

MINUTES

**Board of Architecture and Interior Design
Hilton St. Augustine Historic Bayfront
32 Avenida Menedez
St. Augustine, Florida 32084**

**January 28, 2010
9:00 a.m.**

General Business

Call to Order

Mr. Ehrig called the meeting order at 9:05 a.m., a quorum was established and a prayer performed.

Board Members Present:

John Ehrig, Chair
Wendell Hall, Vice-Chair
Rossana Dolan
Eric Kuritzky
Lourdes Solera
Aida Bao-Garciga
Garrick Gustafson
Wanda Gozdz
Joyce Shore

Board Member Absent:

Mary Jane Grigsby, excused

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Anthony Spivey, Executive Director
Terri Estes, Government Analyst
M. H. Allen, Investigator
Edwin Bayo
Russell Brabec
Diana Perrera
Michael Schenck
Faulkner Eyo

Court Reporter: Volusia Reporting Company

Disciplinary Cases

Mr. Minacci requested that the board approve the following cases on a consent agenda based on the settlement stipulations mirrored the probable cause panels recommendation.

Settlement Stipulations

Licensed

DBPR vs. Jamie Colmenares
Case Number 2008-037830
PCP: Rodriguez, Wirtz, and Gustafson

DBPR vs. Raymond L. Enfield
Case Numbers 2008-037812
PCP: Rodriguez and Gustafson

DBPR vs. LA Design, Inc. and Linda Allard
Case Number 2009-032767
PCP: Rodriguez and Gustafson

DBPR vs. David E. Langlais and David Langlais & Associates
Case Number 2009-018707
PCP: Rodriguez, Wirtz, and Gustafson

DBPR vs. Perla Lichi and Perla Lichi Design
Case Number 2008-031275
PCP: Rodriguez, Wirtz, and Gustafson

Unlicensed

DBPR vs. Edgar Aldana
Case Number 2009-034956
PCP: Rodriguez and Gustafson

DBPR vs. Talmadge Paige and Paige Drafting Services
Case Number 2008-020169
PCP: Rodriguez, Wirtz, and Gustafson

Motion: Mr. Hall moved that the board adopt the settlement stipulations as presented.

Second: Ms. Shore seconded the motion and it passed unanimously.

Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact

Licensed

DBPR vs. Russell G. Brabec and Design & More
Case Number 2009-005445

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. Mr. Brabec was present, sworn in and represented by Edwin Bayo. Mr. Minacci presented the case and commented that the respondent began a project prior to authorization by the client. Mr. Brabec offered electrical and plumbing services outside the scope of his interior design license and offered the services through an unlicensed business entity. Mr. Brabec responded to the administrative complaint and did not dispute the facts.

A four count administrative complaint was filed for failure to clearly define the scope of services, offered services outside the scope of his license, misconduct in the practice of interior design, and offering interior design services through a business entity without a certificate of authorization. The panel recommended a reprimand, a \$4,000 fine plus costs, and two-years probation.

Mr. Bayo commented the complainant acted in malice by filing civil, criminal, and licensure complaints. The client and the licensee had a social relationship and the licensee acted as the client's owner's agent. He commented that Mr. Brabec learned a lot from this case.

Mr. Brabec commented that the client was a friend and all individuals used on the project were licensed. The client travelled a lot, kept the loaned furniture and did not have the funds to complete the project. He commented that they met with a mediator and came to an agreement to resolve the issue. The client came back for additional money after the mediation and threatened Mr. Brabec.

The board reviewed the investigative report and the project in question. After discussion the following motion was made.

Motion: Ms. Solera moved that the board adopt the conclusions of law and findings of fact as set forth in the administrative complaint.

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

Motion: Ms. Solera moved that the board impose a reprimand, a \$4,500 fine plus costs, and two-years probation.

Second: Mr. Kuritzky seconded the motion.

Mr. Bayo requested that the board not impose a fine or probation based on 25 years of practice with no violations, the current economic conditions, and allow a payment plan.

Motion: Ms. Solera modified her motion to impose a \$3,000 fine plus costs and 18 months to pay the penalty.
Second: Mr. Kuritzky seconded the modified motion and it passed unanimously.

Settlement Stipulation

Unlicensed

DBPR vs. Rebekah Pariz and Rebekah Pariz Interior/Architectural Design, Inc.
Case Number 2008-006592

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. Diana Perrera was present to represent the respondent. Mr. Minacci presented the case and commented that the respondent contracted to offer architectural services on a residential project, offered architectural services on letterhead, and offered architectural services through a business entity without a certificate of authorization.

A three count administrative complaint was filed for practicing architecture without a license, using the title architect without a license, and offering architectural services through a business entity without a certificate of authorization. The panel recommended a \$15,000 fine plus costs.

The settlement stipulation reflected a \$2,500 fine plus costs. The fine was reduced because this was a first offense, the respondent agreed to comply, and the project was residential.

Ms. Perrera advised that she counseled Ms. Pariz regarding the statutes and rules. After discussion the following motion was made.

Motion: Mr. Kuritzky moved that the board adopt the settlement stipulation as presented.
Second: Ms. Shore seconded the motion and it passed unanimously.

Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact

Licensed

DBPR vs. Michael L. Schenck
Case Number 2008-067349

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. Mr. Schenck was present and sworn in by the court reporter.

Mr. Minacci presented the case and commented that the respondent practiced on a suspended license. A one count administrative complaint was filed for practicing on a suspended license. The respondent filed an election of rights and did not dispute the facts.

The panel recommended a \$2,500 fine plus costs. Mr. Schenck commented that he was not aware of the special building code course but had now completed the course. He commented that the fine was excessive and requested leniency.

After discussion the following motion was made.

Motion: Mr. Kuritzky moved that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Ms. Solera seconded the motion and it passed unanimously.

Motion: Mr. Kuritzky moved that the board impose a \$100 fine, \$500 costs, and 12 months to pay the penalty.

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

Motion for Order Waiving Formal Hearing

Licensed

DBPR vs. Faulkner Eyo and DZN International Inc.

Case Number 2008-015480

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. Mr. Eyo was present and sworn in by the court reporter. Mr. Minacci presented the case and commented that the respondent was paid for drawings that were rejected by the building department. A two count administrative complaint was filed for misconduct in the practice of architecture and offering architecture through a business entity without a certificate of authorization. The administrative complaint was hand delivered October 13, 2009 and the respondent failed to respond to the administrative complaint.

The panel recommended a reprimand and \$1,500 fine plus costs.

Mr. Eyo disputed the allegations in the administrative complaint. Ms. Clark reviewed the allegations to determine if he in fact disputed the facts of the administrative complaint.

The board was not able to hear the case due to Mr. Eyo disputing the facts in the administrative complaint.

Unlicensed

DBPR vs. John B. Carroll and Carroll Holdings, Inc.

Case Number 2007-027416

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent was not present or represented by counsel. Mr. Minacci presented the case and commented that the respondent contracted to provide architectural services for a residential project; the respondent represented himself as an architect, and offered architectural services through a business entity without a certificate of authorization.

A three count administrative complaint was filed for practicing architecture without a license, using the title architect without a license, and offering architectural services through a business entity without a certificate of authorization. Service of the administrative complaint failed by hand delivery but was achieved by publication. The respondent failed to respond.

The panel recommended a \$15,000 fine plus costs. After discussion the following motion was made.

Motion: Mr. Kuritzky moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto. He further moved that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Kuritzky moved that the board impose a \$15,000 fine plus costs.

Second: Ms. Solera seconded the motion and it passed unanimously.

DBPR vs. John F. Eller and SB Architects

Case Number 2008-056274

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent was not present or represented by counsel. Mr. Minacci presented the case and commented that the respondent offered architectural services on his web site without a license.

A one count administrative complaint was filed for practicing through a business entity without a certificate of authorization. The administrative complaint was hand delivered November 16, 2009. The respondent failed to respond.

The panel recommended a \$500 fine plus costs. Mr. Minacci reported that he received an e-mail from the respondent and they agreed to pay the fine and costs. After discussion the following motion was made.

Motion: Ms. Solera moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Ms. Solera moved that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Ms. Solera moved that the board impose a \$500 fine plus costs.

Second: Ms. Shore seconded the motion and it passed unanimously.

Settlement Stipulations

Unlicensed

DBPR vs. Warren Mertins and Architectural Services & Engineering, Inc.

Case Number 2009-004867

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent was not present or represented by counsel. Mr. Minacci presented the case and commented that the respondent was a licensed engineer offering architectural services through the business name and advertisements without a license.

A three count administrative complaint was filed for offering architectural services without a license, using the title architect without a license, and offering architectural services through a business entity without a certificate of authorization.

The panel recommended a \$7,500 fine plus costs. The stipulation reflected a \$2,500 fine plus costs. The fine was reduced because it was a first time offense and the respondent agreed to comply.

Motion: Mr. Hall moved that the board adopt the settlement stipulation as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

DBPR vs. Fernando Gomez-Pina

Case Number 2008-051730

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent e-mailed that he had a family emergency and was not able to appear. Mr. Ehrig commented that he had a concern with the stipulation because this was a second offense. After discussion the following motion was made and the board requested that Mr. Gomez-Pina appear before the board.

Motion: Mr. Hall moved to reject the settlement stipulation as presented.
Second: Mr. Kuritzky seconded the motion and it passed unanimously.

DBPR vs. Gregory Kohn and IGK Enterprises, Inc.

Case Number 2008-049925

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent was bankrupt, the project was residential, and he requested a continuance.

Motion: Mr. Hall moved that the board grant the request for continuance.
Second: Mr. Kuritzky seconded the motion and it passed unanimously.

Voluntary Relinquishment

DBPR vs. Thomas L. Strickland and Suncoast Design Group, Inc.

Case Number 2009-015616

Motion: Mr. Kuritzky moved that the board adopt the voluntary
relinquishment.
Second: Ms. Shore seconded the motion and it passed unanimously.

Application Review

David L'Anglais & Associates, Inc.

The application was on the board agenda for review based on prior disciplinary action.

Motion: Ms. Solera moved that the board approve the application as
presented.
Second: Ms. Gozdz seconded the motion and it passed unanimously.

New Business

No new business.

Old Business

No old business.

Recess

The meeting recessed at 11:03 a.m.

MINUTES

**Board of Architecture and Interior Design
Hilton St. Augustine Historic Bayfront
32 Avenida Menedez
St. Augustine, Florida 32084**

**January 29, 2010
9:00 a.m.**

General Business

Call to Order

Mr. Ehrig, Chair, called the meeting to order at 9:10 a.m. and a quorum was established.

Board Members Present:

John Ehrig, Chair
Wendell Hall, Vice-Chair
Rossana Dolan
Eric Kuritzky
Lourdes Solera
Aida Bao-Garciga
Garrick Gustafson
Wanda Gozdz
Joyce Shore

Board Member Absent:

Mary Jane Grigsby, excused

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Anthony Spivey, Executive Director
Terri Estes, Government Analyst
M. H. Allen, Investigator
Vicki Long, Florida AIA
Nathan Butler, Florida AIA
Janice Young, IDAF
Emory Johnson

Review and Approval of Meeting Minutes

October 28, 2009 Probable Cause Panel Meeting Minutes

Motion: Mr. Gustafson moved that the board approve the meeting minutes as presented.
Second: Mr. Kuritzky seconded the motion and it passed unanimously.

October 29-30, 2009, General Business Miami Florida

Motion: Mr. Kuritzky moved that the board approved the meeting minutes as presented.
Second: Mr. Gustafson seconded the motion and it passed unanimously.

Request for Waiver/Variance of Rule 61G1-22.002, F.A.C. (VW2009-763)

Ms. Wolf was present and sworn in by the court reporter. She commented that she had the required education and passed the NCIDQ examination. She commented that she had been unsuccessful in obtaining work experience validation from the licensed interior designer.

Ms. Clark commented that the petition was for the board to waive the requirement that the applicants experience record be based upon written statement by the employer or supervising licensed interior designer. Ms. Wolf provided a copy of her written verification that she provided to NCIDQ in order to take the examination. She commented that she could provide a verification form from the employer but was not able to obtain validation from the supervising licensed interior designer.

Motion: Mr. Hall moved that the board approve the request for waiver/variance based on the experience verification form provided from NCIDQ.
Second: Mr. Gustafson seconded the motion and it passed unanimously.

Danielle Wolf – interior design endorsement

Application Review

Ronald Treharne

Mr. Treharne was present and sworn in by the court reporter. Ms. Estes presented the application and commented that he was licensed in Colorado and Texas based on a four year Bachelor of Science in Architecture degree, completed the NCARB IDP, and the examination. However, Florida Statutes require he complete one year of internship after graduation from an approved program in architecture. Mr. Treharne graduated from FAMU with a Bachelor of Architecture in May 2009.

Ms. Clark reviewed Chapter 481.213(3) (c) and 481.211(2), Florida Statutes. She advised the board that the statutes were not subject to variance or waiver.

Ms. Estes commented that Mr. Treharne completed NCARB IPD and was not able to return to them to begin another internship to complete Florida's one year requirement.

Ms. Clark referred the board to Rule 61G1-13.0021, Florida Administrative Code to discuss if Mr. Treharne completed an equivalent program to the statutory requirements.

The board discussed that he must complete one year of internship or practice after graduation which would be May 2010. The board discussed allowing Mr. Treharne the ability to provide letters from his current employers to validate his work experience at the upcoming May 2010 board meeting in order to satisfy the one year statutory requirement.

Mr. Treharne commented he understood that he did not meet the letter of the law regarding his internship but felt he met the intent of the law. He provided information regarding his education and teaching background.

Mr. Treharne waived his Chapter 120, Florida Statute, application processing rights and requested that his application be continued to the May 2010 board meeting.

Ms. Clark reviewed Rule 61G1-13.002(5), Florida Administrative Code; an applicant's experience record shall be based on written statement as to employment from employees or supervisors of the applicant, etc.

Mr. Treharne will appear at the May 2010 meeting and provide the required written statements for the board to evaluate.

Request for Board approved curricula per Rule 61G1-22, F.A.C.

Art Institute of Pittsburgh On-Line Program

Ms. Estes presented the request and referred the board to Mr. Butler's review and approval recommendation as a board approved interior design curricula. Ms. Shore provided information regarding the interaction of the students with the school and the on-line learning process and group study sessions. After discussion the following motion was made.

Motion: Mr. Hall moved that the board approve the Art Institute of Pittsburgh On-Line Program as a board approved curricula per Rule 61G1-22, F.A.C.

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

Locke vs. Board

Eva Locke, Pat Levenson, Barbara Vanderkolk Gardner, National Federation of Independent Business (NFIB) vs. the Florida Board of Architecture and Interior Design

Update from Jonathan Glogau

1. Defendants' Reply to Plaintiffs' Response to Defendants' Motion for Summary Judgment
2. Plaintiffs' Response to Defendants' Motion for Summary Judgment

3. Defendants' Memorandum in Response to Plaintiffs' Motion for Summary Judgment
4. Order
5. Plaintiffs' Motion for Summary Judgment and Brief in Support
6. Defendant, Shore's response to Motion to Compel
7. Plaintiffs' Motion to Compel Defendant Joyce Shore to Answer Three Specific Deposition Questions
8. Report of Jere Bowden
9. Minutes of October 8, 2009 meeting, Lawsuit Discussion
10. Defendants' Response to Plaintiffs' First Set of Interrogatories
11. Plaintiffs' Response to Defendants' First Set of Interrogatories
12. Plaintiffs' Response to Defendants' First Request for Production of Documents
13. Preliminary Injunction
14. Plaintiffs' and Defendants' Agreed Motion for Preliminary Injunction
15. Minutes of July 28, 2009 meeting, Lawsuit Discussion
16. Plaintiffs' Motion for Preliminary Injunction and Brief in Support
17. Defendants' Answer
18. Complaint for Declaratory and Injunctive Relief

Mr. Glogau was present, provided a report and reviewed the Preliminary Injunction for the board.

Mr. Glogau reported that the Judge could rule on the issues without a trial. A hearing was held January 20, 2010. He commented that the arguments and hearing went well. He commented that he was cautiously optimistic regarding the licensing issue.

Mr. Glogau reported that the Judge agreed with the statute regarding the Commerce Law.

Mr. Glogau reported that anyone using the title interior designer indicated that they were licensed and it was deceptive to use the title if an individual was not licensed. He commented that he was not sure if the Judge was going to agree.

Mr. Glogau reported that an Order would be issued soon.

The board thanked Mr. Glogau for his service defending the board.

Ratification Lists

Licensure

Motion: Ms. Solera moved to approve the ratification list as presented.
Second: Mr. Gustafson seconded the motion and it passed unanimously.

Continuing Education

Motion: Mr. Kuritzky moved to approve the list as presented.
Second: Ms. Shore seconded the motion and it passed unanimously.

General Discussion and Information

100 % Monitoring and Reporting of Continuing Education

The board discussed the monitoring process and the percentage of compliance. Ms. Estes reported that it would cost the board \$275,130 for the Bureau of Education and Testing to perform a 100% audit of all licensees. The board is not able to use the 100% monitoring system in place for other professions because the board has automatic approved providers. The board discussed having the licensees self report but determined that was not the best route to pursue. The board determined to continue monitoring continuing education compliance with random percentage samplings.

Google Postings

E-mail from Joseph Dowd and Letter from Mitzie Fisher

Ms. Clark commented there was no duty for the board to respond to the agenda item. The department uses Google for licensing and enforcement as well as Smith, Thompson, Shaw and Manausa posting the violations.

NCARB Regional Directors Report

Letter from Dennis Ward

NCARB Board of Directors Meeting October 2009 – Summary Notes

The board did not discuss the agenda item.

Rules Report and Discussion

Rules Report

Ms. Clark reported that Rule 61G1-11.013, F.A.C., definitions was noticed, no comments received, and should be adopted and effective by the next board

meeting as well as Rule 61G1-24.002, F.A.C., architecture continuing education handbook.

Ms. Clark reported that Rule 61G1-12.004, F.A.C. disciplinary guidelines was noticed for development and the draft language was provided for review. The statutory language that required a rule was failure to notify the department of a criminal conviction within 30 days. After discussion the following motion was made.

Motion: Ms. Solera moved that the board impose a minimum of a reprimand and a maximum penalty \$5,000 fine.

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

Motion: Mr. Hall moved that the rule change would not impact small business.

Second: Ms. Solera seconded the motion and it passed unanimously.

Ms. Clark reported that Rule 61G1-12.005, F.A.C. citations was noticed for development and the draft language was provided for review. The statutory language that required a rule was failure to notify the department of a criminal conviction within 30 days. After discussion the following motion was made.

Motion: Ms. Solera moved that the board impose a minimum of a \$250 fine.

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

Motion: Ms. Solera moved that the rule change would not impact small business.

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

Interior Design Continuing Education Handbook

Ms. Clark reported that Rule 61G1-21.003, F.A.C., interior design continuing education handbook was noticed and the proposed changes were presented to the board.

Motion: Ms. Shore moved that the board adopt the proposed language as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Ms. Clark confirmed that the Rule 61G1-21.003, F.A.C., would change from effective dates and revision dates to January 2010.

Motion: Ms. Solera moved that the board adopt the effective dates and revision dates to January 2010.

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

Motion: Ms. Solera moved that the changes to Rule 61G1-23.003 would not impact small business.
Second: Mr. Hall seconded the motion and it passed unanimously.

Reclassification of Minor violations
Chapter 455.2255, F.S. and Chapter 455.225, F.S.
Draft Order (Example)
Request from Keith C. Hock, Case 92-05862
Request from Debra DeMaria and Vogue Interiors, Case 2004-059718
Request from George Heery, Case 2005-016575
Request from Rochelle Siegel, Case 93-14247

Ms. Clark commented that the department would answer the petitions not the board. Ms. Estes would discuss with the department and bring back the item for further guidance if needed.

Reports

Chair's Report – John Ehrig

Mr. Ehrig commented that he was looking forward to the resolution of the litigation.

Executive Director's Report – Tony Spivey
Financial Report Ending September 30, 2009

Mr. Spivey reviewed the financial report, reported that the board loaned funds to other board and would be paid back with interest, and commented that the board was in good financial condition.

Mr. Spivey reported that Secretary Drago was promoted to the Governor's Office and the Interim-Secretary was Charlie Liem.

Mr. Spivey reported that there would be a cash sweep in the future.

AIA Report – Vicki Long

Ms. Long reported that Nathan Butler would provide a presentation on Florida AIA's efforts regarding the NCARB Intern Development Program.

Mr. Butler reported that they embarked on a strategic plan years ago which included outreach to students to become architects. He commented that Florida AIA in conjunction with NCARB scheduled outreach visits to the NAAB accredited school as well as pre-professional schools regarding internship and licensure.

Mr. Butler reported that Florida was handled in six regions with an IDP coordinator in each region. There was a kick-off program in January 2010.

Mr. Butler commented that their long term goal was to bring together architect, engineers, interior designers, and construction industry profession to outreach to high schools school students.

Mr. Butler reported that they offer a newsletter to interns called Epi-Gram. He reported that Florida was one of the first states to have current NCARB IDP information available to interns.

Ms. Bao-Graciga commented that she attended the FIU presentation that Florida AIA and NCARB provided and it was informative.

Ms. Dolan asked if Florida AIA was recruiting licensed architects for the students. Mr. Butler replied that the local chapters were holding more events to recruit and encourage licensed architects to mentor or supervise the interns.

Mr. Butler reported that interns do not have to be members of Florida AIA in order to get information from the chapter coordinators.

Ms. Long reported on the political and legislative shifts based on term limits. She reported on the state of the economy regarding construction and the related professions. She reported on Florida AIA's downturn of membership and the increase of state licensure.

Ms. Long read a letter to the board from Rick Logan, Florida AIA President. He requested that the board focus their efforts on unlicensed activity instead of licensed minor technical infractions.

IDAF – Janice Young

Ms. Young reported on an article in the Monday Morning Quarter Back called "Florida Design Law versus the Big Boxes". It refers to a complaint and investigation filed by the Institute for Justices' attorney Clark Nielly against large stores offering interior design services. The large box stores were operating under retail exemption, a notice of cease and desist was issued, and no violation found.

Ms. Young reported that they had a production Legislative Day in January. She reported on Senate Bill 648 and the building code relating to construction.

Ms. Young reported that on the private and publically funded interior design programs. The privately funded programs still offer associate degrees and the publically funded programs offer only bachelor degrees.

Addendum

Application Review

Nadine Greenstein – interior design direct endorsement
Ms. Greenstein was not present or represented by counsel. Ms. Estes presented the application and referred the board to Mr. Butler's denial recommendation based on failure to meet the minimum education requirements.

- Motion: Ms. Shore moved that the board deny Ms. Greenstein's application based on Chapter 481.213(3) (a) and 481.209(2), F.S. and failure to meet the education requirements.
- Second: Ms. Bao-Garciga seconded the motion, Mr. Hall opposed and the motion passed.

Review and Approval of Meeting Minutes

December 3, 2009, Telephone Conference Call

- Motion: Mr. Kuritzky moved that the board approve the minutes as presented.
- Second: Ms. Gozdz seconded the motion and it passed unanimously.

For Information and Discussion

Professional Boards Media Relations Guide

Mr. Spivey reviewed the document on how the board members should respond to media inquiries.

Reports

General Counsel's Report – Mary Ellen Clark

Ms. Clark had no report.

Prosecuting Attorney's Report – David K. Minacci
Licensed Architecture Legal Cases
Licensed Interior Design Legal Cases
Unlicensed Architecture Legal Cases
Unlicensed Interior Design Legal Cases
Licensed/Unlicensed Investigative Cases
Fines Chart – Summary
Fines Chart – Licensed
Fines Chart – Unlicensed

Billable Hours September 2009
Billable Hours October 2009
Billable Hours November 2009
Billable Hours December 2009
Board Meeting Results October 29, 2009
Press Releases/Speaking Engagements/Other Correspondence

Mr. Minacci had no additional information regarding his report.

Future Board Meetings

May 10-11, 2010 General Business Meeting
May 12, 2010 Probable Cause Panel Meeting
Location: Pensacola area

August 16, 2010 Probable Cause Panel Meeting
August 17-18, 2010 General Business Meeting
Location: Ponte Vedra, Florida

November 1, 2010 Probable Cause Panel Meeting
November 2-3, 2010 General Business Meeting
Location: Naples, Florida

New Business

No new business.

Old Business

No old business.

Adjourn

Motion: Mr. Hall moved that the meeting be adjourned at 12:35 p.m.
Second: Mr. Kuritzky seconded the motion and it passed unanimously.