

Columbus FOR YEAR OF \_\_\_\_\_ July 29, 2016

HELD AT \_\_\_\_\_ ON \_\_\_\_\_

The meeting was called to order at 9:00 AM by John Rademacher in the Board Room on the 31st Floor of the Riffe Center.

1. ATTENDANCE AND ANNOUNCEMENTS.

Present: John Rademacher, President; Monica Green, Vice President; Chris Meyers, Secretary; Douglas Steidl, Member; Amy Kobe, Executive Director; Chad B. Holland, Investigator; Cheryl L. Thaxton, Administrative Assistant; Barry McKew, Asst. Attn. Gen.

Guest: Jim Sarks, AIA

2. CONSENT AGENDA ITEMS

On motion by Mr. Steidl, second by Ms. Green and a vote of 4-0, the consent agenda was approved.

- A. MINUTES- May 6, 2016
- B. FINANCE- Financial Report- June 30, 2016
- C. CREDENTIAL REPORT- July 1, 2016
- D. REGISTRATION-

1. Emeritus Applications-

The Board ratified the applications of the following persons who have met the qualifications to become Emeritus Architects:

<u>Cert. No.</u>	<u>Name</u>
8507810	BROWN-MANRIQUE, Gerardo
6804203	JAKUBICK, Edward

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## 2. Reciprocal Registration

The following applicants for registration under the provisions of Section 4703.08 of the Revised Code, previously approved by the Executive Director, were ratified:

<u>Cert. No.</u>	<u>Name</u>	<u>Base State</u>
16650	WILSON, Robert	MA
16651	CLARK, Casey	NV
16652	MCMULLAN, James	NY
16653	FARRELL, Kelly	CA
16654	VAN HEEST, Leonard	PA
16655	MURPHY, Michael	GA
16657	CORB, Michael P.	PA
16660	LAMONT, Matthew	AZ
16661	FEIDLER, Jason	PA
16662	GUBERMAN, Marc	NY
16665	JANCZAK, Melvin	IL
16666	YOO, Byung II	GA
16667	GASTRIGHT, Stephen	PA
16668	MARTIN, John	VT
16671	BRINKLEY, Jonathan	WI
16672	CHUNG, Kwan	VA
16673	SALITURO, Karen	WI
16674	SMYTHE, Melanie	CO
16675	MARSZALEC, Anthony	MI
16677	COLELLA, Daniel	IL
16678	POTTS, Thomas	WV
16679	BIEBERLY, David	KS
16681	MILLER, Dwight	OK
16683	CHINN, Craig	CA
16684	OWINGS, Mark	AR
16685	JOHANNSON, Karl	WA
16687	COOVER-CLARK, Carol	CO
16698	WEINER, Jeffrey	CO
16700	KIRK, Robert	IL
16701	BAKER, Stephen	MA
16702	SMAGALA, Jenelle	IN

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**3. Reinstatement of registration**

The following applications for reinstatement of registration were approved and ratified:

<u>Cert No.</u>	<u>Name</u>
9009550	TURCKES, Steven

**4. Ratification of Registration-Examination**

The Board ratified the applications of the following persons who have met all requirements of the Board and passed the required examination.

<u>Cert. No.</u>	<u>Name</u>
16649	BAILEY, Nathan
16656	SNYDER, Joseph
16658	KAISER, Andrew
16659	FACKLER, Jeffrey
16663	AMMAR, Laila
16664	MANIET, David
16669	BRADAC, Nicholas
16670	ROMER-JORDAN, Zachary
16676	FRITSCH, John
16680	GLASS, Andrew
16682	CURLEY, Erin
16686	TURLEY, Justin
16688	NEAL, Jessica
16689	COLLETT, John
16690	LIPPENCOTT, David
16691	GRAVLEE, Tiffany
16692	CHESNES, Thomas
16693	CLASON, Amber
16694	YOUNG, Magdalena
16695	LEIDY, Elizabeth Ann
16697	TODDY, Matthew
16699	LONES, Matthew

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**E. EXAMINATION.****1. New applications.**

The following applications for registration by examination were approved.

**Name**

GLEASON, Chad  
SPECTOR, Kevin  
LADOUCEUR, Adam J.  
SLAUGHTERBECK, Nicholas  
BATTOCLETTE, Ross D.  
YODER, Allen  
HARJUNG, Peter  
JUNEJA, Apoorva  
PACHECO, Benjamin  
GEIS, Nicole  
WIREMAN, Kurtis  
HULEWAT, Kyle David  
HOFBAUER, Andrew  
DIXON, Megan  
HOYT, Mitchell

**F. CERTIFICATES OF AUTHORIZATION****1. Applications**

The following architectural firms have applied for registration to practice in the state of Ohio. They have met all of the ownership requirements, and have shown proof of registration with the Ohio Secretary of State. These have been reviewed by the investigator for the Board and approved by the Executive Director. Formal certificates have been issued. The board's approval ratifies those actions.

MCGRAW BAGNOLI ARCHITECTS PLLC  
MCCRERY ARCHITECTS LLC  
PERSPECTIVUS LLC  
TEAM B ARCHITECTURE & DESIGN LLC  
RANGE ARCHITECTURE AND DESIGN LLC  
KRIEGER KLATT ARCHITECTS INC.  
IDGROUP ARCHITECTS PLLC  
INFORM STUDIO OF ARCHITECTURE  
RAY B. DELAMOTTE, JR. ARCHITECT LLC  
OHIO DESIGN 3 GROUP, LLC

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(C of A Apps Continued)

JOHN RAUSCH ARTIST ARCHITECT LLC  
WILLIAM A. YOKEK ARCHITECT LLC  
LABD2S LLC  
BELL ARCHITECTURE, LLC  
ROBERT EHMET HAYES + ARCHITECTS  
FASTEN DESIGN, LLC  
M2 ARCHITECTURE STUDIO, LLC

3.

OLD BUSINESS-

- A. **Comments on 4703-3-02(A)(4) Notarize Firm Affidavit of Responsibility -**  
Current rule was sent to the stakeholders. Received approximately 23 responses. No significant opposition. Director Kobe will do the Business Impact Analysis next and send to stakeholders for comment.

On motion by Mr. Steidl, second by Ms. Green, the Board voted to change the wording in 4703-3-02 (A) (4) to remove the word "Affidavit" and replace it with "Attestation" to better align with the functionality of the new eLicense system. Motion passed by a 4-0 vote.

- B. **Statute Review-** The Board continued its year-long review of Revised Code Chapter 4703 statutes:

4703.12- **Term of Certificate; Seal-** Change section (A) last sentence to read: "No person shall seal any document unless the person is the holder of an active certificate currently in good standing"

4703.13 **Application for renewal-** No change

4703.14 **Renewal upon expiration-** No change

4703.15 **Denial of renewal, revocation, or suspension of certificate; recertification-** No change

4703.16-**Schedule of fees; additional increases-** Change 4703.16 (2) to remove the fee for a duplicate wallet card and 4703.16 (3) to remove the fee to restore a certificate of qualification to practice architecture or certificate of authorization revoked under section 4703.15 of the Revised Code. Director Kobe suggested adding a fee for the credit cards, due to the processing expense.

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C. **Incidental Practice-** A draft bill is being circulated by the Incidental Practice Task Force members to the groups they represent. Feedback is being gathered and will be considered by the Task Force at a future meeting. The Ohio Society of Professional Engineers has expressed concerns “regarding (1) the inadequate education of landscape architects to perform engineering design which bears upon public health, safety and welfare that is incidental to their projects and (2) the defining of the magnitude of the “incidental practice” relative to the size of the entire project.”

The Ohio Architects Board is satisfied with the current wording.

D. **Community College/Associates Degree Program Survey (IDP Fee Reimbursement)**

Director Kobe shared the research conducted to determine the level of participation in the Architectural Experience Program by students enrolled in architecture related programs at Ohio community colleges. None of the community colleges responding to the survey track participation in AXP and it is believed that few students do participate.

The Board decided to limit the reimbursement policy to accredited degree programs and candidate programs only.

4.

NEW BUSINESS-

A. **Approval of Out of State Travel-**

Architectural Licensing Advisors Conference, 8/04/2016-08/07/2016 to Chicago, IL for Director Kobe. Costs will be reimbursed by Region 4.  
NCARB ARE 5.0 Item Development Committee, 8/26/2016-8/27/2016 to Washington, DC, for Ms. Green. Costs will be reimbursed by NCARB.

On motion by Mr. Meyers, second by Mr. Steidl, the Board voted to approve the above out of state travel. Motion passed by a 3-0 vote. Ms. Green recused herself from the vote.

B. **Mutual Recognition Arrangement with Australia and New Zealand-** In response to NCARB’s request, the Ohio Board reviewed the mutual recognition agreement with Australia and New Zealand.

On a motion by Ms. Green and second by Mr. Steidl, the Board voted 4-0 to sign said agreement.

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- C. **Board of Building Standards-** Director Kobe received a letter from the Board of Building Standards requesting the Board change the experience requirement to allow full credit for training as a plans examiner.

The board discussed the letter, and the Board's letter in response, which was written by Director Kobe and President Rademacher. The BBS is concerned there will be drop in the number of architects who are master plans examiners, due to projected retirements. The BBS feels recruitment of younger architects will be hindered because they can't get full AXP credit for this experience. The BBS would like the OAB to change the rules for plans examiner trainees to receive full credit.

The OAB does not support changing the experience requirement, as deviation from the NCARB standards would restrict licensee's ability to obtain NCARB Certification and reciprocity in other states.

A meeting is scheduled with the BBS at 1 PM on September 30<sup>th</sup> in the Board Room on the 31<sup>st</sup> floor of the Riffe Center. AIA Ohio representatives will also be attending the meeting as they were copied on the letter from the BBS. The OAB asked Director Kobe to invite Harry Falconer, NCARB's Director of Education and Experience, to attend.

Per Asst. Attn. Gen. Barry McKew, a public meeting notice must be sent and minutes taken at the September 30 meeting.

5.

### REPORTS

- A. **Executive Director-** Written report attached
- B. **AIA Ohio-** Jim Sarks, AIA liaison, reported a planning retreat was held in July. A short list of goals came out of the retreat including improving member engagement and striving to do a better job of coordinating chapters of the Ohio valley region.

A couple of complaints from young members included lack of guidance on the path to licensure. Mr. Sarks noted that this seemed a little off as he is aware of the numerous visits Director Kobe makes to all the accredited schools of architecture in Ohio. The second complaint received was the use of the title architect, which never goes away.

**Executive Director Report  
July 29, 2016**

**eLicense Project:** Staff participated in User Acceptance Testing (UAT) from May 23 through June 10. Each step of the licensing and renewal process was tested and multiple bugs were identified. Shortly thereafter, the project was paused for six weeks, pushing back the go-live date from June 27 to a date yet to be determined. This was due to data integration and software difficulties. The User Acceptance Testing resumed on July 18 and is scheduled for three weeks.

**NCARB FY17 Committee Appointments:** Mr. Steidl and I have been appointed to the Model Law Task Force. Ms. Green will serve on the ARE 5.0 Item Development Committee and Mr. Rademacher will serve on the Architectural Experience Program committee.

**HB 243 Signing Ceremony:** The Governor did not hold a signing ceremony for HB 243, so House Speaker Cliff Rosenberger held one instead. A photo is attached. The individuals in the photo, from left to right, are: Rep. Tim Schaffer (sponsor); Amy Kobe; Speaker Rosenberger; Jeannie Martin, FASLA, Trustee, Ohio Chapter, ASLA; John Kelleher, AIA, AIA Ohio; Hannah Spencer, Constituent Aide, Office of Rep Tim Schaffer, Rep. Schaffer; Justin Stanek, Legislative Aide, Rep. Schaffer. The purpose of the bill was due to issues with the Landscape Architects CE rules; the same issue would have affected the Architects Board's CE rules in the future, so the Architects were included in the bill. The effective date is August 16, 2016. No action is needed by this board at this time, as our rules are now aligned with the statute.

**Architectural Licensing Advisors Conference:** Will take place in Chicago on August 4 – 6. I have been invited to participate in a panel discussion, "Building Community", with representatives from AIA Minnesota, the University of Minnesota, and Kim Shemenske, SHRM, DesignGroup, Columbus. The board's approval is needed for this travel out of state and to use funds in our Region 4 account. The current funds available are \$3,200 from FY16 and \$3,200 from FY17. The projected travel budget is \$1,500.00.

**CLARB Annual Meeting:** The CLARB Annual Meeting will take place in Philadelphia September 21-24. This is funded through the LA board's participation credits.

**AIA Ohio Board:** I attended the AIA Ohio Board meeting on July 9 in Columbus. I gave a brief presentation on Incidental Practice and answered questions. Other discussions of interest included the Board of Building Standards request for AXP credit for plans examiner training (see letters from BOBS, on which AIA Ohio was copied), unpaid internships with firms, lack of awareness of this Board's written contract requirement, and issues with qualifications based selection (see article about the Boardman, Ohio township fire station.)

**Board of Building Standards letter:** A letter was received on June 9 from the BOBS. The letter requested that the board waive AXP requirements for training as a plans examiner. Mr. Rademacher and I composed a response, after consulting with NCARB. Copies of both the letter and the June 22 response are attached. An email by Terry Welker, AIA, Kettering's Chief Building Official, is attached. In addition, Mr. Rademacher had a phone conversation with David Collins, AIA.

**Ohio Response to NCARB Resolution 2016-2:** Doug Steidl wrote up a response containing the Board's concerns with Resolution 2016-2. The statement was circulated to the other Region 4 member boards,

but there was little interest in a Region-sponsored amendment. However, a similar amendment was brought forth by Steven Schreiber of Massachusetts, which failed. The resolution passed.

**Incidental Practice:** A draft copy of a bill is being circulated to the Task Force's stakeholders and comments are being gathered. Please review the draft prior to our discussion.

The Ohio Society of Professional Engineers does not currently support legislation. The Task Force views legislation as necessary because the statutes of each board need to be synchronized; currently, they are not.

The OSPE issued a statement which said "Our concerns fundamentally regard (1) the inadequate education of landscape architects to perform engineering design which bears upon public health, safety and welfare that is incidental to their projects and (2) the defining of the magnitude of the "incidental practice" relative to the size of the entire project. Our concerns are not mitigated by the compromise language recommended by the Task Force. We believe that the currently proposed amendment language lacks the practicality and specificity necessary to be an effective and useful guide to design professionals, whether they be architects, landscape architects or engineers, as they interact with one another on projects where two or three of these disciplines are involved."

Negotiations are underway with OSPE.

**Associate Degree participation in AXP:** Although not every two year school in Ohio responded, it appears that few students at this level participate in AXP. I recommend that Revised Code section 4703.07- Architecture Education Assistance Program remain unchanged, with the exception of expanding the program to NAAB candidate programs.

**Comments on 4703-3-02(A)(4) Notarized Firm Affidavit of Responsibility:** The comments were all favorable. Recommend proceeding with the rule change to eliminate the notarized Affidavit of Responsibility for the firm Certificate of Authorization. A Business Impact Analysis, and formal proposal, is the next step. These will be sent to stakeholders for comments, which will be shared with the Common Sense Initiative (CSI). Once approved by CSI, the rule will be filed.

**Rules 4703-1-02 and 4703-2-02:** The rule package pertaining to applications and exam admission for architecture students was approved by the Joint Committee on Agency Rule Review. It was then final filed and became effective June 30, 2016.

**Statute Review, Revised Code §4703.12 to §4703.16:** There recommendations are not intended to be all inclusive:

Section 4703.12 (A): We should find a better definition of who may seal documents, which currently says "Any person in good standing..." Good standing needs clarification—should be an Active license holder.

Section 4703.12 (B) and 4703.13 (B) The board may want to consider changing the firm COA renewal cycle in to two years instead of one. There has been some legislative interest in this; however, HB 213, introduced by Representative Brinkman really hasn't gone anywhere.

Section 4703.15 (B) Does the board want to attempt to expand fining authority to unlicensed persons, particularly exam candidates and AXP participants? Additional authority over exam candidates might be appropriate in 4703.151.

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- C. NCARB/Region 4 The Educator Practitioner Conference will be held at Kent State University this October (date to be announced.) The NCARB Member Board Chairs/Member Board Executives meeting for this is being held at the Hilton Columbus on Oct. 28<sup>th</sup> and 29<sup>th</sup>.

ENFORCEMENT.

Mr. Meyers moved the Board go into executive session, pursuant to Ohio Revised Code section 121.22 (G) 3, for the purpose of discussing pending or imminent litigation. Ms. Green seconded the motion that passed on a roll call vote as follows:

Mr. Steidl	Yes
Mr. Meyers	Yes
Mr. Rademacher	Yes
Ms. Green	Yes

The Board returned to regular session at 11:32 AM.

A. Settlement Agreements-

- 1) File No. 2016-10: Morteza M. Sabaii, Cert. No. 8360- On motion by Mr. Steidl, second by Mr. Meyers, the Board voted to accept the Settlement agreement and close the case. Motion passed by a 4-0 vote.
- 2) File No. 2016-14: John M. Meyer, Cert. No. 9663- On motion by Ms. Green, second by Mr. Steidl, the Board voted to accept the Settlement agreement and close the case. Motion passed by a 4-0 vote.

B. New Cases

- 1) File No. 2016-15: Greg Noeth, Cert. No. 9521- On motion by Mr. Meyers, second by Mr. Steidl, the Board voted to refer the case to the Engineers Board. Motion passed by a 4-0 vote.

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(New cases continued)

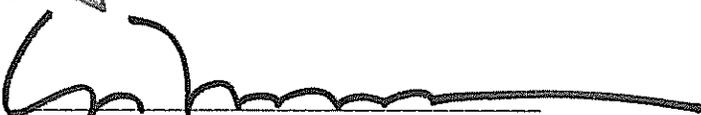
- 2) File No. 2016-16: Roy J. Yoder, Cert. No.5311- On motion by Mr. Steidl, second by Ms. Green, the Board voted to issue a Notice of Opportunity and offer a Settlement Agreement with a \$500 fine, completion of an NCARB monograph, and continued auditing for the next three years. Also included in the agreement will be a notation of the misrepresenting of completion of CE during the online renewals by checking the box saying it was complete. Motion passed by a 4-0 vote.
- 3) File No. 2016-17: Brandon Tipton, Tipton Woods Designs, LLC- On motion by Ms. Green, second by Mr. Meyers, the Board voted to close the case due to compliance obtained and refer to the Engineers Board for possible action. Motion passed by a 4-0 vote.
- (4) File No. 2016-18: Richard R. Drake, Cert. No. 14973- On motion by Mr. Meyers, second by Ms. Green, the Board voted to Issue a Notice of Opportunity and offer a Settlement Agreement for the two charges of Aiding and Abetting and no written contract on four projects. Fine of \$2,000, and completion of an Ethics course. Motion passed by a 4-0 vote.

C. 2<sup>nd</sup> Review Case-

- 1) File No. 2016-13: Craig S. Moreno, Cert. No. 9184- On motion by Mr. Steidl, second by Ms. Green, the Board voted to close the case as compliance has been obtained. Motion passed by a 4-0 vote.

6. ADJOURNMENT.

Mr. Steidl moved the meeting be adjourned at 12:00 PM. Ms. Green seconded the motion which passed by a 4-0 vote.

  
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John Rademacher, President  
\_\_\_\_\_  
Christopher Meyers, Secretary