

MINUTES
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL

March 27, 2006

2:00 P.M. Eastern Time

Toll Free 800.416.4254 or Direct 850.922.2903

Call to Order

Mr. Gonzalez, Chair, called the meeting to order at 2:05 p.m. Mr. Gonzalez welcomed the new board members, Ms. Dolan and Ms. Solera. Ms. Solera was not able to attend the meeting. Ms. Chastain advised the board that because of the recent appointments and paperwork, Ms. Dolan and Ms. Solera would not be able to vote. Ms. Membiela advised the board that she did not receive her agenda in time for review and would only participate in voting for items received via e-mail.

Board members present:

Rick Gonzalez, Chair
Neil Hall
Stephen Schreiber
Rossana Dolan
Mary Jane Grigsby
Roymi Membiela
Sharon Del Bianco
Joyce Shore
Kenneth Horstmyer
Garrick Gustafson

Others present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Jerry Hicks, Board Consultant
Juanita Chastain, Executive Director
Terri Estes, Board Staff
William Woodsmall
Lisa Miles-Briggs
Bruce Herrington
Vivian Hoover
Mary Keating
Chris Goble
Dale Scott
Sandra Bourgeois
And other interested parties

Application Review

Architecture

Architecture Endorsement

William Woodsmall

Mr. Woodsmall was present. Mr. Hicks presented the application and commented that there was legal information that had been resolved; however, he felt the board should review the application for approval. Mr. Woodsmall commented that he was a registered architect in Alabama and was employed by the state. He commented that during his employment he received high annual evaluations and commendations. He commented that he made some bad decisions that resulted in an investigation initiated by the state regarding the handling of a state budget contract. He commented that they found no improprieties with budgetary expenses or the administration of contracts or specialty contracts.

Mr. Woodsmall commented that during the initial investigation other issues were brought to light and Alabama convicted him of falsifying a joint income tax form for 1993 and 1994, and failing to file a 1995 tax return form. He commented that he was charged with personal use of a state telephone, cellular telephone, facsimile, falsifying work time, and failure to disclose entering into a public contact with UAB. He commented that the contract with UAB was entered into prior to state employment and he suspended the contract while working with the state. He commented that he had written documentation from his agency director approving his UAB contracts, therefore, a public disclosure form was completed prior to his evaluations. He didn't fight the issue because he had exhausted his funds and it was easier to plead out the case. He commented that he had unofficial compensation time that he and his supervisor had an agreement and he was advised to submit a timesheet reflecting 40 hours even if he was using compensated time. He commented that he had an accurate log of his time. He commented that he paid his monthly statements for the telephone charges and he paid them up until the investigation began and they would no longer allow him the access the telephone records to determine and pay for his personal time charges.

Mr. Woodsmall commented that he had a current license and had practiced in Alabama for 20 years, obtained a NCARB certification, and always endeavored to provide the highest level of service to his clients. He requested that the board approve his application.

Motion: Mr. Schreiber moved to approve the application as presented.

Second: Mr. Hall seconded the motion and it passed unanimously.

Interior Design Certificate of Authorization

Club Design Group, Inc.

Ms. Miles Briggs was present. Ms. Grigsby commented that the application reflected commercial projects. Mr. Minacci commented that a \$500 citation for operating without a certificate of authorization was issued and had been paid.

Motion: Ms. Grigsby moved to approve the certificate of authorization.

Second: Mr. Hall seconded the motion and it passed unanimously.

Architecture Certificate of Authorization

Herrington Architects, PC

Mr. Herrington was present. Mr. Hicks commented that he referred the application for prior practice. Mr. Minacci advised that a citation had not been issued for the application. Ms. Chastain commented that the business had a license that went delinquent in 2001 and null and void in 2003.

Mr. Herrington commented that he received his personal license in 1998 and immediately applied for a certificate of authorization license. He commented that they renewed the business license in 1999 and then they moved. He commented that he did not receive the renewal notice and they were not seeking business in Florida. He commented that when they realized they did not have the business license they made application and were forthright with the information provided regarding practice.

Motion: Ms. Grigsby moved to approve the application with a \$500 fine.

Second: Mr. Schreiber seconded the motion and it passed unanimously.

Irongate Interiors, Inc.

Ms. Hoover and Ms. Keating were present. Mr. Minacci advised that a \$500 citation had been issued and paid.

Motion: Ms. Grigsby moved to approve the application as presented.

Second: Mr. Hall seconded the motion and it passed unanimously.

Architecture Business Name Change

Taylor Scott Architects, Inc. to Scott & Goble Architects, Inc.

Mr. Goble, Mr. Scott, and Ms. Bourgeois were present. Mr. Hicks commented that the application reflected services offered.

Motion: Ms. Del Bianco moved to approve the name change application with a \$500 fine.

Second: Mr. Gustafson seconded the motion and it passed unanimously.

Mr. Schreiber had to leave the conference call early.

Ratification Lists

Licensure list (faxed/e-mailed)

Interior Design Applicants by Endorsement Items 1-12

Interior Design Businesses Items 13-15

Architecture Applicants by passage of examination
Items 16-24

Architecture by Endorsement
Items 25-63

Architecture Businesses
Items 64-67

Architecture Business Name Change
Items 68-70

Motion: Ms. Del Bianco moved to approve the list as presented.
Second: Mr. Hall seconded the motion and it passed unanimously.

Discussion/For information

Probable Cause Panel

Ms. Chastain requested Mr. Gonzalez to appoint a member to replace Mr. Bullock on the panel since he was not reappointed to the board. Mr. Gonzalez requested that Mr. Hall serve. Mr. Hall agreed to serve on the panel. Mr. Gonzalez polled the consumer members to verify if they were interested in serving on the panel which there were none.

NCARB Delegate

Ms. Chastain requested that Mr. Gonzalez appoint a member to replace Mr. Bullock as the NCARB delegate since he was not reappointed to the board. Mr. Gonzalez requested that Ms. Chastain contact Mr. Schreiber to serve as the delegate.

Substitute NCARB Policy Regarding ARE Timing

Resolution – Member Board Executive to Serve on the Board of Directors

Southern Conference Memorandum – IDP/ARE Timing and Region 3 Resolution

E-mail from Jeff Huberman

NCARB Fast Facts February 17, 2006

Ms. Chastain commented that NCARB has taken the position that there was no evidence of increased health, safety, and welfare risk to the public if the candidate, with the appropriate degree, is permitted to take the ARE after one year of IDP. She commented that Florida already allows for testing prior to completion of IDP. She commented that NCARB was proposing that the resolution be accepted at the upcoming meeting. She commented that there was a substitute policy or resolution that NCARB Region 3 was proposing that the policy would remain the same of graduation, completion of IDP, then testing. She commented that Region 3 was requesting Florida's position. She commented that Florida currently allows for the new resolution.

Ms. Chastain requested that the board provide her direction regarding the NCARB questionnaire.

Will the board support the NCARB board policy which was changing to the out of sequence testing? The board replied, yes.

Will your board change its rules to allow for some examinations to given prior to completion of IDP if the membership approves the NCARB board policy? The board replied that Florida currently allows for that, no changes.

Does your board believe that NCARB board policy will help or hinder the process? The board replied, neither.

Will your board look behind the blue cover of residents of your jurisdiction that take the ARE in another jurisdiction? The board replied, no.

Does your board have an opinion about the perception that IDP may be legally jeopardized if candidates take and pass the ARE prior to completing IDP training? The board replied, yes.

The board discussed the aforementioned question at length and determined the answer should be yes. Portions of the tape were inaudible.

Does your board have a concern that the public's health, safety, and welfare may be compromised by the NCARB policy? The board replied, no.

NCARB Member Board Executives

Ms. Chastain commented this was a proposal that Member Board Executives be elected to serve on the Council Board of Directors. Ms. Del Bianco commented that she thought it was an excellent idea and would like Ms. Chastain to volunteer. The board supported the request.

Florida Building Code Outreach and Education Council – Mr. Rodriguez

Suggested items for the continuing education handbooks

Building Code Administrators and Inspectors Board rule 61G19-9.004

Ms. Del Bianco commented that there were continuing education course fees that must be paid to develop courses. She commented that they requested that the fee be waived from one state department to another. The board agreed to waive the fee.

Ms. Chastain commented that the board previously discussed granting continuing education credit for attending board meetings and Florida Building Commission meetings. The board discussed whether board members should receive continuing education credit for attending board meetings or Florida Building Commission meetings. The board determined no credit for board meetings because they are paid for attendance but could receive credit for the commission meetings.

The board determined to allow a maximum of 4 hours of credit for board meeting attendance on either day or commission meeting attendance. The board determined to allow for board members to receive credit for attending commission meetings.

Addendum

CEU Accreditation for Accessibility for Course Number AR.01.1254

Ms. Chastain commented that the provider offered the course and did not realize it had expired. She commented that there were 26 licensees that took the course and was requesting direction. Ms. Chastain asked Ms. Clark if his method of remedy would be a rule waiver. Ms. Clark asked Ms. Chastain to provide the rule she was referring.

Ms. Clark commented that it appeared they were requesting retroactive approval. Ms. Del Bianco asked if there was a way to fine the provider for offering a course that was expired. Mr. Hall commented that the question was whether the licensee knew the course was expired. Ms. Chastain commented that the course was offered through Miami-Dade County Office for ADA Coordination which is an approved provider and the course was a 4 hour accessibility course offered to architects and contractors. She commented that the course expired February 28, 2005. Mr. Hall commented that the course was previously approved. Ms. Clark commented that Chapter 481.215(3), Florida Statutes, which states that the board may make an exception from the requirements of continuing education in an emergency or hardship cases. She advised that the board could make a determination without a waiver or variance petition whether the letter established an emergency or hardship case to retroactively approve the request.

Ms. Del Bianco commented that she did not want to make it too easy because all of the providers would be making the request. She requested that the issue be looked at for disciplining providers for falsely advertising courses. The board discussed the need of a licensee to verify that a course they are taking is approved prior to taking the course. The board wanted to assist the licensee but wanted the providers to be responsible. Ms. Clark commented that discipline would require an investigation and action by the prosecuting attorney. Ms. Del Bianco asked Ms. Clark to look at the handbook with staff to allow the board the ability to discipline a provider when they have had numerous complaints.

House Amendment for Council/Committee Purposes
Senate Bill 2652

Mr. Hall asked why the language for contract or construction administration was removed. Mr. Manausa commented that he spoke with Florida AIA and they received a lot of opposition.

Mr. Hall asked if board members could lobby the legislature so they could support the legislative language. Ms. Clark responded that board members did not need to register before lobbying the legislature regarding a matter related to the board and each of the members have a right to appear before the legislature and identify yourself as a member of the board and represent that the opinions offered are shared by other board members.

New Business

No new business.

Old Business

Ms. Chastain asked if the board would be willing to change the upcoming meeting schedule within the dates set. The board was not able to reschedule the meeting.

Adjourn

The meeting adjourned at 3:15 p.m.