

**Louisiana State Board of Architectural Examiners**  
**Meeting Minutes**  
**September 28, 2018**  
**New Orleans, LA**

**Present:** Robert McKinney, Chair; John Cardone, Secretary; Allen Bacque; Ronald B. Blich; J. David Brinson; Richard J. LeBlanc; Knox Tumlin

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

**Guests:** Paul H. Spaht, Board Attorney; Lisa Nice; Steve Maher

The meeting was called to order by McKinney who reviewed the agenda.

**Incidental Practice Task Force**

McKinney welcomed representatives from the Incidental Practice Task Force, Lisa Nice and Steve Maher. They walked the Board through the rationale in developing the proposed definition of Incidental Practice and discussed edits that had been proposed by LAPELS. After considerable discussion it was agreed to recommend that the two separate definitions of Incidental Practice be blended into a single definition that could be used by both Boards for inclusion in their rules. Nice and Maher agreed to take this recommendation back to the Task Force for modification.

**Blue Sky**

McKinney led the board through a review of the Enforcement goal in the Strategic Plan. It was noted that significant progress had been made in this arena since establishing the Deputy Director position and hiring Ducote. The Board requested that staff continue to focus on the collaborative effort of partnering with other professions and working with the Fire Marshalls office.

**Minutes**

The Board reviewed the minutes of the June 12, 2018 meeting.

**Motion #1: Cardone/LeBlanc: To approve the minutes of the April 12, 2018 meeting. Passed. 7-0**

**Complaint Review Committee Report**

Tumlin and Ducote presented the report of the Complaint Review Committee ("CRC") consisting of Tumlin, Brinson, and LeBlanc.

**Case #2018-02** - Ducote reported on an architect who placed his seal or stamp on contract drawings and specifications prepared by a consulting electrical, mechanical, structural, or other engineer. The respondent did not admit to violating any law or rule of the Board; however, to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, the respondent has 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 \$140.03
2. Cease and desist placing his Louisiana architect seal or stamp on contract drawings and specifications prepared by a consulting electrical, mechanical, structural, or other engineer
3. Publication of a summary of this matter in the Board's newsletter with name
4. Report to NCARB Disciplinary Database with name

**Louisiana State Board of Architectural Examiners**  
**Meeting Minutes**  
**September 28, 2018**  
**Page 2**

**Motion #2: Blitch/Bacque:** To accept the consent order for Case #2018-02. **Passed 3-0** with CRC members abstaining.

The respondent was identified as **Michael G. Schmidt**.

**Case #2018-07** - Ducote reported on an architect who pled guilty to a felony distribution of a Schedule II, Controlled Dangerous Substance. The respondent has signed and returned the proposed consent order offered by the CRC which contained the following sanctions:

1. Suspension of architect license for 3 years
2. Cease and desist to practice/offer to practice architecture in Louisiana
3. Return of Louisiana certificate and seal to the Board office
4. Respondent to pay a fine of \$3,000 and court costs of \$963.57 in a payment plan with equal payments due in September 2019, 2020, and 2021
5. Automatic revocation of license if failure to pay fine or costs according to the established schedule
6. Publication of this disciplinary action on the Board's website and a summary in the newsletter with name
7. Report to NCARB Disciplinary Database with name

**Motion #3: Blitch/Bacque:** To accept consent order for Case #2018-03. **Passed 3-0** with CRC members abstaining.

The respondent was identified as **Ward Elmo Bryant, Jr.**

**Case #2018-04** - Ducote reported on a professional architecture 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 \$1,000 and costs of \$195.72
2. Publication of this disciplinary action on the Board's website and a summary in the newsletter with name
3. Report to NCARB Disciplinary Database with name

**Motion #4: Cardone/Bacque:** To accept consent order for Case #2018-04. **Passed 3-0** with CRC members abstaining

The respondent was identified as **Street Collaborative LLC**.

**Legal Counsel Report**

Spaht represented a proposed Notice of Intent to update the rules related to the listing of acceptable Health, Safety and Welfare topics for continuing education in order to align said topics with the current experience areas of the Architectural Experience Program (AXP) and the subject areas of the Architect Registration Examination (ARE).

**Motion #5: Cardone/Tumlin:** To update LAC 46:1, §1315.C HSW Topics as follows:

Health, Safety, and Welfare Subjects—technical and professional subjects related to the practice of architecture that the board deems appropriate to safeguard the public and that are within the following



continuing education subject areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment.

- a. Practice Management. This category focuses on areas related to the management of architectural practice and the details of running a business.
- b. Project Management. This category focuses on areas related to the management of architectural projects through execution.
- c. Programming and Analysis. This category focuses on areas related to the evaluation of project requirements, constraints, and opportunities.
- d. Project Planning and Design. This category focuses on areas related to the preliminary design of sites and buildings.
- e. Project Development and Documentation. This category focuses on areas related to the integration and documentation of building systems, material selection, and material assemblies into a project.
- f. Construction and Evaluation. This category focuses on areas related to construction contract administration and post-occupancy evaluation of projects.

Further, to file the proposed change with the appropriate governmental offices to begin the process to amend this rule. **Passed 7-0.**

#### Fees

The Board reviewed the current fee structure for individual licenses and directed Spaht and Hillegas to begin preparation of a Notice of Intent for LAC 46:1, §1101, 1105 and 1305. There was discussion regarding the possibility of imposing a fee to individuals who choose to pay by check, and it was agreed to not introduce such a fee at this time.

#### Rules of Conduct

At the Board's direction, Spaht presented a draft Notice of Intent to update the Rules of Conduct to amend, restate, and clarify the existing rules of conduct to ensure that they remain relevant to contemporary architectural practice and ensure the expected professional and ethical conduct of architects found in law remain focused on the protection of the health, safety, and welfare of the public. The proposed rules have been modeled after the Model Rules of Conduct favorably voted upon by the Member Boards of the National Council of Registration Boards during the 2018 NCARB Annual Business Meeting.

The proposed changes to LAC 46:I.1901.A are primarily clarifications concerning the competence of an architect, conflict of interest, compliance with laws. A new section has been added related to an architect sealing documents and discusses exceptions to that rule. Another new item added to the rules of conduct addresses the relationship between an AXP Supervisor and a candidate pursuing architecture.

**Motion #6: Tumlin/LeBlanc:** To update LAC 46:I.1901 as shown in the attached document. Further, to file the proposed change with the appropriate governmental offices to begin the process to amend this rule. **Passed. 7-0.**

#### **Examination Score Reviews**

Hillegas asked the Board to reconsider their position as it related to the ability of a licensure candidate to review exam scores.

**Motion #7: Tumlin/Bacque:** To begin the process of updating the Rules to allow candidates to follow NCARB policies as it relates to review and evaluation exam scores. **Passed. 7-0.**

**Louisiana State Board of Architectural Examiners**  
**Meeting Minutes**  
**September 28, 2018**  
**Page 4**

**Executive Directors Report**

June 2018 Financial Statement

Hillegas reported that the June 2018 Financial Statement shows a net profit of \$80K with revenue for both firm and individual licensure and firm licensure revenue running above budget expectations, and with expenses remaining below budget. She indicated that there had been no expenditures for the Architecture and Education Research Fund and Candidate activities during the fiscal year.

She reported that the Board's request to initiate a pass-through credit card transaction processing fee had been approved by the state and would be implemented with the launch of the new database and individual renewals this fall.

Licensing Report

Hillegas reported that 13 initial, 26 reciprocal, 7 in-state and 14 out-of-state firm licenses had been issued since the last Board meeting in July.

**Motion #8: Tumlin/Bacque:** – To approve and ratify the list of licenses issued for the period June 10, 2018 through August 9, 2018. **Passed. 7-0.**

Request for AG Opinion – SSN Update

Hillegas reported that she was still waiting on a response from the Attorney General's office related to the inquiry that the Board submitted in June surrounding the requirement of a Social Security Number for a foreign applicant who may not hold one. She noted that she is holding on to a licensure application from a Canadian pending the results of the AG opinion.

Louisiana Compliance Questionnaire

Hillegas presented a completed Compliance Questionnaire which was required as part of the audit for the year ended June 30, 2018.

**Motion #9: Blich/Tumlin:** To approval of the 2018 Compliance Questionnaire. **Passed. 7-0.**

Office Update

Hillegas then provided the Board with an update on progress in the development of the new website and database which are scheduled to launch in early November. She walked through the timeline to launch noting that processing of all applications would be halted for a 10-day period as the migration of data from the old system to the new system occurred. The Board then discussed the office space and desires to renovate. It was agreed that when the current lease is up for renewal, staff should begin discussions with the landlord to consider minor renovations to the space. She reported that proposals had been received to obtain a Smart Board to replace the aged-out computer and monitor in the Board.

**Motion #10: Tumlin/Brinson:** To authorize staff to expend funds for the purchase of a smart board for the conference room. Hillegas will explore the options related to straight out purchase or lease/purchase. **Passed. 7-0.**

**Louisiana State Board of Architectural Examiners**  
**Meeting Minutes**  
**September 28, 2018**  
**Page 5**


Other Business - 2019 Officers

It was agreed that for 2019, John Cardone would serve as President and Knox Tumlin would serve as Secretary.

There being no further business,

**Motion #11: Tumlin/Brinson: To adjourn. Passed. 7-0.**

Respectfully submitted,



Robert W. McKinney, Chair



John Cardone, Secretary