

**MINUTES FOR BOARD MEETING OF THE NEVADA STATE BOARD OF ARCHITECTURE,  
INTERIOR DESIGN AND RESIDENTIAL DESIGN (NSBAIDRD)**

**October 24, 2018**

**The Gina Spaulding Boardroom**

**2080 East Flamingo Road, Suite 120, Las Vegas, NV 89119**

**Wednesday, October 24, 2018**

Chairman James Mickey called the meeting to order at 8:10 a.m.

Roll Call: James Mickey, Chairman; Kimberly Ciesynski, Secretary/Treasurer; Gregory Erny; Ann Fleming; George Garlock; John Klai; John Morelli; William Snyder; Nathaniel Waugh.

Also in attendance: Monica Harrison, Executive Director; Louis Ling, Legal Counsel; Laura Bach, Chief Investigator; Stacey Hatfield, Public Information Officer; Terylle Kenani Aguada, Executive Assistant.

**AGENDA ITEM 1**

**Public Comment**

No public comment.

**AGENDA ITEM 2**

**Approval of Consent Agenda**

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: August 22, 2018
- C. Secretary/Treasurer Report (Reports and bank statements)
  - 1. Nevada Architect, Registered Interior Designer and Residential Designer Licensing Statistics
  - 2. Wells Fargo Bank Statements
  - 3. First Independent Bank Statements
  - 4. September 2018 Quarterly Report Statement
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
  - 1. Beasley, Chin & Hunderman, P.C.
  - 2. Klai Juba Wald
  - 3. MB Architecture and Design LLC
  - 4. SP DESIGN CONSULTING INC.
  - 5. WOLFF DESIGN STUDIO LLC
- F. Firm Registration Approval Requests
  - 1. Giattina Aycock Architecture Studio, Inc.
  - 2. KTG Architecture + Planning
  - 3. RDG NE PC

**Architects: Registration by Reciprocity**

7940	Edwards P. James	7964	Grant C. Kirkpatrick
7941	David P. Koel	7965	Michael N. Schuster
7942	Donald R. Lee	7966	Katherine E. Guyon
7943	Andrew Maass	7967	Richard K. Finkel

7944	Michael P. Ehrlich	7968	John B. Minogue
7945	Andrew J. Harding	7969	Brian R. Poliquin
7946	Joseph V. Bellucia	7970	Thomas J. Scofield
7947	Debra M. Chitwood	7971	Joseph M. Lorsung
7948	Shawn Anderson	7972	David L. Mitchell
7949	Jared W. Callis	7973	Kyle J. Matthews
7950	Matthew M. Lafflam	7974	Carl E. Green
7951	Jeffrey T. Keas	7975	Daryl T. Brown
7952	Zachary S. Rockett	7976	Charles J. Todd
7953	Jack C. Ball	7985	Peter F. Pillman
7954	Marc T. Geftman	7986	George M. Schevon
7955	Craig R. Kouri	7987	Justin A. Mihalik
7956	Jerry M. Kovac	7988	William Erwin
7957	Bruce S. Miller	7989	Jeffrey K. Baker
7958	Joseph W. Lang	7990	Donovan R. Davis
7959	Lee W. Mitchell	7991	David C. Musser
7960	Farzin Torbati-Moghaddam	7992	Frank J. Slingerland
7961	Paul K. Gartelmann	7993	Ronald W. Jackson
7962	Melissa J. Edwards	7994	Richard E. Becker
7963	Michael J. Feo		

### **Residential Designers: Registration by Reciprocity**

370-RD Rogerio Deitos

**Motion:** Morelli moved to approve the consent agenda items 2A, 2C-1, 2C-4, 2D through 2E-1, and 2E-3 through 2F-2. Motion seconded by Waugh.

**Vote:** All in favor. Motion passes.

### **AGENDA ITEM 3A**

### **FYI: Updates regarding RD Exam on August 9-10, 2018 in Las Vegas and Reno**

Morelli informed the Board of the results from the recent Residential Design (RD) Exam held on August 9 and 10, 2018 in Las Vegas and Reno. He stated that the exams ran smoothly at the UNLV and the Truckee Meadows Community College (TMCC). Harrison, Aguada, Joyce Castellon and Rebecca Gaul proctored the exam.

Morelli also informed the Board that the RD Exam Grading Committee met on September 13, 2018 to grade the exam. For the written portion, candidates must have scored at least 70% to pass. Four candidates took the written exams, and only one candidate passed just one section of the written portion. Five candidates took the graphic portion of the exam and three passed. Two of the candidates who took the exam will receive initial registration with the Board today.

### **AGENDA ITEM 3B**

### **Discussion and potential action regarding challenges that residential designers are currently facing in the industry and possible approval from the Board for staff to conduct a survey**

Morelli stated that he had spoken with many residential designers about current professional issues. These residential designers have two main concerns. The first issue is that residential designers are restricted from practicing in certain areas by Architectural Review Committees and Homeowners Associations (HOA). The second issue is certain exceptions in NRS 623.

Morelli shared that some of the exemptions in NRS 623, such as for contractors and engineers, have created conflict. He said residential designers are held to a certain standard of care that those others submitting residential plans to building departments are not. Morelli detailed troubles he and other residential designers have had when submitting plans to Nevada building departments. Morelli went on to state that general public does not know about residential designer and that there is opportunity for the Board to communicate that with the public.

Morelli requested the Board staff to conduct a survey on the status of each registered residential designer. The survey would identify what type of services residential designers offer, such as design of custom homes, multi-family homes or remodels.

Mickey asked if residential designers are being held to a higher standard than others and if there is inequality when submitting plans to the building department. Morelli responded that he felt that the building departments have an odd view of the residential design profession and the technicians reject their plans for simple items. He stated that residential designers are competing with contractors and drafting services for business. Contractors and drafters have a different responsibility and standard of care. He felt that there are opportunities for the Board to educate the community and work with building departments to resolve the issues.

Ciesynski said that registered interior designers have similar issues and challenges. Ciesynski suggested the board should include more outreach to better educate the public in next year's Strategic Plan. She also suggested the Board to invite Building Officials in order to build relationships, obtain feedback, and resolve some of the issues. Harrison said that the Board has had discussion with Building Officials and can further discussions on this matter.

Erny, Garlock and Snyder suggested addressing this issue through the Nevada Construction Industry Relations Committee (NCIRC). They said that in the interest of protecting homeowners, the requirements for plans must be consistent and a standard level of care must be maintained, whether plans are submitted by residential designers, professional engineers or contractors. They did not think that asking board staff to conduct a survey would resolve the issues. Board members also said such a survey could be seen as promoting the profession, while the board's mission is protecting the public.

Morelli disagreed and said that through a survey the Board could find out how many registered residential designers are actually practicing residential design, find their scope of work and determine if there is a demand for residential designers.

This issue was discussed at lengths. Mickey tabled the item for further discussion so time sensitive items on the agenda could be heard as posted.

**AGENDA ITEM 4A**

**Deliberations/Action on Application for Registration: Architects**

Mickey welcomed and thanked the family and friends of the candidates. Addressing the candidates, Mickey said that they were being recognized for their great achievement and efforts on their different paths and journeys to receiving their first professional license. He also informed the candidates of the process of the swearing-in ceremony.

Ciesynski swore in the following individuals as architects:

- 1. Ashley Skylar Allard ..... 7977
- 2. Ana Barragan ..... 7978
- 3. Douglas L. Elsarelli ..... 7979
- 4. Thomas Patrick Bristol Huggins ..... 7980
- 5. Karen Lee ..... 7981
- 6. Donald James Patai ..... 7982
- 7. Derrick S. Porter ..... 7983
- 8. Yissa H. Renteria ..... 7984

**Motion:** Erny moved to approve the registration of the above referenced individuals as architects. Motion seconded by Waugh.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 4A**

**Deliberations/Action on Application for Registration: Registered Interior Design**

Ciesynski swore in the following individuals as registered interior designers:

- 1. Elena Andreeva Gonova ..... 249-ID
- 2. Karen Licea ..... 250-ID

**Motion:** Garlock moved to approve the registration of the above referenced individuals as registered interior designers. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 4A**

**Deliberations/Action on Application for Registration: Residential Design**

Ciesynski swore in the following individuals as residential designers:

- 1. Laszlo Z. Herczeg ..... 249-RD
- 2. Kreg L. Mebust ..... 250-RD

**Motion:** Waugh moved to approve the registration of the above referenced individuals as residential designers. Motion seconded by Morelli.

**Vote:** All in favor. Motion passes.

Mickey addressed the new registrants and said that today is a new day as they are now licensed and registered. Mickey introduced Randy Lavigne, executive director of the American Institute of Architects (AIA) Nevada and AIA Las Vegas.

Lavigne thanked the Board for inviting her to share the occasion and told the registrants that she was proud of them. Addressing the new registrants, she said that they have now launched into the most exciting part of their career. She said there was no better time to become a design professional because there are many opportunities for them in the profession, in the community and in the world. Design professionals are problem solvers who will build a better world and it was exciting for all the family and friends, the Board and AIA to be a part of their special moment as they launch into their future. Lavigne said that the AIA is a professional association that offers support and resources for those in the design profession, including advocacy with legislation, protection of their professions, and continuing education opportunities.

Lavigne introduced Caron Richardson, program director of the AIA Las Vegas. Lavigne said that Richardson works with new members of AIA and hopes that the new registrants will become new members. On behalf of the AIA members in Nevada and across the country, Lavigne congratulated the new registrants and wished them success for their future.

Lavigne shared that AIA Las Vegas will be hosting the National AIA Conference on June 6-8, 2019 at the Las Vegas Convention Center. She said that if the registrants become an AIA member, they will be able to attend for free.

Glenn Nowak thanked Lavigne and introduced himself as one of the Board Members of AIA and also the Associate Professor and Graduate Coordinator in the School of Architecture at UNLV. Nowak said that he wanted to recognize all the new registrants on their special day, especially the UNLV Alumni, and mentioned that the new director for the UNLV School of Architecture, Steffen Lehmann, was also present to share the occasion. Nowak congratulated all the new registrants and presented the UNLV Alumni with pins.

Mickey said that one of the benefits of being a new registrant is that they are exempt from continuing education units (CEUs) for the first two years of registration. He shared that the Board and AIA offers a CEU seminar twice a year, one in Las Vegas and one in Reno. For those who wanted to start getting CEUs, Mickey welcomed them to participate in the upcoming seminar in December in Reno. He said that Nevada is a very unique Board as we have different requirements and laws that other jurisdictions might not have. Mickey encouraged the new registrants to get to know the Board and the staff, as they are available for support and resources as they start their careers. He also encouraged them to utilize National Council of Architectural Registration Boards (NCARB) and Council for Interior Design Qualification (CIDQ) as resources and to participate and get involved with other organizations.

Harrison suggested registrants who plan on registering their firm, should contact the Board for assistance as there are changes to the Nevada Secretary of State process and filing for a business license. She encouraged the new architects to obtain their NCARB certificate to gain mobility from state to state.

Mickey invited to registrants to share feedback in regards to the examinations, processes and experiences on their paths to licensure. He asked which architects went through the Architect Registration Examination (ARE) transition from the ARE 4.0 to the ARE 5.0. Four of them indicated that they did.

Barragan said that it was a big incentive for her to do the transition from the 4.0 to 5.0 because she was able to take a shortcut and did not have to take an extra exam but the mental transition was difficult.

Elsarelli shared that he felt that the 5.0 is a better test because of its software and better case studies compared to the vignettes on 4.0. He also mentioned that one of the reasons why he went with the 5.0 is because of the shortcut method of only having to take five exams.

Allard stated that he also took the transition and found the shortcut. He shared that the last two exams that he took in the 5.0 were the most difficult for him. He also said that the preparation for those exams were tough as he was not used to the contents of the exam.

Huggins said it was nice to take one less test with the shortcut and took the transition. He stated that having his degree, completing IDP, working with great firms and studying hard was enough for him to pass the exams.

Mickey asked if there was any feedback from the registered interior designers. Ciesynski stated there have been some changes to the tests in the past two years and asked the registered interior designers how the testing went for them.

Gonova shared that she took the computer tests and that it went well for her. She said that it was an intense test and she had only three minutes remaining when she completed the test.

Licea stated that she took the practical test a couple years ago and used the former testing method with the drafting boards and T-squares. She said that it was a different challenge, but good test, as came from a good training program that included drafting.

Ciesynski addressed the registered interior designers and informed them that there is an Ambassador Program with NCIDQ. She encouraged them to become an Ambassador so they could assist with others who are going through the NCIDQ program to become registered. Ciesynski also said that being a part of the program will keep them connected on a national level.

Mickey asked the residential designers if they would like to share any feedback. Mebust shared that he thought the written residential design exams were clear and concise and the time that was allocated for each of the three exams were adequate. He said that the vignette of the graphic portion was more challenging. He felt that the platform for the graphic exam would be better if it was on the Revit software rather than the AutoCAD. He also felt that the exams were extremely challenging, but well written, and shared his appreciation and admiration for those who wrote the exams.

Herczeg also felt that the exams were well written. He said that the exam was complicated at first but became straight forward towards the end. Herczeg made a suggestion that the Board should offer the residential graphic exam twice a year rather than once a year. He stated that waiting a whole year to retake an exam is too long.

Erny asked Mebust and Herczeg why they wanted to become residential designers and what do they intend to do with their licenses. Herczeg responded that he wanted to design homes. He said that he started his path to licensure a little later in life than most but followed through because designing homes is his passion. Erny asked if he intends to open his own practice and Herczeg responded that he is currently working for a respected architectural firm as a manager and has opportunities to work on many residential projects.

Mebust shared that he loves teaching at Truckee Meadows Community College (TMCC). He also shared that he has his Nevada landscape architect license and felt that is important to share landscape architect and residential design requirements and disciplines with his students. Mebust said that having the knowledge and experience as a licensed landscape architect and licensed residential

designer shows his commitment to the college and elevated the program. He shared that there are a lot of students at TMCC that pursue the residential design path because the architectural path is daunting to them. He said that TMCC appreciates the relationship they have with the Board and UNLV.

Garlock thanked the audience and appreciated their support and attendance in celebration of the new registrants. Erny asked the registrants if there was importance to attending the ceremony and being sworn-in.

Mebust said that he was a bit hesitant at first because of the cost to fly from Reno to Las Vegas to be sworn-in. He said that after completing the swearing-in and receiving his license and certificate, the process was special and made a deeper impression versus receiving a certificate in the mail. He also said that he appreciated the experience and it was worth the cost and time to travel to Las Vegas because he also got the opportunity to meet the Board and the staff.

Allard shared that he is a Las Vegas local but has been traveling out of town a lot. He said that even though he had to find time and purchase an extra plane ticket to come back to Las Vegas, it was worth it and appreciated the honor and opportunity to be a part of the celebration. Allard's wife commented that Allard was excited and looked forward to the ceremony. She stated that Allard made sure that she took off from work to be a part of his big day.

Addressing the registrants, Erny asked who had the shortest path to licensure since they started college. Elsarelli responded that it took him 8 years to receive his license since he started college. Mickey responded that the national average time to receive architectural license is 12 years. Erny asked who had the longest path to licensure. Porter responded that he took a long journey and stated his path in 1989 by going to school and working part-time. Barragan shared that she started her career as a civil engineer in the military and also went to UNLV. She said that after taking a short break from school, she completed the graduate program with UNLV then started to work with Klai's architect firm. While working for Klai's firm, she took the ARE to complete her path to licensure.

Mickey encouraged the registrants to join organizations and become members and certificate holders of NCARB and CIDQ. He said that supporting those organizations will support the future registrants. As stated in the oath, Mickey reminded the registrants that their primary professional purpose is to protect the public. He welcomed the registrants to the profession, wished them the best for their future and gave his congratulations.

## **AGENDA ITEM 5**

### **Presentation by Professor Atilla Lawrence from UNLV regarding the Healthcare Interior Design Program**

Professor Atilla Lawrence presented information regarding the UNLV Healthcare Interior Design Program via power-point and distributed handouts of his presentation to the Board.

Lawrence explained to the Board that UNLV offers a Master of Healthcare Interior Design degree that is a collaborative program which provides a cross-disciplinary and research/innovation-driven educational experience that is responsive to current and projected modes of professional practice in the design of health promoting and healthcare environments. He said that the program is very engaged with the community as the community helps students to understand the environment and how to make their designs better.

Lawrence shared the statistics that Nevada deals with many mental health issues, such as dementia and depression, but only has about 170 licensed psychiatrists in Nevada who can provide qualified

professional services that is much needed. In addition to the statistic, he said that healthcare costs are continuing to sky-rocket and not only are the mentally ill are suffering, but so are the caretakers. He said that design environment is precedent, and without the education of design, the environment can hold an ill person back from recovering.

Lawrence also explained that environment and interior designs are integral to multi-component healthcare strategies because it promotes modalities for improving the quality of human life and health. He researched that after patients have received medical treatment, they most likely return to a place or environment that makes them feel depressed again and discourages them to move forward and sometimes relapse. He said that people cannot separate the human brain from the human experience and environment.

To advance healthcare design, Lawrence said that it is critical to have cross-disciplinary collaboration. Cross-disciplinary collaboration helps students understand how people experience the environment, inspires a new thinking and bridges the gap between research and practice. He said that the professional development of the students is further enhanced by the program's unique relationship with regional and national healthcare entities who allow the students to become interns. By building a relationship with healthcare entities, students gain knowledge to form a design strategy by considering lighting, acoustics, heating and cooling elements, and spacing arrangements of an environment that will help illness.

Lawrence invited the Board to ask any questions they had in regards to the Healthcare Interior Design program. Klai asked how often is there a symposium for the students meet with the Cleveland Clinic 'Ruvo' Center for Brain Health and who is able to attend. Lawrence responded that there are three to four meetings a semester where the students meet with the panel made up of Ruvo medical specialists and on the final meeting, students reveal their final design presentations.

Ciesynski asked if the students are prepared to apply their knowledge to begin their career and what the outcome of the program is once the students have finished school. Lawrence responded that the students' internship is always performed under a licensed professional designer or builder which allows them to gain exposure to other types of designs.

Mickey asked if the students will be eligible to take the NCARB or NCIDQ exams. Lawrence replied that the students who have graduated from this two year program will be prepared for only the NCIDQ exams.

Erny stated that this program is not accredited by the Council of Interior Design Accreditation (CIDA) or National Architectural Accrediting Board (NAAB). Erny asked if the program is recognized or seeking accreditation. Lawrence responded that the undergraduate interior design program is CIDA accredited. He also said that the graduate program launched two years ago and will pursue CIDA accreditation when it has enough years to qualify to apply.

Lawrence thanked the Board and offered his contact information should the Board have any questions in the future. The Board thanked Lawrence for his presentation.



**AGENDA ITEM 3B**

**Discussion and potential action regarding challenges that residential designers are currently facing in the industry and possible approval from the Board for staff to conduct a survey – Continued**

Mickey introduced Larry Tindall, Registered Residential Designer and former Board Member; to resume the discussion in regards to the challenges that residential designers are currently facing in the industry and possible approval from the Board for staff to conduct a survey.

Erny asked Tindall if he could expand and elaborate on the difficulties and frustrations that he may personally have in practicing residential design. Tindall responded that he thinks that the residential design program is a valuable asset and has the possibility of expanding throughout the country because it gives people a different avenue in the design profession. He also stated that he felt that building departments like the fact that residential design is regulated and he has received positive feedback in the past. Tindall said that having exemptions, such as drafting services, homeowner builders and contractors, weighs heavily on the residential design profession. He said that people tend to do whatever is easier and cheaper for them and seek out the other exemptions and avenues.

Tindall stated that he agreed with Morelli in some ways because he feels that having exemptions for drafting services, homeowner builders and contractors is an antiquated concept. He also said that the plans of the drafting services, homeowner builders and contractors are not being scrutinized by the building departments the same way as the residential designers' plans are and they are still granted permits.

Garlock said that because drafting services, homeowner builders and contractors are not regulated by the Board, the Board is discussing bringing this up at the next NCIRC meeting.

Erny commented that the building departments were supporters of regulating residential designers. He added that there needs to be a level playing field to ensure the people exempted from NRS 623 are meeting the same standard of care.

Garlock returned to the possible approval for Board staff to conduct a survey of residential designers. He argued that Board staff shouldn't conduct the survey because the Board doesn't regulate whether or not residential designers continue to use their license and practice residential design.

Mickey stated that based on the discussion, the Board should request staff contact the building department and resurrect NCIRC to organize a plan to move forward in resolving some of the issues. Board members agreed with Mickey. The Board thanked Tindall for his time and feedback.

**AGENDA ITEM 11A**

**Presentation of cases – discussion of settlement agreements**

Mickey recused himself from item 11A-3, 11A-5 and 11B.

**AGENDA ITEM 11A-5**

**Case No. 19-003N In the matter of Taal Safdie and Safdie Rabines Architects**

Bach informed the Board that Taal Safdie and her attorney were present.

The Respondents are alleged to have violated NRS 623.360.1(a) (b) and (c) by holding themselves out as an architect and engaging in the practice of architecture without having certificates of registration with this Board.

Staff received an anonymous complaint that the Respondents had submitted a land use package to Clark County Planning. Staff obtained and reviewed the drawings submitted to the planning department as well as the Respondents proposal and consulting agreement. The project is a mixed use facility of 2,489,381 sq. ft. Although conceptual in nature the drawings were very extensive and showed seven buildings, a clubhouse and three different residential floorplans.

The Respondents were sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$50,000 plus Investigative Costs in the amount of \$1,800.

Staff recommended approval of the settlement agreement.

**Motion:** Waugh moved to approve the settlement agreement. Motion seconded by Erny.

**Vote:** Mickey recused himself and all others in favor. Motion passes.

**AGENDA ITEM 6**                      **Review and approval of the 5-year budget projection from FY 2019-2023**

Harrison presented the Board's 5-year budget projection from FY 2019-2023 and the information was also presented in the Board Meeting eBook.

Harrison said that she created two versions of the budget to reflect how the Board would be affected, if it no longer is able to keep its fines.

Erny asked when administrative fees would be taken from the Board's budget. Ling responded that it would be effective upon passage of a law or possibly in October of 2019, after the first billing cycle in the new fiscal year. Ling confirmed that the removal of fines would not be retroactive.

**Motion:** Waugh moved to approve the 5-year budget projection for FY 2019-2023 with administrative fees still included in the budget. Motion seconded by Garlock.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 2B**                      **Approval of Minutes: August 22, 2018**

The draft of the August 22, 2018 Board Meeting Minutes was presented in the Board Meeting eBook.

Erny said some revisions should be made. He referred to the last sentence of the first paragraph, on item 11C of the minutes on page 19 of the eBook, and requested to change "building departments" to "agencies who solicit architectural services." He also said that in the second paragraph of item 19 of the minutes, on page 23 of the eBook must be corrected to read "American Institute of Architects" and not "Architect Institute Association."

**Motion:** Waugh moved to approve the August 22, 2018 minutes with the revisions requested by Erny. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 2C-2            Secretary/Treasurer Report – Wells Fargo Bank Statement**

The Wells Fargo Bank Statements were presented in the Board Meeting eBook.

Erny shared that Morgan Stanley is offering lower rates for their CDs with no time commitment. He proposed that the Board look into moving and transferring funds from Wells Fargo to Morgan Stanley.

**Motion:** Waugh moved to approve the Wells Fargo bank statement. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 2C-3            Secretary/Treasurer Report – First Independent Bank Statements**

The First Independent Bank Statements were presented in the Board Meeting eBook.

**Motion:** Waugh moved to approve the First Independent Bank statement. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 2E-2            Firm Name Approval Request - Klai Juba Wald**

**Motion:** Waugh moved to approve the firm name approval request for "Klai Juba Wald." Motion seconded by Garlock.

Erny questioned if the email provided on page 72 of the eBook from Dan Juba, the founding principal, is sufficient supporting documentation for consent to use his name. Ling responded that it is up to the Board whether or not a formal letter is required. Ciesynski stated that the email is adequate as it was verified that the email came directly from Juba.

**Vote:** Klai and Fleming recuse themselves and all others in favor. Motion passes.

**AGENDA ITEM 2F-3            Firm Registration Approval request – RDG NE PC**

**Motion:** Waugh moved to approve the firm registration approval request for "RDG NE PC." Motion seconded by Erny.

Mickey questioned what the letter "G" of the acronym stood for as the first page of their firm application stated "RDG" stood for Renaissance Design Company. Aguada confirmed that the applicant provided a revised application and certified that the "G" stood for Group and not Company.

Klai said that "NE" stood for Nebraska and he asked the Board if it was acceptable for the firm to use "NE" to practice in Nevada. Harrison confirmed with Ling that utilizing another state's acronym was allowed.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 7**                      **Presentation of Audit Results for Fiscal Year End 2018 – Christy Andersen, CPA, Bradshaw, Smith & Co., LLP**

Christy Andersen, accountant for Bradshaw, Smith & Co., LLP, presented the fiscal year end 2018 audit results to the board.

Anderson said it is required to be in compliance of government audit standards, reported that there were no significant deficiencies, and described it as a clean report.

**Motion:** Waugh moved to accept the audit results for Fiscal Year End 2018. Motion seconded by Snyder

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 11A-1**                      **Case No. 18-030N & Case No. 18-036N In the matter of MiQuelle Quinn and MQ Interiors Inc.**

The Respondent is alleged to have violated NRS 623.360.1(a) (b) and (c) by holding herself out as a registered interior designer and engaging in the practice of registered interior design without having a certificate of registration with this Board.

Staff received two complaints that the Respondent was not providing the services she had been paid to perform. Further investigation revealed that she was specifying FF&E for a law office and that she had specified new electrical outlets for a home office. Additionally, she was advertising on her website [www.mqinteriors.com](http://www.mqinteriors.com), Facebook, Houzz and LinkedIn pages that she provided commercial interior design services.

The Respondent was sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Guilt Clause and an Administrative Penalty of \$6,000 of which \$5,000 is stayed providing that Respondent obtain her Fire Marshal Certificate and register to take the NCIDQ in the spring, plus Investigative Costs in the amount of \$1,500.

Staff recommended approval of the settlement agreement.

**Motion:** Waugh moved to approve the settlement agreement. Motion seconded by Erny.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 11A-2**

**Case No. 18-052N In the matter of Oswald Kim and OzzyKDesigns, LLC**

The Respondent is alleged to have violated NRS 623.360.1(a) and (b) by holding himself out as an architect and as a registered interior designer without having a certificate of registration with this Board.

Staff received anonymous information that the Respondent's website was advertising Nevada projects as being designed by him. Further investigation revealed the Respondent's website [www.ozzykdesigns.com](http://www.ozzykdesigns.com), LinkedIn and Facebook pages were advertising three Nevada projects as being designed by him.

The Respondent was sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$5,000 plus Investigative Costs in the amount of \$1,200.

Staff recommended approval of the settlement agreement.

**Motion:** Waugh moved to approve the settlement agreement. Motion seconded by Klai.

**Vote:** All others in favor. Motion passes.

**AGENDA ITEM 11A-3**

**Case No. 18-056N In the matter of Oma\*Amo Architecture P.C.**

The Respondent is alleged to have violated NRS 623.360.1(a) (b) and (c) by holding themselves out as an architect and engaging in the practice of architecture in Nevada without having a certificate of registration with this Board.

Staff received anonymous information that the Respondent had issued a statement of qualifications for a Truckee Meadows Community College project. Further investigation revealed they had prepared a feasibility study and issued a statement of qualifications for two separate Nevada projects.

The Respondent was sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$10,000 plus Investigative Costs in the amount of \$1,500.

Staff recommended approval of the settlement agreement.

**Motion:** Waugh moved to approve the settlement agreement. Motion seconded by Snyder.

Erny stated that he did not find any Nevada registrants in the case, but noticed that the individuals involved in the project are registered in other states. Bach responded that they are registered in New York and only the firm is being reported. Erny argued that rather than just the firm, it is unethical that the individuals are not being reported as responsible parties in the case. Garlock agreed with Erny.

**Vote:** Mickey recused himself, Erny and Garlock opposed, and all others in favor. Motion passes.

**AGENDA ITEM 11A-4**

**Case No. 19-001N In the matter of Mindi Hynek and Nevada Design and Décor**

The Respondent is alleged to have violated NRS 623.360.1(a) (b) and (c) by holding herself out as a registered interior designer and engaging in the practice of registered interior design without having a certificate of registration with this Board.

Staff received an anonymous complaint that the Respondent was advertising on her website [www.nevadadesignanddecor.com](http://www.nevadadesignanddecor.com) that she provided commercial interior design services and space planning. A review of Respondent's Facebook page revealed a video interview where she implied that she is a licensed registered interior designer. There were also two commercial projects for which the Respondent provided FF&E.

The Respondent was sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. The settlement agreement incorporates a Guilt Clause and requires the Respondent to either pay an Administrative Penalty of \$10,000 plus Investigative Costs in the amount of \$1,500, or obtain the State Fire Marshal's certificate within 90 days of the executed settlement and \$5,000 of the Administrative Penalty will be stayed. The Respondent chose to obtain the fire marshal certificate and pay the reduced Administrative Penalty of \$5,000 plus Investigative Costs of \$1,500.

Staff recommended approval of the settlement agreement.

**Motion:** Klai moved to approve the settlement agreement. Motion seconded by Waugh.

Klai asked if the respondent pursued the fire marshal's certificate. Bach responded that she has ninety days from today to obtain the certificate. Erny asked how long is the process to obtain the certificate and Bach replied that it takes two days.

**Vote:** Ciesynski recused herself and all others in favor. Motion passes.

**AGENDA ITEM 11A-6**

**Case No. 19-007N In the matter of Timothy Bundy and Bundy Finkel Architects, Inc.**

The Respondent is alleged to have violated NRS 623.360.1(a) (b) and (c) by holding himself out as an architect and engaging in the practice of architecture in Nevada without having a certificate of registration with this Board.

During a reciprocity interview it was discovered that the Respondent had checked yes to the question that asks "*Have you or any firm or business at which you practice architecture provided a proposal to a client, entered into a contract or agreement with a client, prepared drawings for a client, or otherwise performed architectural work for a project located or contemplated in Nevada?*" The Respondent had prepared a feasibility study for a Nevada project.

The Respondent was sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. A

settlement agreement was negotiated incorporating a Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$4,000 plus Investigative Costs in the amount of \$1,000.

Staff recommended approval of the settlement agreement.

**Motion:** Waugh moved to approve the settlement agreement. Motion seconded by Snyder. Erny questioned why the Board is disciplining a person for re-striping a parking lot as it is not a habitable space. Bach replied that re-striping a parking lot is considered the practice of architecture because it reconfigures the space.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 11A-7      Case No. 19-014N In the matter of Edgar Montalvo and XP Consulting**

The Respondent is alleged to have violated NRS 623.360.1(a) and (b) by holding himself out as an architect without having a certificate of registration with this Board.

Staff received a complaint stating the Respondent had been hired to prepare plans for a church addition and had not yet provided plans that could be submitted to the building department. Further investigation revealed the Respondent who is not registered, drafted a set of plans which were given to a Nevada registrant to prepare and take responsible control; however, the Respondent had issued a proposal to the complainants for drafting services and had listed the general contractor as the design professional.

The Respondent was sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$2,500 plus Investigative Costs in the amount of \$1,300.

Staff recommended approval of the settlement agreement.

**Motion:** Waugh moved to approve the settlement agreement. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 11A-8      Case No. 19-019N In the matter of Mark Larson and Rehkamp Larson Architects, Inc.**

The Respondent is alleged to have violated NRS 623.360.1(a) (b) and (c) by holding himself out as an architect and engaging in the practice of architecture in Nevada without having a certificate of registration with this Board.

During a reciprocity interview it was discovered that the Respondent had checked yes to the question that asks "*Have you or any firm or business at which you practice architecture provided a proposal to a client, entered into a contract or agreement with a client, prepared drawings for a client, or otherwise performed architectural work for a project located or contemplated in Nevada?*" The Respondent had issued two proposals and prepared drawings for two Nevada projects.

The Respondent was sent a Notice of Charges concerning this matter. The Respondent's case was discussed with Executive Director Harrison and the decision was made to offer the Respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a No Contest Clause and an Effect on Licensure Clause with an Administrative Penalty of \$12,500 plus Investigative Costs in the amount of \$1,000.

Staff recommended approval of the settlement agreement.

**Motion:** Waugh moved to approve the settlement agreement. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 11B                      Discussion and possible decision regarding closure of enforcement cases:**

Bach recommended the following cases for closure without disciplinary action:

18-028R	18-058N	18-060N	18-061R	18-062R
18-064N	19-002R	19-005R	19-006N	19-008N
19-009N	19-010N	19-011N	19-012R	

**Motion:** Waugh moved to close the above referenced cases. Motion seconded by Snyder.

**Vote:** Mickey recused himself and all others in favor. Motion passes.

**AGENDA ITEM 11C-1                      Review and possible approval of the notice to drafting firms regarding drafting services for projects located in Nevada**

The notice regarding drafting services for projects located in Nevada was presented to the Board in the Board Meeting eBook.

Bach shared that she and Hatfield has revised the notice that will be sent to drafting companies and requested the approval of the Board.

**Motion:** Waugh moved to approve the notice regarding drafting services for projects located in Nevada. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 11C                      Enforcement Report**

Bach shared her recap of her recent Northern Nevada trip. She visited numerous outlets like the Nevada Public Works, Carson City Building Department, Nevada State Fire Marshal, Douglas County Building Department, City of Reno Building Department, Washoe County Building Department, Sparks County Building Department, Storey County Building Department and many other departments. She said most of Northern Nevada Building Departments still require wet stamped plans and only allow electronic stamp for small projects. She also said that each department intends to adopt the 2018 code updates in January of 2019, effective July 2019.



Klai asked how many days she spent on the Northern Nevada trip and Bach replied that she took two days to visit all the Northern Nevada departments.

Bach stated that one item that came up in discussion with the different departments is the building code requirements and what is considered to be a high-rise building. She said that Northern Nevada jurisdictions said that any building above 55 feet is considered a high-rise because of what's stated in the State Fire Marshal statutes.

Erny asked if the Board welcomes the building departments to report and discuss any potential issues. Bach said yes and that she received feedback from Washoe County to ask if the Board could have a conference call with them and other Northern Nevada building officials or to speak at the International Code Council (ICC) meetings to discuss any potential issues. She also said that some of the building officials weren't aware of the Blue Book so she provided them with a copy.

### **AGENDA ITEM 8                      Public Hearing for NSBAIDRD regulation R073-17**

Information regarding the Public Hearing for the NSBAIDRD regulation R073-17 was presented in the Board Meeting eBook.

Mickey informed the Board that a public notice was posted and a workshop was held in regards to the adoption of this regulation. He offered the opportunity for a public session for discussion, but there was no public in attendance and therefore there was no public comment.

**Motion:** Waugh moved to approve the proposed regulation. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

### **AGENDA ITEM 9                      Presentation of City of Las Vegas 2018 Code Adoption Updates by Fire Deputy Chief Robert Nolan**

Fire Deputy Chief Robert Nolan presented information regarding the City of Las Vegas 2018 Code Adoption Updates via power-point and distributed handouts of his presentation to the Board.

Nolan introduced himself and said that the presentation will be a broad overview of the important updates to the 2018 International Building Code (IBC), International Residential Code (IRC) and the International Fire Code (IFC) as well as the Southern Nevada Building Officials (SNBO) consensus amendments. He also stated that he fully supports the International Code Council (ICC) because of the technical reviews. Nolan informed the Board that all the amendments of the base codes were vetted through the SNBO process, including the Fire Codes.

Nolan said that the IBC transitioned from the 2012 to 2018, skipping the 2015 cycle. He said some of the significant changes from 2012 to 2018 were the regulations regarding greenhouses, the usage of rooftops, and reformatting requirements related to motor vehicle matters. He also said that there have been changes to the regulations regarding fire walls and automatic sprinklers, requirements to increase schools' security measures and also baby changing tables. Nolan encouraged the designers to design and deliver a plan that they want or the client desires and the fire marshals will mitigate any areas that need adjustments in the development agreement.

Nolan informed the Board of the non-amendment that the SNBO building and fire codes were adopted in Henderson, North Las Vegas and City of Las Vegas within the 12 months of the ICC publication. He said that this allowed each jurisdiction to invoke the exemption from State Fire Marshal specific amendments as allowed in NRS 477.10. This non-amendment is also known as a pop-cap exemption. Nolan said that this was done primarily to allow Southern Nevada building departments to revert back to the base code definition of a "high-rise building" as more than 75 feet. Mickey asked why this does not apply to Northern Nevada and Nolan responded that the cities in the north are not eligible because the pop-cap exemption only applies to cities with a population of 700,000 or more. Nolan clarified that the minimum 55 feet high-rise building is a code amendment and the 75 feet high-rise building is a non-amendment.

Nolan shared that some of the important changes of the 2018 IRC were changes in exterior walls, townhouse separations, carbon monoxide alarms, habitable attics, and decks. He also said that SNBO made some amendments to automatic fire sprinkler triggers in residential homes which will become effective on February 4, 2019. Nolan said that the amendment provided a separate Memorandum of Understanding (MOU) for Southern Nevada Home Builders that would be beneficial for the home builders during development.

Nolan informed the Board of the significant changes to the 2018 IFC. He said that the changes included cryogenic carbon dioxide for beverage dispensing, emergency planning for outdoor public assembly, hood systems for mobile food trucks, lockdown plans, the fire watch duties for construction and demolition, and safety concerns in laboratory facilities associated with higher learning institutions.

Nolan reminded the Board that the codes of the 2018 IBC, 2018 IRC, and 2018 IFC were adopted on August 15, 2018 and will be in full effect on February 4, 2019.

## **AGENDA ITEM 10                      2019 Legislative Session Lobbyist Update – Jim Wadhams**

Mickey introduced Jim Wadhams to provide the Board of the updates for the 2019 legislative session.

Wadhams updated the Board on the current Nevada Governor elections between Adam Laxalt, Republican, and Steve Sisolak, Democrat. He stated that this election cycle will be challenging and that the democrats will hold the majority. He shared that even though the race is close, the current election polls favor Sisolak. Wadhams also said that he does not anticipate a difficult session.

Ling stated that Laxalt mentioned occupational licensing in his a platform. Wadhams responded that Nevada is the number one state with occupational licensing and Laxalt has made it a part of his campaign.

Based on the Board's recent review by the Sunset Subcommittee, Harrison asked what the Board should expect after the election. Wadhams replied that the Board should not expect any major challenges. He said that once the election is over, he and Harrison will arrange to meet with the committee chairs in each house to get acquainted.

## **AGENDA ITEM 12A                      Architect Report – FYI: NCARB Meet the First IPAL Graduates**

This information was presented to the Board in the board meeting eBook.

**AGENDA ITEM 12B**

**Architect Report – FYI: NCARB Northern Mariana Islands Joins NCARB**

This information was presented to the Board in the board meeting eBook.

**AGENDA ITEM 12C**

**Architect Report – FYI: NCARB Update August, September & October 2018**

This information was presented to the Board in the board meeting eBook.

Erny asked the Board to refer to page 941 of the eBook. It recognized the new bill passed by congress, US HB 6515, the Occupational Licensing Board Antitrust Damages Relief and Reform Act of 2018. He said that the US HB 6515 was developed by a coalition of other licensing boards and associations.

**AGENDA ITEM 12D**

**Architect Report – FYI: NCARB Fast Facts August & September 2018**

This information was presented to the Board in the board meeting eBook.

**AGENDA ITEM 13**

**Registered Interior Design Report**

Fleming shared that the CIDQ will hold its annual conference on November 11, 2018 and the Board Members who will be attending are Mickey, Ciesynski, Klai, Fleming and Erny.

**AGENDA ITEM 13A**

**Registered Interior Design Report – FYI: CIDQ Fall 2018 Q-Connection**

This information was presented to the Board in the board meeting eBook.

**AGENDA ITEM 14**

**Public Member Report**

Waugh reported that he recently attended a meeting at NCARB and shared that NCARB has been working with boards to streamline the process of sending registrant information.

**AGENDA ITEM 15**

**Executive Director Report**

As requested by the Board's Public Board Member, Harrison reported that she gathered information in regards to the travel expenses between holding a board meeting in Las Vegas versus Reno.

Harrison reminded the Board of board meetings scheduled on January 16, 2019 and March 6, 2019. She also informed the Board that the 2019 renewal postcards were mailed to registrants the first week of October. She reported that 625 registrants have already renewed online and 35 have mailed in their renewals.

Harrison said that the Continuing Education Unit (CEU) Seminar that is scheduled for December 6, 2019 and will be located in Reno and the Silver Legacy. She also said that she plans to have a CEU committee meeting with AIA.

Harrison updated the Board of the Board's staff activity. She said that staff has been very busy with the start of renewal season and also the increase of reciprocity applications. She gave praise to Aguada for handling heavy workloads and also gave praise to Bach for a job well done with enforcement cases. She also thanked Hatfield for her hard work and enhancing the Board's social media profiles.

Harrison informed the Board that next year, the Board will celebrate its 70<sup>th</sup> anniversary. She said that she hopes to plan an event for the special occasion.

### **AGENDA ITEM 16                      Board Counsel Report**

Ling reported that as a result of the previous approval of litigation expenses related to matters involving Dennis Rusk, he filed with the Supreme Court to have case dismissed. He also reported that he moved to get a stay with the District Court proceedings. Ling stated that he will make another motion to allow the Board to have a final say, but must ask the Supreme Court for permission to do so as this case has progressed. He also stated that he will keep the Board posted as to whether or not there will be an oral argument.

Ling shared that there has been an Open Meeting Law Complaint filed and Harrison and he filed a response. He said that the complaint came from a former employee who found issues with minutes from the June 6, 2018 board meeting, in regards to the potential raises for staff. Ling said that the essence of the complaint was that the former employee assumed that the Board had a discussion about that employee and that there was a closed session that was not disclosed. Ling confirmed that there was not.

### **AGENDA ITEM 17                      Public Information Officer Report**

Hatfield informed the Board that she started and is maintaining the Board's Twitter account and that she is currently working on obtaining more followers. She also stated that she has been working on improving the Board's presence on social media. To improve the Board's presence, Hatfield has created a social media plan and calendar which was provided to the Board in the Board Meeting eBook. She said that she has set a target to post and share information on each social media account with a minimum occurrence of at least once a week, and to include different content that will target different audiences. Hatfield stated that she reached out to NCARB and State of Nevada to inquire if they had a model of their outreach and social media plan or any requirements. She said that NCARB and State of Nevada do not have any model plans or guidance.

To increase the Board's outreach program, Hatfield stated that she has been focusing on education outreach. She said that she spoke to architectural and interior design students at UNLV with Nowak in an informal meeting. She spoke about the Architectural Experience Program (AXP) with NCARB, reminded them to log their training and experience hours, and encouraged them to start internships. After speaking to the students, Hatfield shared that many students would like to start taking the Architect Registration Examination (ARE) with NCARB while attending school and are motivated to becoming licensed professionals.

Hatfield shared that she visited Southeast Career Technical Academy (SECTA) in Las Vegas with Harrison to speak with the senior and junior students to provide them with information and a better understanding of the different opportunities, requirements and paths to their design careers. She also stated that there are many students of low-income families at SECTA where a bachelors' or masters' degree may be difficult for them to obtain, but were interested in learning about other career paths that are available for them. Hatfield informed the Board that she plans to visit Academy for Career Education (ACE) Charter High School and Truckee Meadows Community College (TMCC) in Reno on November 15, 2018 to speak to students in the Residential Design program. She said that she has reached out and plans visit other technical schools in Nevada. She stated that she will provide informational handout materials to the students that will include basic information on how to become design professionals after high school.

Recently, Hatfield has also been working with the AIA to promote the upcoming Continuing Education Unit (CEU) Seminar in Reno by sending numerous emails and posted the event on social media. She asked the Board if she would be able to participate in the AIA National Conference in Las Vegas in 2019 and possibly have an informational booth to educate attendees about the Nevada laws. Klai responded that it may be too expensive but the AIA might have interest in collaborating with the Board in having a Las Vegas informational booth.

Ciesynski and Erny gave praise to Hatfield for her job well done with the outreach program, social media and continuous activities. Erny shared that the International Code Council (ICC) Annual Conference will be held in Las Vegas in year 2019 and encouraged Hatfield to find outreach opportunities to build a relationship and communicate with building officials. Erny said that speaking to the building officials will make the Board more approachable and allow the building officials to utilize the Board as a resource.

**AGENDA ITEM 18**                      **Election of officers**

Klai thanked Mickey and Ciesynski for their hands-on leadership during a challenging time and for their assistance in steering through the agendas.

**Motion:** Klai moved to nominate Ciesynski as the Board Chair and Mickey as the Board Secretary/Treasurer. Motion seconded by Erny.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 19**                      **Items for future agenda**

No items for future agenda.

**AGENDA ITEM 20**                      **Public Comment**

No public comment.

Chairman Mickey adjourned the meeting at 4:35 p.m.

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Monica Harrison, Executive Director

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Kimberly Ciesynski, Secretary/Treasurer