

West Virginia Board of Architects



Location: Meeting by Teleconference
Originating from 405 Capitol Street
Charleston, West Virginia 25301

Date: December 3, 2020

Time: 12:00 PM

Attendees: Todd Boggess, Member (TB)
Jan Fox, Public Member (JF)
Adam Krason, Member and President (AK) (left meeting at 3:00 pm)
Emily Papadopoulos, Executive Director (EP)
Wendy Scatterday, Member (WS)
Edsel Smith, Public Member (ES) (left meeting at 3:00 pm)
Edward W. Tucker, Member and Secretary (ET)
Mark Weiler, WV Attorney General's Counsel to the Board (left at 2:00 pm)

Guests: none

Absent: Richard T. Forren, Member (RF)

Order of Business

1. Call to Order – 12:05 pm by AK
2. Approval of Minutes – September 17, 2020
On a motion by TB/WS the Board approved the minutes of the Sep. 17, 2020 meeting.
3. Complaints, Inquiries, and Discipline Issues
 - a) Update on Consent Agreement and Order for Complaint # 05-14-2019
 - i. Hart has completed CE required, has sent 2 agreements w/consulting engineers. No other action is required at this time.
 - b) Applications with disclosed discipline for Board review

- i. Ball applied for reciprocal registration using the NCARB certificate. Discipline due to Continuing Education violation in Delaware was disclosed in applicant's record. A motion for approval was made by WS/ET. The Board voted to approve.

c) Inquiry 11-10-2020

- i. Inquiry involves the practice of architecture by an engineer. Following discussion by the Board, on a motion by ES/TB the Board voted to have EP draft a letter on behalf of the Board referring this project and its engineer to the Engineer's Board listing the Board's concerns that the individual is practicing architecture, requesting the Engineer's Board review, and a written response to its questions.
- ii. The Board agreed to further investigate the matter to obtain documentation and to consider a referral to the WVAGO Consumer Division.

4. Action Items Regarding Registration

- a) Initial Application of Kutz reviewed. A motion for approval was made by ET/TB. The Board voted to approve the application. This provided an opportunity for EP to demonstrate how the new Certemy software works with our database (item 6g in Meeting Agenda).
- b) Reciprocal Application of Fisher reviewed. A motion for approval was made by WS/TB. The Board voted to approve the application.
- c) Reinstatement Application of Sturgeon reviewed. A motion for approval was made by ES/WS pending applicant producing certificates for HSW hours being claimed. The Board voted to approve the application.

5. Financial Report

- a) EP reviewed FY 2021 Budget to Actual Summary and Detail. Budget and expenses to date are less than FY 2020. Over \$10,000 is reported as encumbered but will be reduced as the majority of these funds will not be spent. NCARB dues have been paid. Cash balance is very close to same as 2019 at this point in the year. No need for a budget amendment is foreseen at this point. A motion to approved the financial report was made by TB/WS. The Board voted to approve the motion.

6. New Business

- a) Consideration of Policy on NCARB's Integrated Path to Architectural Licensing (IPAL). A motion for approval of the policy as written with the exception of

elimination of “five-year” was made by WS/ES. The Board voted to approve the motion.

b) Audit Report and Board Action:

- i. EP reported that 67 registrants were audited (5% of total). Of those audited 2 have not responded to the audit, 1 sent a log without certificates, 1 reported a deficiency due to medical issues (serious injury), and 5 are deficient on hours.
- ii. Discussion of non-compliance consequences followed. EP compared our Rules with what several other jurisdictions do. In several cases there is no discipline, rather an administrative fine is charged to the registrant for costs incurred due to administration, legal, board time, etc. possibly with a letter of reprimand.
- iii. A motion was made by WS/ES to take the following actions:
 1. Create Board Complaints for 2 non-responsive registrants that include consent agreement to complete 3 hours of Continuing Education (CE) specific to ethics, pay \$500 administrative cost, and provide written confirmation that they have obtained CE hours prior to next renewal. Registrants shall also undergo mandatory CE audit at next renewal period. Must reimburse the Board for administrative costs within 30 days if registrant does not make up the hours within 60 days.
 2. Grant an exemption for CE to the registrant with mitigating circumstances (illness/injury) upon receipt of medical documentation but with same consequence as those who provided incorrect application information.
 3. All remaining non-compliant registrants (provided incorrect application information – did not complete 12 hours): Send each registrant the Board’s model CE letter that acknowledges the misrepresentation on their renewal application and that an administrative fee must be paid based on their circumstances and outstanding CE hours completed.

The Board voted in favor of the motion.

- c) Title “Interior Architect”: Following discussion, the Board requested EP to notify the Mills Group that the term “architect” cannot be used in their marketing information (website) unless Samuel Fisher is licensed as an architect. In addition, AK will write a letter to the appropriate party at WVU to notify that there is no “interior architect” professional license in WV.
- d) 2021 Meeting Schedule: Board meeting dates for calendar year 2021 were reviewed with members present; tentative dates are March 18, June 3, September 16, and December 9.

- e) New Licensing System Update – Demonstration
 - f) 2021 Centennial Year of the Board of Architects: EP discussed opportunity for the Board to celebrate this milestone. Board supported the creation of a committee to recommend a plan of action that may include updating the 1995 Code Officials Handbook, a historical retrospective of the board’s creation and history, legislative acknowledgement, significant milestones, etc. TB, WS volunteered to co-chair the committee with suggestion that ES join as well.
7. Good of the Order / Informational Items
- a) Registration Report: 1,293 total registrants of which 115 are in-state.
 - b) Upcoming Events:
 - NCARB Regional Summit – Virtual
 - March 4 - 5, 2020 1:00 PM – 5:00 PM each day
9. On a motion by JF/TB, ET adjourned the meeting at 3:35 pm.

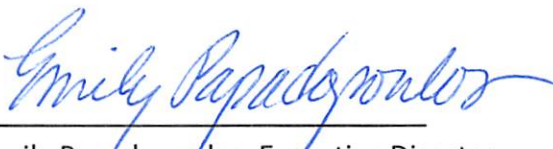
Respectively Submitted:



Edward W. Tucker FAIA, Secretary



Adam Krason, AIA, President



Emily Papadopoulos, Executive Director