

**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 3/2/2018**

**BOARD MEMBERS PRESENT:** Peter Rockwell - Chair  
Rann W Haight  
Allison McClintick  
Daniel K Mullin  
Jay W Cone

**BOARD MEMBERS ABSENT:** Garth J Jensen

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Admin. Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Deborah Sexton, Management Assistant

The meeting was called to order at 8:30 AM MST by Peter Rockwell.

**APPROVAL OF MINUTES**

Mr. Mullin made a motion to approve the minutes of 1/12/2018. It was seconded by Ms. McClintick. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. The deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

Ms. Cory informed the Board that Sens. Burgoyne and Den Hartog mentioned to some members of the Boards served by the Bureau that they were looking at potential legislation. The concept would be to allow a person or entity that is alleged in a disciplinary proceeding to have violated the Board's laws and rules to recover attorney's fees if the person or entity was found to have not violated the Board's laws and rules. House Bill 1316 is currently before the legislature. Mr. Mullin made a motion to have Mr. Rockwell and Ms. McClintick be the Bureau's contacts to assist with this and other legislative issues. It was seconded by Mr. Haight. Motion carried.

## **INTERIM COMMITTEE UPDATE**

Mr. Ellsworth stated that the Idaho Legislature has an Interim Committee that has been studying the use of hearing officers and is also looking at the Idaho Administrative Procedure Act. Draft legislation was presented at the Interim Committee's last meeting that would make substantial changes to the Idaho Administrative Procedure Act and the way contested cases are handled. Currently House Bill 623 is before the Legislature.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$326,524.68 as of 2/28/2018.

## **INVESTIGATIVE REPORT**

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

Ms. Peel explained the voluntary surrender process with members of the Board.

Ms. Peel discussed the collections process with members of the Board.

Mr. Mullin made a motion for Mr. Cone to remain the cognizant member. It was seconded by Ms. McClintick. Motion carried.

## **OLD BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **EXECUTIVE ORDER**

The Board reviewed a rough draft of the Executive Order response and directed Ms. Eavenson and the Board specialist to work with Mr. Haight and Mr. Cone to prepare the final draft for review and final approval at the May 4, 2018 meeting.

Mr. Cone joined the meeting.

Mr. Rockwell gave an update in regard to developing a Memorandum of Understanding to involve professions in emergency times. The goal is to have a pool of experts who can be called on to perform rapid assessment of damaged structures etc., following/during a disaster, e.g. floods, earthquakes, fires. Ms. McClintick made a motion for Mr. Haight to reach out to the Idaho Office of Emergency Management and continue to follow-up on this matter. It was seconded by Mr. Cone. Motion carried.

## **APPLICATIONS**

The Board reviewed revisions to the applications. Ms. McClintick made a motion to approve the revised applications and post the applications on the web once the rules go into effect. It was seconded by Mr. Mullin. Motion carried.

## **NEW BUSINESS**

The Board reviewed correspondence from Don Hutchison regarding Idaho Code § 54-1218 which deals with the engineer's licensing statutory requirement for certain public works contracts to have the plans, specifications and estimates prepared by, and the construction reviewed by, a professional engineer. Mr. Ellsworth said the engineer's statute is currently the law in Idaho. It is not within the purview of the Board to propose a change to a statute governing another profession. The American Institute of Architects (AIA) may wish to ask the Idaho Legislature to change the requirement in Idaho Code § 54-1218. Mr. Mullin made a motion to request the Board's legal counsel draft a response for the Chairman's signature. It was seconded by Ms. McClintick. Motion carried.

The Board reviewed draft language for a postcard to be sent to licensees. Ms. McClintick made a motion to send postcards out once the laws and rules passed. It was seconded by Mr. Haight. Motion carried.

## **NCARB/WCARB**

The Board reviewed the National Council of Architectural Registration Boards (NCARB) draft resolutions for the annual conference in June. Ms. McClintick will be attending the Western Council of Architectural Registration Boards (WCARB) regional meeting and will gather additional information. The Board will follow up at the next meeting.

## **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 Ms. McClintick. The vote was: Mr. Rockwell, aye; Ms. McClintick, aye; Mr. Cone, aye; Mr. Mullin, aye; and Mr. Haight, aye. Motion carried.

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

## **APPLICATIONS**

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

BOWMAN WELDON	AR-986320
BRINKLEY JONATHAN	AR-986293
KERR GARY ARTHUR	AR-986322
SLICKER JOSEPH MAXWELL	AR-986350
STANICAR MICHAEL V	AR-986334
THORNHILL TERENCE LYN	AR-986328
WILSON ERIC CHANDLER	AR-986325
WILSON FREDERICK H	AR-986306

It was seconded by Mr. Haight. Motion carried.

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

FERRAL VICTOR  
HART JESSE  
LETHAM JASON P  
LEWIS BRANDON SHAWN  
FITZPATRICK WILLIAM KNOX

It was seconded by Mr. Mullin. Motion carried.

### **NEXT MEETING**

May 4, 2018 at 8:30 AM  
June 8, 2018 at 8:30 AM  
August 24, 2018 at 8:30 AM  
October 19, 2018 at 8:30 AM  
December 7, 2018 at 8:30 AM

### **ADJOURNMENT**

Ms. McClintick made a motion to adjourn the meeting at 12:42 PM. It was seconded by Mr. Haight. Motion carried.

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Peter Rockwell, Chair

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Jay W Cone

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Garth J Jensen

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Rann W Haight

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Allison McClintick

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Daniel K Mullin

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Tana Cory, Bureau Chief