

MINUTES

**Board of Architecture and Interior Design
Hyatt Regency Miami
400 SE Second Avenue
Miami, Florida 33131
305.358.1234**

**October 29, 2009
9:00 a.m.**

General Business

Call to Order

Ms. Shore, Chair, called the meeting to order at 9:03 a.m. The roll was called and a quorum established.

Board Members Present:

John Ehrig
E. Wendell Hall
Rossana Dolan
Eric Kuritzky
Lourdes Solera
Garrick Gustafson
Mary Jane Grigsby
Joyce Shore, Chair
Aida Bao-Garciga

Board Members Absent:

Wanda Gozdz, excused

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Anthony B. Spivey, Executive Director
Terri Estes, Government Analyst
Trent Manausa
MH Allen
Mr. Reemer
Mariela Mesa

Court Reporter:

Fernando Subirats, Official Reporting Service, LLC, 524 S. Andrews Avenue,
Suite 302N, Ft. Lauderdale, FL 33301. Telephone 954.467.8204

Mr. Spivey requested that individuals identify themselves when they spoke.

Mr. Minacci requested that the board handle the following on a consent agenda.

Disciplinary Cases

Settlement Stipulations and Voluntary Relinquishments

Licensed

DBPR vs. Carl N. Elliott
Case Number 2009-012788
PCP: Rodriguez, Wirtz, and Gustafson

DBPR vs. Nichole Hollant
Case Numbers 2008-062163
PCP: Rodriguez, Wirtz, and Gustafson

DBPR vs. David M. Putnam and David M. Putnam, PA
Case Number 2007-056623
PCP: Rodriguez, Wirtz, and Gustafson

DBPR vs. John H. Vongunten
Case Number 2008-025291
PCP: Rodriguez, Wirtz, and Gustafson

Unlicensed

DBPR vs. Behar Design Associates, Inc. / Jordan Behar
Case Number 2008-047831
PCP: Rodriguez, Wirtz, and Gustafson

DBPR vs. Bradley Thompson / Architecture Design & Construction Management
Case Number 2005-062352
PCP: Rodriguez, Wirtz, and Gustafson

Voluntary Relinquishment

DBPR vs. Fred H. Prather
Case Number 2009-019394

DBPR vs. Jessica S. Rubin
Case Number 2008-024362

Motion: Ms. Solera moved that the board approve the settlement stipulations and voluntary relinquishments as listed.
Second: Mr. Kuritzky seconded the motion.

After discussion the following motion was made.

Motion: Ms. Solera amended her motion and moved that the board approve the settlement stipulations and voluntary relinquishments as listed except for David M. Putnam and David M. Putnam, PA, case number 2007-056623 and Behar Design Associates, Inc. / Jordan Behar, case number 2008-047831.
Second: Mr. Kuritzky seconded the motion and it passed unanimously.

Motion to Modify or Reconsider

DBPR vs. CV Interiors, Inc. / Claudia Valdez
Case Number 2005-053230
PCP: Rodriguez, Wirtz, and Bullock

Ms. Valdez was not present but was represented by Mr. Reemer. Mr. Minacci requested that the board modify the terms of the prior final order entered December 11, 2006 for a \$15,000 fine plus costs for an advertising violation. He provided a signed settlement stipulation for \$1,000 fine and based on Ms. Valdez hardship requested that the board approve the stipulation.

Ms. Clark commented that board does not have the authority to modify the final order but the board could direct Mr. Minacci to settle the case for a lower amount.

Ms. Clark commented that the stipulation references a financial affidavit. Mr. Reemer represented Ms. Valdez and provided the financial affidavit to the board for review. He confirmed for the board that she did not offer commercial work, the reference was an oversight by the web designer and Ms. Valdez dissolved the corporation.

Motion: Mr. Ehrig moved that the board accept the \$1,000 fine noted in the stipulation to resolve the case and directed Mr. Minacci not to proceed with further disciplinary action.
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion for Order Waiving Formal Hearing

Licensed

DBPR vs. Mariela Mesa
Case Number 2007-056637
PCP: Rodriguez, Wirtz, and Gustafson

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

Mr. Minacci presented the case and commented that Ms. Mesa failed to meet the conditions of a prior final order entered March 23, 2007. An administrative complaint was filed for failing to comply with a lawful order of the board. The respondent failed to respond to the administrative complaint. The probable cause panel recommended suspension until compliance plus costs.

Ms. Clark commented that Ms. Mesa indicated that she was going to execute a voluntary relinquishment.

Ms. Mesa commented that she had not practiced interior design for the past 11 years but was an elementary school teacher. She commented that she maintained her license because that was her primary education.

Ms. Mesa commented that she would like to keep her license. Mr. Minacci commented that the original fine was \$500. Ms. Clark commented that the board has incurred \$450 costs in trying to enforce the final order.

The board discussed the inactive license status. Mr. Hall commented that he did not feel Ms. Mesa was a threat to the public.

The board discussed the length of time Ms. Mesa had to pay the fine and take the course. Ms. Mesa commented that she was in a desperate financial situation.

Motion: Mr. Hall moved that the board impose a \$100 fine and resolve the case.

The motion failed for lack of a second and was out of order.

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

Second: Ms. Grigsby seconded the motion and the motion passed unanimously.

Motion: Mr. Hall moved that the board impose a 75 fine plus 25 costs.

Second: Mr. Kuritzky seconded the motion.

The board discussed Ms. Mesa's financial situation. The board discussed recovering the \$450 in costs incurred for enforcing the previous final order. The

board discussed a payment plan and that Ms. Mesa was not practicing interior design.

After discussion the following motion was made.

Motion: Mr. Hall amended his motion that the board impose \$200 costs with 18 months to pay.

There was no second to the amended motion. The question was called on the original motion and it failed.

Motion: Mr. Hall moved that the board impose \$200 costs with 18 month to pay.

Second: Ms. Bao-Garciga seconded the motion it passed with Mr. Kuritzky and Mr. Ehrig opposed.

DBPR vs. Ramji P. Shah
Case Number 2007-056632
PCP: Rodriguez, Wirtz, and Gustafson

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

Mr. Minacci reminded the board that Mr. Shah appeared at the July 2009 meeting and the board continued the case to allow Mr. Shah an opportunity to research his options regarding suspension or voluntary relinquishing the license. The case was based on the respondent failing to comply with a lawful order of the board. The administrative complaint was hand served and the respondent failed to respond. The panel recommended suspension of the license until compliance.

The original violation was for failing to exercise responsible supervisory control and aiding and abetting unlicensed activity. The board imposed an \$11,000 fine plus \$1164 costs.

Mr. Shah commented that he did not receive the original notice, he is semi-retired and his income is low. He requested that the board allow him to practice in Florida and that they impose a \$6,000 fine and 12 months to pay.

The board discussed placing Mr. Shah's license on probation instead of suspension. Mr. Minacci explained how reporting probation worked.

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

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. Dolan moved that the board impose \$11,000 fine plus \$1164 costs, reporting probation for one year, and 24 months payment plan.

Second: Mr. Kuritzky seconded the motion.

Mr. Manausa suggested that probation be the same length as the payment plan. After discussion the following motion was made.

Motion: Ms. Dolan amended her motion and moved that the board impose \$11,000 fine plus \$1164 and \$189 costs, 24 months reporting probation, and 24 months payment plan.

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

Mr. Shah requested again that the board impose half of the fine and costs.

Settlement Stipulation

DBPR vs. Carlos F. Llanos
Case Numbers 2007-043396 and 2008-022102
PCP: Rodriguez, Wirtz, and Gustafson

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

The cases were based on the respondent signing and sealing drawings of an unlicensed draftsman for a residential addition and the respondent did not meet with the clients. A two count administrative complaint was filed and the panel recommended a \$3,000 fine plus costs and a reprimand for case one and a \$2,000 fine plus costs and a reprimand for case two.

The settlement stipulation reflects a reprimand and a \$2,500 fine plus costs. The fine was reduced because the respondent agreed to comply and the close proximity of time between the cases.

Ms. Perrera commented that the draftsman represented himself as the owner of the building. She commented that Mr. Llanos misunderstood the responsible supervision rule requirement.

After discussion the following motion was made.

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

Motion for Order Waiving Formal Hearing

Unlicensed

DBPR vs. Design Group West / Glenn Midnet
Case Number 2008-044857
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Minacci requested that this case be pulled from review.

DBPR vs. Dreby Construction, Inc. / James N. Dreby
Case Number 2007-048771
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Dreby was present and sworn in by the court reporter. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. This case was based on an advertisement. A one count administrative complaint was filed for offering architectural services without a certificate of authorization. The administrative complaint was hand served June 27, 2009. The respondent failed to respond.

The panel recommended a \$5,000 fine plus costs.

Mr. Dreby commented that they individuals that published the book made the mistake and he had a letter from them stating such.

A cease and desist was issued and it was not returned by the respondent.

Motion: Mr. Kuritzky moved that the administrative complaint was properly served upon the respondent, the respondent waived the right to dispute the material facts by failure to timely respond thereto, and 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 cost and no penalty.

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

Mr. Dreby confirmed to the board that he understood the practice act.

DBPR vs. A + Designs / Michael J. Marzi
Case Number 2008-006724

PCP: Rodriguez, Wirtz, and Gustafson

The respondent was not present or represented by counsel. Mr. Gustafson was recused based on his participation with the probable cause panel. The case was based on offering architectural services through a title block without a license. A one count administrative complaint was filed and notification by hand delivery failed but was achieved by publishing a notice in the Jacksonville Business Journal. The respondent failed to respond to the administrative complaint.

The panel recommended a \$5,000 fine plus costs. After discussion the following motions were made.

Motion: Mr. Kuritzky moved that the administrative complaint was properly served upon the respondent, the respondent waived the right to dispute the material facts by failure to timely respond thereto, and 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 \$5,000 fine plus costs.

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

DBPR vs. Roland K. Baker / Nitromik Architectural & Engineering Drafting
Case Number 2007-068201

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Baker was not present or represented by counsel. Mr. Gustafson was recused from the review of the case Mr. Gustafson was recused based on his participation with the probable cause panel. The case was based on the respondent contracting to offer architectural services on a residential project without a license or a certificate of authorization. A three count administrative complaint was filed and notification by hand delivery was attempted at two separate locations. Service was achieved by publication in the Miami Daily Business Review. The respondent failed to respond to the administrative complaint.

The panel recommended a \$15,000 fine plus costs.

Motion: Mr. Kuritzky moved that the administrative complaint was properly served upon the respondent, the respondent waived the right to dispute the material facts by failure to timely respond thereto, and 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 \$15,000 fine plus costs.
Second: Mr. Ehrig seconded the motion and it passed unanimously.

DBPR vs. Beachside Design Group, Inc. / Dale P. Schmutz
Case Number 2008-012807
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Schmutz was not present or represented by counsel. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent provided services for a commercial project through a business entity and is not licensed and does not have a certificate of authorization. A two count administrative complaint was filed and notification was achieved by certified mail. The respondent returned a signed election of rights waiving his right to be heard.

The panel recommended a \$2,500 fine plus costs.

Motion: Mr. Hall 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: Mr. Hall moved that the board impose a \$2,500 fine plus costs.
Second: Ms. Dolan seconded the motion and it passed unanimously.

DBPR vs. Corporate Construction, Inc. / Chad Hitchcock
Case Number 2008-044219
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Hitchcock was not present or represented by counsel. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent contracted to provide architectural services for a residential project through a business entity and is not licensed and does not have a certificate of authorization. A two count administrative complaint was filed and hand delivered on July 28, 2009. The respondent failed to respond to the administrative complaint.

The panel recommended a \$10,000 fine plus costs.

Motion: Mr. Hall moved that the administrative complaint was properly served upon the respondent, the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.
Second: Ms. Grigsby seconded the motion and it passed unanimously.

Motion: Mr. Hall moved that the board impose a \$10,000 fine plus costs.

Second: Mr. Kuritzky seconded the motion.

The board discussed that the respondent was a contractor. The question was called and the motion passed unanimously.

DBPR vs. Michael E. Craddock
Case Number 2008-022287
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Craddock was not present or represented by counsel. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent was licensed as an architect and his license lapsed null and void March 2005. The respondent offered architectural services using his null and void license. A three count administrative complaint was filed and hand delivered June 27, 2009. The respondent failed to respond to the administrative complaint.

The panel recommended a \$15,000 fine plus costs. This was a second offense.

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

Second: Ms. Grigsby 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.

The board requested that Mr. Minacci refer the information to the State Attorney's Office.

DBPR vs. Ramon A. Gaviria
Case Number 2008-007891
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Gaviria was not present or represented by counsel. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent contracted to offer architectural signed and sealed drawings. A two count administrative complaint was filed and notification by hand delivery was attempted. Service was achieved by publication in the Miami Daily Business Review. The respondent failed to respond to the administrative complaint.

The panel recommended a \$10,000 fine plus costs.

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

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

Motion: Mr. Kuritzky moved that the board impose a \$10,000 fine plus costs.

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

The board discussed the fact that an individual that relinquished their license should return the seal to the board. The board discussed the building departments verifying the validity of the architect's license during the permitting process. The board reviewed Chapter 481.221(12), Florida Statutes requires an individual when their license is suspended or revoked to surrender his/her seal to the Executive Director.

DBPR vs. Noble Construction & Development / Andrew E. Freyre
Case Number 2008-037678
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Freyre was not present or represented by counsel. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The respondent contracted to provide architectural services and is not licensed. A one count administrative complaint was filed and notification by hand delivery was attempted. Service was achieved by publication in the Miami Daily Business Review. The respondent failed to respond to the administrative complaint.

The panel recommended a \$1,000 fine plus costs. The respondent appeared before the probable cause panel but Mr. Minacci had not been able to locate him since.

Motion: Mr. Hall moved that the administrative complaint was properly served upon the respondent, the respondent waived the right to dispute the material facts by failure to timely respond thereto, and 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.

The board discussed that the respondent was a licensed contractor and the case was based on a design build contract. The board discussed that a licensed architect was involved in the project and that the contract was worded improperly.

Motion: Mr. Kuritzky moved that the board impose a \$1,000 fine plus costs.
Second: Ms. Grigsby seconded the motion and it passed unanimously.

The board requested Mr. Minacci to refer this case to the Construction Industry Licensing Board for investigation.

DBPR vs. Robert M. Wildasin, Jr. / Robert Wildasin, Jr. Interior, Inc.
Case Number 2007-045429
PCP: Rodriguez, Wirtz, and Hall

Mr. Wildasin was not present or represented by counsel. The respondent's web site stated he was a licensed interior designer and referenced a restaurant project when he was not licensed. The interior design services are offered through a business entity without a certificate of authorization. A three count administrative complaint was filed and notification by hand deliver was attempted. Service was achieved by publication in the Palm Beach Daily Business Review. The respondent has failed to respond.

The panel recommended a \$15,000 fine plus costs. The board discussed the lawsuit and the fact that the individual stated he was a licensed interior designer and he referenced completion of a commercial project.

Motion: Mr. Kuritzky moved that the administrative complaint was properly served upon the respondent, the respondent waived the right to dispute the material facts by failure to timely respond thereto, and 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 \$15,000 fine plus costs.

Second: Ms. Solera seconded the motion.

The board discussed the fine amount and the reviewed the reasons for imposing the maximum penalty allowed by statute. The board discussed that the respondent advertised on the web that he was a licensed interior designer and completed commercial projects. They discussed that the web reaches many people and there was no idea how many other projects the unlicensed individual may have completed. The respondent ignored the board by not responding to the complaint.

The question was called it passed with Mr. Ehrig and Mr. Hall opposed.

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

Unlicensed

DBPR vs. Panache Interior Design, Inc. / Caroline B. Rogow
Case Number 2007-025613
PCP: Rodriguez, Wirtz, and Hall

Mr. Minacci pulled this case from the agenda.

Settlement Stipulations

Licensed

DBPR vs. David M. Putnam and David M. Putnam, PA
Case Number 2007-056623
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Putnam was not present or represented by counsel. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. The case was on the last agenda and was continued to the October 2009 meeting. The board discussed that the respondent did not appear before probable cause but was deposed by Mr. Minacci.

The panel recommended a reprimand, two years non reporting probation, four hours of continuing education, \$1,500 fine plus costs. The board discussed the panel's penalty recommendation.

Mr. Minacci provided a brief synopsis of the deposition. Mr. Ehrig commented he questioned Mr. Putnam's ability to practice. Mr. Manusa commented that he did not believe he was practicing but providing drafting services.

Motion: Ms. Grigsby moved that the board reject the settlement stipulation and offered a counter stipulation of a reprimand, two years reporting probation, four hours of continuing education, \$1,500 fine plus costs.

Second: Mr. Ehrig seconded the motion.

Mr. Ehrig requested that the motion include an audit of Mr. Putnam's continuing education for the 2005-2007 and 2007-2009 renewal period. Ms. Estes commented that licensees are not required to maintain continuing education certificates prior to 2007. Mr. Ehrig modified his request to audit for the 2007-2009 renewal period. Ms. Grigsby accepted his amendment to her motion.

Motion: Ms. Grigsby moved that the board reject the settlement stipulation and offered a counter stipulation of a reprimand, two years

reporting probation, four hours of additional continuing education, audit of continuing education for the 2007-2009 renewal period, a \$1,500 fine plus costs.

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

Mr. Kurtizky requested that the board discuss that all disciplinary cases impose an audit of continuing education.

Unlicensed

DBPR vs. Behar Design Associates, Inc. / Jordan Behar

Case Number 2008-047831

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Behar was not present or represented by counsel. Mr. Gustafson was recused from review of the case based on participation with the probable cause panel. The respondent prepared a proposal to provide architectural services for a commercial project when not licensed. The services were offered through a business entity without a certificate of authorization. A two count administrative complaint was filed.

The panel recommended a \$5,500 fine plus costs. The settlement stipulation reflected a \$5,500 fine plus costs. The board discussed the case and that the drawings were submitted for a competition and followed the NCARB guidelines.

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

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

DBPR vs. Bradley Thompson / Architecture Design & Construction Management

Case Number 2005-062352

PCP: Rodriguez, Wirtz, and Gustafson

Mr. Thompson was not present or represented by counsel. Mr. Gustafson was recused from the review of the case based on his participation with the probable cause panel. Mr. Minacci commented that this case should be reviewed as a request to modify the final order or reconsider.

Mr. Minacci commented that the original final order imposed a \$15,000 fine plus costs and he filed an action in Circuit Court to enforce the order. Mr. Thompson responded that he never received the original notice of final action and no longer lived in Florida.

Mr. Minacci requested that the board approve the \$2,500 fine and costs to satisfy the original final order.

Motion: Mr. Hall moved that the board accept the \$2,500 fine plus costs as satisfaction to the prior final order.
Second: Mr. Kuritzky seconded the motion and it passed unanimously.

No additional order will be filed.

Reports

AIA Report – Vicki Long

Ms. Long and Mr. Logan were present from AIA Florida.

Mr. Logan reported that they were attempting to bridge the gap from graduation/education to licensure with three programs Epigram, Bring a Student to Mentor, and ACE. He reported that they created a new newsletter called Epigram for Emerging Professionals. The newsletter is sent monthly to associate members, interns, graduates, and individuals licensed ten years or less.

Mr. Logan reported that they provided a mentoring program at the last Convention in Tampa called “Bring a Student to Mentor”. Students from the University of South Florida attended the Convention with a licensed professional and it was a success.

Mr. Logan reported that they were working with high school students through the Architecture, Construction, and Engineering (ACE) program. The program combines the professions offered through one mentorship for students. The program has four affiliates in Florida.

Mr. Logan reported that NCARB and AIA established the Intern Development Program (IDP) and they were revamping the process. All 13 components will have an IDP liaison versed in the requirements. They were working with the AIA Chapters for points of contact for university and community college students. Coordinators will provide information to mentors, students, supervisors, and interns.

Mr. Logan reported that they established a university outreach program. They have revamped their web site to provide information on approved schools of architecture.

Mr. Logan reported on the Florida Foundation for Architecture headed by John Ehrig. They hosted a design competition focusing on schools for sustainable classrooms. There were 33 entries and five finalists. The successful program will be presented at the Florida Educational Facilities Association and Planners Summer Conference July 2010.

Mr. Ehrig reported that NCARB was transitioning to IDP 2.0 which changes training units to hours. He briefly described the areas of practice that were changing.

Mr. Logan reported that the Architectural Registration Examination (ARE) would increase 30% percent due to the individuals that were caught cheating and disseminating the information through the internet. The cost to revise the examination would be passed on to the examination candidates.

Ms. Long reported that the Legislature cut the budget by ten percent for four years prior to 2009. She reported that at the end of the 2009 Legislative Session there was a 6.7 billion dollar shortfall. She briefly provided background on their years of service. She reported that many of the Legislators made decisions with little information.

Ms. Long provided information regarding the roles of the Speaker of the House and Speaker Pro Tempore. She provided a brief overview of the Legislatures mission to balance the budget with the Appropriation Committees directed to cut 15% from their budget. They had to review whether programs funded were constitutionally required, statutorily required, core missions, or if they protected the health, safety, and welfare of the citizens of Florida.

Ms. Long provided a brief report on how the House and Senate worked with the Stimulus money and negotiation process to compromise.

Ms. Long reported that the Florida's economy was down and ranked 48th for gross domestic product. Florida was 2nd in 2005. She reported that the unemployment rate was up and population growth was down.

Ms. Long briefly reported on the upcoming proposed Bills for 2010.

Ms. Long reported that AIA Florida met with Secretary Drago and informed him that the Association did not want to open Chapter 481, Florida Statutes for revisions. She reported that Secretary Drago conveyed that he wanted the department to be consumer friendly, streamline paperwork, and license applicants efficiently. She reported that AIA Florida supported the privatization contract.

Ms. Long reported that AIA Florida met with the Interior Designers this morning and moved forward on a positive outlook.

Ms. Long reported that AIA Florida supported the Sunrail/Lightrail. She reported that they were concerned with Amendment 4 formerly known as a Hometown Democracy. She reported that Micky Jacobs testified before Congress on the rebuild and renew project.

Ms. Long reported that AIA Florida received support from the Building Officials for their Rapid Assessment Program for architects to volunteer and help with safety requirements during a disaster.

Ms. Long reported that AIA Florida was working with the Building Officials Association of Florida (BOAF) on a flyer to determine which profession is required for signing and sealing certain documents. They were working to streamline the permitting process for architects that have certain certifications or course completions.

Ms. Long reported that AIA National waived some fees and worked out payment plans for members.

New Business

Mr. Ehrig reported that the Construction Specifications Institute (CSI) used the Florida Board's letter of approval for automatic approved provider status as a means to receive approval status from NCARB.

The board discussed that the CSI's course programs were hour for hour and the statute requires 50 minutes for one credit hour. The board discussed the reporting system of CSI versus AIA.

Old Business

No old business.

Recess

The meeting recessed at 12:59 p.m.

MINUTES

**Board of Architecture and Interior Design
Hyatt Regency Miami
400 SE Second Avenue
Miami, Florida 33131
305.358.1234**

**October 30, 2009
9:00 a.m.**

General Business

Call to Order

Ms. Shore, Chair, called the meeting to order at 9:01 a.m. The roll was called and a quorum established.

Board Members Present:

John Ehrig
E. Wendell Hall
Rossana Dolan
Eric Kuritzky
Lourdes Solera
Garrick Gustafson
Mary Jane Grigsby
Joyce Shore, Chair
Aida Bao-Garciga

Board Members Absent:

Wanda Gozdz, excused

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Anthony B. Spivey, Executive Director
Terri Estes, Government Analyst
Trent Manausa
MH Allen

Court Reporter:

Fernando Subirats, Official Reporting Service, LLC, 524 S. Andrews Avenue,
Suite 302N, Ft. Lauderdale, FL 33301. Telephone 954.467.8204

Review and Approval of Meeting Minutes

June 23, 2009, General Business Telephone Conference Call

Mr. Ehrig commented that page two, line 59, should be corrected to reflect Mr. instead of Ms.

Motion: Mr. Gustafson moved that the board approve the minutes as corrected.

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

July 27-28, 2009, General Business Tampa Florida

Mr. Ehrig commented that page six, line 70, should be corrected to reflect Road instead of Rode.

Motion: Mr. Ehrig moved that the board approve the minutes as corrected.

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

July 29, 2009, Probable Cause Panel Meeting Tampa Florida

Motion: Mr. Gustafson moved that the board approve the minutes as presented.

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

Ratification Lists

Licensure

Motion: Mr. Ehrig moved that the board approve the July 17 through October 15, 2009 licensure ratification list as presented.

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

Continuing Education

Motion: Mr. Ehrig moved that the board approve the continuing education ratification list as presented.

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

Ms. Solera joined the meeting at 9:13 a.m.

General Discussion and Information

100 % Monitoring and Reporting of Continuing Education Credits (Eric Kuritzky)

The board discussed the options for 100% reporting and monitoring of architect and interior designers continuing education. The board discussed how other boards do not allow licensees to renew until they complete their continuing

education requirements. The board discussed the obstacles regarding automatic approved providers and reporting their credits to the department based on different course numbering systems. The board discussed licensees manually reporting their continuing education to the department similar to the Board of Accountancy. Ms. Clark informed the board about the paperwork and time involved in the self reporting process and that the Board of Accountancy recently voted to move to the honorary system.

The board discussed the logistics and difficulty of automatic approved providers reporting to the department. The board discussed that the continuing education disciplinary cases and the need to impose the 100% monitoring.

Reinstatement of a Null and Void License

Sandra Morgan

Ms. Morgan was present and sworn in by the court reporter. Ms. Morgan reported that her office manager did not renew her personal license but renewed the business license. She reported that she immediately ceased business when she realized her personal license was void. She reported that she maintained her continuing education during the time her license was void.

Motion: Ms. Ehrig moved that the board reinstate Ms. Morgan's license.

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

General Discussion and Information

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

Ms. Clark reported that the plaintiff's are scheduled to depose Trent Manausa and Emory Johnson in November 2009. She commented that the plaintiff's requested to depose Ms. Shore.

Ms. Grigsby commented that Jere Bowden's report had incorrect information regarding the licensure requirements. Ms. Young commented that Dr. Waxman was assisting Mr. Glogau with a rebuttal.

Rules Report and Discussion

Rules Report

Ms. Clark reported that rules 61G1-21.004, 61G1-22.002, and 61G1-22.003, F.A.C., were adopted.

Ms. Clark reported that rule 61G-24.002, F.A.C., was noticed to implement the Construction Specifications Institute, Building Code Administrators and Inspectors Board, Construction Industry Licensing Board, and remove references to the Florida Building Code Core course.

Motion: Ms. Grigsby moved that the board approve the changes as presented.

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

Motion: Ms. Solera moved that the board approve the proposed language change to rule 61G1-24.002, F.A.C.

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

The board discussed updating the interior design continuing education handbook to remove the Florida Building Code Core course references and update the automatic approved providers.

Motion: Ms. Bao-Garciga moved that rule 61G1-21.003, F.A.C. be noticed for updates.

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

Purposed language for Rule 61G1-11.013(5), F.A.C

The board reviewed the proposed draft language to define residential interior designer and residential space planner. Ms. Clark referred the board to the statutory reference regarding rule making. She reported that Mr. Glogau reviewed the language and thought it would be a helpful tool to accomplish their goal in the lawsuit. The board discussed space planner in a residential versus a commercial setting. Ms. Clark commented that all terms in the definition were used in the lawsuit.

Motion: Mr. Hall moved that the board approve the proposed draft language as presented.

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

The board discussed that they were in place to enforce the statutes implemented by the Legislature.

Reports

Chair's Report – Joyce Shore

Letter to Secretary Drago regarding the board's budget

Ms. Shore reviewed her letter to Secretary Drago requesting an increase in the budget for the privatization contract. Mr. Hall requested that the letter reflect what the board gains by the privatization of the prosecutorial contract.

Ms. Shore reported that NCIDQ would administer a new examination in April 2010 and that she worked on the process. She commented that the board would not be represented because of budget restrictions. Ms. Grigsby reported that NCIDQ allowed individuals with architecture degrees to test. The board discussed that the statutes must be changed to allow individuals licensure when they passed the NCIDQ exam with an architecture degree.

Letter to Secretary Drago regarding the board's budget

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

Mr. Spivey reviewed the financial statements and commented that the board's budget was in good shape.

Mr. Spivey reviewed House Bill 425 which requires all licensees to self-report all convictions to the department.

Ms. Clark commented that the board should recommend in the disciplinary guidelines found in Rule 61G1-12.004, F.A.C. for failure to timely report a criminal conviction. She requested that the board recommend a penalty for first and second offenses. The board discussed updating Rule 61G1-12.004(1)(bb) and Rule 61G1-12.005(3)(d) to remove the reference to the Florida Building Code Core course.

Motion: Mr. Ehrig moved that the board notice Rule 61G1-12.004 and Rule 61G1.12.005, F.A.C., for rule development and draft language be brought back to the next board meeting.

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

Ms. Clark suggested that the board members review the current disciplinary rule language and be prepared to make a dollar recommendation at the next meeting.

IDAF – Janice Young

Ms. Young reported that students and educators appeared to be interested in the lawsuit because of the time and money spent on obtaining the interior design degree and the state funding for the educational programs.

Ms. Young reported that they met with AIA Florida yesterday and neither one will present new Legislation. She reported that both associations were monitoring the proposed language in order to respond to last minute items. She reported that both associations were supportive of the privatization contract.

Ms. Young reported that a February event would reward students with scholarships

General Counsel's Report – Mary Ellen Clark

Ms. Clark commented that she 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 – Licensed

Fines Chart – Unlicensed

Billable Hours July 2009

Billable Hours August 2009

Board Meeting Results July 27, 2009

Press Releases/Speaking Engagements/Other Correspondence

Article

Annual Report from July 1, 2008 – June 30, 2009

Mr. Minacci reviewed the reports and introduced M.H. Allen as the board's investigator. Mr. Minacci reviewed the pending fines chart for further clarification regarding the unlicensed pending fines.

Elections

Motion: Mr. Hall nominated Mr. Ehrig as Chair.

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

Motion: Mr. Ehrig nominated Mr. Hall as Vice-Chair.

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

Future Board Meetings

January 27, 2010 Probable Cause Panel Meeting

January 28-29, 2010 General Business Meeting

Location: St. Augustine, Florida

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

Review and Approval of Meeting Minutes

October 8, 2009 Telephone Conference Call

Mr. Hall commented that he notified the board that he was traveling and could not attend. He requested that his absence be excused.

Motion: Mr. Kuritzky moved that the minutes be corrected to reflect Mr. Hall as excused.

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

New Business

The board scheduled a telephone conference call for December 3, 2009 at 2:00 p.m.

Mr. Ehrig reported that NCARB posted a web cast regarding the new version of IDP.

Old Business

No old business.

Adjourn

The meeting adjourned 12:26 p.m.