

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 2/17/2017

BOARD MEMBERS PRESENT: Daniel K Mullin - Chair
Jay W Cone
Garth J Jensen
Randy W Haight
Allison McClintick

BOARD MEMBERS ABSENT: Peter Rockwell

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Marcie Rightnowar, Appeals/Hearing Coordinator
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Dicsie Gullick, Technical Records Specialist

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

APPROVAL OF MINUTES

Ms. McClintick made a motion to approve the minutes of 12/02/2016. It was seconded by Mr. Jensen. Motion carried.

LEGISLATIVE REPORT

Ms. Cory began the legislative report by reminding the Board of deadlines for next year's Legislature. Proposed laws must be submitted by August 1, 2017 and proposed rules must be submitted by the 3rd week in August.

Mr. Toryanski continued the legislative report. He said that the Board has one proposed law change and one proposed rule change before the Legislature currently. Mr. Toryanski described the changes proposed in the rule, which was heard by the House Business Subcommittee on 01/23/2017. The Subcommittee voted to approve the rule. Steve Turney, a past Board Member, was at the House Business Subcommittee meeting as well as the Senate Committee meeting which was held on 01/31/2017. The Senate Committee voted to approve the rule change, which will go into effect near the end of the Legislative Session.

The Bill that is before the legislature deals with licensure by endorsement and expands the exams accepted by the Board for licensure. This bill was introduced to

the House Business committee for a print hearing on 02/07/2017. It has been printed and will be heard by the committee on 02/21/2017. Mr. Rockwell has indicated that he will be in attendance. If the bill is approved by the committee, it will go to the House floor and then to the Senate if it passes.

Ms. Cory also updated the Board on a letter from the Idaho Onion Growers' Association regarding the severe weather that has affected the region. She was also contacted by Senator Lee. After reviewing the issue, the Board asked that the Bureau continue to work with the Governor's office on this issue and to specifically point out the exemption in the law but to also provide information about how to locate a licensed architect if one is needed.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$275,327.31 as of 01/31/2017.

FEE DECREASE

The Board discussed the possibility of a fee decrease being proposed in next year's Legislature. The Board asked that this item be left on the agenda for the next meeting.

INVESTIGATIVE REPORT

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

FOR BOARD DETERMINATION

Mr. Jensen made a motion to approve the Bureau's recommendation and authorize closure of case I-ARC-2017-4. It was seconded by Ms. McClintick. Motion carried. Mr. Cone was recused from discussion and voting.

COGNIZANT MEMBER

The Board discussed nominating a new Cognizant Member. No action was taken so Mr. Cone will remain as the Cognizant Member.

OLD BUSINESS

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

NEW BUSINESS

CORPORATIONS AND PROFESSIONAL ENTITIES

Based on correspondence from Pete Rockwell, the Board discussed Idaho Statute Title 30, Chapter 21, Part 9 regarding professional corporations and restrictions on ownership. The Board determined this is not a Board issue, but is a business related issue that should be directed to the Association. However, the Board asked that it be added to the next agenda since Mr. Rockwell was not in attendance.

ARCHITECTURAL FIRMS

The Board discussed correspondence from Mr. Bray regarding laws governing firms. Mr. Haight made a motion to have Ms. Sexton and Mr. Ellsworth draft a response with Board Chair approval that the portion of the law quoted in his email is no longer in effect and was repealed in 2015. It was seconded by Mr. Jensen. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from Mr. McFarland regarding engineers stamping commercial projects. Mr. Haight made a motion to have Mr. Ellsworth work with the Chair to respond to Mr. McFarland. It was seconded by Mr. Jensen. Motion carried.

NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) & WESTERN COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (WCARB) UPDATES

The Board discussed the survey received from WCARB. The Board decided to answer the survey as individuals. No other action was taken.

EXECUTIVE SESSION

Mr. Haight 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. Haight, aye; Mr. Cone, aye; Mr. Jensen, aye; Ms. McClintick, aye; and Mr. Mullin, aye. Motion carried.

Mr. Cone left the meeting during executive session.

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

APPLICATIONS

Mr. Jensen made a motion to approve the following for exam:

Richard Stewart
Katelin Thomas
Joshua Donovan
Carl Kohut
Eric Newton
Brian Coleman
Richard Scates
Philip Christensen

It was seconded by Mr. Haight. Motion carried.

Ms. McClintick made a motion to approve the following for licensure:

Robert Harvancik
Thomas Lennon,
Michael Pentecost
Jennifer Bolyn
Paul Harrington

It was seconded by Mr. Jensen. Motion carried.

Ms. McClintick made a motion to confirm the Board's previous decision regarding applicant #901024823. It was seconded by Mr. Haight. Motion carried.

NEXT MEETING was scheduled for April 28, 2017 8:30 AM MST.

ADJOURNMENT

Ms. McClintick made a motion to adjourn the meeting at 12:17 PM. It was seconded by Mr. Haight. Motion carried.