

Meeting Minutes

West Virginia Board of Architects



Location: 405 Capitol Street
4th Floor Conference Room
Charleston, WV 25301

Date: Friday, February 22, 2019

Time: 12:00 P.M.

Attendees: Todd Boggess, Member (TB)
Adam Krason, Member (AK)
Emily Papadopoulos, Executive Director (EP)
Edsel Smith, Public Member (ES)
Edward W. Tucker, Secretary (ET)
Jan Fox, Public Member (JF)
Mark Weiler, Assistant Attorney General (MW)

Absent: Richard Forren (RT)
Wendy Scatterday (WS)

Order of Business

1. Meeting called to order at 12:24 p.m. by Secretary Ed Tucker.
ET made a Point of Order to recognize the passing of Ted Boggess who served on the WV Board of Architects for over 25 years and had many projects of merit in WV, including numerous churches. On behalf of the Board, ET expressed sympathy to TB and his family.
2. Approval of Minutes
 - a. December 6, 2018 Board Meeting Minutes were approved. Motion to approve ES/AK. Motion passed unanimously.
3. Complaints & Inquiries
 - a. Complaint # 11-20-2018
ET offered a brief summary. Members felt action was warranted because the architect sealed documents he wasn't licensed to seal and didn't prepare. The Board voted to propose a consent agreement in lieu of a hearing with the architect agreeing to complete a two- hour CE on professional conduct/ethics and a penalty of \$500.00. Motion by AK; second by TB. Motion carried unanimously.
 - b. Reciprocal Application without Disclosure
After review of the documents submitted and EP's summary of the response from NCARB, the Board voted to register the architect and directed EP to compose a stern letter indicating that the architect needs to become more familiar with his NCARB file and his record as reflected on the Indiana Board's website. Motion by AK; second by TB. Motion carried unanimously.
 - c. EP reported that with the assistance of MW, the consent agreement for Mark Viola was completed. MW pointed out that all actions resulting in consent order/agreements or final orders should be disclosed as discipline.
4. Registration
 - a. Lynne McDonald's application for reciprocal registration passed unanimously with a motion by TB and second by ES.

5. Legislative Report

EP offered a brief summary of the status of bills that may affect registration or Board operations. She will give a final status at the next meeting.

6. FARB Report

This report was deferred since RT was absent.

7. Rule Review and Recommendations

The Board began Rule Review with Title 2, Legislative Rule, Series 1 Registration of Architects (2CSR1). ET recommended updating 2.2.14 to refer to the new test divisions of ARE 5.0 with six divisions. He also noted that IDP should become AXP throughout the rules and that IDP could be referenced in the definition of AXP. Consensus was that the words "ethical" and "professional" should replace "moral character" throughout the rules. The Board discussed 6.2.2 and how the emphasis in the rule is the word "after" and how the rule might be rewritten for clarity, after EP cited a few examples of confusion by applicants. EP will draft new language for this and other items for review at the next meeting. AK recommended a more punitive payment for late renewals beginning Sept. 1 to discourage lapsed licenses and architects practicing while inactive. AK also recommended establishing a policy/matrix for a minimum number of hours of CE to have completed to determine what is "willful disregard" of the CE requirement. See 8.4.3. AK will draft said policy for consideration, and the Board will revisit "after proper notice and hearing" at the end of 8.4.3. EP asked for clarification on the meaning of 9.5.1, and all agreed that they needed to clarify the intent behind it. The Board will continue discussion of rule review at its March meeting and review drafts of proposed language based upon this discussion.

8. New Business

EP showed the Board the new website and asked for suggestions for photos that could be used with news items. AK commented that photos should be of public buildings when buildings are shown. EP also summarized the changes for the seal brochure to be jointly published with the Engineers Board. In reviewing the text, members commented that "commercial structure" needs a more complete definition in rules/code.

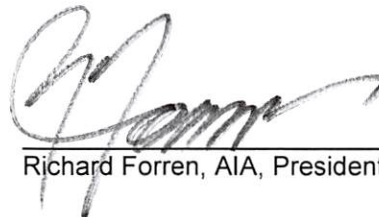
9. Good of the Order & Adjournment

The Board reviewed the upcoming meetings, and the meeting was adjourned at 3:28 PM on a motion by ET and seconded by ES.

Respectively Submitted:



Edward W. Tucker FAIA, Secretary



Richard Forren, AIA, President



Emily Papadopoulos, Executive Director