

**Louisiana State Board of Architectural Examiners
Meeting Minutes
December 10, 2021
Baton Rouge, LA and Via Zoom**

Present: J. David Brinson - Chair; Allen J. Bacque – Secretary, Ronald B. Blich, John Cardone, Shannon French, Richard J. LeBlanc, Kevin Singh

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

Guests: Eugene Thibodeaux

Legal Counsel: Paul Spaht, Attorney

This meeting was held in person and via zoom pursuant to JBE Proclamation 2021-94 and R.S. 42:17.1, the governor having declared a state of emergency for the State of Louisiana, and the nature of the emergency causing a meeting of the Board conducted pursuant to other provisions of the Open Meetings Law, R.S. 42:1 et seq., to be potentially detrimental to the health, safety, or welfare of the Board, staff, and the public.

The meeting was called to order by Brinson who certified that the matters to be considered by the Board will be limited to the matters listed on the agenda of the meeting, such matters being time sensitive and in the opinion of Brinson consideration of which should not be delayed. The members of the Board approved the consideration of the matters on the agenda, and only such matters, by unanimous vote.

Motion #1: LeBlanc/Bacque: To validate that matters under consideration for this meeting will be limited to items listed on the agenda. Passed. 6-0.

Public Comment

Brinson opened the floor for comments from the public. Eugene Thibodeaux addressed the Board expressing concerns regarding what he viewed as the dilution of the role of the architects in the building environment. He asked that the Board consider ways to strengthen the role of the architect through the licensing law and its rules.

Cardone and Brinson thanked Thibodeaux for his comments.

Legal Counsel Report

Rulemaking - LAC 46:I: Chapter 11, Section 1109 Military Licensure; LAC 46:I: Chapter 23, Section 2303 Adoption and Amendment of Rules; LAC 46:I: Chapter 23, Section 2305 Declaratory Rulings

Spaht reported that the above proposed rules were presented to the Occupational Licensing Review Commission on October 21, 2021, and that we received final authorization to promulgate the proposed regulations in accordance with the Administrative Procedure Act at that time.

He reminded the Board that Act No. 200 of 2020 amended R.S. 37:3651 which pertains to licensure for members of the military, their spouses and dependents and requires the Board to adopt rules implementing its provisions. In seeking to comply with this law, the Board is amending its current rule pertaining to military-trained architects and architect spouses of military personnel. Subsection B requires the board to issue a license to a military member, including United States Department of Defense civilian employee who has been assigned to duty in Louisiana, or an applicant who is married

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to or is a dependent of a member of the military or a United States Department of Defense civilian employee, if the member receives military orders for a change of station to a military installation or assignment located in this state or if the member has established this state as his state of legal residence as reflected in the member's military record, if he meets certain requirements. Subsection A adopts the path to licensure for military personnel contained in the *2021NCARB Model Law and Regulations*. The requirements outlined in Subsection A reflect programs that are accepted by all architecture licensing boards in the United States.

Motion #2: LeBlanc/Bacque: To adopt the proposed changes to LAC 46:I: Chapter 11, Section 1109 Military Licensure subject to publication in the December 20th issue of the *Louisiana Register*. **Passed. 6-0.**

He then reviewed proposed amendments to *LAC46:I: Chapter 23, Section 2303 Adoption and Amendment of Rules* noting that R.S. 49:953(C)(1) provides that interested persons may petition the Board requesting the adoption, amendment, or repeal of a rule, and the Board shall provide by rule the form for petitions and the procedure for their submission, consideration, and disposition. The board seeks to comply with this statute by amending LAC 46:I.2303 and adopting a process for petitions requesting the adoption, amendment, or repeal of a rule and the procedure for their submission, consideration, and disposition.

Motion #3: Cardone/LeBlanc: To adopt the proposed amendments to LAC 46:I: Chapter 23, Section 2303 Adoption and Amendment of Rules subject to publication in the December 20th issue of the *Louisiana Register*. **Passed. 6-0.**

Spaht finally reviewed the adoption of *LAC 46:I: Chapter 23, Section 2305 Declaratory Orders and Rulings* noting that LAC R.S. 49:962 requires the Board to provide by rule 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. The board seeks to comply with this statute by adopting the proposed Rule, which provides by rule 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 Board.

Motion #4: Bacque/Singh: To adopt LAC 46:I: Chapter 23, Section 2305 Declaratory Orders and Rulings subject to publication in the December 20th issue of the *Louisiana Register*. **Passed. 6-0.**

Supervising Professional – More Than One Firm?

Spaht reported that staff has identified a handful of scenarios where an architect may be serving as the Supervising Professional for more than one architectural firm. He noted that, as defined in our rules, a supervising professional must be licensed by the Board and be a full-time active employee of the firm. This calls into question the ability for one individual to meet the full-time employee test for more than one firm.

Staff identified two potential scenarios in which an architect may be identified as the supervising professional for more than one firm:

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1. Architect is employed by ABC Firm as a full-time employee and has also established a separate business, typically under his name, where he conducts “side” work.
2. Architect is employed by a holding company, subsidiary, or division of a larger firm which has established several subsidiaries or divisions as part of the larger umbrella company or companies, all related by ownership, and the architect has been identified as the supervising professional of more than one of the subsidiaries or companies.

The Board discussed this issue and the intention of the definition of full-time employment at length. It asked that staff complete the data analysis to understand how many architects and firms are impacted, that they reach out to those architects and firms to understand why they have one architect identified as the supervising professional for multiple firms, and that they report such information back at the next meeting.

Cardone stepped out of the meeting momentarily.

Incidental Practice

Spaht provided an update on activities related to defining incidental practice noting that Board representatives had met with the AIA Louisiana Executive Committee and Board in November. The Incidental Practice Task Force met in early December, and Blich reported that the Board felt that the best step forward would be to leave the laws and rules as they are and not define incidental practice. He further reported that LAPELS had asked for feedback on its proposed definition of architecture incidental to engineering and, further, that there was general agreement that LAPELS and LSBAE should re-establish a joint committee comprised of representatives from both Boards to discuss issues of common interest.

A communication will be prepared to send to LAPELS in response to their request.

Blich left the meeting.

Minutes

September 10, 2021

Motion #5: Bacque/LeBlanc: To approve the minutes of the September 10, 2021 meeting.
Passed. 5-0.

October 18, 2021

Motion #6: LeBlanc/Singh: To approve the minutes of the October 18, 2021 meeting. **Passed. 5-0.**

Cardone returned to the meeting.

November 18, 2021

Motion #7: Bacque/LeBlanc: To approve the minutes of the November 18, 2021 meeting.
Passed. 6-0.

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LAC 46:I §1525. Deceased or Retired Member Predecessor Firms

Spaht reported that staff had identified language in our rules concerning Titles, Firm Names and Assumed Names that appears to be unclear, and he engaged the Board in a discussion regarding such language. He reported that LAC 46:I §1525 appears to be contradictory as it states that the firm name may include the real name or names of deceased or retired members, provided the status of any deceased or retired member is clearly identified on the firm letterhead or website, but follows that statement with language that the *firm name shall be changed* as soon as reasonably possible, which change shall occur no later than one year following the retirement or death.

Following board discussion, it was agreed that Spaht should work with staff to begin the process of amending *LAC 46:I §1525. Deceased or Retired Member Predecessor Firms* to clarify that the last sentence provide that the letterhead and website should be changed, not the firm name.

Operating Guidelines for Waiver Requests and Waiver Requests for LLCs through Secretary of State

Staff is requesting that the Board consider providing guidance for managing waiver requests received concerning corporations that are registering with the Secretary of State to conduct business in Louisiana. Pursuant to R.S. 12:1-401(H), such corporations that have the word “architect,” “architectural,” or “architecture” in their corporate name are referred by the SOS to our office to obtain a written waiver for use of the word “architect,” or a derivative of that word, in their corporate name.

The Board approved an operating guideline that grants authority to the staff to issue waiver requests to corporations that will practice architecture in the state. Corporations/businesses that have the word architecture or any derivative thereof in their name but that will not practice architecture should be submitted to the presiding officers of the Board for consideration in order to meet the 10 day waiver period.

The Board also discussed the absence of any waiver language in the laws relating to limited liability companies registering with the Secretary of State having the word “architect,” “architectural,” or “architecture” in their name. The Board requested that staff contact the appropriate persons in the SOS to determine if they could update their laws to reflect the need for this waiver for LLCs.

Complaint Review Committee Report

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

Case #2021-05 - Ducote reported on a case involving a licensed architect who made a material misstatement in connection with his applying for 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 \$1,500;
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.

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Motion #8: Bacque/LeBlanc: To accept the consent order for Case #2021-5. **Passed 3-0,** with CRC members abstaining.

After the motion passed, the Respondent was identified as **Shlomo Steve Wygoda**

Ducote and Spaht gave an update on case no. 2019-15 and Ducote gave updates on case nos. 2019-08, 2019-09, and 2021-03, as well as an update on the Disciplinary Guidelines review. Ducote then provided an update on current enforcement statistics noting that there were 12 open cases, 8 cases closed since the June meeting, 8 cases opened since the June meeting, and 14 pending cases.

Licenses Issued for Ratification

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

- 8 Initial Architect
- 31 Reciprocal Architect
- 12 Architect Reinstatements
- 20 Architectural Firms (11 in-state; 9 out-of-state)
- 3 Professional Architectural Corporation (out-of-state)

Total Individual Licenses:

- In-state – 1,330
- In-state emeritus – 42
- In-state revoked – 1
- In-state suspended – 1
- Out-of-state – 2, 179
- Out-of-state emeritus – 51

Total – 3,603

Total Firm Registrations

- Architectural Firm – 726 (313 in-state; 413 out-of-state)
- Architectural Firm - I/S Suspended – 1
- Professional Architectural Corporation – 294 (116 – in-state; 178 – out-of-state)
- Architectural Engineering Corporation – 148 (17 – in-state; 131 out-of-state)
- Total In-State Firm Registrations: 446
- Total Out of State Firm Registrations: 722

TOTAL Firm Registrations: 1, 168

Motion #9: LeBlanc/Singh: To approve the list of licenses and certificates of authority issued for the period September 13, 2021, through December 2, 2021. **Passed. 6-0.**

Executive Directors Report

September and October 2021 Financial Statements

Hillegas reported that revenues are in a positive position with 90% of budgeted firm revenue received to date. She reported that we are currently in the individual renewal cycle and those revenues will begin to appear in the November statement and that revenues through October were at \$161K or 23% of total revenue. She then advised that there was a pending upgrade to the licensing system which will

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enable automated reminders for regular licensee renewal and delinquent licensees. To date, such reminders had been delivered manually.

Total expenses through October were at \$210K and are running on budget. She noted that she anticipates exceeding budget projections for per diem due to the additional Board meetings that have been held to address the ED search and incidental practice.

NCARB Data on LA Candidates and Licensees

Hillegas shared a report on Louisiana licensing and candidate data prepared by NCARB. It will be distributing this report on a monthly basis. Key data provided in the report includes the number of exam divisions taken, number of candidates completing core requirements (exam and AXP), number of initial transmittal requests, and number of reciprocal transmittal requests. She noted that this is valuable information to the Board as all candidates work directly through NCARB to establish their eligibility, and the Board has no records on those individuals until they are ready to become licensed.

She also shared a report on ARE 5.0 pass rates by demographics which was published by NCARB. She noted that these reports will be useful as the Board moves into discussions surrounding DEI, Strategic Planning, and outreach activities in the future.

Customer Service Survey

Hillegas provided a draft Customer Service Survey to be distributed to licensees in February and asked for Board comment and feedback.

Waiver Request – ICAA

Hillegas noted that a request for a waiver for use of the word “architect” in a business name from the Louisiana Chapter of the Institute of Classical Architecture and Art had been received. It is a successor organization to the New Orleans Chapter of the Institute of Classical Architecture and Art. The Board had previously granted a waiver to the New Orleans Chapter in 2014. It was agreed that staff should process the request in accordance with the operating guidelines.

Operating Guidelines for Processing Individual Applications

Hillegas asked for consideration of an update to the Operating Guidelines for Processing Individual Applications. She noted that the guidelines did not include any reference to requests for CE hardship exemptions for individuals impacted by natural disasters and individuals (licensees only) with a serious disability, illness or injury that would prevent them from satisfying the CEH requirement.

Motion #10: Bacque/Blitch: To amend the Operating Guidelines for Processing Individual Applications to allow for staff approval of requests for CE hardship exemption from in-state individuals who experienced a personal or business interruption due to a natural disaster. Further, that staff will provide the Board with a list of licenses issued where such exemption was provided. Finally, that all requests for exemption from CE requirement due to medical exemption will be forwarded to the Continuing Education Committee. **Passed 6-0.**

Cardone left the meeting.

Operating Guidelines for Check Signing

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Hillegas presented a request to the Board to amend the Operating Guidelines for Check Signing so that routine monthly expenses which exceed \$2,500 would not require a second signature. Such expenses include OGB, rent, and LASERS contributions.

Motion #11: Bacque/LeBlanc: To amend the Operating Guidelines for Check Signing to include an exception for the counter signature requirement for routine monthly expenses over \$2,500. **Passed. 5-0.**

Architect Selection Board Update

Hillegas presented the letter of interest and c.v. for a candidate for the District 2 representative on the Architects Selection Board.

Motion #12: LeBlanc/Singh: That the Board appoint Monica Dyer-Vinette as the District 2 representative on the Architects Selection Board for the period September 15, 2021 through September 14, 2022. **Passed. 5-0.**

Board Vacancies

Hillegas reported that advertisements had been run announcing the end of the terms of service for the members currently holding the District 3 and District 4 positions on the Board. She reported that there were two candidates for each position and that their information had been forwarded to the Governor's office for consideration.

Operations

Laserfiche Workflow – Hillegas reported that staff had completed a system update which will enable them to more easily file all messaging generated through the Licensing System into Laserfiche, our online file repository for all licensee records.

System Generated Renewal Reminders – Hillegas noted that, as previously reported, work had been completed with NCARB to enable automated renewal reminders through the Licensing System. This will include a notification to renew one's license, along with two reminders, and additional reminders in January and March to individuals who fail to renew their license by December 31.

Linking Individual Work Information to Firms and Vice-Verse – Hillegas reported that discussions were beginning to identify a way to link information in an individual's record with his or her firm information. Currently information must be updated in both the individual record and the firm record.

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There being no further business,

Motion #13: LeBlanc/Bacque: To adjourn the meeting. Passed. 5-0.

Respectfully submitted,

Ronald B. Blich, Chair

Richard J. LeBlanc, Secretary

**Licenses Issued for Board Ratification
 September 13, 2021 through December 2,
 2021**

INITIAL LICENSES			
License #	Name	City	State
9611	Amy Finklea	New Orleans	LA
9624	John Rupley	New Orleans	LA
9632	Michael Ballard	New Orleans	LA
9639	Olivia Adams	New Orleans	LA
9640	Charles Weimer	New Orleans	LA
9643	Daisy Dodge	New Orleans	LA
9647	Justin Delatte	Shreveport	LA
9631	Charlston Britton	Baltimore	MD
RECIPROCAL LICENSES			
License #	Name	City	State
9628	Douglas Brewer	Bentonville	AR
9646	Erik Peterson	Scottsdale	AZ
9622	Michael Lockwood	San Francisco	CA
9613	Cristian Omar Oquendo	Longwood	FL
9626	Kimberly Pavlik	Altamonte Springs	FL
9627	Tanya Tillett	Jacksonville	FL
9630	Brian Dillman	Atlanta	GA
9636	William Coleman	Savannah	GA
9621	Nicole Dovel-Moore	Caldwell	ID
9644	Jun Kumazawa	New Orleans	LA
9649	John Minogue	New Orleans	LA
9637	John Landry	Northampton	MA
9642	Harold Wheeler	Boston	MA
9620	William Jarratt	South Lyon	MI
9648	Michael Belt	Muskegon	MI
9615	Stephanie Ireland	Springfield	MO
9614	Michael McKinnon	Laurel	MS
9625	Atilio Leveratto	Fair Lawn	NJ
9617	Robert Powell	Cleveland	OH
9633	Alfred Pagano	Tulsa	OK
9641	M. Gaskins	Tulsa	OK
9635	Waldo O'Farrill	Laval	Quebec
9623	James Pfeffer	Nashville	TN
9612	Truman Gee	Ft. Worth	TX
9618	Robert Cox	Austin	TX
9619	Evan Beattie	Dallas	TX
9629	Ronald Rapacz	Royse City	TX
9634	Randall Aaron	Royse City	TX
9638	Denny Simon	Houston	TX
9645	Ariel Valli	Ivins	UT
9616	Craig Bennett	McLean	VA

LSBAE
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2021

LICENSE REINSTATEMENTS			
License #	Name	City	State
2512	Walter McKee	Montgomery	AL
6594	Steven Uraine	Canyon Lake	CA
8617	Michael Swartz	Washington	DC
5378	Timothy Miller	Ft. Myers	FL
6530	Charles Nyarko	Miami	FL
8306	Joshua Buono	Ponte Vedre Beach	FL
5505	Charles Oliver	Baton Rouge	LA
6863	James Dart	St. Francisville	LA
6290	Ronald Goodstein	Charlotte	NC
7665	Loren Lamprecht	Omaha	NE
3264	Barry Boudreaux	Dallas	TX
7341	Edward Maestri	Dallas	TX
	Total Individual Licenses Issued In Reporting Period		
	Initial		8
	Reciprocal		31
	Reinstatement		12
	Total Individual Licenses		
	In-State		1,330
	In-State Emeritus		42
	In-State Revoked		1
	In-State Suspended		1
	Out-of-State		2,179
	Out-of-State Emeritus		51
	Delinquent		-
	Total		3,603

Licenses Issued for Board Ratification
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FIRM LICENSES

Architectural Firm Licenses Issued

License #	Firm Name	City	State
AF0825	Deshotels Architecture, LLC	Baton Rouge	LA
AF0826	Studio YH LLC	Baton Rouge	LA
AF0830	WAAR Design Office	New Orleans	LA
AF0832	CURE Architects LLC	New Orleans	LA
AF0834	Cypriere Studio, LLC.	Baton Rouge	LA
AF0836	Randy Hutchison Architecture, LLC	New Orleans	LA
AF0837	Revival Design Group LLC	New Orleans	LA
AF0838	Studio Rise LLC	New Orleans	LA
AF0839	Wink Architecture LLC	New Orleans	LA
AF0827	Oakline Studio, LLP	Creve Coeur	MO
AF0828	Solomon, Cordwell, Buenz & Associates, Inc.	Chicago	IL
AF0829	Massa Multimedia Architecture, PC Corp	Neptune	NJ
AF0831	BB&W Architects, LLC	Kingwood	TX
AF0833	David M. Schwarz Architects, Inc.	Washington	DC
AF0835	HBGD, LLC	Memphis	TN

Architectural Firm Licenses Reinstated

License #	Firm Name	City	State
AF0564	Kudla Architecture LLC	Lake Charles	LA
AF0579	Nic Bourque, Architect, LLC	Youngsville	LA
AF0400	Altus Architectural Studios, Inc.	Omaha	NE
AF0519	The Dennis Engineering Group, LLC	Springfield	MA
AF0572	Kronberg Wall Architects, LLC	Atlanta	GA

Professional Architectural Corporation Licenses Issued

License #	Firm Name	City	State
AC0889	Stephanie D. Ireland, Inc.	Springfield	MO
AC0890	PSRBB Industrial Group, Inc-Architects	El Paso	TX

Professional Architectural Corporation Licenses Reinstated

License #	Firm Name	City	State
AC0597	Dynamic Designs, PC	Birmingham	MI

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Architectural-Engineering Corporation Licenses Issued			
License #	Firm Name	City	State
	NONE		
Architectural-Engineering Corporation Licenses Reinstated			
License #	Firm Name	City	State
	NONE		
	Total FIRM Licenses Issued In Reporting Period		
	Architectural Firm - In-State		11
	Architectural Firm - Out of State		9
	Professional Architectural Corporation - In-State		0
	Professional Architectural Corporation - Out-of-State		3
	Architectural Engineering Corporation - In-State		0
	Architectural Engineering Corporation - Out-of-State		0
	Total Firm Licenses Issued		23
	Architectural Firm - In State		313
	Architectural Firm - Out of State		413
	Architectural Firm - In State Suspended		1
	Professional Architectural Corporation - In State		116
	Professional Architectural Corporation - Out of State		178
	Architectural Engineering Corporation - In State		17
	Architectural Engineering Corporation - Out of State		131
	Total In-State		446
	Total Out-of-State		722
	Total Firm Licenses		1,168