

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

August 19, 2020

Virtual Board Meeting -Video conference and audio offered via Zoom

<https://us02web.zoom.us/j/89443632273> or 1(253)215-8782

Meeting Code: 894 4363 2273#

Wednesday, August 19, 2020

Chairman Kimberly Ciesynski called the meeting to order at 9:31 a.m.

Roll Call: Kimberly Ciesynski, Chairman; Gregory Erny; George Garlock; John Morelli; William Snyder; Nathaniel Waugh and Tina Wichmann. James Mickey, Secretary/Treasurer and Ann Fleming were excused from the meeting.

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 were no public comments.

AGENDA ITEM 2 Approval of Consent Agenda

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: June 10, 2020
- 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 attached list)
- E. Firm Name Approval Requests
 - 1. ACI Designs PA
 - 2. Appleton Partners LLP
 - 3. BRAND Architecture LLP
 - 4. Jonathan Nehmer & Associates, Inc.
 - 5. Kollin Altomare Architects, Inc.
 - 6. Mark P. Ford, Architect
 - 7. TACTICAL DESIGN NEVADA, PC
- F. Firm Registration Approval Requests
 - 1. EmmeDue Architettura

2. JEMA, LLC
3. RJTR
4. studioNorth Architecture
5. The Lawrence Group Architects of the Americas, P.C.
6. TRC Parkitects, LLC

Architects: Registration by Reciprocity

8377	Michael Gerard Kolejka	8398	Erin J Morris
8378	Francisco Trujillo	8399	John D Torgerson
8379	Eddie D Daniels	8401	Wendell W Veith
8380	Michael G Tiedman	8402	Ronald D Schauwecker
8381	Werner Brisske	8403	Robert H Waters III
8382	Paul J Altomare	8404	Laurie L Whitney
8383	Matthew R Walczuk	8405	Brian Francis Coleman
8384	Andrew Blake Scott	8406	Ricardo J Muniz-Guillet
8385	Joshua Eugene Inman	8407	Jeffry John Koch
8386	Curtis Wayne Schriener	8408	Matthew Baran
8387	Edmund Klimek	8409	Victor L Mosby
8388	Gary Joseph Gery	8410	Thomas J O'Connell
8389	Dariusz Klaudiusz Wiecha	8411	Michael R Orr Jr.
8390	Richard S Clawson	8412	Alpheus W Jessup II
8391	Timothy S Adams	8413	Mark P Ford
8392	Merilee Meacock	8414	Shannon M Standish
8393	Samuel K Beckman	8415	Stuart I Roosth
8394	Christopher Barlow	8416	Lori Ann Bongiorno
8395	Aleksandr M Sheykhnet	8417	Timothy D Mansfield
8396	Marc Lawrence Gross	8418	Jeffrey Charles Bubm
8397	Nichole C Motz		

Residential Designers: Registration by Reciprocity

390-RD Kenneth William Mineau

Motion: Garlock moved to approve the consent agenda items 2A through 2E-2, 2E-4 through 2F-3, and 2F-6. Motion seconded by Morelli.

Vote: All in favor. Motion passes.

AGENDA ITEM 2E-3 Firm Name Approval Request – BRAND Architecture LLP

Garlock stated that Spitzmesser did not state his correct registration number on the firm application. He said that Spitzmesser's registration number should read "RD" and not "P." Harrison stated that his license number is correct, and that "RD" and "P" are satisfactory for Nevada residential design registration numbers. She said that many years ago, the Board began using the letters of "RD" at the end of residential designers' license numbers, instead of the letter "P." Ling said that his registration number is valid.

Motion: Garlock moved to deny the firm name approval request of "BRAND Architecture LLP" due to the false registration number on the firm application. Motion not seconded. Motion fails.

Motion: Waugh moved to approve the firm name approval request of "BRAND Architecture LLP." Motion not seconded. Motion fails.

Motion: Erny moved to grant conditional approval for the firm name approval request of "BRAND Architecture LLP" under the condition that a revised firm name application is submitted with the correct residential design license number. Motion seconded by Morelli.

Wichmann disclosed that she was a former partner of Spitzmesser at Rasa LLP and worked with him over 10 years ago. Ling stated that she is no longer a conflict of interest and may vote since the partnership terminated many years ago.

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

AGENDA ITEM 2F-4 Firm Registration Approval Request – studioNorth Architecture

Motion: Garlock moved to approve the firm registration approval request for "studioNorth Architecture." Motion seconded by Waugh.

Garlock said that he was concerned that a family trust had partial ownership of the firm. Ling stated that a family trust may own interest and that it is managed within its family. He said that the firm meets the requirements for firm registration. Garlock asked what would happen if the trust was revoked. Ling said that the change must be documented and that the Board must be notified.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-5 Firm Registration Approval Request – The Lawrence Group Architects of the Americas, P.C.

Motion: Waugh moved to approve the firm registration approval request for "The Lawrence Group Architects of the Americas, P.C." Motion seconded by Garlock.

Garlock stated that the issue he finds with this firm registration request was that the use of "the Americas" is misleading. He recalled that the Board reviewed the firm application in the past. Harrison stated that historically, the Board approved firm names that used "America." Wichmann said that their use of "the Americas" is misleading since they don't have offices across the Americas. She said that they only have offices in the United States of America and not in South America or Central America.

Harrison confirmed that this firm was reviewed by the Board at the March 4, 2020 Board Meeting and was denied for the same issues.

Motion: Erny moved to deny the firm registration approval request for "The Lawrence Group Architects of the Americas, P.C." for the second time. Motion seconded by Morelli.

Vote: All in favor. Motion passes.

AGENDA ITEM 5

Discussion and possible action regarding amendments to NAC 623.400, 623.465, 623.572, 623.632, 623.640 and 623.830

Two drafts of the regulation amendments were presented in the Board eBook on pages 168 and 172.

Harrison stated that the some of the terms in the regulation must be updated. She said that the first draft applies to candidates who are enrolled in an IPAL program and the second draft applies to students enrolled in a NAAB accredited program.

Wichmann said that she supports the IPAL program since the IPAL program is self-regulating. Glenn Nowak, Associate Professor of UNLV School of Architecture, shared that there are very few jurisdictions that allow students to take the exams and that students typically take the exams during the last two years of school.

Board members restated their support for an IPAL program at UNLV. They said that the exam should only be available to students enrolled in an IPAL program because those students are extremely motivated to finish school and all licensure requirements simultaneously.

Motion: Erny moved to approve the regulation amendments that applies to candidates enrolled in an IPAL program. Motion seconded by Garlock.

Vote: All in Favor. Motion passes.

Ling stated that the Board may pursue a Temporary Regulation if passed at the January 2021 meeting and will need to bring it back in October 2021 after the Legislative Session to fully implement regulation.

AGENDA ITEM 6

Review and possible decision regarding the printing of the 2020 Blue Book

Quotes provided by the Nevada State Printing Office were presented in the Board eBook.

Harrison recommended to have 1,000 copies of the 2020 Blue Book printed as the cost difference of 500 copies to 1,000 copies was small. Garlock asked if the Board is required to use the Nevada State Printing Office as the vendor and Harrison replied, yes. Harrison stated that historically, 3,000 to 3,500 copies of the Blue Books were printed.

Garlock asked if the Blue Book is available on the Contractors' Board and Engineers' Board website. Harrison said that the Contractor's Board has it available on their website, but only this Board will cover all costs for printing.

Erny asked if the building departments will have the Blue Books available for consumers. Ciesynski asked if Bach provided copies for the building department during visits in the past. Bach stated that she usually gives each building department 1 to 2 copies and informs them that it is also available online.

Motion: Erny moved to approve the printing of 1,000 copies of the 2020 Blue Book and authorize staff for distribution. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 7

Review and update of the Board’s Financial Policy to meet the requirements of NRS 622.234

Harrison informed the Board that the change made in NRS 622.234 requires that two members of the Board must review all payments and expenses made by NSBAIDRD and the supporting documents for each expenditure. To update the Board’s Financial Policy, Harrison proposed the following language to be incorporated:

Withdrawals

All withdrawals made from the Board’s operating account will be reviewed by two or more board members. These board members will sign and date attestations after completing the review of each expenditure and the backup for the expenditure.

At each regular quarterly meeting, the Board will review the Board’s financial statements, which will include a schedule of the board’s disbursements.

Garlock asked if this new procedure would affect the payroll process. Harrison replied that it would not since all staff has opted for direct deposit.

Motion: Garlock moved to approve the proposed language to update the Board’s Financial Policy to meet the requirements of NRS 622.234. Motion seconded by Morelli.

Vote: All in favor. Motion passes.

AGENDA ITEM 8A-1

Case No. 21-004 in the matter of Paris Hagman and Hagman & Associates

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

Staff received anonymous information against Respondent that he submitted a set of plans to the City of Las Vegas Building department for a 7-11 tenant improvement. A review of the database revealed Respondent is not registered in Nevada.

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 Administrative Penalty of \$3,500 with Investigative Costs in the amount of \$1,400.

Staff recommended the approval of the settlement agreement.

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

Bach referred to page 241 of the Board eBook regarding a letter from Hagman addressed to the Board concerning the investigation and his actions. Garlock said that Hagman had the title of “architect” in the signature line of the letter and was concerned if Hagman was aware that he cannot call himself an architect. Bach said that she will inform Hagman and stress that he cannot use the title of “architect.”

Erny asked if this case pertained to only one project. Bach stated that she received an anonymous complaint regarding Hagman and that it was just for one project. Erny asked how the project will move forward. Bach said that the client plans to hire a local architect and create a new contract with them.

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

AGENDA ITEM 8B **Discussion and possible decision regarding closure of enforcement cases:**

Bach recommended the following cases for closure without disciplinary action:

20-012N	20-034N	20-048R	20-060N
20-062R	20-064N	20-065R	21-003N

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

Vote: Garlock called for a vote in the absence of the Secretary/Treasurer. Ciesynski recused herself and all others in favor. Motion passes.

AGENDA ITEM 8C-1 **Enforcement Report – Review and update of the Board’s interpretation of NRS 623.035.1(d) commonly known as the “contractors’ exemption”**

Bach provided the following draft language in the Board eBook that will be published in the next Focus Newsletter:

If a contractor designs a project but does not complete construction, a design professional must be brought in before construction can continue. The original drawings are owned by the contractor who provided the design because those plans must only be used by that contractor to construct the project. If the contractor is no longer constructing the project the drawings are no longer valid.

For construction to continue, a new set of plans must be provided. The new plans must be drawn by a design professional. The design professional can redesign the entire project or only the unbuilt portion, however they are taking responsibility for the design of the entire project. The building owner can use the new drawings from the design professional to hire a new contractor to complete construction.

The building owner cannot hire a second contractor to provide new plans. NRS 623.035.1(d) does not allow for drawings to be transferred from one contractor to another. Further, the new contractor cannot provide new drawings for the built portion of the project because that contractor did not build that portion of the project. The new contractor can only build from plans prepared by a design professional and not another contractor.

Erny requested clarification on the language in last paragraph. Bach said that sometimes, the new contractor would place existing plans from the former contractor and place them on their own title block. She said that the client would already have a specific design in mind and need a design

professional to resume and complete the project. Bach also stated that she collaborated with Hatfield, Morelli and Wichmann to draft the language. Board members agreed with the proposed language.

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

Ciesynski welcomed all friends and family of the applicants to be sworn in and thanked them for being a part of this valuable moment. She informed the applicants that the oath will be read by Snyder, a presentation from AIA and UNLV will be given, followed by feedback regarding their journey.

Snyder swore in the following individuals as architects:

1. Matthew F. Burns.....8420
2. Michael S. Weber.....8421

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

Vote: All in favor. Motion passes.

Snyder said that he would like to invite the new registrants back to one of the regular board meetings instead of a virtual meeting to have the opportunity to meet and celebrate with them in person. Ciesynski said that Burns and Weber are being recognized today for their great achievement and that each of them took different journeys to get where they are today. She said that the Board would love to meet them so that they have the chance to get to see the Board and ask questions to staff. Ciesynski stated that with this license comes responsibility. She said that Nevada is unique and that all jurisdictions have different laws. She encouraged the new registrants to contact board staff for assistance and/or clarification on laws or procedures of which they are not sure.

Harrison informed Burns and Weber that they are eligible to become NCARB Certified now that they are licensed. She said that the NCARB Certificate allows them the mobility to become licensed in other jurisdictions. She also said that if they plan to obtain firm approval, they should reach out to board staff for assistance as the process may be unclear. Harrison also informed them that they are exempt from earning CEU credits for the first two years of their registration.

Erny congratulated Burns and Weber and said that this is the culmination of their journey to their first license. He asked Burns and Weber if they are originally from Nevada to which both responded, no. Erny said that life has led them to Nevada and that life will continue to take them to other places with this career. He encouraged them to participate with NCARB, maintain their record, and obtain an NCARB Certificate. He said that the NCARB Certificate act as a passport that will facilitate their mobility to take advantage of opportunities in other jurisdictions.

Randy Lavigne, AIA Las Vegas Executive Director, thanked the Board for inviting AIA to be a part of the celebration. She congratulated the new registrants and said that there isn't a better time to become an architect. She said that they should be proud of their great talent and that they can share and provide better solutions to the world through design. Lavigne said that AIA is a professional organization that offers support and resources for design professionals as the industry faces challenges and changes in the practice every day. She welcomed them into the profession on behalf of the AIA members across the country and wished them the best for their continued success. Lavigne informed Burns and Weber that their AIA Certificates of Recognitions have been mailed to their home address.

Glenn Nowak, Associate Professor of UNLV School of Architecture, thanked the Board for the invitation and that it is always a pleasure for him to see his former students get sworn-in. Nowak wished them

the best as they start a new chapter in their career. He said that they are true UNLV Rebels as they both achieved a Bachelor of Science and Master of Architecture Degree of Architecture at UNLV. He also said that he wished that he could gift them with a UNLV Pin in person but will mail the pins mailed instead. Nowak congratulated Burns and Weber and wished them the best.

Ciesynski asked Burns and Weber to share their experiences and journey to becoming a licensed architect so that the Board can learn more about them.

Burns shared that his journey started about 24 years ago when he attended UNLV. He said that his first architecture employer was at Tate Snyder Kimsey with Bill Snyder. After obtaining his Bachelor of Science and Master of Architecture Degree, he worked at JMA then later at Ed Vance's firm to gain more experience. He also shared that he had difficulties completing the NCARB exams. He said that he struggled to keep up with work projects, find time to study and have a family. Burns stated that he took the long route to achieving licensure but is very glad and proud of what he accomplished.

Weber shared that his journey to achieve licensure is like Burns as he also took a long journey which took 21 years. Weber said that he is originally from New Jersey, moved to Vermont, then came to Las Vegas to attend UNLV. He said that it took him about 10 years to get his bachelors' degree. During school, he was given his first opportunity to work with Bob Fielden and gained experience working on the Las Vegas Strip. Weber stated that the NCARB exams were the most challenging for him and that he failed many times while transitioning from the 4.0 to 5.0 version. He said that the easiest process to achieving license was the Board's application process. Weber thanked the Board and Aguada for expediting his application process to allow him to get licensed at this board meeting.

Erny said that Burns and Weber took long paths to licensure and asked what stopped them from completing it sooner. Weber said that he struggled to balance work and family while trying to complete the NCARB exams. He also said that he failed numerous times at the NCARB exams due to lack of knowledge of some of the material and experiencing some technical issues. Weber stated that he didn't want to quit and was determined to finish. He thanked his wife for her support during his stressful times and now his success.

Burns echoed Weber's response and said that he also struggled to balance work and support his growing family while pursuing his architectural license. Burns stated that he kept procrastinating on completing the NCARB exams and found that the exams were brutal. He stated that he also started in the 4.0 version but transitioned to the 5.0. He found that improvements in the 5.0 exams were well done and that the case studies were more realistic. Burns thanked his wife, two children and his parents for their continuous support.

Erny congratulated Burns and Weber for persevering and creating families along the way. Ciesynski reminded the new registrants that their primary purpose is to protect the public and welcomed them into the profession.

AGENDA ITEM 4

Briefing of the 2020 Nevada Legislature Special Session by Jesse Wadhams, Esq

Jesse Wadhams and Jim Wadhams updated the Board regarding the 31st and 32nd 2020 Nevada Legislative Special Sessions.

The 31st Special Session focused mainly on the budget. It was reported that there was a \$1.2 billion budget deficit due the COVID-19 pandemic lockdown and the loss of a tax base of the Southern

Nevada tourism industry. To address the budget issues, agencies were ordered to make budget cuts and set forth a plan to reduce expenses.

The 32nd Special Session was more policy oriented and addressed criminal justice reform, election reform and business liability.

Ciesynski asked if there will be another Special Session and Jesse Wadhams replied that there are only rumors of a 3rd session, but it is undetermined. Ciesynski thanked Jesse Wadhams and Jim Wadhams for the update.

AGENDA ITEM 9A **Architect Report – FYI: NCARB 2020 Annual Business Meeting: Town Hall Responses**

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

AGENDA ITEM 9B **Architect Report – FYI: NCARB Fast Facts July 2020**

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

AGENDA ITEM 9C **Architect Report – FYI: NCARB Update June & July 2020**

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

AGENDA ITEM 9D **Architect Report – FYI: NCARB Remote Proctoring**

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

Erny reported ARE testing will be delivered outside of Prometric testing centers through remote proctoring before the end of this year

AGENDA ITEM 9E **Architect Report – FYI: NCARB BOD Brief**

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

AGENDA ITEM 10A **Residential Design Report – Update regarding the residential design exam practice analysis**

Morelli said that the August Residential Design (RD) Exams were cancelled due to COVID-19 and the lack of available testing facilities. He said that the Graphic RD Exam has been postponed until further notice and that the RD Written Exam has been rescheduled for September 28, 2020. The RD Written Exam will only be offered in Las Vegas and that there are currently five candidates registered to take the exam.

Harrison reported that phase one of the RD Exam practice analysis is complete and that the committee is right on schedule. She also reported that the committee has started phase two and it should take

roughly eight weeks to complete. She said that the task of phase two is for NCARB to conduct interviews and draft a survey.

AGENDA ITEM 11A **Registered Interior Design Report – Discussion and decision regarding the Annual Council of Delegates virtual meeting on November 12, 2020**

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

Ciesynski said that she and Fleming will attend CIDQ's virtual meeting on November 12, 2020.

AGENDA ITEM 11B **Registered Interior Design Report – Discussion and possible decision regarding the nominations for the 2020 CIDQ Board of Directors**

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

Motion: Waugh moved to approve the nominations for the 2020 CIDQ Board of Directors. Motion seconded by Snyder.

Erny observed that one of the candidates is new and does not have much experience but can present a new perspective. Ciesynski said that it is a diverse slate and that new young candidates may provide a different perspective.

Vote: All in favor. Motion passes.

AGENDA ITEM 11C **Registered Interior Design Report – FYI: Q Connection 2020 3rd Quarter Issue**

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

AGENDA ITEM 12 **Public Member Report**

Waugh shared that this is his sixth anniversary as a NSBAIDRD Board Member and that he will complete his Masters' Degree in December. Waugh informed that he recently took on a new position at the Hope for Prisoners non-profit organization. He said that the program provides training and career resources for recently incarcerated individuals to help them reintegrate into society. Waugh shared that two of the individuals that he works with aspire to obtain occupational licensure. He recalled the passing of regulation AB-319 that allowed individuals with a criminal history to petition a licensing board to determine if their criminal history will preclude them from licensure. Waugh stated that he prepared two petitions and letters of support for the individuals. With this insight, he informed that licensing boards may come across these petitions more than expected.

AGENDA ITEM 13 **Executive Director Report**

Harrison stated that the new registration/renewal fee of \$180 became effective on June 8, 2020. She said that staff is currently working on updating the database and the online portal to reflect the change. She also said that staff will send reminders to registrants regarding the new fee prior to renewal season in mid-October.

Harrison reported that staff are still working remotely from home and working in the office a couple days a week. She stated that per the Governors' proposed budget reductions, staff are required to take one furlough day a month for the length of six months. Staff began taking furlough days in July and will complete the requirements by the end of December.

Harrison reminded the Board that the next board meeting is scheduled for Tuesday, October 20, 2020 and will most likely be held virtually. She said that the following board meeting is scheduled for Wednesday, January 20, 2021 and anticipates for the meeting to be held virtually as well.

Harrison thanked staff for embracing the change and adapting to working remotely.

AGENDA ITEM 14 Board Counsel Report

Ling had nothing to report.

AGENDA ITEM 15 Public Information Report

Hatfield reported that Las Vegas schools will start online classes next week and that she will wait a couple weeks before reaching out to schools to allow teachers to get situated. She hopes to schedule virtual presentations for classes. She also reported that she's been working with AIA Education Outreach Committee to get projects in elementary schools.

Hatfield provided pieces of recent NSBAIDRD twitter and social media activity in the board eBook. She stated that she posted timely information regarding changes with NCARB AREs and NCIDQ exams. Hatfield also presented the latest issue of Focus in the board eBook which featured an article Santiago Gesell, who was sworn-in and registered at the last board meeting. She said the next Focus will be issued in November.

Garlock inquired about the upcoming CEU seminar and if it will be offered virtually. Hatfield confirmed that the entire CEU seminar will be offered virtually and is scheduled for November 19th, instead of in December. Garlock said that should there be issues with the upcoming seminar, the Board must consider providing alternative sources for CEU opportunities. Harrison said that registrants should not have any issues earning CEUs as we offer a list of options on the NSBAIDRD website. She suggested to include information regarding CEU requirements and opportunities in the next Focus issue. Hatfield shared that she did publish information regarding CEUs in the last Focus article and will plan to provide more clarification in the next issue to address this matter.

AGENDA ITEM 16 Items for Future Agenda

- Task Committee for Digital Stamping
- Additional CEU opportunities

AGENDA ITEM 17

Public Comment

There was no public present.

Chairman Ciesynski adjourned the meeting at 12:45 p.m.

Monica Harrison, Executive Director

James Mickey, Secretary/Treasurer