

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 4/22/2016

BOARD MEMBERS PRESENT: Peter Anderson, Jr - Chair
Peter Rockwell
Jay W Cone
Garth J Jensen
Steven C Turney
Daniel K Mullin

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Marcie Rightnowar, Appeals Hearing Technician
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Cherie Simpson, Management Assistant
Deborah Sexton, Management Assistant

The meeting was called to order at 8:30 AM MDT by Peter Anderson, Jr.

APPROVAL OF MINUTES

Mr. Jensen made a motion to approve the minutes of 1/22/2016 and 2/11/2016. It was seconded by Mr. Cone. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that House Bill 482 passed and would become effective July 1, 2016. Mr. Toryanski said that in response to the U.S. Supreme Court case North Carolina Board of Dental Examiners v. Federal Trade Commission, the Governor's proposed legislation passed and goes into effect July 1, 2016. It does the following: 1. Allows the Governor to consider recommendations made by associations or any individuals residing in the state and allows him to appoint any qualified individual to Idaho boards; 2. Provides that all board members serve at the Governor's pleasure; and 3. Provides for at least one consumer member on every board. She also said that proposed law changes are due to the Governor's Office by August 1, and proposed rule changes are due to the Governor's Office by the third week in August for the 2017 Legislature.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$238,303.80 as of 3/31/2016.

INVESTIGATIVE REPORT

Ms. Rightnowar gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Rockwell made a motion to approve the Bureau's recommendation and authorize closure in case I-ARC-2016-7. It was seconded by Mr. Turney. Motion carried. Mr. Jensen recused himself from I-ARC-2016-7.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

NEW BUSINESS

PROPOSED LAWS AND RULES

Mr. Toryanski reviewed the proposed laws and rules with the Board.

Mr. Cone made a motion to approve the following law changes and submit them to the Governor's Office. The proposed changes are:

Idaho Code 54-302(b) change "and" to "or" after from an accredited architectural curriculum...

Idaho Code 54-302A 2(b) – add "or establishes that they have passed all examination divisions" at the end of the paragraph.

It was seconded by Mr. Jensen. Motion carried.

The Board reviewed the proposed rules which consisted of the following:

Updating the date of the National Council of Architectural Registration Boards (NCARB) to the 2014 edition.

Clarifying the following sections of the rules:
250.02, 300.02, 300.03, 350.03, 450.

The Board discussed Rule 375 specifically regarding the "intern" title. The Board members decided to leave the term "intern" in the laws and rules.

The Board also discussed NCARB renaming the Intern Development Program (IDP) to Architectural Experience Program (AXP) and requested Mr. Toryanski and Mr. Ellsworth review the laws and rules for areas that would need to be changed.

The Board discussed the 12 hours of health, welfare, and safety that are required in the previous calendar year prior to license renewal and said the licensee would need to make the HSW up prior to renewing.

Mr. Mullin made a motion to request Mr. Toryanski make the requested changes to the proposed laws and rules and to hold off submitting the approved law changes from a previous motion to the Governor's Office. A draft will be sent to the Board prior to the next meeting. It was seconded by Mr. Cone. Motion carried.

The Board discussed the architect seal and whether or not there is a specific design required for Idaho. The Board said it doesn't have to look a certain way but it needs to contain the information outlined in Idaho Code 54-308(1).

The Board discussed reaching out to code officials, plan checkers, school districts and counties to discuss how local official and the Board can work together to promote public protection. The Board discussed the importance of looking up and verifying that the person showing them their stamp is actually a licensed architect in Idaho. Mr. Rockwell will contact Jason Blais from the Idaho Association of Building Officials and extend an invitation to a future Board meeting.

NCARB

The Board tabled action on the National Council of Architectural Registration Boards (NCARB) resolutions until the most up-to-date version has been sent out for the Board to review. The Board scheduled a conference call for June 9, 2016 at 10 AM MDT to review the resolutions prior to the annual meeting.

WCARB

The Board reviewed the white paper for justification of membership in the Western Council of Architectural Registration Boards (WCARB) with Ms. Cory.

The Board discussed the WCARB resolutions. Mr. Cone made a motion to vote nay on resolution 2016-K and give the voting delegate the discretion to vote differently if new information becomes available. It was seconded by Mr. Jensen. Motion carried.

Mr. Rockwell made a motion to approve the NCARB dues. It was seconded by Mr. Cone. Motion carried.

ELECTION OF OFFICERS

The Board tabled the election of officers until the June 9, 2016 conference call.

PROPOSED RULES

The Board discussed Rule 250.01 and the National Architectural Accrediting Board (NAAB) accreditation. The Board requested Ms. Sexton research the latest NCARB handbook for interns and architects as outlined in the rule which states: "possess the minimum qualifications required by the NCARB handbook for interns and architects where such handbook does not conflict with Idaho law, to determine if that is the most recent version."

The Board discussed deleting Rule 600. Mr. Jensen made a motion to strike Rule 600. It was seconded by Mr. Cone. Motion carried.

EXECUTIVE SESSION

Mr. Cone made a motion that the Board go into executive session under Idaho Code § 74-206(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. It was seconded by Mr. Mullin. The vote was: Mr. Anderson, aye; Mr. Rockwell, aye; Mr. Turney, aye; Mr. Cone, aye; Mr. Mullin, aye; and Mr. Jensen, aye. Motion carried.

Mr. Cone made a motion to come out of executive session. It was seconded by Mr. Jensen. The vote was: Mr. Anderson, aye; Mr. Rockwell, aye; Mr. Turney, aye; Mr. Cone, aye; Mr. Mullin, aye; and Mr. Jensen, aye. Motion carried.

APPLICATIONS

Mr. Rockwell made a motion to approve the following for licensure:

ANDRESEN DOUGLAS DUANE AR-985997
HEILBRONNER JAMES MARK AR-986005
STEPHENSON DAVID KERR AR-986007

It was seconded by Mr. Turney. Motion carried.

Mr. Cone made a motion that the Board go into executive session under Idaho Code § 74-206(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. It was seconded by Mr. Jensen. The vote was: Mr. Anderson, aye; Mr. Rockwell, aye; Mr. Turney, aye; Mr. Cone, aye; Mr. Mullin, aye; and Mr. Jensen, aye. Motion carried.

Mr. Cone made a motion to come out of executive session. It was seconded by Mr. Jensen. The vote was: Mr. Anderson, aye; Mr. Rockwell, aye; Mr. Turney, aye; Mr. Cone, aye; Mr. Mullin, aye; and Mr. Jensen, aye. Motion carried.

Mr. Jensen made a motion to approve the following for examination.

Lisa Davis
Jada Kay Endicott
Justin Traw
Matthew Garner
Rebecca Bundy
Robert Fehrenbacker

It was seconded by Mr. Rockwell. Motion carried.

Mr. Rockwell made a motion to table applicant # 901035715 until additional documents have been received. It was seconded by Mr. Mullin. Motion carried.

Mr. Mullin made a motion to approve applicant #901144266 pending additional information submitted to the Bureau. It was seconded by Mr. Jensen. Motion carried.

NEXT MEETING DATES

June 9, 2016 at 10:00 AM MDT – Conference call
July 29, 2016 at 8:30 AM MDT

ADJOURNMENT

Mr. Cone made a motion to adjourn the meeting at 12:46 PM MDT. It was seconded by Mr. Jensen. Motion carried.

Peter Anderson, Jr, Chair

Peter Rockwell

Jay W Cone

Garth J Jensen

Steven C Turney

Daniel K Mullin

Tana Cory, Bureau Chief