

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

August 18, 2021

Virtual Board Meeting – Video conference and audio offered via Zoom

https://us02web.zoom.us/j/88222009585 or 1(669) 900-9128 or 1(253) 215-8782; Meeting Code: 882 2200 9585

Wednesday, August 18, 2021

Chairman James Mickey called the meeting to order at 8:33 a.m.

Roll Call: James Mickey (Chairman), William Snyder (Secretary/Treasurer), Kimberly Ciesynski, Gregory Erny, Ann Fleming, George Garlock, John Morelli, and Tina Wichmann. Nathaniel Waugh was excused

Also in attendance: Monica Harrison (Executive Director), Louis Ling (Legal Counsel), Laura Bach (Chief Investigator), Stacey Hatfield (Public Information Officer) and Nani Aguada (Executive Assistant).

NSBAIDRD Mission Statement:

“The mission of the NSBAIDRD is to promote, preserve, and protect the health, safety, and welfare of the public by regulating architects, registered interior designers, and residential designers to provide competent professional services in the built environment.”

AGENDA ITEM 1 Public comment

There was no public comment.

AGENDA ITEM 2 Approval of consent agenda

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: June 9, 2021
- 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. Bank of Nevada Statements
 - 4. First Independent Bank Statements
- D. Ratification of Reciprocal Licenses (see below)
- E. Firm Name Approval Requests
 - 1. Alex Roush Architects, Inc.
 - 2. Aspire Design Studio
 - 3. Dustland Studio LLC
 - 4. EGA Architects, Inc.
 - 5. HBG Design Architects, P.C.

6. JRW & Associates, PLLC
7. SD Collaborative, Inc.
- F. Firm Registration Approval Requests
 1. ACI Boland, Inc.
 2. Cole Architects, LLC
 3. Niles Bolton Design, PC
 4. PBA NA
 5. pb+a
 6. Progressive Architecture Engineering & Planning II, LLC
 7. SBRA, Inc.
 8. TCA ARCHITECTS, INC.

Architects: Registration by Reciprocity

| | | | | | |
|------|------------------------|------|------------------------|------|----------------------------|
| 8621 | Grant James Seaman | 8650 | Ermias Ephrem | 8677 | Annie K. Lo |
| 8622 | Eric Grigel | 8651 | Jason Nishan Jorjorian | 8678 | Peter Pennoyer |
| 8623 | Christopher R. Stress | 8652 | Bryant Mazzetti | 8679 | Mark Schendel |
| 8624 | Rogelio Hurtado | 8653 | Daniel W Dunzik | 8680 | Brent McFarland |
| 8625 | Ralph C. Bagley IV | 8654 | Jeanne K. Gang | 8681 | Gordon Stott |
| 8626 | Steven Reynolds | 8655 | Maurice Lombardo | 8682 | William S. Nugent |
| 8627 | Matthew D Mosey | 8656 | Bridget Irene Herdman | 8683 | Steven R. Rossi |
| 8628 | Carlos Elenes | 8657 | Brian David Maslyk | 8684 | Timothy Mustard |
| 8630 | Gregory G. Landry | 8658 | Ian Burns Hoffman | 8685 | Benjamin Clifford Anderson |
| 8631 | Eric H. Olsen | 8659 | Matt Huffield | 8686 | John A. Tweedy |
| 8632 | Kristi W. Hanson | 8660 | Daniel Clark Sargent | 8687 | Thomas A. Womeldurf |
| 8633 | Jeremy J. Bentley | 8661 | Neil Lee | 8688 | David A. White |
| 8634 | Kimberly Matteson | 8662 | Bruce J. Walck | 8689 | Christopher Michalek |
| 8635 | Jacob Perry Augenstein | 8663 | Brent D. Stuntzner | 8690 | Mark John Sullivan |
| 8636 | Nelson J. Arave | 8664 | Steven Joseph Kattner | 8691 | David S Gasser |
| 8637 | Mark W. Rios | 8665 | James Kassay | 8692 | Daniel Hale |
| 8638 | Dean S. Sakamoto | 8666 | Truman D. Gee | 8693 | Brian Quinn |
| 8639 | Robert G. Hale Jr. | 8667 | Jeffrey Blaine Brown | 8694 | Ronald Wayne Aarons |
| 8640 | Amat K. Tajudin | 8668 | Joseph Herzog | 8695 | William D. Graeber |
| 8641 | C. Cannon Reynolds | 8669 | David John Layman | 8696 | Brian M. Murch |
| 8642 | Carlton W. Shartle | 8670 | Angela Watson | 8697 | Edward Mark Osuch |
| 8643 | James W. Schmidt | 8671 | Umayal Ramanathan | 8699 | Kyle Anthony Davis |
| 8644 | Binh Tien Dang | 8672 | Keith E. Deutscher | 8700 | Matthew R. Rodie |
| 8645 | Jarod Hall | 8673 | David Glenn | 8701 | Dennis Wayne Collins |
| 8646 | Marc Jenefsky | 8674 | David A. Argano | 8702 | Adam Kushabi |
| 8647 | David Tyler Thayer | 8675 | S. Alex Booth | 8702 | Adam Kushabi |
| 8648 | Brian D. Oliver | 8676 | Nathan H. Leavitt | 8703 | Steven P. Andersen |
| 8649 | Cody A. Bowman | | | | |

Harrison noted that Item 9 of the June 9, 2021 minutes will be amended to show the correct vote.

Motion: Snyder moved to approve the consent agenda items 2A through 2E-7, 2F-2 though 2F-5, and 2F-8. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-1 Firm registration approval request: ACI Boland, Inc.

Erny stated the non-registrant owner should be reminded he cannot refer to himself as an architect or practice architecture in Nevada. Harrison said that is included in the approval letter sent to the firm.

Motion: Erny moved to approve the firm registration request of “ACI Boland, Inc.” Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-6 Firm registration approval request: Progressive Architecture Engineering & Planning II, LLC

Garlock said he did not see any architects in this firm, only engineers. Harrison said two owners are licensed architects. Erny said the ownership percentages held by Nevada registrants did not add up to the required 66.67 percent. Aguada added up the ownership to 66.8 percent.

Motion: Garlock moved to approve the firm registration request of “Progressive Architecture Engineering & Planning II, LLC.” Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-7 Firm registration approval request: SBRA, Inc.

Garlock asked if the ownership percentages held by Nevada registrants added up to the required 66.67 percent. Harrison said the ownership percentages meet the two-thirds requirement. Erny said that the list of jurisdictions a non-registrant owner is licensed in cannot be fully read. Harrison said staff would get that information on a separate sheet of paper.

Motion: Erny moved to approve the firm registration request of “SBRA, Inc.” Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 17 Public Information Report

Hatfield reported she is tentatively speaking to incoming students and parents at the UNLV School of Architecture orientation with Glenn Nowak. She said the board books include social media updates. She also presented a recent Twitter interaction as an example of how social media can promote in-person outreach. The last issue of Focus newsletter is in the board books. Hatfield reviewed the schedule for the upcoming NSBAIDRD / AIA CEU Seminar. She told the board that she updated the Careers in Design Professions page of the website by adding two videos: “Why I Want to Be and Architect” from NCARB’s Re-Think Tank and CIDQ’s “What Does an Interior Designer Do.” Hatfield added that the compelling content will keep students engaged when they visit the website. She said they would like to do a website update after the database update is completed to freshen up and modernize the site. Lastly, Hatfield reported she attended NCARB’s Licensing Advisor’s Summit virtually and signed-up for their micro-volunteer opportunities.

Erny suggested Hatfield advise students about the AIANN scholarships when she speaks to them. He said they are available to all Nevada architecture students, but some are specific to TMCC.

AGENDA ITEM 15 Executive Director Report

Harrison said she is attending the board meeting from Reno because she will be proctoring the Residential Design Exam August 19-20. Aguada will proctor in Las Vegas. There are 11 candidates taking the exam, the most since 2008. The next board meeting will be October 20 and will be virtual.

Harrison has been getting quotes from audio visual companies to be able to hold hybrid board meetings. She said the quotes are between \$9,000 and \$20,000. Renting the equipment will cost roughly \$300 per month without tech support. She said it is very expensive to use only a couple times a year. She does not recommend making this purchase at this time. She recommends the board hold meetings fully virtual or fully in-person. Harrison added that the hybrid meetings she has attended are cumbersome as it is difficult to integrate the in-person attendees with those online. She said the board could revisit this in a year as more technology is released.

Harrison attended the NCARB Licensing Advisor’s Summit in person. She recommended Hatfield attend the next summit in person.

AGENDA ITEM 3A Deliberations/Action on Applications for Registration: Architects

Mickey greeted the attendees and explained the ceremony process.

Snyder swore-in the following individual as an architect:

- 1. Logan E. Ziegler8698

Moton: Snyder moved to approve the registration of the above referenced individual as an architect. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 3B Deliberations/Action on Applications for Registration: Registered Interior Designers

Snyder swore-in the following individuals as registered interior designers:

- 2. Kazuaki Mitsuda273-ID
- 3. Monica Rivas274-ID
- 4. Alexa M. Schroeder275-ID

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

Vote: All in favor. Motion passes.

Mickey congratulated the new registrants and introduced guests.

Carlos Fernandez, Executive Director of AIA Las Vegas and AIA Nevada, congratulated the new registrants for achieving licensure. He said that the new registrants would be receiving a certificate of achievement in the mail and invited them to join AIA.

Deborah Oakley, Undergraduate Coordinator from UNLV's School of Architecture extended congratulations on behalf of the school. She noted that Ziegler was a student of hers about ten years ago. Oakley encouraged all new registrants to become involved with the school.

Mickey said that with a license comes new opportunities, but also the responsibility to protect the public. He encouraged registrants to call the board with any questions they have in their professional journey. Other board members offered congratulations and words of advice.

Harrison informed new registrants that if they plan to register a firm, they can reach out to board staff for guidance. She also said that they are exempt from earning continuing education units for the first two years of licensure.

AGENDA ITEM 4 **Review and possible approval of the firm name TsuKuRu U.S.A. Corporation**

Moton: Snyder moved to approve the firm name approval request of "TsuKuRu U.S.A. Corporation." Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 5 **Review and possible approval of the firm name Enliven Interiors LLC**

Moton: Snyder moved to approve the firm name approval request of "Enliven Interiors LLC." Motion seconded by Fleming.

Vote: All in favor. Motion passes.

AGENDA ITEM 16 **Board Counsel Report**

Ling reported that there will be an agenda item related to the Dennis Rusk matter at the October 20, 2021 meeting.

AGENDA ITEM 13A **Registered Interior Design Report – Discussion and possible decision regarding the nominations for the 2022 CIDQ Board of Directors**

Fleming reported that the annual meeting will be held November 12-13, 2021 in Minneapolis, MN. She said that the Nominating Committee has presented its slate for the Board of Directors. This board needs to vote in support, or not, of that slate. Fleming and Ciesynski support the slate. Erny said he annually objects to CIDQ's method of selecting its Board of Directors as it is not a true election.

Motion: Ciesynski moved to approve the slate of candidates for the CIDQ Board of Directors. Motion seconded by Fleming.

Vote: Erny abstains, all others in favor. Motion passes.

AGENDA ITEM 13B **Registered Interior Design Report – FYI: Q Connection Summer 2021**

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

AGENDA ITEM 13C **Registered Interior Design Report –2021 CIDQ Legislative Recap**

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

AGENDA ITEM 6 **Review and possible decision regarding application for interior design registration of Cathaleen Hurst pursuant to NRS 623.260 and NAC 623.280**

Harrison said that Cathaleen Hurst was a registered interior designer (#071-ID) and her license expired in 2008. She is before the board today to request restoration because her license expired more than three years ago. Hurst has completed the required 24 CEUs for restoration.

Board members asked Hurst to explain what she has done since her license expired to show that she is current in her knowledge and skills. Hurst explained that she was out of state and practiced in Utah.

Motion: Garlock moved to approve the application for interior design registration of Cathaleen Hurst. Motion seconded by Snyder.

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

AGENDA ITEM 11A **Architect Report - FYI: NCARB BOD Brief Post ABM 2021**

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

AGENDA ITEM 11B **Architect Report - FYI: NCARB Fast Facts June 2021**

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

AGENDA ITEM 11C **Architect Report - FYI: NCARB Updates June and July**

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

AGENDA ITEM 11D Architect Report - FYI: NCARB ARE 5.0 Pass Rate by Demographics

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

AGENDA ITEM 14 Public Member Report

There was no public member report.

AGENDA ITEM 10A-2 Case No. 22-008N in the matter of Stephen Levy and Levy Architects PLLC

The Respondent is alleged to have violated NRS 623.360.1 (b) and (c) by putting out a device (proposal) and by engaging in the practice of architecture without having a certificate of registration issued by this Board.

Staff received a reciprocity file for Respondent who had answered 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 explanation said that he had been contracted to provide interior design services. During the phone interview it was discovered that the Respondent had issued a proposal and prepared drawings.

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 an Effect on Licensure clause and an Administrative Penalty of \$3,000 with Investigative Costs in the amount of \$1,300.

Staff recommended the approval of the settlement agreement.

Motion: Garlock moved to approve the settlement agreement. Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

AGENDA ITEM 10A-1 Case No. 21-061N in the matter of Jaime De La Vega and De La Vega Complete Home Repair

The Respondent is alleged to have violated NRS 623.360.1 (b) and (c) by advertising architectural services and by engaging in the practice of architecture without having a certificate of registration issued by this Board.

Staff received anonymous information that the Respondent was advertising on his LinkedIn page that he provided architectural design services. A notice of Investigation was sent which revealed that he had completed two jobs with two different contractors as a 1099 employee.

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 \$2,000 with Investigative Costs in the amount of \$1,500.

Staff recommended the approval of the settlement agreement.

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

Vote: All in favor. Motion passes.

AGENDA ITEM 10B **Discussion and possible decision regarding closure of enforcement cases**

Bach recommended the following cases for closure without disciplinary action:

| | | | | | |
|---------|---------|---------|---------|---------|---------|
| 21-028N | 21-030N | 21-038N | 21-042R | 21-043R | 21-047N |
| 21-048R | 21-049N | 21-050R | 21-059R | 21-060N | |

Motion: Snyder moved to approve the closure of the cases listed above without disciplinary action. Motion seconded by Morelli.

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

AGENDA ITEM 10C **Enforcement Report**

Bach said she had nothing to report.

AGENDA ITEM 7 **Discussion and possible decision regarding whether to allow the use of the term “architectural” to an architectural branding company**

Harrison explained that Virginia Graphics Inc. would like to amend its name to Architectural Graphics Inc. The company does not provide architectural services, so the board is not approving the name. This item is before the board because the Nevada Secretary of State requires the board to allow use of the term “architectural.”

Motion: Erny moved to open discussion on whether to allow the use of the term “architectural” to an architectural branding company. Motion seconded by Snyder.

Michael Garofalo from Virginia Graphics Inc. addressed the board. He said the company uses the firm name Architectural Graphics Inc., or AGI, in every other state where it does business. It uses Virginia Graphics Inc. in Nevada because of the prohibition on the use of the term “architectural.”

Bach explained that her concern comes from the firm’s website which states, “Our in-house team of professionals work together to build comprehensive architectural solutions for your brand. With dedicated architects, project managers, design consultants, engineers, and manufacturing and installation

crews, our team has every expert needed to get the job done. From exterior finishes and wall cladding to branded logos, integrated signage, interior walls, ceilings, and entry elements, we craft a customized experience for every angle and area of your brand’s space.”

Garofalo explained that the firm has six trained architects on staff, none of whom are licensed in Nevada. He said the staff architects provide conceptual diagrams so that the local architects and engineers, who are hired for a project to do construction drawings, have an idea of the location from a branding perspective. All diagrams are stamped “Preliminary, not for construction or permitting purposes.” Dan, from AGI, explained how the in-house architects work with local, licensed architects and engineers.

Board members discussed the issue. They said that because the firm is providing conceptual and schematic designs, it is practicing architecture in Nevada. They said that this may not be the case in other states where AGI is practicing, but Nevada law is very broad in its definition of architecture.

Because of board members concerns, Mickey asked Ling how the board should proceed on this item. Ling suggested the board table the item until the October board meeting. In the meantime, staff could work with Garofalo to address concerns.

Motion: Garlock moved table the item to the next board meeting. Motion seconded by Erny.

Vote: All in favor. Motion passes.

AGENDA ITEM 8

Formal Contested Administrative Hearing – In the matter of Scott Corridan and Scott Corridan Design, consideration and adjudication of the Complaint

A formal hearing was held in the matter of Scott Corridan and Scott Corridan Design, Case #21-019N. The respondents are alleged to have violated NRS 623.360(1)(a)(b)(c) by holding themselves out as being able to practice as registered interior designers and practicing as registered interior designers, without having a certificate of registration issued by the board.

In attendance:

Sophia Long, Counsel to the Board

Louis Ling, Prosecuting Attorney

Witnesses for the prosecution:

Laura Bach, NSBAIDRD Chief Investigator

Witnesses for the defense:

Scott Corridan, Defendant

The counts brought against Scott Corridan and Scott Corridan Design are as follows:

Count One

By practicing registered interior design without a valid registration, respondents jointly and severally, have violated NRS 623.360(1)(b) and NRS 623.360(1)(c).

Count Two

By holding themselves out as registered interior designers without a valid certificate of registration, the respondents have violated NRS 623.360(1)(a) and/or NRS 623.360(1)(b).

Testimony was heard and evidence was introduced into the record, which substantiated the allegations against Respondents Scott Corridan and Scott Corridan Design.

Motion: Garlock moved to find the respondents guilty of count one and count two, as substantiated by the evidence presented by the prosecution, including the testimony of the witnesses and evidence admitted into record. Motion seconded by Morelli.

Vote: All in favor. Motion passes.

Motion: Snyder moved to:

- Impose an administrative fine of \$4,500. This amount shall be reduced to \$500 if Scott Corridan receives the Certificate of Interior Design from the State Fire Marshal or registration as a Registered Interior Designer with this board, prior to the October 20, 2021 board meeting.
- Order respondents to pay all costs and fees for the investigation and hearing, not to exceed \$3,000. At the next meeting of the board, the board will review an itemized list of such fees and costs and will determine if such fees and costs are necessary, reasonable and actually incurred.
- Order respondents to correct all content on websites and social media prior to the October 20, 2021 board meeting.

Motion seconded by Erny.

Vote: Garlock opposed, and all others in favor. Motion passes.

AGENDA ITEM 9

Residential Design Practice Analysis Report by Jared Zurn from NCARB

Jared Zurn, Vice President Examination at NCARB, reported the results of the residential designer practice analysis and potential exam update.

Larry Tindall, residential design committee member, discussed the challenges and possible future direction of profession with its new, defensible exam and clearly outlined education and experience expectations.

Kreg Mebust, residential design committee member, said he would like to continue on the committee. He will begin looking at the objectives that are listed in the education and experience bucket and see what can realistically be addressed in the specific amount of time students are in school.

Board members discussed next steps. They discussed the need to possibly create separate jurisprudence exams for each profession. Board members agreed that they would like NCARB to continue with the exam update as the organization has the relevant expertise that board members and staff do not have. The board directed staff to work with NCARB to present a possible scope of work and contract at the October board meeting.

Board members discussed the possibility of appointing two committees at the October board meeting. One committee could be the test writing committee and could have approximately six members. The committee would review existing test items to see if they should stay in the exam and also write new

items. It is preferable to have some continuity from the current committee. Ling advised that exam writing committee meetings are exempt from the Open Meeting Law due to the confidential nature of their work.

The second committee could look at the future of the residential design profession. The profession was created in the 1970s and the scope of practice was written while different codes were used. This committee should look at if the existing residential designer practice language needs to be updated to reflect the current practice of residential design. The committee should consider how the exam writing committees and board incorporate and act on the outcomes of the Residential Design Practice Analysis, including the update of the exam and requirements for becoming a registered residential designer.

AGENDA ITEM 12A **Residential Design Report – Update of the residential design exam in August**

Morelli said he had nothing to report. Mickey said the residential design exam will be administered August 19 and 20.

AGENDA ITEM 18 **Items for Future Agenda**

- Consideration of extension of NCARB contract to assist in the writing of new items and analysis of the items after pretest.
- Discussion of creating an Examination Item Writing Committee, appointment of members, and outline of scope and deadlines.
- Discussion of creating a Future of Residential Design Profession Committee, appointment of members, and outline of scope and deadlines.
- Possible update from Kreg Mebust regarding the potential architecture program at TMCC.

Mickey said the October 20, 2021 meeting will likely be held via Zoom.

AGENDA ITEM 19 **Public Comment**

There was no public present for comment.

Chairman Mickey adjourned the meeting at 2:20 p.m.

Monica Harrison, Executive Director

William Snyder, Secretary/Treasurer