

**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 7/29/2016**

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

**BOARD MEMBERS ABSENT:** Peter Rockwell

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Mitchell Toryanski, Legal Counsel  
Cherie Simpson, Management Assistant  
Deborah Sexton, Management Assistant

**OTHERS PRESENT:** Gideon Tolman, Division of Financial  
Management  
Edward McDonald

The meeting was called to order at 8:30 AM MDT by Daniel Mullin.

**APPROVAL OF MINUTES**

Mr. Turney made a motion to approve the minutes of 4/22/2016. It was seconded by Mr. Anderson. Motion carried.

Mr. Turney made a motion to approve the minutes of 6/9/2016. It was seconded by Mr. Cone. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She 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. Ms. Cory also introduced Gideon Tolman from the Idaho Division of Financial Management.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$256,169.65 as of June 30, 2016. Ms. Hall said the Board may need to consider a fee decrease for fiscal year 2018 and will continue to monitor this throughout the year.

### **FY 2017 CONTRACT**

Ms. Hall reviewed the FY 2017 contract with the Board. Mr. Anderson made a motion to approve the contract and authorize the Chair to sign. It was seconded by Mr. Jensen. Motion carried.

### **INVESTIGATIVE REPORT**

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

### **FOR BOARD DETERMINATION**

Mr. Anderson made a motion to approve the Bureau's recommendation and authorize closure in case I-ARC-2016-13. It was seconded by Mr. Cone. Motion carried. Mr. Turney was recused in this matter.

Mr. Turney made a motion to approve the Bureau's recommendation and authorize closure in case I-ARC-2016-10 and I-ARC-2016-11. It was seconded by Mr. Anderson. Motion carried.

Mr. Anderson made a motion to approve the Notice of Violation and Settlement Order in case ARC-2016-5 and authorize the Chair to sign on behalf of the Board. It was seconded by Mr. Turney. Motion carried.

The Board reviewed a report in regard to case ARC-2016-01.

### **COGNIZANT MEMBER**

The Board discussed the role of the Cognizant member. Mr. Turney made a motion to elect Mr. Cone as cognizant member. It was seconded by Mr. Anderson. Motion carried.

### **OLD BUSINESS**

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

The Board reviewed Idaho Code 54-302. Mr. Anderson made a motion to approve adding "or has successfully completed a board approved examination" to Idaho Code 54-302A -1.b. and 54-302A- 2.b and submit the proposal to the Governor's Office. It was seconded by Mr. Jensen. Motion carried.

The Board also discussed Idaho Code 54-302 and will follow-up at the next meeting to begin revising this section of the law.

The Board reviewed the proposed rule changes in length and made some suggestions. Mr. Toryanski will draft a new set of proposed rules based on the Board's comments and bring the proposal back later in the meeting.

The Board followed-up with the conversation about reaching out to code officials, plan checkers, school districts, and counties to discuss how local officials and the Board can work together to promote public protection. The Board is extending an invitation to Jason Blais from the Idaho Association of Building Officials to attend a future Board meeting.

## **NEW BUSINESS**

### **CORRESPONDENCE**

The Board reviewed correspondence in regard to "stamping a set of drawings." The Board reviewed Idaho Code § 54-308 which requires architects to have a seal and governs its use. The Board also reviewed Rule 010.04 regarding responsible control and Rule 410 regarding use of an architect seal. The Board noted it does not provide legal advice. Mr. Anderson made a motion to request Mr. Ellsworth draft a letter for the Chairman to sign directing Mr. Walker to the appropriate laws and rules and advising him he may wish to seek his own legal advice. It was seconded by Mr. Cone. Motion carried.

The Board reviewed correspondence with a question concerning whether an architect can "prepare, stamp and sign structural design and design calculations in Idaho." It is the position of the Board that such services may be performed by a licensed architect in Idaho. The Board reviewed Idaho Code § 54-309. The Board recognizes that such services may also be within the scope of practice of other professions, particularly engineering. Statutes governing the practice of architecture and those governing the practice of engineering acknowledge that they do not affect the practice of any other profession for which a license is required under the laws of the state of Idaho. The Board reviewed Idaho Code § 54-309(2)(a) and Idaho Code § 54-1223(1)(a). Mr. Anderson made motion to request Mr. Ellsworth draft a letter stating the Board's position for the Chairman to sign. It was seconded by Mr. Turney. Motion carried.

The Board reviewed proposed legislation from the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors. Mr. Turney made a motion to send a letter thanking the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors for providing the information. The Idaho Board of Architectural Examiners will send the Idaho Board of Licensure of

Professional Engineers and Professional Land Surveyors its proposed laws and rules once they are posted. It was seconded by Mr. Anderson. Motion carried.

Mr. Toryanski went over a draft of the proposed rules with the Board. The Board made some additional revisions. Mr. Anderson made a motion to approve the proposed rules as amended. It was seconded by Mr. Jensen. Motion carried.

## **NCARB**

The Board had no updates regarding the National Council of Architectural Registration Boards.

## **EXECUTIVE SESSION**

Mr. Anderson 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. Turney. The vote was: Mr. Mullin, aye; Mr. Anderson, aye; Mr. Jensen, aye; Mr. Turney, aye; and Cone, aye. Motion carried.

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

## **APPLICATIONS**

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

BALZANO KIRSTIN HALE	AR-986060
EDWARDS WILLIAM CARL	AR-986057
GRANT KIMBERLY ANN	AR-986067
STRAZZARA CARLOS (CHARLES)	AR-986059
TRIPHAHN RYAN ROBERT	AR-986085
ZIMMER ROBERT JOSEPH	AR-986075

It was seconded by Mr. Anderson. Motion carried.

Mr. Turney made a motion to approve the following for examination:

BENOIT KATHLEEN ANN	AR
CANTU CARLO R	AR
GALLEGOS JOSE OSCAR	AR
MCDONALD EDWARD L	AR
MILLETT BENJAMIN WAYNE	AR
PLASCENCIA LEMUS ANTONIO	AR

SCOTT STEPHEN D	AR
SLICHTER JEFFRY TODD	AR
TANNER BEAU DOUGLAS	AR
WATERS PAMELA KAY	AR
WOHLSCHLAGER SCOTT ALLEN	AR

It was seconded by Mr. Cone. Motion carried.

Mr. Toryanski returned and reviewed the final draft of the Board's proposed rules which includes the following:

Rule 004 – Update to the 2015 Certification Guidelines

010.01 – Add definition of AXP – Architectural Experience Program

010.05 – Add definition of NAAB – National Architectural Accrediting Body

010.06 – Add definition of NCARB – National Council of Architectural  
Registration Board.

Rule 100 – Change to the first meeting of the calendar year.

Rule 250 – Update qualifications for exam applicants

Rule 300 – Update qualifications for endorsement applicants

Rule 350.03- Update language for the ARE

Rule 375 – Update from the IDP (Intern Development Program) to the AXP  
(Architectural Experience Program)

Rule 450- Update the continuing education rule

Delete Rules 600 and 800

Mr. Anderson made a motion to approve the final version as written and submit the proposal to the Governor's Office. It was seconded by Mr. Cone. Motion carried.

**NEXT MEETING** was scheduled for September 23, 2016 at 8:30 AM.

## **ADJOURNMENT**

Mr. Anderson made a motion to adjourn the meeting at 1:00 pm. It was seconded by Mr. Cone. Motion carried.

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Daniel K. Mullin- Chair

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Peter Rockwell

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Peter Anderson, Jr,

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Tana Cory, Bureau Chief