

OKLAHOMA BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS, LANDSCAPE  
ARCHITECTS AND REGISTERED INTERIOR DESIGNERS

220 N. E. 28<sup>th</sup>, Board Room  
Oklahoma City, OK 73105

October 17, 2018  
9:30 a.m.

AGENDA ITEM # 3A

NOV 07 2018

STATE BOARD OF ARCHITECTS

**Agenda**

**Call meeting to order - declare quorum present.**

"The Board of Architects, Landscape Architects and Registered Interior Designers are meeting pursuant to notice filed with the Secretary of State. The agenda was posted outside the Board Offices and on the Board's website twenty four hours prior to the meeting setting forth thereon the date, time, place and business for the meeting. *Pursuant to the applicable statutes, rules and code, the Board is reminded to refrain from utilizing their personal tablet, portable computers or phone for any purpose other than reviewing offered materials or agenda matters. It is requested that during enforcement hearings you do not look at or utilize the Internet for any information pertaining to the hearing.*"

Welcome newly appointed board member Landscape Architect Scott Howard.

1. PUBLIC COMMENTS ON CURRENT AGENDA ONLY. Time limit to five (5) minutes per individual with sign-in required five (5) minutes prior to meeting beginning.

2. FORMAL HEARINGS, PENDING FINAL ACTIONS AND/OR ENFORCEMENT ISSUES

A. Board legal orientation presentation.

B. Formal hearing and Board action as necessary to consider Case #2017-495, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs Clampett Industries LLC d/b/a EMG, Burk Lee Cornelius, Cliff R. Stout, Jr., and Mark Walker.

1. Proposed executive session if necessary to deliberate the above proceedings. Authority: 25 O.S., Section 307 (B) (8).
2. Vote on whether to convene into executive session.
3. Vote to return to open session.
4. Vote on matters discussed in executive session.

C. Formal hearing and Board action as necessary to consider Case #2018-547, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Fergon Architects, LLC.

1. Proposed executive session if necessary to deliberate the above proceedings. Authority: 25 O.S., Section 307 (B) (8).
2. Vote on whether to convene into executive session.
3. Vote to return to open session.
4. Vote on matters discussed in executive session.

D. Formal hearing and Board action as necessary to consider Case # 2017-520, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Michael D. Smith.

1. Proposed executive session if necessary to deliberate the above proceedings. Authority: 25 O.S., Section 307 (B) (8).
2. Vote on whether to convene into executive session.
3. Vote to return to open session.
4. Vote on matters discussed in executive session.

- E. Board discussions and actions as necessary concerning Scott L. Lasky's consent order with the Arkansas State Board of Architects.

### 3. ADMINISTRATIVE

- A. Board discussion and action as necessary Legislative report from Tammie Kilpatrick and Ryan Kilpatrick.
  - 1. Update regarding the Occupational Licensing Commission October 4, 2018 meeting.
- B. Board discussion and action as necessary regarding the presentation of the City of Tulsa's Self Certification Program by Yuen Ho, Architect from the City of Tulsa.
- C. Board action as necessary to approve minutes from the June 6, 2018 meeting.
- D. Board action as necessary to receive financial documents from June, July, August and September 2018.
- E. Board action as necessary to approve the Leslie Hanska, Executive Director, use of state p-card for authorized state expenses setting \$5000 limit on single item purchase and \$10,000 monthly cycle limit. Submission of Executive Director's purchase card statement for review and approval is to be presented as an agenda line item at the next meeting following the incurred expenses per OMES Central Accounting and Reporting policy and procedure.
- F. Board discussion and action as necessary to fund online services with Oklahoma Interactive (OI) through user fees.
- G. Report from Licensing Manager.
  - 1. Licenses issued.
  - 2. Certificates of Authority issued.
  - 3. Candidates eligible to test.
  - 4. Inaugural licensing ceremony to be held 2pm on January 19, 2019 at the Oklahoma Historical Society.
- H. Board discussions and actions as necessary concerning application of Josue Daniel Perez-Santis from Guatemala for a reciprocal architect license.
- I. Board action as necessary to determine education credit, under alternative standards, for testing and licensing as an architect for David Nathaniel Amstutz with an Interior Architecture and Product Design Undergraduate and Master's degree from Kansas State University. (OAC 55:10-5-4.1)
- J. Board discussions and actions as necessary concerning reciprocal architect application of John Marshall Springman and his exam deficiencies as stated in his NCARB record.
- K. Board discussion and action as necessary regarding approval request of the use of the name Wagner Architectural Millwork LLC by Dylan Wagner for his architectural millwork business and in order to file with Oklahoma Secretary of State. Mr. Wagner builds cabinets based on an architects plans and specifications. (O.S. 59, Section 46.8a (A))

L. Committee appointments by Chairman.

1. Board discussions and possible actions on the following committee reports:
  - (a) University/Scholarship Committee; Beth Windel, Chair
  - (b) Investigations Committee; Nate Baker, Secretary-Treasurer
    - i. Meeting with State Fire Marshal
    - ii. Board discussion and action as necessary regarding recommendation from Committee to hire staff Investigator/Compliance Officer.
    - iii. Enforcement Report
    - iv. Enforcement Procedures
  - (c) Act/Rules Committee; Randy Weatherly, Chair

M. Board discussion and action as necessary regarding the use of digital seals and signatures; BIM model vs paper or PDF; including best practices and security as it relates to seals.

N. Proposed executive session to discuss with possible action the review of Licensing Manger and possible raise. Authority: 25 O.S., Section 307 (B) (1).

1. Vote on whether to convene into executive session.
2. Vote to return to open session.
3. Vote on matters discussed in executive session

O. Review of Executive Order 2016-01.

1. State email addresses
2. Board discussion and action as necessary regarding purchasing tablets for Board members.

4. CLARB/NCARB/CIDQ/ORGANIZATIONS, ISSUES AND REPORTS

A. Report from NCARB/AIA activities

1. Draft of NCARB centennial celebration "State History Book"
2. NCARB visit to Oklahoma – next board meeting, November 7, 2018

B. Report from CLARB/ASLA activities

1. CLARB Annual Meeting Toronto

C. Report from CIDQ/OIDC/ASID activities

1. CIDQ Annual Conference, November 9 & 10, 2018 in Nashville

NEW BUSINESS

Adjourn

It is noted the Board and guests will break the meeting for lunch in the conference room and may or may not resume the meeting when finished.

OKLAHOMA BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS,  
LANDSCAPE ARCHITECTS AND REGISTERED INTERIOR DESIGNERS  
220 N. E. 28<sup>th</sup>  
Board Room  
Oklahoma City, OK 73105  
October 17<sup>th</sup>, 2018  
9:30 a.m.

**Minutes**

The Board of Governors of the Licensed Architects and Landscape Architects and Registered Interior Designers of Oklahoma met on Wednesday, October 17, 2018 with the following members and guests present:

M. Bradley Gaskins, Architect, Chairman  
Nathan Baker, Architect, Secretary Treasurer  
Gary Armbruster, Architect  
David Blackburn, Public Member  
David Hornbeek, Architect  
Jim Bruza, Architect  
Scott Howard, Landscape Architect  
J. Mark Taylor, Registered Interior Designer  
Elizabeth Windel, Architect  
Brad Klepper, Board Counsel  
Michael McClintock, Prosecuting Counsel  
Russell Lissuzzo III, Prosecuting Counsel  
Leslie Hanska, Executive Director  
Ellen White, Licensing Manager  
Janie Hollars, Communications & Information Manager  
Tammie Kilpatrick, Consultant  
Josh Perez, Guest  
Mark Walker, Guest  
Cliff R. Stout Jr., Guest  
Burk Cornelious, Guest  
Clif Gooding, Guest  
Yuen Ho, Guest  
Kate Scipione, Dobson Court Reporter

James Hasenbeck and Randy Weatherly were absent.

1. There were no public comments.

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FORMAL HEARINGS, PENDING FINAL ACTIONS AND/OR ENFORCEMENT ISSUES

2. A. Mr. Klepper made a legal presentation.

2. B. Formal hearing and Board action as necessary on Case #2017-495, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Clampett Industries LLC d/b/a EMG, Burk Lee Cornelius. Mr. Gaskins recused himself and relinquished the chair to Mr. Taylor. Mr. Hornbeek motioned to enter into executive session. Motion seconded by Mr. Blackburn. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Hornbeek motioned to come out of executive session. Motion seconded by Mr. Armbruster. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Hornbeek motioned to dismiss the case based on EMG already taking action to add a disclaimer at the bottom of their website stating that they do not offer architectural services in Oklahoma. Motion seconded by Mr. Bruza. Voting aye: Messrs. Taylor, Howard, Armbruster, Hornbeek, Blackburn, Bruza and Ms. Windel. Voting nay: None. Abstained: Messrs. Gaskins and Baker. Motion approved. Case will be submitted to the Attorney General for review in compliance with Executive Order 2015-33.

2. C. Formal hearing and Board action as necessary on Case #2018-547, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Fergon Architects, LLC. Mr. Blackburn motioned to accept evidence into the record. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Taylor motioned to enter into executive session. Motion seconded by Ms. Windel. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Hornbeek motioned to come out of executive session. Motion seconded by Mr. Bruza. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Taylor motioned to find the plaintiff guilty of violating the Oklahoma statute by holding himself out to be an architect in our state. Motion seconded by Mr. Blackburn. Voting aye: Messrs. Taylor, Howard, Armbruster, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Abstained: Mr. Baker. Motion approved. Mr. Hornbeek motioned to propose a fine of \$1,000.00 and notify the Illinois state board if he is licensed in that state. Motion seconded by Mr. Bruza. Voting aye: Messrs. Taylor, Howard,

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Armbruster, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Abstained: Mr. Baker. Motion approved. Case will be submitted to the Attorney General for review in compliance with Executive Order 2015-33.

2. D. Formal hearing and Board action as necessary on Case #2017-520, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Michael D. Smith. Mr. Hornbeek motioned to enter into executive session. Motion seconded by Mr. Bruza. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Hornbeek motioned to come out of executive session. Motion seconded by Mr. Bruza. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Taylor motioned to enter evidence into the record. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Taylor, Howard, Armbruster, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Abstained: Mr. Baker. Motion approved. Mr. Blackburn motioned to find Mr. Michael Smith guilty as charged for violating the code, practicing architecture without a license in the state of Oklahoma. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Taylor, Howard, Armbruster, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Abstained: Mr. Baker. Motion approved. Mr. Blackburn motioned to propose a fine of \$5,000.00. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Taylor, Howard, Armbruster, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Abstained: Mr. Baker. Motion approved. Case will be submitted to the Attorney General for review in compliance with Executive Order 2015-33.

2. E. Mr. Baker motioned to acknowledge receipt of Mr. Scott Lasky's self-reported Arkansas violation. Motion seconded by Mr. Armbruster. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Baker also motioned to have staff and the investigation committee review and approve/disapprove future self-reported violations and acknowledge receipt in writing. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Hornbeek, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.

David Hornbeek left the meeting.

#### ADMINISTRATIVE/INTERNAL BOARD ISSUES

3. A. Legislative report was given to the Board by Tammie Kilpatrick.

3. B. Board discussion regarding the presentation of the City of Tulsa's Self Certification Program by Yuen Ho, Architect from the City of Tulsa. No action taken.

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3. C. Mr. Baker motioned to approve the minutes from the June 6, 2018 Board meeting. Motion seconded by Mr. Blackburn. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.
3. D. Mr. Bruza motioned to approve the financial reports of expenditures and revenues for June, July, August and September 2018. Motion seconded by Mr. Baker. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. See attachment A.
3. E. Mr. Taylor motioned to approve Leslie Hanska, Executive Director, use of state p-card for authorized state expenses setting \$5000 limit on single item purchase and \$10,000 monthly cycle limit. Submission of Executive Director's purchase card statement for review and approval is to be presented as an agenda line item at the next meeting following the incurred expenses per OMES Central Accounting and Reporting policy and procedure. Motion seconded by Ms. Windel. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.
3. F. Mr. Baker motioned to fund online services with Oklahoma Interactive (OI) through user fees. Motioned seconded by Mr. Taylor. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.
3. G. Ms. White presented a report of all licenses/registrations and firms that have been issued between 7/1/2018 to present, along with a list of active candidates. See attachment B.
3. G-4. Ms. White reported the Board will be hosting an inaugural licensing ceremony to be held on January 19, 2019 at 2:00 p.m. at the Oklahoma Historical Society.
3. H. Mr. Baker motioned to approve architectural candidate application Josue Daniel Perez-Santis as meeting our equivalent standards and to begin testing and licensing as an architect. Motion seconded by Bruza. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.
3. I. Mr. Baker motioned to approve two (2) years of education credit under our equivalent standards to David Nathaniel Amstutz Interior Architecture and Product Design Undergraduate and Master's degree from Kansas State University. Motion seconded by Ms. Windel. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.
3. J. Mr. Baker motioned to approve reciprocal architect application John Marshall Springman and accept his exam deficiencies as stated in his NCARB record as meeting our standards. Motion seconded Mr. Armbruster. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.

3. K. Mr. Taylor motioned to approve the name Wagner Architectural Millwork LLC by Dylan Wagner for his architectural millwork business. Motion seconded by Mr. Blackburn. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.
3. L. Chairman announced FY19 committee appointments and Chairs. See attachment C.
3. L-1.(a) University/Scholarship Committee – Ms. Windel reported that it's time to begin reaching out and scheduling our scholarship presentation to our universities. Mr. Bruza will reach out to OSU School of Architecture, Mr. Howard will reach out to OSU School of Landscape Architecture, Ms. Windel will reach out to OU (all three professions), and Mr. Taylor will reach out to UCO, OSU and OC for interior design.
3. L-1.(b)i. Investigations Committee – Mr. Baker reported that he and Ms. Hanska had a very productive meeting with the Fire Marshal.
3. L-1.(b)ii. Mr. Taylor motioned to hire staff Investigator/Compliance Officer as a full time position. Motion seconded by Windel. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Bruza, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.
3. L-1(b)iii. Ms. Hanska reported that enforcement reports will be given out at every future Board meeting from now on. See attachment D.
3. L-1(b)iv. Ms. Hanska reported the committee is in the process of creating a report to follow for all investigation procedures.
3. L-1(c). Act and Rules Committee - Ms. Hanska reported the committee will continue to meet and discuss future changes.
- Jim Bruza left the meeting.
3. M. No action taken.
3. N. Mr. Taylor motioned to go into executive session. Motion seconded by Mr. Howard. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Taylor motioned to come out of executive session. Motion seconded by Mr. Armbruster. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Taylor motioned to have the Succession Planning Committee review the Licensing Manager's position and salary and be authorized to act according to their decision. Motion seconded by Mr. Blackburn. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.

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3. O-2. Mr. Blackburn motioned to approve purchasing tablets for Board members. Motion seconded by Mr. Baker. Voting aye: Messrs. Taylor, Howard, Armbruster, Baker, Blackburn, Gaskins and Ms. Windel. Voting nay: None. Motion unanimously approved.  
Gary Armbruster left the meeting.  
Meeting was adjourned no longer a quorum.

THE BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS, LANDSCAPE ARCHITECTS AND REGISTERED INTERIOR DESIGNERS OF OKLAHOMA



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M. Bradley Gaskins, Chair



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Nathan Baker, Secretary-Treasurer