

Minutes of the Meeting of  
Louisiana State Board of Architectural Examiners  
December 11, 2015  
10:00 AM

Attending

J. David Brinson, President  
Allen Bacqué, Secretary  
Ronald Blicht  
John Cardone, Jr.,  
Richard LeBlanc  
Robert McKinney  
Knox Tumlin  
Teeny Simmons, Executive Director  
Paul H. Spaht, Board Attorney

Call to Order

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

Minutes Approved

2. The minutes from the meeting held September 18, 2015 were approved as written.

IDP Report

3. Ms. Jenny Chandela, State Architectural Licensing Advisor was unable to attend because she was out of the country, provided the Board with the following report:

**1 – LA Licensure Forum 2016:**

- a. Date: Saturday, February 13, 2016 (with optional reception Friday evening)
- b. Venue: Tulane School of Architecture (Friday night reception at AIA Center for Design); Insurance requirements met via NCARB's policy
- c. Hotel: Hampton Inn St. Charles (room block coordinated – 20 rooms on Friday/ 15 rooms on Saturday at reduced rate)
- d. Budgeting: Louisiana AIA has offered to match LSBAE funding up to \$4000
  - a. Food: Coffee & Pastries; Box Lunch; Friday Night Reception
  - b. Save-the-Date Emails (week of 11/09)
  - c. Posters for Schools of Architecture/ LSBAE Office/ AIA Offices
  - d. Participant Packets
  - e. Currently no speaker honorarium's offered
- e. Integrated with Region 3 Board Member/ Educator Meeting
- f. Media/ Outreach: registration website, digital save-the-dates and posters
- g. Agenda Confirmed: See attached
- h. Registration Website: <http://llfandpec.eventbrite.com>

**2 – Outreach:**

- a. ULL – COMPLETE
- b. TU/ AIA – COMPLETE
- c. LA Tech – potential NCARB visit in conjunction with Licensure Forum
- d. LSU – TBD Spring 2016

### 3 – Licensure Update:

- a. Overhauled IDP goes into effect June 2016: current 17 experience areas will be realigned into six broad practice-based areas
  - Practice Management
  - Project Management
  - Programming & Analysis
  - Project Planning & Design
  - Project Development & Documentation
  - Construction & Evaluation
- b. Overhauled IDP will also have two Experience Settings: A (1860 Hours Min) and O
- c. NCARB has released a map to show how the 17 experience areas will be realigned to the six practice-based areas (see attached)
- d. NCARB has released a transition calculator for ARE candidates
- e. The inaugural class of NCARB-accepted Integrated Path programs is composed of:
  - Boston Architectural College; Boston, Massachusetts
  - Clemson University; Clemson, South Carolina
  - Drexel University; Philadelphia, Pennsylvania
  - Lawrence Technological University; Southfield, Michigan
  - NewSchool of Architecture and Design; San Diego, California
  - North Carolina State University; Raleigh, North Carolina
  - Portland State University; Portland, Oregon
  - Savannah College of Art and Design; Savannah, Georgia
  - University of Cincinnati; Cincinnati, Ohio
  - University of Detroit Mercy; Detroit, Michigan
  - **NEW!** University of Kansas; Lawrence, KS
  - University of North Carolina-Charlotte; Charlotte, North Carolina
  - University of Southern California; Los Angeles, California
  - Woodbury University; Los Angeles, California

Executive Director's  
Report

4. Executive Director's primary office functions:
  - A. Preparation for individual license renewals and process started.
  - B. Winter 2015 Newsletter preparation.
  - C. Advertised expired terms (December 31, 2015) of Brinson/Bacque/letter to Governor dated December 01, 2015.
  - D. Working on several reports of individuals using architect to describe themselves or their services.
  - E. Working with EMCO to install new computers/server/purchased off state

contract as in the past. Coordinating with Vincent Miranda (administrator of website and database.

F. **Imaging all files**//Imagetek/Mr. Allen Gilbert provided a demonstration on the software package along with an estimate on the cost to have a program to be used in imaging all files and maintaining same which includes purchasing two imaging machines. The approximate cost is \$22,000.00. Also discussed was a quote from Mr. John Strickland, (Laserfiche) relating to the transporting and imaging of all files. The approximate cost is \$35,000.00. The Board approved the estimated costs and asked the Executive Director to begin the contract process. It was determined at this time to amend the 15-16 budget to cover said expense.

G. Attendance:

1. October 1, 2015 – Interviews for Part-time Investigator/Spaht, Bacque, Brinson, Blich and McKinney.
2. October 8, 2015 – Joey Cashio/Dell.
3. October 20, 2015 – AIA/LA (Lynn, Adam, Paul) Legislation.
4. October 21, 2015 – Allen Gilbert/Imagetek.
5. October 27, 2015 – EMCO/Dell coordinating purchase of new computers.
6. November 11, 2015 – Telephone conference/SC Board of Directors.
7. November 16, 2015 – Fire Marshal Office/Dan Mobley.
8. November 17, 2015 – NCARB Virtual Meeting/IDP committee.
9. December 01, 2015 – Jenny Chandela, Lynn Robertson IDP forum/Board Member Educator meeting (to be held February 13, 2016).

Legal

5. Mr. Spaht presented the following legal matters:

- A. H. Butch Browning, Jr. and Joe Delaune of the Louisiana Office of State Fire Marshall appeared to bring the board up to date on its recent activities, particularly the computerization of the plan review process. Substantial progress has been made, and Mr. Browning and Mr. Delaune are both optimistic that the computerization of the plan review process will be a significant improvement for all.
- B. *Merritt E. McDonald v. Louisiana State Fire Marshal*, Suit No. 614,502, Section 25, 19<sup>th</sup> JDC – On September 23, 2015, the board propounded written discovery to the plaintiff, Merritt E. McDonald, seeking information concerning his prior submissions to the OFM, the exact scope of authority sought, and related matters. Mr. Spaht reported that Mr. McDonald has not yet responded to the discovery. Mr. Spaht will keep the board informed.
- C. Legislation and rules – The board reviewed and discussed: (1) proposed legislation amending La. R.S. 37:149 (allowing the board to charge and collect registration fees from architectural firms) and amending R.S. 37:150 (allowing the board to charge and collect firm renewal and delinquent fees from architectural firms); (2) proposed legislation amending La. R.S. 37:144.F (authorizing the board to establish, fund, and operate a Louisiana Architectural Education and Research Fund); (3) proposed new Rule §1323 (regulating the Louisiana Architectural Education and Research Fund); (4) proposed amendments to Rule §1701 (Professional Architectural Corporations),

Rule §1703 (Architectural-Engineering Corporations), and Rule §1705 (Architectural Firms), and (5) a memorandum dated December 3, 2015, prepared by the board staff concerning the projected financial impact of the proposed firm practice rules on the board's revenues.

Unless fees are increased, the staff projects that the adoption of the proposed firm practice rules may cause a loss of revenues to the board of approximately \$40,000. As set forth in the memorandum, this shortfall can be addressed in various ways. One way is to increase the licensing, renewal, and delinquency fees charged to I/S architectural firms from \$50 to \$75, and the licensing, renewal, and delinquency fees charged to O/S architectural firms from \$50 to \$150.

On motion by Mr. Tumlin, seconded by Mr. Leblanc, the board approved the legislation and rules mentioned above, amending same as necessary to address the projected financial shortfall by proposing an increase in the licensing, renewal, and delinquency fees currently charged to I/S architectural firms from \$50 to \$75, and an increase in the licensing, renewal, and delinquency fees currently charged to O/S architectural firms from \$50 to \$150.

- D. Part time investigator – The board reviewed various provisions (R.S. 37:3503, R.S. 37:3520, and R.S. 37:3503) from the private investigators law, and an article from Louisiana Voice concerning a multitude of problems confronting the Louisiana State Board of Dentistry because of the activities and non-licensing of its investigator. Mr. Spaht reported that the definition of “private investigator” does not include a person who employs persons who do private investigative work in connection with the affairs of such employer exclusively and who have an employer-employee relationship with such employer, and neither such person nor its employees shall be required to register or be licensed as a private investigator. *See* La. R.S. 37:3503(8)(b)(viii). Ms. Simmons reported that she had communicated with State Civil Service, that the board still had the position of Investigator open, that this was a Part-time unclassified position, and that a part-time investigator could be hired by the board to fill this position.

Mr. Brinson described the advertising and interviewing process undertaken by the CRC to hire a part-time investigator. The CRC received and reviewed a large number of resumes from interested architects from many parts of the state, and narrowed the interviewing process down to five (5) candidates. After interviews, the CRC selected Joe Holt from New Orleans as its first choice, subject to a check of his references. Calls were then made to Mr. Holt's references, and he was highly recommended by his references. On motion by Mr. Blich, seconded by Mr. Bacque, the board will employ Mr. Holt as a part-time investigator at an hourly rate of \$125/hour effective January 1, 2016. The board estimates that Mr. Holt will work approximately four hundred (400) hours a year.

- E. Minutes from Fire Marshal Roundtable – The board reviewed the minutes for the industry roundtable meeting on April 28, 2015. The review was for information purposes only, and no board action was deemed necessary.
- F. Request for Waiver/Five Star Architectural, LLC – The board reviewed a letter dated October 29, 2015, from Eric Sutton of Five Star Architectural, LLC requesting a waiver in Louisiana for the name Five Star Architectural, LLC in Louisiana. Mr. Sutton advised that Five Star is a custom hospitality millwork manufacturer located

in Dawsonville, GA, and it provides installation of its product. The board also reviewed an email string dated late October/early November 2015 between Ms. Simmons and the office manager of Five Star. In such string the office manager advised that Five Star is “an architectural millwork company not an architect company. We take the architects millwork design and construct the cabinets from the drawings provided.” The string further advised that the name at issue is being used in several other states, apparently without objection.

La. R.S. 37:145.A provides:

No 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, and shall thereafter comply with the provisions of the laws of the state of Louisiana governing the registration and licensing of architects.

After discussion, the board concluded that the name “Five Star Architectural, LLC” indicates that such entity practices or offers to practice architecture, or renders architectural services, or is an architect. On motion by Mr. Cardone, seconded by Mr. Knox, the board denied the request for a waiver. The executive director will so advise Five Star.

- G. Licensing/LS3P Associates, LTD. – The board reviewed a letter dated October 1, 2015, and related materials from in house counsel of LS3P Associates, LTD (“LS3P”). The letter advised that LS3P is a South Carolina business corporation, that it understands that it is not allowed to practice architecture in Louisiana, and that one of its employees (a North Carolina licensee) is moving his personal residence to Louisiana and wishes to stay employed by LS3P. LS3P asks:

As a resident of Louisiana, may our employee provide architectural services on behalf of LS3P on projects located outside of Louisiana and be in compliance with Louisiana licensing rules? None of the clients nor any of the projects will be located in Louisiana; only our employee.

The executive director had responded preliminarily by advising that the out-of-state licensee moving to Louisiana is not prohibited from practicing architecture in his name only in Louisiana, once he becomes licensed in Louisiana, but he may not practice nor offer to practice architecture in Louisiana on behalf of LS3P.

After discussion, the board concluded that the preliminary opinion of the executive director was correct. The executive director will so advise LS3P.

6. Mr. Blitch discussed NCARB’s Modification to the NCARB Education Standard and the Board supports its request. The Executive Director will notify NCARB of the Board’s support.
7. A review of the November, 2015 budget report was discussed.

8. The CRC for 2016 is Blich, Bacque and Tumlin.

9. The Board meeting dates for 2016 are:

March 4

June 10

September 23

December 9

3/4/16

Date



J. David Brinson, President



Allen Bacqué, Secretary