

MINUTES

State Board of Registration for Architects and Landscape Architects

Meeting held
Wednesday, November 12, 2008

Indiana Government Center-South
402 West Washington Street, Rm. W072
Indianapolis, Indiana

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Eide called the meeting to order at 9:10 a.m. Indiana Government Center South, in Room W072, 402 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with Indiana Code § 25-4-1.

Members Present:

Jerome Eide, Chairperson
Dale Stickel
David Rausch
Richard Fetz
Kato Smith
Les Smith
Dan Weinheimer
Debra Schmucker

Members Not Present:

State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Crystal Heard, Assistant Board Director, Indiana Professional Licensing Agency
Donna Sembroski, Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

Board Action: A motion was made to adopt the agenda.

L. Smith/K. Smith
Motion carried 8/0/0

III. ADOPTION OF THE MINUTES FROM THE JULY 9, 2008 MEETING OF THE BOARD

Board Action: A motion was made to adopt the minutes.

K. Smith/Stickel
Motion carried 8/0/0

IV. REPORT FROM OFFICE OF THE ATTORNEY GENERAL

By Liaison for the Board and/or Gabrielle Owens

No reports have been received to report upon. Currently, he is caught up.

V. ADMINISTRATIVE HEARINGS

A. In the Matter of Ellis D. Nunn

Cause No.: BRALA 08-01

Re: Final Hearing for Denial of Registration by Reciprocity

Parties Present:

Mr. Nunn was present without counsel

The State of Indiana was not present as this is an initial application matter.

Board Members Present:

Jed Eide, Hearing Officer

Debra Schmucker

Les Smith

Dale Stickle

Dave Rausch

Kato Smith

Dan Weinheimer

Rick Fetz

Witnesses:

Ellis Nunn

Case Summary: This license was denied due to lack of having a bachelor's degree as required by IC 25-1-4-8-(c)....He has not taken the exam, but has practiced architecture since the 1960's. He has built custom high-end log homes and some small hotels. IN does not require a stamp for residential projects. The other states approved him because his limited college education combined with his extensive work experience was sufficient for them to approve him to sit for their exams. He has 2 years of college education at Spokane Community College and military experience.

Board Action: A motion was made to deny the application based upon the lack of education and the limited scope of experience.

Kato/Fetz

Motion carried 8/0/0

VI. DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDER

A. In the Matter of Douglas G. Buell

Cause No.: BRALA 07-02

Re: Motion for Voluntary Dismissal

Board Action: A motion was made to grant the motion and dismiss the matter.

Kato/Dan

Motion carried 8/0/0

VII. PRESENTATION

Scott Veazey, Treasurer - NCARB Board of Directors, and former Indiana Board Member

1. Welcome to new board members he requested their active participation in NCARB and CLARB. He told the members of the upcoming meetings in 2009. He also reported on the work of past Annual Meeting from June 2008. The following topics were discussed at that meeting:

- a. IDP – On July 1, 2009 there is a 6 month reporting period requirement or the interns begin to lose a days credit for each day beyond the reporting period.
 - b. E-EVR – Electronic verification of employment will be implemented and available after January 1, 2009.
 - c. ACSE – National Academy of Environmental Design has been created along with NCARB and AIA support.
2. Upcoming:
- a. Accreditation review conference.
 - b. Early Registration for ARE candidates.
 - c. 3.1 version of the exam will be delivered until summer 2009. NCARB is working on developing an ARE Desktop version of the exam.
3. Questions, Concerns or Comments from the Board members?
- a. AIA was not recognizing NCARB committee member work as counting towards CE. NCARB has been working with AIA in accepting certain work by certain committees of NCARB members. The big question is why was AIA determining what is continuing education? That answer remains to be seen, but NCARB probably does not want to take on CE.
 - b. Is there a push to institutionalize acceptance of the Blue Cover reciprocity? Corporate answer is yes, NCARB does not want member boards to look behind the blue cover. However, the issue of State's rights remains and states will probably continue to evaluate applications. There is model law in existence now.
 - c. Is NCARB concerned about any legal challenges to the ARE or IDP? The exam is legally defensible. The initiative in IDP is to make that legally defensible by using the practice analysis of what is required for initial registration.

VII. RULE READOPTION

TITLE 804 BOARD OF REGISTRATION FOR ARCHITECTS AND LANDSCAPE ARCHITECTS Final Rule LSA #08-334(F)

Board Action: After having considered the costs and requirements imposed on small businesses pursuant to IC 4-22-2.5-3.1(c) a motion was made to readopt the rules as in LSA Document #08-334.

Stickel/Fetz
Motion carried 8/0/0

VIII. PERMIT/LICENSURE APPLICATIONS

Board Action: The Board approved all recommendations and decisions made by the Board members on applications for licensure that were reviewed throughout the Board meeting.

Fetz/K. Smith
Motion carried 8/0/0

IX. PETITIONS FOR REVIEW

A. None.

X. REVIEW OF PROBATIONARY REPORTS

None

XI. DISCUSSION ITEMS

- A. Application for Licensure
Re: Bradley Lewis (SBRALA 96-03)

Per the code, seven (7) years have lapsed and thus he is eligible to make a new application. The board reviewed the application.

Board Action: A motion was made to deny his application for licensure.

Fetz/K. Smith
Motion carried 8/0/0

- B. Petition for Reinstatement
Re: Francis J. Scott

Board Action: A motion was made to approve pending proof of continuing education.

K. Smith/ Weinheimer
Motion carried 8/0/0

- C. HSW Continuing Education Units
Re: NCARB Memo

The memo was reviewed by the board.

- D. Request to Reactivate Inactive License
Re: Robert Rosner (LA29500006)

Staff is to handle this matter. No need for board action. He needs to provide proof of 24 hours of CE.

- E. "Architect Intern"
Re: Defined

Can a person use the word "architect" on their card if they are not a registered architect, especially with regard to interns' use of the term? One should not use the term architect in their title, cards, etc. unless they are licensed. See IC 25-4-1-26, where it is clearly defined and is a class C infraction.

- F. Rick Fetz – ISDH is requiring architects to be certified in food service drawings. He would like some discussion on this because architects don't do those and this would require architects to stamp drawings that architects don't prepare. AIA standards refer to dietary facilities in hospitals re: plans for food service. Will the ISDH accept a certificate that it has been reviewed by an architect? Only 804 IAC 1.1-4-6 may cover this. The board would like to discuss this and have Angela meet with Todd Hite of ISDH. The board appointed Rick Fetz and Dan Weinheimer as designees on this matter.

XII. BOARD DIRECTOR'S REPORT

1. NCARB Meeting – Angela informed the board of her attendance at the NCARB meeting in Washington, D.C. and the benefit of that meeting.
2. Early Eligibility – Angela reviewed the details of early eligibility which were discussed at the NCARB meeting.

XIII. OLD/NEW BUSINESS

- A. Proposed Amendments to Indiana Code 25-4 and Title 804 of the Indiana Administrative Code
 - 1. Requirements for ARE Exam – Timing

Donna and Angela are to meet and get draft language prepared to come into compliance with the statutory changes.

- B. Rule Re-Adoption

Completed.

- C. Request for C.E. Waivers (Updates from July 2008)
Re: Update on the Status of Requests for Waivers

- 1. Thomas M. Meredith (complied)
- 2. Clinton E. Hutchcraft (notice of non-compliance)
- 3. Dennis M. Leeds (he requested to go inactive, the board grants this request to go inactive and he will need to provide proof of continuing education prior to being reactivated.)
- 4. Michael G. Whitecotton (complied)
- 5. Jerry Firestone (complied)

- D. Requests for Waiver
Re: James R. Ward

The board stated that as soon as he gets his continuing education credits he can reapply. His request for a waiver is denied.

- E. Election of Officers

In January the board will vote for the new officers. Please make your interest known to Angela.

- F. Indiana ASLA

Rumor: KY Civil Engineers are suing Landscape Architects Board for practicing engineering. This is an ongoing issue across the nation.

- G. NCARB Regional Meeting

Kato Smith expressed his interest in going to Salt Lake City, UT as the new board member attendee.

XIV. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Board of Registration for Architects and Landscape Architects adjourned at 2:00 p.m.



Dave Rausch – Chairperson
State Board of Registration for Architects and Landscape Architects

11/11/09

Date