

**Louisiana State Board of Architectural Examiners
Meeting Minutes
December 13, 2019
Baton Rouge, LA**

Present: John Cardone, Jr., Chair; Knox H. Tumlin, Secretary; Allen J. Bacque, Ronald B. Blicht, J. David Brinson, Richard J. LeBlanc, Kevin Singh

Staff: Katherine E. Hillegas, Executive Director; Tyson J. Ducote, Deputy Director

Guests: Paul Spaht, Attorney; Emily Joel Jones (Licensing Advisor); Lisa Nice (AIA Louisiana); Steve Maher (AIA Louisiana); Kimona Hogan (Staff Attorney – Louisiana House Commerce Committee)

Cardone welcomed everyone to the meeting and reviewed the agenda.

Public comment time was recognized by Cardone.

Spaht provided an update on a Notice of Intent to propose amendments to LAC 46:LXI.105 related to defining the incidental practice of engineering which was published in the October issue of Louisiana Register. The Board discussed the process of rulemaking and the next steps that may occur related to the rule. Following discussions at the September meeting, the Task Force met and Board feedback was provided where members of the Task Force present agreed that further work was required on the definition and that a combined definition that addressed both architecture incidental to engineering and engineering incidental to architecture would be the best approach to the task. Following that meeting, LAPELS issued its NOI which did not contain the updated language. The Board submitted comments to LAPELS asking that they pause the proposed changes to its Rule 105 so that the Task Force could complete their work. Spaht reported that the Board had not yet received a response to their comments.

Maher, Nice and Hogan left the meeting.

Minutes

The Board reviewed the minutes of the September 12, 2019 meeting.

Motion #1: Tumlin/Bacque: To approve the minutes of the September 12, 2019 meeting. Passed 7-0.

Act 454 of 2018 Rules Hearing

Spaht reported that Act 454 of 2018 required the Board to conduct a public hearing for the purpose of allowing interested parties the opportunity to comment on any rule of the agency which the party believes is contrary to law, outdated, unnecessary, overly complex, or burdensome. He further explained that the hearing is intended to serve as a mechanism to gather information and that the Board did not have an obligation to respond to inquiries received during the hearing, but rather would have to develop a report with responses to the appropriate legislative oversight committees.

The hearing was conducted with no interested parties attending or expressing comments on any rules of the agency.

Licenses and Certificates of Authorization Issued for Ratification

Hillegas reported that 10 initial and 30 reciprocal licenses for individuals and 16 Architectural Firm certificates of authority had been issued between September 7, 2019 and November 15, 2019.

Motion #2: Tumlin/Brinson: To approve the list of licenses and certificates of authority issued for the period September 7, 2019 through November 15, 2019, as submitted. **Passed 6-0.**

Complaint Review Committee Report

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

Case #2019-13 – LeBlanc and Ducote reported on an unlicensed firm practicing and/or offering to practice architecture and using the terms “architect,” “architectural,” “architecture,” or anything confusingly similar to indicate that such person practiced or offered to practice architecture without proper licensure. The respondent signed and returned the proposed consent order offered by the CRC. The consent order contained the following sanctions:

1. Respondent to pay a fine of \$500 and costs of \$581.80;
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: Blich/Bacque: To accept the consent order for Case #2019-8. **Passed 3-0, with CRC members abstaining.**

After the motion was passed, the Respondent was identified as **M3 Design Group LLC**.

Case #2018-7 - Ducote reported on a licensee whose court-mandated probation had been reduced to time served, due to good behavior. The licensee submitted a request for the suspension of his architect license to be reduced to time served.

Motion #4: Brinson/Bacque: To end the suspension of Ward Elmo Bryant, Jr. (#4391). **Passed 6-0.**

Case #2019-8 & #2019-9 – Ducote reported on a request by the Respondent for a 30-day extension to pay the fines and costs associated with Case #2019-8 without a suspension of its architect firm license as listed in the signed consent order.

Motion #5: Brinson/Bacque: To extend the payment date to December 31, 2019, for both cases, with the suspension of both licenses if the payments are not received. **Passed 5-1.**

NCARB Issues

Hillegas shared a draft of the NAAB *Conditions and Procedures for Accreditation* and the NCARB *Model Law and Model Regulations* with the Board noting that comments should be submitted to her by January 20th. She noted that the NAAB Board of Directors would be voting on the *Conditions and Procedures for Accreditation* at their February 2020 meeting and that NCARB would likely release a final draft of the *Model Law and Model Regulations* sometime in February.

Executive Directors Report

**Louisiana State Board of Architectural Examiners
December 13, 2019 Meeting Minutes
Page 3**

AERF Grant Update: Hillegas provided an updated award letter from the University of Louisiana – Lafayette which had been completed by the grants office and acknowledged the terms of the grant. Bacque attended the final reviews for the Arch 501 students earlier in December and remarked that the program appeared to be very successful.

Hillegas then reported that she had received an updated award letter from the Louisiana State University School of Architecture which had also been completed by the grants office and acknowledged the terms of the grant. She reported that modifications would need to be made to future applications to account for the approval process that schools must go through in order to accept or receive a grant.

October 2019 Financial Statement - Hillegas reviewed the October 2019 financial statement noting that individual renewals opened in November and activity related to that would impact revenue streams.

Optional Pay Policy – Hillegas shared a copy of the Optional Pay Policy which was approved by the State Civil Service Commission at their December 4th meeting.

Time to Licensure Data – Hillegas shared a spreadsheet which contained information on a candidates' path to licensure and the positive impact the new database had on the timeline from receipt of application to issuance of license. She also noted that the spreadsheet revealed gaps in processing time for NCARB between completion of AXP and ARE and the distribution of the final transmittal for licensure. She indicated that she had shared this information with NCARB and they were currently studying it.

Cyber Liability Insurance – Hillegas reported that after several months of working with the Office of Risk Management, a Cyber Liability Insurance policy had been obtained which will provide insurance protection to the Board in the event of a cyber-attack.

Selection of 2020 Officers & Committee Assignments

Officers for the calendar year 2020 were selected with Knox Tumlin serving as President and Allen Bacque serving as Secretary.

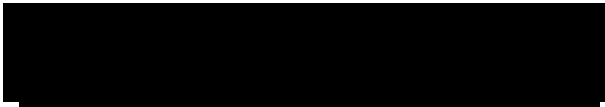
Motion #6: Tumlin/Bacque: To go into Executive Session. Passed. 6-0.

Motion #7: Bacque/Brinson: To leave Executive Session. Passed. 6-0.

Cardone reported to Hillegas that in compliance with the Optional Pay Policy, the Board had approved a one-time 3.5% of annual salary special pay to full-time, salaried staff for the work completed in the design and development of the new licensing system database.

There being no further business, the meeting adjourned.

Respectfully submitted,


John Cardone, Jr., Chair


Knox Tumlin, Secretary