

IDAHO BOARD OF ARCHITECTURAL EXAMINERS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 1/11/2012

BOARD MEMBERS PRESENT: Peter Rockwell - Chair
Jay Wayne Cone
Garth J. Jensen
Steven C. Turney
Shelly Servick
Paul Jensen

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Eric Nelson, Prosecuting Attorney
Nita Metro, Complaint Coordinator
Maria Brown, Technical Records Specialist

OTHERS PRESENT: Joe Thompson

The meeting was called to order at 8:00 AM MST by Peter Rockwell.

APPROVAL OF MINUTES

The Board reviewed the 9/7//2011 and the 11/9/2011 minutes.

It was moved by Mr. Turney to approve the 11/9/2011 minutes as written.
Seconded by Mr. P. Jensen, motion carried.

It was moved by Mr. P. Jensen to approve the 9/7/2011 minutes with
amendments. Seconded by Mr. Cone, motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The Bureau will keep the Board informed of
when its proposed rule changes will be before the Legislature.

FINANCIAL REPORT

Ms. Hall presented the financial report, which indicates a cash balance of \$114,759.77 as of 12/31/2011.

FORMAL DISCIPLINARY ACTION

Mr. Nelson presented a memorandum for case ARC-2012-3.

Mr. Cone and Mr. P. Jensen recused themselves from discussion and voting on case ARC-2012-3.

After review, the Board presented its recommendations.

ARE

Mr. Thompson addressed the Board regarding the confusion between the Architect Registration Examinations rolling clock and transition from version 3.1 to version 4.0. The Board noted that while it does have empathy for the position some candidates are in, it believes that there was sufficient notification of the changes to the exam.

Ms. Peel introduced Nita Metro, Complaint Coordinator, to the Board.

INVESTIGATIVE REPORT

Ms. Peel presented the investigative report.

FORMAL DISCIPLINARY ACTION

Ms. Peel presented a memorandum for case I-ARC-2012-9.

It was moved by Mr. P. Jensen to authorize closure with an advisory letter for case I-ARC-2012-9. Seconded by Mr. Turney, motion carried.

Ms. Peel presented the Board a Stipulation and Consent Order for case ARC-2012-2.

It was moved by Mr. G. Jensen to accept the Consent Order for ARC-2012-2 and authorize the Board Chair to sign on behalf of the Board. Seconded by Mr. Turney, motion carried.

The Board asked Ms. Peel how many of the submitted complaints have been regarding unlicensed practice. Ms. Peel stated that since July of 2006, seven (7) of the one hundred four (104) complaints were regarding unlicensed practice.

PROPOSED LAW AND RULE CHANGES

Mr. Hales addressed the Board regarding his role with the Bureau. He explained the process for submitting proposed law and rule changes to the Legislature.

Idaho Code 54-302: The Board discussed a proposed law change to 54-302(1)(a) to remove “an additional three (3) years or more of,” 54-302(1)(b) to remove “an additional three (3) years or more of,” and 54-302(3) to remove “three (3) years or more of.”

Idaho Code 54-307: The Board discussed a proposed law change to 54-307 to remove firm name from the title, 54-307(1) to change the word “excepted” to “exempted,” and to remove 54-307(3) entirely.

Idaho Code 54-308: The Board discussed a proposed law change to 54-308(2) to remove the word, “original.”

Idaho Code 54-309: The Board discussed a proposed law change to 54-309(f) adding “limitation on application.”

Idaho Code 54-316: The Board discussed a proposed law change to 54-316 to remove the section entirely.

Rule 250.02 The Board discussed a proposed rule change to replace “direct supervision” with “responsible control.”

Rule 375.01 The Board discussed a proposed rule change to replace “direct supervision” with “responsible control.”

Rule 375.04 The Board discussed a proposed rule change to replace “direct supervision” with “responsible control.”

Rule 410 The Board discussed a proposed rule change to replace “direct and personal supervision” with “responsible control.”

Rule 550.04 The Board discussed a proposed rule change to replace “direct supervision” with “responsible control” and for the definition to match Idaho Code 54-309-(f).

The Board will continue to address these changes during future Board meetings.

NEWSLETTER

The Board discussed its upcoming newsletter. Board members are drafting articles and will submit them via e-mail to Ms. Brown by February 1, 2012. Ms. Brown will then forward the articles to Mr. Cone. Mr. Cone will bring the newsletter draft during the April Board meeting for the Board to review and

approve. Ms. Brown will then distribute the newsletter through mass e-mail to all Idaho licensed architects who have provided the Bureau with an e-mail address.

CORRESPONDENCE

The Board reviewed an e-mail from Robin Labrie requesting CE hours for the education she received as a graduate student in the architecture department of the University of Idaho.

It was moved by Mr. G. Jensen to deny the request and recommend that she submit the material and request to AIA through the self-reporting method.

Seconded by Mr. Turney, motion carried. Mr. Rockwell voted no.

WESTERN CONFERENCE OF ARCHITECTURAL REGISTRATION BOARDS

The Board reviewed the WCARB dues and discussed the upcoming NCARB, National Council of Architectural Registration Boards 2012 Joint Regional Meeting.

It was moved by Mr. Turney to pay the WCARB dues and to approve sending all Board members and Ms. Brown to the NCARB 2012 Joint Regional Meeting and to pay the registration cost and travel expenses. Seconded by Ms. Servick, motion carried.

TO DO LIST

The Board reviewed the to do list. No action was taken.

ARCHITECTS DURING CONSTRUCTION

The Board discussed the necessity of an architect during construction. Ms. Cory explained the Board's role and that it is more appropriate for an association to address scope of practice issues through the Legislature. The Board stated that it was in favor of the association moving forward to address this issue.

NCARB

The Board reviewed the correspondence from NCARB.

The Board discussed NCARB's upcoming Practice Analysis Survey.

It was moved by Mr. Turney to direct staff to mass e-mail NCARB's Practice Analysis Survey link to all Idaho licensed architects. Seconded by Mr. P. Jensen, motion carried.

Ms. Brown, Mr. Cone, and Mr. P. Jensen gave an update on their NCARB Committee work.

The Board discussed NCARB's Disciplinary Database.

It was moved by Mr. P. Jensen to direct staff to enter all past and future disciplinary information into NCARB's Disciplinary Database. Seconded by Mr. Turney, motion carried.

The Board discussed NCARB's letter to Architect Registration Examination, ARE candidates requesting an extension of the rolling clock.

The Board stated that a copy of a denied request letter should be added to the candidate's file. A candidate whose extension request is approved by NCARB would still be required to obtain an approval from the Idaho Board of Architectural Examiners. Candidates should be made aware that Mr. Turney is Idaho's Intern Development Program Coordinator and he is available for assistance.

EXECUTIVE SESSION

A motion was made by Mr. Turney that the Board go into executive session under Idaho Code § 67-2345(1) (d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. Seconded by Mr. P. Jensen. The vote was: Ms. Servick, aye; Mr. Cone, aye; Mr. Turney, aye; Mr. P. Jensen, aye; Mr. G. Jensen, aye; and Mr. Rockwell, aye. Motion carried.

It was moved by Mr. G. Jensen that the Board enter regular session. Seconded by Mr. P. Jensen. The vote was: Ms. Servick, aye; Mr. Cone, aye; Mr. Turney, aye; Mr. P. Jensen, aye; Mr. G. Jensen, aye; and Mr. Rockwell, aye. Motion carried.

APPLICATIONS

It was moved by Mr. Turney to approve the following applicants for licensure:

HEIM RICHARD P	AR-985440
ANDERSON MARVIN JUNIOR	AR-985448
LEGGETT JOHN B	AR-985456
GARDNER RICHARD SCOTT	AR-985461
COSGROVE JENNIFER	AR-985466
FISH LANCE HAYDEN	AR-985467

Seconded by Mr. Cone, motion carried.

It was moved by Mr. Turney to approve the following applicants for examination:

KELLY SHAUN

Seconded by Ms. Servick, motion carried.

NEXT MEETING 3/28/2012

ADJOURNMENT

It was moved by Mr. P. Jensen that the meeting adjourn at 1:05 PM MST.
Seconded by Mr. G. Jensen, motion carried.