

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

220 N. E. 28th Street, Suite 150

Oklahoma City, OK 73105

September 6, 2017

9:30 a.m.

Agenda

AGENDA ITEM # 2a-1

NOV 03 2017

STATE BOARD OF ARCHITECTS

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. CONSENT AGENDA
 - a. Board action as necessary on consent agenda items.
 1. Minutes from the June 7, 2017 minutes.
 2. Approval of the June and July 2017 financial reports
 3. Welcome our new Public Member, David Blackburn
 4. Emeritus applications are now being granted based on the decision last meeting that if they were already Emeritus, they are automatically renewed without Board action.
 5. The Litigation Division of the Attorney General's Office has been hired on a trial basis on two previous cases to collect the fines/penalties due the Board.
3. ADMINISTRATIVE/INTERNAL BOARD ISSUES
 - a. Board action as necessary concerning report from Tammie Kilpatrick on the legislative session.
 1. SB562, Sen. Bergman, eliminating architect and engineer professional services from pre-engineered metal buildings.
 2. Restoring Board Immunity Act of 2017 introduced in Congress to establish and force the states to take certain steps to invoke immunity from Anti-Trust Act.
 3. Governor's Task Force on Occupational Licensing.
 - a. Draft of Occupational Licensing Blueprint for analysis.
 - b. Board orientation presentation by Brad Klepper, Board counsel.
 - c. Board discussions concerning all proposed changes to the State Architectural and Registered Interior Designers Act and/or Rules.
 1. Oklahoma Register publication and filing deadlines for Rule submissions.
 - d. From the Continuing Education Audit Committee, how do you document a self-directed study and conferences without certificates? Board discussions and actions as necessary to follow.

- e. Board discussions and actions as necessary concerning voting to elect Board of Directors and Committee on Nominations for CLARB.
- f. Board action as necessary concerning whether to support, dismiss or change proposed Bylaw changes for CIDQ.
- g. Chairman to appoint committee to research and submit the Oklahoma Board's history and submit to NCARB by December 31, 2017.
- h. Board discussions and actions as necessary concerning Tanner Consulting LLC not having a licensed professional as a member or manager of the LLC.
- i. Board discussions and action as necessary concerning Gresham, Smith and Partners, a General Partnership, not required to file with the Oklahoma Secretary of State's Office.
- j. Ms. Lennell Perry requesting a 6 (six) month extension of her rolling clock for the birth of her baby. NCARB already approved.
- k. Board discussion and action as necessary concerning a policy establishing a retention period of 4 (four) years for all CEU sign in sheets and directing the Executive Secretary to revise the Record Management schedules.
- l. Board discussions and actions as necessary concerning CEU hardship request from Registered Interior Designer for 12 (twelve) HSW credits to be the primary caregiver for a client (George Kravis) until September 20, 2017.
- m. Board discussions and actions as necessary concerning reports from Board Committees:
 - 1. Finance Committee
 - 2. Succession Planning Committee
 - 3. Investigations Committee
 - 4. Act/Rules Committee
 - 5. Arch/Engineering Committee
 - a. Superintendent Manual
 - 6. Building Officials Joint Committee
 - 7. Continuing Education Committee
 - 8. University/Scholarship Committee
 - 9. Nominations Committee
- n. Board discussions and actions as necessary concerning the CCOSA requesting a presentation for new superintendents on September 14, 2017 for 1 ½ hours.
 - 1. Setting up possible joint training for the School Board Members.
- o. Board discussions and actions as necessary concerning OMES (Office of Management and Enterprise Systems) requesting a monthly increase in our fees to house and support our computer information to \$1,124.31.
- p. What are the procedures for the Choctaw Nation to establish a division that will perform Design Build projects for clients outside of (the) Choctaw Nation?
- q. Legal questions from Cinthia Bridges asking:

1. Does the Act and Rules allow licensed architects working in the same office as the architect of record sign, seal and date plans for the company without being an architect of record?

2. Does the Act and Rules require all Oklahoma licensed architects to be listed on the Certificate of Authority as Architects of Record in order for them to sign and seal plans?

3. If the answer to #2 above is yes, does the Act and Rules require them to be officers, directors, etc. also?

4. An Oklahoma architect with the firm has met the Act and Rule requirements and is licensed here, but is not an officer or director. Can this person sign and seal plans under the Certificate of Authority?

5. If we do list all Oklahoma licensed architects on the Certificate of Authority, what is the procedure when we add (or delete) another licensee in that state? Will we need to do a revised application each time?

r. Board discussions and action as necessary on whether or not to grant CEU hours to the Continuing Education Audit Committee for the time spent on the Board's audits.

s. Board action as necessary on Mariana Sarur's reciprocal application from Mexico for licensing as an architect.

4. FORMAL HEARING

a. Formal hearing and Board action as necessary to consider Case #2015-431, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Gabe Palacios d/b/a SILO Design Studio, continued.

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.

b. Formal hearing and Board action as necessary to consider Case #2016-456, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Randy Curtis d/b/a Wizard of Saws.

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 #2016-460, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Steve Olsen d/b/a Stephen J. Olsen and Steve Olsen Architects.
 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.

5. CLARB/NCARB/NCIDQ/ORGANIZATIONS, ISSUES AND REPORTS
 - a. Report from NCARB
 1. Dates of the 2018 and 2019 Regional Summits and Annual Meetings.
 - b. Report from CLARB
 - c. Report from CIDQ
 - d. Report on AIA Architect activities
 - e. Report on ASLA Landscape Architect activities
 - f. Report on OIADC/ASID Interior Designer activities

6. New Business

Adjourn

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

220 N. E. 28th

Board Room

Oklahoma City, OK 73105

September 6, 2017

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, September 6, 2017 with the following members and guests present:

Mark Taylor, Registered Interior Designer, Chairman

Bradley Gaskins, Architect, Vice-Chairman

Jim Hasenbeck, Architect, Secretary Treasurer

Gary Armbruster, Architect

Nate Baker, Architect

David Blackburn, Public Member

Brian Dougherty, Landscape Architect

Jim Bruza, Architect

David Hornbeek, Architect

Elizabeth Windel, Architect

Brad Klepper, Board Counsel

Jean Williams, Executive Director

Leslie Hanska, Executive Assistant

Ellen White, Executive Secretary

Tammie Kilpatrick, Consultant

Ryan Kilpatrick, Consultant

Michael McClintock, Counsel

Sherry Jones, Court Reporter

Mariana Sarur, Guest

Gabe Palacios, Guest

Brett Logan, Guest

Amber Sharples, Guest

Randy Curtis, Guest

Randy Weatherly, Landscape Architect was absent

1. a. There were no public comments.

CONSENT AGENDA

2. a-1. Mr. Dougherty moved to approve the minutes from the June 7, 2017 meeting, Motion seconded by Mr. Gaskins. Voting aye: Messrs. Blackburn, Gaskins, Armbruster, Dougherty, Bruza, Baker, Hasenbeck, Taylor, and Ms. Windel. Voting nay: None. Motion approved.
2. a-2. Mr. Baker moved to approve the financials from June and July 2017. Motion seconded by Mr. Dougherty. Voting aye: Messrs. Blackburn, Gaskins, Armbruster, Dougherty, Bruza, Baker, Hasenbeck, Taylor and Ms. Windel. Voting nay: None. Motion approved.
2. a-3. Chairman Taylor welcomed our new Board member, David Blackburn, Public Member.
2. a-4. Emeritus applications are now being granted based on the decision last meeting that if they were already Emeritus, they are automatically renewed with Board action. No Action.
2. a-5. The Litigation Division of the Attorney General's Office has been hired on a trial basis on two previous cases to collect the fines/penalties due the Board. No action.

ADMINISTRATIVE/INTERNAL BOARD ISSUES

3. a. Ryan Kilpatrick reported the Senate studies have not been set; they are waiting on special session. The House of Representatives Agency Consolidation Committee has yet to be scheduled.
 3. a-1. Board discussed Senate Bill 562. Noting there is no clear way to eliminate architect and engineer services from pre-engineered metal buildings. Legislative discussions are still on going. No action.
 3. a-2. Board discussed the Restoring Board Immunity Act of 2017 introduced in Congress to create a limited antitrust exemption for state licensing boards, conditioned on whether a state adopts occupational regulation reforms tracking one of two frameworks; Active Supervision and Periodic Review or Judicial Review. No action.
 3. a-3a. Board discussed the draft of the blueprint for analyzing occupational licensing issued by the Governor's Occupational Licensing Task Force. The Task Force is to provide recommendation to the Governor by December 31, 2017. No Action
3. b. Brad Klepper, Board Counsel presented the Board member orientation. He discussed the purpose of the Board, to protect the health, safety and welfare of the public. He reminded Board members that they must identify any conflicts of interest, bias or prejudice in writing or recuse themselves in an open meeting. Mr. Klepper also went over the investigation and formal hearings process. He recommended that every Board member should read the Ethics Commission Guide for State Officers and Employees. No Action
3. c. No Action.

3. d. Board discussed that in order to receive credit for self-directed studies and conferences for continuing education a signed statement or certificate must be submitted as proof of completing the course. Rules: 55:10-17-10. No action.

3. e. Mr. Gaskins moved to give authority to Mr. Dougherty and Mr. Weatherly to cast the elections vote at the CLARB annual meeting. Motion seconded by Mr. Baker. Voting aye: Messrs. Blackburn, Gaskins, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

3. f. Mr. Baker moved to give authority to Mr. Taylor to cast the vote for CIDQ concerning the proposed Bylaw changes. Motion seconded by Mr. Gaskins. Voting aye: Messrs. Blackburn, Gaskins, Armbruster, Dougherty, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

3. g. As Chair, Mr. Taylor established a History Committee, in conjunction with NCARB's upcoming 100th year celebration/anniversary. Members will consist of Mr. Weatherly, Mr. Hornbeek, Mr. Bruza, Ms. Williams and Mr. Hasenbeck as Chairman. This committee will research the history of the Oklahoma Board and submit the results to NCARB by December 31, 2017.

3. h. Mr. Gaskins motioned to deny Tanner Consulting LLC certificate of authority since the vice president is not a manager of the LLC. Motion seconded by Mr. Bruza. Voting aye: Messrs. Blackburn, Gaskins, Dougherty, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck and Armbruster absent. Motion approved.

3. i. No action.

3. j. Ms. Windel moved to approve Mr. Lennell Perry's request for a 6 (six) month extension of his rolling clock for the birth of his baby. Motion seconded by Mr. Bruza. Voting aye: Messrs. Blackburn, Gaskins, Dougherty, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

3. k. Mr. Gaskins moved to approve establishing a policy for a 4 (four) year retention period for all CEU sign-in sheets and the executive secretary to revise the Record Management schedule. Motion seconded by Mr. Baker. Voting aye: Messrs. Blackburn, Gaskins, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

3. l. Mr. Bruza moved to approve Registered Interior Designer Richard Phillips CEU hardship request. Mr. Phillips has until December 31, 2017 to complete all 12 HSW CEU's for the 17/19 renewal period. Motion seconded by Mr. Gaskins. Voting aye: Messrs. Blackburn, Gaskins, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

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3. m-1. Finance - No report.

3. m-2. Succession Planning - No report.

3. m-3. Investigations - No report.

3. m-4. Act and Rules - Mr. Baker reported they are still collecting purposed changes.

3. m-5. Architect/Engineer - Ms. Windel reported the superintendent manual should be completed by the October deadline and will send out to all committee members for feedback.

3. m-6. Building Officials Joint Conference - No report.

3. m-7. Continuing Education Committee - Ms. Williams reported that all continuing education audits have been completed and each one passed.

3. m-8. University/Scholarship – Mr. Taylor reported all scholarship notifications whether they win or lose are sent out electronically to all applicants.

3. m-9. Nominations Committee - No report.

3. n. Ms. Williams suggested to the Board that they could be a resource for CCOSA concerning the training presentation for the new superintendents. Ms. Windel requested for Ms. Williams to email her the October presentation date.

3. o. Mr. Gaskins moved to approve a monthly increase of \$653 to our budget for OMES-ISD Shared Services to house and support our computer information. Motion seconded by Ms. Windel. Voting aye: Messrs. Blackburn, Gaskins, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

3. p. The Board agreed the Choctaw Nation must comply with our Act and Rules to establish a division that will perform Design Build projects for clients outside of the Choctaw Nation. No Action

3. q. Mr. Gaskins moved to answer the following legal questions from Ms. Cinthia Bridges as follows:

1. Does the Act and Rules allow licensed architects working in the same office as the architect of record sign, seal and date plans for the company without being an architect of record? - Board answer no.

2. Does the Act and Rules require all Oklahoma licensed architects to be listed on the Certificate of Authority as Architects of Record in order for them to sign and seal plans? - Board answer yes.

3. If the answer to #2 above is yes, does the Act and Rules require them to be officers, directors, etc. also? - Board answer yes.

4. An Oklahoma architect with the firm has met the Act and Rule requirements and is licensed here, but is not an officer or director. Can this person sign and seal plans under the Certificate of Authority? - Board answer no.

5. If we do list all Oklahoma licensed architects on the Certificate of Authority, what is the procedure when we add (or delete) another licensee in that state? Will we need to do a revised application each time? - Board answer yes.

3. r. Mr. Baker moved to approve 1 (one) CEU hour per hour spent with a maximum of 4 (four) hours on Board's audits to the Continuing Education Audit Committee. Motion seconded by Mr. Bruza. Voting aye: Messrs. Blackburn, Gaskins, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

3. s. Mr. Gaskins motioned to postpone Ms. Mariana Sarur's reciprocal licensing until November 1, 2017 Board meeting. References on Ms. Sarur's application must be called and/or letters received regarding her technical competence. Motion seconded by Mr. Hasenbeck. Voting aye: Messrs. Blackburn, Gaskins, Armbruster, Dougherty, Bruza, Baker, Hasenbeck, Taylor, and Ms. Windel. Voting nay: None. Motion approved.

Mr. Hornbeek was present only for the formal hearings.

FORMAL ADMINISTRATIVE HEARINGS

4. a. Formal hearing and Board action as necessary on Case #2015-431, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Gage Palacios d/b/a SILO Design Studio. Mr. Gaskins moved to enter into executive session. Motion seconded by Mr. Dougherty. Voting aye: Messrs. Blackburn, Hornbeek, Taylor, Dougherty, Gaskins, Armbruster, Baker, Hasenbeck, and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Gaskins moved to come out of executive session. Motion seconded by Mr. Dougherty. Voting aye: Messrs. Blackburn, Taylor, Dougherty, Gaskins, Armbruster, Baker, Hasenbeck, Hornbeek and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Gaskins moved to find Gage Palacios guilty of fraud, by practicing architecture without a license, proposing a fine of \$2500. Motion seconded by Mr. Bruza. Voting aye: Messrs. Blackburn, Hornbeek, Taylor, Dougherty, Gaskins, Armbruster, Baker, and Ms. Windel. Voting nay: None. Abstained Hasenbeck. Motion approved. Case will be submitted to the Attorney General for review in compliance with Executive Order 2015-33.

4. b. Formal hearing and Board action as necessary on Case #2016-456, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Randy Curtis d/b/a Wizard of Saws. Mr. Gaskins moved to enter into executive session. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Blackburn, Taylor, Dougherty, Gaskins, Armbruster, Baker, Hasenbeck, Hornbeek and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Hornbeek moved to come out of executive session. Motion seconded by Mr. Bruza. Voting aye: Messrs. Blackburn, Taylor, Dougherty, Armbruster, Gaskins, Baker, Hasenbeck, Hornbeek and Ms. Windel. Voting nay: None. Motion unanimously approved. Mr. Baker moved to find Randy Curtis guilty of fraud, advertising architectural services without a license and purposing a fine of \$500. Motion seconded by Bruza. Voting aye: Messrs. Taylor, Dougherty, Gaskins, Armbruster, Baker, and Ms. Windel. Abstained Hasenbeck and Blackburn. Voting nay: Hornbeek. Motion approved.

Case will be submitted to the Attorney General for review in compliance with Executive Order 2015-33.

Mr. Hasenbeck left the meeting

4. c. Formal hearing and Board action as necessary on Case #2016-460, in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Steve Olsen d/b/a Steve Olsen Architects. Counsel Mr. McClintock, reported that a cease and desist letter has been sent out with no response from Mr. Olsen. Mr. McClintock will follow up with a phone call to Mr. Olsen and also try and receive any medical information. Motion seconded by Ms. Windel. Voting aye: Messrs. Blackburn, Gaskins, Bruza, Baker, Taylor and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

NCARB/CLARB/CIDQ/ORGANIZATIONS, ISSUES AND REPORTS

- 5. a. NCARB - No report
- 5. b. CLARB - No report
- 5. c. CIDQ - No report
- 5. d. AIA - No report
- 5. e. ASLA - No report
- 5. f. OIDC/ASID - No report

New Business

6. Mr. Taylor would like the Board to consider bringing in Katherine Setser, NCIDQ, and Assistant Professor at Miami University, Ohio as a presenter at one of our CE Events. Ms. Setser's presentation is based on her publication "Failures in the Implementation of Fire and Life Safety Standards, Specification and Installation of Interior Design Content." Mr. Baker moved to approve bringing in Ms. Setser to Oklahoma and not to exceed a budget of \$5000. Motion seconded by Mr. Bruza. Voting aye: Messrs. Blackburn, Taylor, Gaskins, Baker, and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved. Mr. Baker motioned to add executive session as a permanent agenda item to discuss personnel issues. Motion seconded by Mr. Gaskins. Voting aye: Messrs. Blackburn, Taylor, Gaskins, Baker, and Ms. Windel. Voting nay: None. Hasenbeck, Armbruster and Dougherty absent. Motion approved.

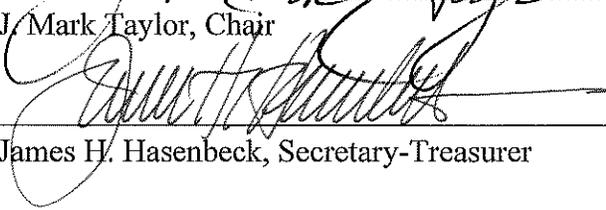
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Adjourn

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



J. Mark Taylor, Chair



James H. Hasenbeck, Secretary-Treasurer