting signed minutes on the website. Signed copies of the minutes will still be maintained in the document repository as well as in the office, but will no longer be posted on the internet.

Voting Delegate – NCARB Special Meeting and ABM

Hillegas reported that NCARB will be hosting a Special Business Meeting in May and the Annual Business Meeting in June. It was determined that Bacque would serve as the voting delegate for both of those meetings.

There being no further business,

Motion #7: LeBlanc/Blich. To Adjourn: Passed. 7-0.

Respectfully submitted,



Allen Bacque, Chair



David Brinson, Secretary



INITIAL LICENSES			
License #	Name	City	State
9420	Jason Anthony	New Orleans	Louisiana
9421	Kristopher Simon	Lafayette	Louisiana
9439	Jennifer Madsen	Baton Rouge	Louisiana
9445	Sarah Thomson	Shreveport	Louisiana
9451	Mark Heck	New Orleans	Louisiana
9452	Reagan Waguespack	Baton Rouge	Louisiana
9455	Patricia Bourgeois	Baton Rouge	Louisiana
9456	Christopher James	Baton Rouge	Louisiana
9459	Michelle James	Baton Rouge	Louisiana
9460	Sara Harper	New Orleans	Louisiana
9426	Surgene Troost	Kansas City	Missouri
RECIPROCAL LICENSES			
License #	Name	City	State
9422	Nathan Adolf	Kansas City	Missouri
9423	Altan Cekin	Tampa	Florida
9424	Miriam Salas	New Orleans	Louisiana
9425	Stuart Harris	Houston	Texas
9427	Jack Duran	Houston	Texas
9428	Charlotte Patterson	Bellevue	Washington
9429	Joseph LoBasso	Plano	Texas
9430	Sean Freitas	Rocklin	California
9431	Richard Alexander	Hendersonville	Tennessee
9432	Brian Tibbs	Nashville	Tennessee
9433	Aaron Jenks	Grand Rapids	Michigan
9434	Lauren Bankston	Carrollton	Mississippi
9435	Sean Towne	San Diego	California
9436	Marcel Meijer	Houston	Texas
9437	Patrick Fox	Solon	Ohio
9438	John Saracco	Boonton	New Jersey
9440	Matthew Townes	Richmond	Virginia
9441	Mark Hammond	Daphne	Alabama
9442	Luke Leising	Indianapolis	Indiana
9443	John Wallis	Clarksville	Ohio
9444	Jason Collins	Blue Bell	Pennsylvania
9446	Robert Warshefski	Hillsboro	New Jersey
9447	Philip Trezza	Tampa	Florida
9448	Daniel Sargent	Victor	New York
9449	Harold Staples	Tulsa	Oklahoma
9450	Eric Moritz	Atlanta	Georgia
9453	Brian Malarkey	Houston	Texas
9454	Vinicius Gorgati	Boston	Massachusetts
9457	Jeffrey Todd	Marietta	Georgia



RECIPROCAL LICENSES			
License #	Name	City	State
9458	James Wine	Charleston	South Carolina
9461	John Linton	Cypress	Texas
9462	John Allin	Jackson	Mississippi
9463	Matthew Zech	Shoshone	Idaho
9464	Scott Worley	Lutz	Florida
LICENSE REINSTATEMENTS			
License #	Name	City	State
2440	Calvin Jones	Mandeville	Louisiana
3101	David Mason	Metairie	Louisiana
3895	Karl Clifford	Madisonville	Louisiana
5310	Darrin Badon	Baton Rouge	Louisiana
6739	Robert Segura	Metairie	Louisiana
6787	Thomas Ryan	Baton Rouge	Louisiana
8229	Benjamin Massey	New Orleans	Louisiana
8236	Matthew Battin	New Orleans	Louisiana
8262	Timothy Landry	Baton Rouge	Louisiana
8587	William King	Baton Rouge	Louisiana
8858	Jeremy Durham	Lake Charles	Louisiana
2274	Larry Singleton	Jackson	Mississippi
2472	Rick LeBlanc	Collierville	Tennessee
3651	Daniel Koch	Dunedin	Georgia
4844	Byron Lastrapes	Orlando	Florida
4855	Janet Schwartz	Lexington	Kentucky
5233	Theodore Reeds	Tulsa	Oklahoma
5355	Robert Walker	Birmingham	Alabama
5754	Thomas Jolly	Indianapolis	Indiana
5913	James Gahl	Dallas	Texas
7512	Kenneth Whistler	Bulverde	Texas
7864	Christopher Lunsford	Mobile	Alabama
8021	Mark Schmitt	LaCrosse	Wisconsin
8622	James Derby	Salt Lake City	Utah
8802	Stephen Wise	Lancaster	Pennsylvania
8939	Christopher Fisher	Golden	Colorado
9192	Leslie Moldow	San Francisco	California



	<i>Total Individual Licenses Issued In Reporting Period</i>		
	Initial		11
	Reciprocal		34
	Reinstatement		27
	<i>Total Individual Licenses</i>		
	In-State		1,297
	In-State Emeritus		37
	In-State Suspended		1
	Out-of-State		2,022
	Out-of-State Emeritus		49
	Delinquent		102
	Total		3,580



FIRM LICENSES			
Architectural Firm Licenses Issued			
License #	Firm Name	City	State
AF0761	Dalton Architects, Inc.	Marerro	Louisiana
AF0766	Eskew Dang, LLC	Baton Rouge	Louisiana
AF0770	Luquet Architects, LLC	Kenner	Louisiana
AF0772	West Architecture, LLC	Baton Rouge	Louisiana
AF0762	RKAA Architects, Inc.	Phoenix	Arizona
AF0767	Shlemmer+Algaze+Associates Interiors & Architecture, Inc.	Culver City	California
AF0774	Research Facilities Design	San Diego	California
AF0768	Craig Design, LLC	Tampa	Florida
AF0763	Envista Forensics, LLC	Atlanta	Georgia
AF0769	Axis Infrastructure, LLC	Alpharetta	Georgia
AF0775	EOP Architects, PSC	Lexington	Kentucky
AF0776	A P D Engineering and Architecture, PLLC	Victor	New York
AF0771	Fox Design Group, LLC	Solon	Ohio
AF0764	Novus Architects, Inc.	Mount Pleasant	South Carolina
AF0777	Berenyi Incorporated	Charleston	South Carolina
AF0765	Good, Fulton & Farrell, Inc.	Dallas	Texas
AF0773	E4H - Environments for Health, LLC	Dallas	Texas
Architectural Firm Licenses Reinstated			
License #	Firm Name	City	State
AF0448	James Deshotels, Architect LLC	Baton Rouge	Louisiana
Professional Architectural Corporation Licenses Issued			
License #	Firm Name	City	State
PAC's ISSUED			
Professional Architectural Corporation Licenses Reinstated			
License #	Firm Name	City	State
AC0193	ArchitectniX, Inc.	Baton Rouge	Louisiana
AC0738	David Ports Architect, Inc.	Brecksville	Ohio
AC0443	Lantz-Boggio Architects, P.C.	Englewood	Colordao
Architectural-Engineering Corporation Licenses Issued			
License #	Firm Name	City	State
AE0476	C.D. Morgan & Associates, Inc.	Lafayette	Louisiana
AE0477	Cooke Douglass Farr Lemons Architects & Engineers PA	Jackson	Mississippi
AE0478	Parsons Government Services Inc.	Pasadena	California



Total FIRM Licenses Issued In Reporting Period		
Architectural Firm - In-State		5
Architectural Firm - Out of State		13
Professional Architectural Corporation - In-State		1
Professional Architectural Corporation - Out-of-State		2
Architectural Engineering Corporation - In-State		1
Architectural Engineering Corporation - Out-of-State		2
Total Firm Licenses		
Architectural Firm - In State		300
Architectural Firm - Out of State		391
Professional Architectural Corporation - In State		116
Professional Architectural Corporation - Out of State		188
Architectural Engineering Corporation - In State		19
Architectural Engineering Corporation - Out of State		120
<i>Total In-State</i>		435
<i>Total Out-of-State</i>		699
Total Firm Licenses		1,134