

Minutes of the Meeting of
Louisiana State Board of Architectural Examiners
Baton Rouge, Louisiana
March 16, 2012

Attending Robert W. McKinney, President presiding
Allen Bacqué
Creed Brierre
J. David Brinson
Ronald Blicht
John Cardone, Jr.
Richard LeBlanc
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 December 16, 2011, were approved as written.

3. Due to a previous engagement, State Fire Marshal Butch Browning was unable to attend.

IDP Report

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

1 LA IDP Forum 2012

Forum complete. Proceedings in progress w/ anticipated publication date June 1, 2012. The Post-Forum evaluation survey was attached.

QUICK FACTS

Total Funding: \$12,000; LSBAE - \$7,000, AIA LA - \$6,000

Average Cost Per Participant (not including proceedings): \$147.00

Total Participants Registered: 100

Total Participants Attending: 75

2 participants were ill, office related emergency, and the remaining were no-shows

Percent distribution of participants - Louisiana AIA Chapters and Out of State,
7 of the 8 Louisiana AIA Chapters Represented

AIA Southwest (3%)

AIA South Louisiana (15%)

AIA Shreveport (3%)

AIA New Orleans (24%)

AIA Monroe (4%)

AIA Louisiana Coastal (3%)

AIA Central Louisiana (0%)

AIA Baton Rouge (39%)

Out-of-State ((11%) - Washington, DC; Dallas, TX; Houston, TX;
Montgomery, AL; Atlanta, GA

Professional and Intern participation from 22 Louisiana firms
Professional and Intern participation from 3 out-of-state firms
Student participation from 4 schools (LSU, LA Tech, SUSU, Tulane)
Participant Representation:

3 LSBAE Board Members
2 MBE's (Louisiana and Alabama)
4 IDP Educator Coordinators (LSU, ULL, SUSU, LA Tech)
2 State IDP Coordinators (Louisiana and Texas)
3 Deans/Directors (LSU, ULL, Tulane)
Louisiana State Representative (Scott Simon, District 74)
National - AIAS Vice President; NCARB Assistant Director IDP
State - AIA LA President; AIA LA Vice President District B; AIA LA
Immediate Past President; AIA LA Executive Director
Local - AIA Southwest Associate Director; AIA South Louisiana
President; AIA Baton Rouge Architectural Education Committee Chair

- 2 **IDPAC (Intern Development Program Advisory Committee)**
Spring meeting March 31 - April 2, 2012, in Detroit, MI. Agenda includes a special joint meeting with the NCARB Internship Committee on Monday, April 2, to review the current academic internship opportunities offered by schools of architecture.
- 3 **LA IDP Auxiliary Coordinators**
Goal: To identify and engage auxiliary coordinators across the state. The Position description was attached.
Confirmed: Ray Tse, Chenevert Architects, Baton Rouge, LA. Upon motion made and approved, a maximum of \$1,000.00 was approved for an auxiliary coordinator to attend the IDP Coordinators Conference in Chicago in July. Reimbursement would be made on same reimbursement form used by IDP Coordinator. Reimbursement should be requested in writing within two weeks after conference.
Potential: Matt Baker, Abell + Crozier Architects, Lafayette, LA
- 4 **Firm Outreach for Interns**
AIA LA prepared a list of all Louisiana firms (288) organized by Chapter. The LA State IDP Coordinator is developing a program to visit firms across the state with the assistance of auxiliary coordinators, once identified. This initiative is scheduled to begin mid-summer, early fall.
- 5 **NCARB IDP NEWS**
Rollover to IDP 2.0
On 3-5 April 2012, NCARB will implement the final phase of IDP 2.0. This phase will include new experience categories and areas, simplified experience settings, and an enhanced electronic system to report IDP experience. IDP 2.0 is the most significant update to the Intern Development Program (IDP) since its inception in the 1970s.

Resources Available: Rollover Guide, Calculator (attached), Interactive Chart - Categories and Areas, Rollover Webcast. Visit <http://www.ncarb.org/News-and-Events/News/2012/02-IDP20-Tools.aspx>

6 UPCOMING EVENTS

IDP Coordinators Conference, July 27-28, 2012, Chicago, IL
2012 AIA Louisiana Design Conference, September 26-28, 2012, Lafayette, LA

Executive Director's
Report

5. The Executive Director reported the following office functions:
- A. Continued processing 2012 renewals.
 - B. Completion of December newsletter.
 - C. Advertised again for District 1 vacancy on Louisiana Architect Selection Board (resignation of Ken Schwartz). Nominee missed deadline.
 - D. Delinquent renewal reminder notices mailed.
 - E. Ladd Ehlinger/Professional Focus Group vouchers/email sent to instate architects advising of vouchers for exam candidates.
 - F. Beginning preparation for continuing education audit letter.
 - G. Attendance:
 - 1. January 17 AIA/LA Lafayette IDP meeting.
 - 2. January 18 ULL/IDP/Serfass (AM) Southern (PM).
 - 3. January 20 LSU/IDP Serfass.
 - 4. January 21 IDP Forum, LSU.
 - 5. January 26-27 Critical Issues Summit (NO)
1/26 AIA/LA Board Meeting (NO).
 - 6. February 11-12 Board Member/Educator Meeting (Atlanta).
 - 7. February 14 FMO (Lynn Robertson/FM).
 - 8. March 3/8-11 SC/NCARB Regional (Seattle)
 - H. Reminded Board of May 15 deadline for filing Personal Disclosure Statement (Tier 2.1).
6. 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. Ms. Simmons reported that she had received two questions concerning the proposed amendments. Rob Steinmetz (#2334) questioned whether the proposed amendment will have a detrimental effect on reciprocity, since non-resident architects will now be required to complete the same continuing education

Legal

requirements as a resident architect (twelve Continuing Education Hours each calendar year). Ms. Simmons explained to Mr. Steinmetz that the proposed amendments were modeled after NCARB Resolution 2011-1 which was adopted by the National Council of Architectural Registration Boards in June of 2011. The NCARB resolution and the proposed amendments seek to make the continuing architectural education rules uniform throughout the country. The purpose of the amendments to Rule § 1315 is to aid, not harm, reciprocity. Further, it is anticipated that most, if not all, jurisdictions will eventually have the same continuing education rules. Ms. Simmons reported that Mr. Steinmetz seemed satisfied with her answer.

In addition, Jim Huggins (#1840) asked if he would be allowed to carry forward excess CEH obtained in 2011 to 2012 and 2013. Ms. Simmons suggested that Mr. Huggins put his question in writing, which Mr. Huggins did by his email dated March 2, 2012. The board addressed Mr. Huggins' question, as shown in Item 6.G below.

On motion by Mr. Cardone, seconded by Mr. LeBlanc, the board adopted the amendments to Rule § 1315 published in the Louisiana Register on November 20, 2011. The adopted rule will be published in the Louisiana Register.

- B. Rule § 1305 (Placing of Seal or Stamp) – The board reviewed the NOI published on January 20, 2012, in the Louisiana Register proposing to amend Rule § 1305. The proposed 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. The NOI was reviewed for informational purposes only, as insufficient time had elapsed for adopting the proposed amendment. Formal adoption will be considered at an upcoming meeting.

- C. Request for Waiver from Secretary of State – Nicole Boothman-Shepard with Jacobs/CSRS Program Management appeared to explain the request from Cultural and Architectural Resources Management Associates, LLC (CARMA) for a waiver from the board regarding its application submitted to the Louisiana Secretary of State so that it might use its tradename, Cultural and Resources Management, LLC, in Louisiana. CARMA has registered its tradename with the Texas Secretary of State, and it will *only* use its tradename in Louisiana. As previously requested by the board, CARMA has amended its website to make clear that CARMA is not an architect and is not providing architectural services. The board decided to grant a limited waiver to CARMA so that it might use its tradename only in Louisiana. CARMA will write a letter requesting a limited waiver. In its letter CARMA will confirm its agreement that, if a limited waiver is granted, it will conduct all of its business and activities in Louisiana under its tradename, Cultural and Resources Management, LLC, *only*. If the letter satisfactorily explains the agreement, the board will issue a limited waiver to CARMA.

D. Design of Stamp – By email dated December 20, 2011, Rachel Zabala provided the board with a sample stamp and asked if its use was permissible. The sample stamp contained the name of an architect (Raymond I. Zabala III), his registration number, and the words “Registered Architect” and “State of Louisiana.” However, rather than a pelican, the proposed stamp contained a fleur-de-lis. R.S. 37:152.A provides that “[e]very registered architect shall have a seal or stamp.” Further, “[t]his shall contain his name, the words “Registered Architect, State of Louisiana,” and the architect’s license number. Several members of the board expressed concern that the proposed stamp for Mr. Zabala was different from the architectural stamp used almost universally in Louisiana. Different stamps by different architects may confuse the public. The board will adopt an official architectural stamp modeled after the architectural stamp currently used almost universally throughout the state. At its center will be a pelican. Ms. Simmons will so advise Ms. Zabala.

E. Devier Design Build, LLC – The board reviewed a letter and email dated February 17, 2012, from Celia Badon, Financial Manager of Devier Design Build, LLC. Ms. Badon requested a clarification and confirmation that Devier Design Build, LLC is not required to do a name change now that it has requested that its license with the board be made inactive. Ms. Badon explained that Devier Design Build, LLC has “parted ways” with its Architect of Record, Richard Albert, and it is no longer offering or providing architectural services of any kind. Ms. Badon further explained that the firm was making appropriate changes to remove any offer or mention of architectural services from its website and contract, and it was notifying all clients for whom architectural services had been provided that those types of services are no longer being offered. Ms. Badon asked: “Could you please let me know if we are required to change our name with the State of Louisiana?”

After discussion, the board concluded that the name “Devier Design Build, LLC” is misleading since the firm has parted ways with its Architect of Record. The name suggests that the firm has the capability of providing architectural services, which it does not have the capability to do. Ms. Simmons will advise Ms. Badon that the board considers the name “Devier Design Build, LLC” misleading since it no longer has a relationship with a licensed architect, and Devier Design Build, LLC should change its name.

F. Firm Legislation – The board reviewed a draft of proposed legislation modeled after La. R.S. 37:689. Lynn Robertson of AIA Louisiana advised that this proposed legislation will likely be submitted during the 2012 legislative session, and it is anticipated that Representative Scott Simon will sponsor the bill. The proposed legislation was reviewed for informational purposes only, as no present board action was deemed necessary.

G. Rollover of Continuation Education Hours – The board reviewed an email dated March 2, 2012, from Jim Huggins (#1840). Mr. Huggins advised that he had completed twenty hours of CE in 2011. Mr. Huggins further advised that, after meeting the requirements for his 2012 renewal, he will have eight hours left

over. He asked if he will be able to use those eight hours as part of his 2013 renewal, or will he lose them.

The board discussed Mr. Huggins' question. In 2011 when Mr. Huggins completed twenty hours of CE, board rule § 1315.F.3 provided, "[i]f the architect exceeds the continuing education requirement in any renewal period (January 1 through December 31), the architect may carryover a maximum of 12 qualifying CEH to the subsequent renewal period." In accordance with this rule, Mr. Huggins is allowed to use eight (8) CEH earned during 2011 to satisfy his continuing education requirements for 2012. To satisfy his continuing education requirements for 2012, he will need to earn an additional four (4) hours. Mr. Simmons will so advise Mr. Huggins.

The board discussed whether Continuing Education Hours earned in 2012 may be carried forward to 2013. Earlier today the board adopted an amendment to its continuing education rules, and it is anticipated that the amended rules will be published in the April, 20, 2012 issue of the Louisiana Register. The amended rules will be effective upon publication in the Louisiana Register. Under the continuing education rules being adopted, the carry forward of CEH to the subsequent renewal period will no longer be allowed. However, since the amended continuing education rules were adopted during 2012, the board will allow Continuing Education Hours earned during 2012 to be carried forward to 2013 only. Continuing Education Hours earned during 2013 may not be carried forward to 2014.

- H. Construction Contract Administration Services – The board reviewed and discussed an email dated February 2, 2012 from Steven B. Loeb asking: “[w]hether an individual performing onsite construction contract administration services (such as onsite observation of the work) as the representative for the Project Architect, must be a licensed Architect.” The board concluded that an individual who has not obtained a license from the board may perform onsite construction contract administration services (such as onsite observation of the work) as the representative of the Project Architect, *provided* such services are performed under the supervision of the architect of record and the architect of record issues the appropriate reports.
- I. Historic Preservation – Satisfying Continuing Education Requirements – The board reviewed an email dated December 7, 2011 from Jay Caillouet. Mr. Caillouet advised that he decided to enroll at Tulane University for a two year full time masters degree in historic preservation when his practice slowed down. Mr. Caillouet requested a waiver of his continuing education requirements for a two year period. After discussion, the board concluded that Ms. Simmons should request specific information from Mr. Caillouet regarding whether his courses in historic preservation at Tulane are HSW compliant.
- J. Use of the word “principal” – At a previous meeting, the board decided that the word “principal” could be used to describe an architect shareholder who owns 24½% of the total shares of an architectural corporation. For informational

purposes only, Ms. Simmons reported that she recently approved the use of the word "principal" to describe a 20% owner of a limited liability company.

- K. Changes to AIA Continuing Education Requirements – For informational purposes only, the board reviewed literature from AIA advising of changes made during 2011 by the AIA Board of Directors concerning the AIA Continuing Education Requirements and by the AIA Education Committee concerning self-reporting. Beginning 2012, AIA members will be required to complete twelve hours of HSW education annually. Further, AIA members will no longer be able to self-report HSW courses for credit.
- L. Design-Build Regulation – The board reviewed the design-build rules of Alabama and Tennessee. After discussion, it was decided that the director will (i) email other states in the Southern Conference to obtain copies of their rules regarding design-build, and (ii) check with Dan Taylor of NCARB to see if NCARB has adopted any proposed legislation/rules/policies regarding design-build. One board member commented that Rule § 1319 should be amended to provide specifically that a design-build firm should not be allowed to advertise as an architect or include itself in any listing of architects. A design-build firm should advertise itself as a design-build firm, not as an architect.
- M. CRC matters – Mr. Eddleman presented the following CRC matters:
- Case 2011-10 – Zimmerman Weintraub Associates, LLC. – Mr. Eddleman reported on an unlicensed architectural firm that submitted an application for firm licensure and admitted therein 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. Bacque', seconded by Mr. Brinson, to approve the signed Consent Order.
- Case 2011 – 12 – Cline Design Associates, PA "A Professional Corporation" - Mr. Eddleman reported on an unlicensed architectural firm that submitted an application for firm licensure and admitted therein 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. Brinson, to approve the signed Consent Order.
- N. Enforcement Report – Mr. Eddleman presented a written Enforcement Report for the period December 16 2011 - March 16, 2012. As set forth more fully in this report, the CRC at its December 16, 2011 meeting authorized the issuance of two consent orders. Further, since the December meeting, four (4) cases have been opened, and at the direction of the CRC three (3) cases were closed. Six (6) cases and one formal affidavit were referred to the CRC for review: four (4) cases of alleged unlicensed practice, two (2) cases relative to the alleged improper use of the word architect, and one (1) formal affidavit relative to the alleged signing of a permit without the owner's permission.

Budget Report

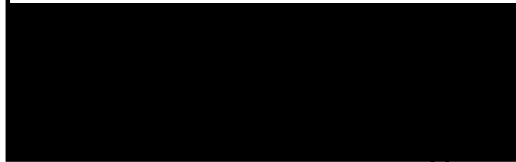
- O. General Disciplinary Guidelines – The board has not completed its general disciplinary guidelines. Ms. Simmons will pull copies of the general disciplinary guidelines previously obtained from the other states in the Southern Conference. Mr. Blich, Mr. Brinson, and Mr. Cardone will serve on a committee to review the draft general disciplinary guidelines and make recommendations concerning completion at the next board meeting.

7. The February, 2012 budget report was reviewed.

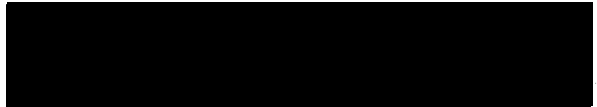
8. Remaining 2012 meeting dates:

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

6/8/2012
Date



Robert W. McKinney, President



Creed W. Brierre, Secretary