

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

**March 6, 2019**

**The Gina Spaulding Boardroom**

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

**Wednesday, March 6, 2019**

Chairman Kimberly Ciesynski called the meeting to order at 8:37 a.m.

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

Also in attendance: Monica Harrison, Executive Director; Sophia Long, Deputy Attorney General; Laura Bach, Chief Investigator; Terylle Kenani Aguada, Executive Assistant; Stacey Hatfield, Public Information Officer.

Ciesynski initiated the meeting by stating the Boards' current Mission Statement:

"The mission of the Nevada State Board of Architecture, Interior Design and Residential Design is to protect the health, safety and welfare of the public by assuring the quality of 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: January 16, 2019
- 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
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
  - 1. AB Design Studio, Inc.
  - 2. Ikthus Design
  - 3. INDY DESIGN, LLC
  - 4. KRI Architecture & Design LLC
  - 5. Red Rock Architecture LLC
- F. Firm Registration Approval Requests
  - 1. DAH ARCHITECTURE LLC
  - 2. FORZA Design Group
  - 3. LGA Architecture
  - 4. Nelco Architecture & Interiors

## Architects: Registration by Reciprocity

8028	Steven A Simmons	8049	Todd F. Stewart
8029	John Andrew Schaaf	8050	Gregory James Nespor
8030	Yong Kang	8051	Gregory N. Simpson
8031	Stanley Lance Heal	8052	Jeffrey D. Ryan
8032	Kimberly C Pavlik	8053	John C. Clements
8033	Brett M. Delmez	8054	Howard Lee Klup
8034	Robin Murphy	8055	Robert W. Schnautz III
8035	William Stuart Lyle	8056	Erik L. Jorgensen
8036	Donald J. Mahoney	8057	Matthew Ihms
8037	Daniel C. Laggan	8058	Christopher T. Pemberton
8038	Christopher M. Migneron	8059	Derek Bustos
8039	Matthew M. Wilkus	8060	Matthew Barry Jarmel
8040	Roland David Ketelsen	8061	Edgar F. Muse
8041	David S. Seibert	8062	Jean Rehkamp Larson
8042	Kevin L. Paton	8063	Brendan D. Sanchez
8043	Keith T. Bettencourt	8064	Rob E. McQuay
8044	Marc B. Spector	8065	Jorden K M C Segraves
8045	Amy F. McNally	8066	Lyle Roger Hutson
8046	Raul Cabato	8067	Andrew David Vick
8047	Gabriel J. Clark	8068	Gregory A. Neblock
8048	David J. Brown	8069	Matthew R. McKim

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

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

### **AGENDA ITEM 2E-5 Firm Name Approval Request - Red Rock Architecture LLC**

**Motion:** Klai moved to approve firm name approval request for "Red Rock Architecture LLC." Motion seconded by Snyder.

Klai asked why the principal chose not to use their corporate name of "Abbott & Taylor." Aguada replied that the corporate name was never proposed to the Board for approval and that the names "Abbott" and "Taylor" are the middle names of the children of the principal. Harrison stated that the principal would not be able to utilize his children's names because they are not registered with our Board.

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

### **AGENDA ITEM 2F-2 Firm Registration Approval Request – FORZA Design Group**

**Motion:** Waugh moved to approve firm registration approval request for "FORZA Design Group." Motion seconded by Klai.

Erny referred to page 93 of the board eBook and shared his concerns about the name listed on the DBA filing. His concern was that Brandwine is not the Nevada registrant and does not hold majority ownership, but is the only individual listed on the DBA. He stated that the supporting documents were not consistent and the principal, Christopher Serrao, should be on the DBA as well.

**Motion:** Waugh moved to approve the firm registration approval request for "FORZA Design Group" with a Conditional Approval contingent upon resubmitting an amended DBA that includes Christopher Serrao and has been file-stamped by the Clark County Clerk's office. Motion seconded by Klai.

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

### **AGENDA ITEM 2F-3 Firm Registration Approval Request – LGA Architecture**

**Motion:** Waugh moved to approve firm registration approval request for "LGA Architecture." Motion seconded by Klai.

Erny asked if the firm was updating its structure or if it was a new entity. Harrison informed the Board that this firm was originally approved by the Board in March 2012 as a Firm Name Approval. She also said that she confirmed with the principal, Craig Galatti, that the firm has changed its structure and has amended its firm name from "LGA" to "LGA Architecture."

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

### **AGENDA ITEM 5 Review and possible decision regarding continuing education hardship request of Thomas Smith**

Background information in regards to Thomas Smith's request for exemption from continuing education unit requirements from 2018 to renew his license from registration for 2019 was presented in the board meeting eBook.

**Motion:** Waugh moved to approve Smith's request for exemption from the continuing education requirements from 2018 for his 2019 registration renewal. Motion seconded by Garlock.

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

### **AGENDA ITEM 6 Review and possible decision regarding continuing education hardship request of Harry Ray**

Background information in regards to Harry Ray's request for exemption from continuing education unit requirements from 2018 to renew his license from registration for 2019 was presented in the board meeting eBook.

**Motion:** Klai moved to approve Ray's request for exemption from the continuing education requirements from 2018 for his 2019 registration renewal. Motion seconded by Garlock.

Erny voiced his concern of the doctor's note which did not seem to substantiate Ray's hardship and was not sufficient supporting documentation for the exemption request. Erny argued that the doctor's note should be more detailed and definitive. Klai suggested to direct staff to be more diligent when obtaining sensitive information to ensure that the Board understands the terms and conditions of the hardships to justify their request for exemption.

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

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

Ciesynski welcomed the new registrants to the board and thanked their family and friends for sharing their special day. She also provided the audience a quick overview for the swearing-in process.

Mickey swore in the following individuals as architects:

1. Nasko Balaktchiev.....8070
2. Gary D. Williams .....8071

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

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

**AGENDA ITEM 3B                      Deliberations/Action on Applications for Registration:  
Residential Designers**

Erny swore in the following individuals as residential designers:

1. Christopher A. Forsyth .....375-RD
2. Raechelle L. Hoyt .....376-RD
3. Kevin J. Pavlu .....377-RD

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

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

Caron Richardson, AIA Las Vegas Program Manager and Membership Director, congratulated the new registrants on behalf of AIA Las Vegas and welcomed them to the profession. She presented information regarding membership in AIA.

Glenn Nowak, Associate Professor at UNLV School of Architecture, recognized UNLV Alumni Nasko Balaktchiev. He congratulated him on his achievement and said he was an inspiration to current students. Nowak presented Balaktchiev with a UNLV Alumni pin.

Ciesynski spoke to the new registrants and said that they are being recognized for their great achievement and that each one of them has taken a different path to get to where they are today. She also said that this license comes with great responsibility. Ciesynski stated that Nevada is unique and wanted the new registrants to be aware that Nevada laws are different from other jurisdictions. Ciesynski advised them to contact the Board if they have any questions in regards to their practice and the Nevada laws.

Harrison congratulated the new registrants for their accomplishments. She informed the new registrants that they are exempt from the Continuing Education Unit (CEU) requirements for this year and next year. She also offered them her assistance if they are seeking firm registration and need guidance throughout the firm approval process. Harrison addressed the architects and encouraged

them to become NCARB certified as it will be beneficial to them if they seek reciprocity in other states. She stated that the NCARB certification will allow them the mobility to become registered in the other 54 jurisdictions.

Erny spoke to Balaktchiev and Williams and asked if they have passports and if they found value in a document that allows them mobility. Balaktchiev and Williams both responded, yes. Erny stated that they took a path to where they are today and obtaining an NCARB certificate will allow them to move forward in their professional career path. He also said that it will allow them to take advantage of other opportunities that may present themselves from other jurisdictions. Erny encouraged them to get an NCARB certificate and gave his congratulations.

Erny asked Balaktchiev about his path to licensure. Balaktchiev said that he has been working in an architectural firm and learned drafting while he attended ATEC High School. Erny was interested in the time frame of his experience and education as Balaktchiev obtained his license at a young age. He asked Balaktchiev how long it took him from high school to licensure. Balaktchiev responded that it took him about six years to complete college and gained experience while attending school. Klai asked Balaktchiev when he started taking the NCARB ARE and when did he graduate from college. Balaktchiev replied that he graduated in May 2018 and started taking the exams in August of 2018 and completed them in December 2018.

Erny asked Williams of the length of time it took him to complete the process and obtain licensure. Williams said that he is originally from New York and attended college there. He said that he gained some experience while attending school and worked with mechanics and construction workers. After graduate school, circumstances in his family life slowed his progress towards licensure. Eventually, Tesla had brought him to Reno and he decided to continue his journey to become an architect. Williams stated that he began taking the ARE in February of 2018 and completed it in December 2018. He said that took the ARE 5.0 instead of the ARE 4.0 because it was more comprehensive and was more creative design thinking versus critical thinking.

Klai asked Balaktchiev if he took the ARE 4.0 or 5.0 and he replied that he took all portions of the 5.0. Balaktchiev said that the 5.0 version was more practical. Klai also asked if he was involved with high school design awards. Balaktchiev said that he was involved during his junior and senior year of high school and was inspired by his teacher.

Garlock addressed all the new registrants and asked for feedback in regards to their experience throughout the licensing process. Pavlu shared that getting a phone call from board staff, asking him if he was going to take the Residential Design (RD) Exams, was encouraging for him. Garlock asked the architects how their experience was with NCARB. Balaktchiev said that NCARB took a while to send his transmittals to the board but working with Aguada made it easy for him. He gave praise to Aguada and said that she kept him informed and on track. Williams said that he also had a similar experience with delays of his NCARB transmittals and thanked Aguada for helping him throughout the process.

Mickey said that he serves on an NCARB exam writing committee and found it interesting to get feedback. He asked the architects if it would have been more beneficial if the NCARB scores were provided promptly after taking the exam or if they didn't mind the wait of getting their scores. Williams said that the exam process was quick and at the end of the exam, it reports if they are more likely to pass or fail. He said that sending the scores to the Board was the long process. Harrison asked if Balaktchiev or Williams used the pre-approved study guide that was provided on the NCARB website. Balaktchiev stated that he used Black Spectacles and Williams said that he used the video resources for a broad overview.

Ciesynski asked Forsyth and Hoyt for some of their feedback. Hoyt shared that she was very happy to finally finish and pass the RD exams. She said that it was a long process for her and a lot of her work experience helped her pass the exams. She also said that it is very exciting for her now to be able to stamp her own plans. Forsyth stated that he almost gave up as he had difficulties finding work after the recession. Just a year ago, he found the courage to finish what he had started. He said that he had assisted in public works and commercial projects and realized that it wasn't for him. He stated that residential design is more to his liking because he could be more creative and put his focus on passing the RD exams.

Morelli gave his congratulations to the new registrants. He informed the Residential Designers that they can rely on the Board for support and guidance before starting any projects. He cautioned that they may need to reach out to the Board for assistance when it comes to any potential activities that are outside the scope of work for a Residential Designer.

Garlock informed the registrants that they can always call the Board staff if they have any questions and advised them that it is better to inquire before starting any projects to prevent any legal issues. He also commented that Board staff is very approachable and knowledgeable. Erny alerted them to be aware of the laws and rules in other jurisdictions before taking on any projects.

Ciesynski wished the new registrants all the best, welcomed them into the profession, and gave her congratulations.

#### **AGENDA ITEM 4                      Review and possible approval of the firm JMA Architects, LLC**

The firm application and supporting documents of JMA Architects, LLC were presented in the board meeting eBook. Ciesynski introduced the representatives of JMA Architects, LLC, Jerry Vargas and Erik Tuomy, to the Board

**Motion:** Waugh moved to approve the review and possible approval of the firm JMA Architects, LLC. Motioned seconded by Snyder.

Erny asked Vargas and Tuomy for clarification of Michael Baker's involvement with the firm. Vargas replied that Baker owns 100% of JMA and mentioned that they have provided articles of incorporation that was obtained from their legal counsel. Erny stated that the board is trying to understand who has responsible control of the firm as it is not clear to the board or the public of who they should address or approach, should any issues arise. Garlock questioned how is it that Baker owns 100% but the application states that Tuomy owns 100%. Mickey asked if Michael Baker International has complete control over JMA Architects and is the decision maker. Vargas stated that he and Tuomy makes the decisions locally, stamps the drawings, and have responsible control of the local office. Mickey argued that Michael Baker owns the company; therefore they ultimately have responsible control.

Klai asked what Michael Baker International is. Vargas stated that Michael Baker International is an engineering and architectural firm based out of Pittsburg and that Michael Baker, Jr was the founder who passed away in the 70's. Klai asked if Baker was ever an architect and Vargas replied that he was not.

Mickey asked Vargas and Tuomy what is their contractual relationship with Michael Baker International. He also asked if there is an owner-client or owner-architect agreement. Vargas stated that he is unable to answer that question. He said that ultimately, they are employees of Michael Baker International and represents JMA Architects locally in Nevada as they have responsible control and

authority of any drawings that are generated out of the local office. Mickey stated that per Nevada law, there is a two-thirds ownership requirement and if Michael Baker International has any ownership of JMA Architects, then they must be registered in the state of Nevada and include his ownership on the application.

Garlock asked Tuomy how is his ownership of the firm held and Tuomy replied that it is in shares. Erny asked how Tuomy could be 100% owner of JMA Architects if Michael Baker International owns 100% of JMA Architects. He said Michael Baker International does not comply with the firm ownership requirements of the Nevada laws. Garlock commented on his confusion of who has control and ownership of the firm and if JMA Architects is a subsidiary. Erny asked who will the Board pursue if there is a violation of the architectural laws in the state of Nevada, Tuomy or Michael Baker International. He said that ultimately, mission of the board is to protect the public and hold the right person accountable. Vargas said that the ones responsible would be himself and Tuomy.

Tuomy stated that JMA Architects is the architectural base of Michael Baker International. He said that Michael Baker International aids in looking for potential candidates and assists in the hiring process. Garlock asked why is there a need to have Michael Baker International involved with JMA Architects. Klai replied that it seems like it is for networking purposes. Erny asked if Michael Baker International directs the operation in Nevada, Vargas responded, no, and that Michael Baker International is a resource. Vargas also said that they collaborate with Michael Baker International's local engineering division and fire protection division. Snyder asked Tuomy if he assumes liability for any past JMA Architect projects that have been done and Tuomy replied, yes.

Long stated that it is the Board's duty to protect the public. She said that if the Board is not comfortable approving the firm with the documents that have been presented, they may request further support and review or possibly have their attorney present. Long stated that it seems that Michael Baker International provides merely a support system and they have said on record that they do not make any decisions for JMA Architects; therefore Michael Baker International is not a parent company.

Fleming referred to page 128 of the board eBook as displayed the legal contract that was provided by JMA's in-house legal counsel, Vince Thompson. Bach said that the legal document describes the affiliation between JMA Architects and Michael Baker International.

Long said that the Board may table this item or issue a conditional approval under the condition that JMA Architect's legal counsel, Thompson, provide the Board's legal counsel, Ling, with more supporting documentation, clarification and confirmation. Ciesynski stated that this item will be tabled for the next agenda at the June Board Meeting.

## **AGENDA ITEM 7**

### **Board Financial Investment Report – Secretary/Treasurer's update regarding First Independent Bank investment funds**

This information was also presented in the board meeting eBook. Harrison presented the report and updates regarding Board's First Independent Bank investment funds.

Harrison stated that the Board currently has four CDs that will reach their maturity date on March 11, 2019, and that the Board must decide whether to renew the CDs with First Independent Bank or look for other opportunities. She informed that the CDs were opened in April 2017 with \$75,000 each and has an interest earnings of \$1,300 per CD.

Harrison informed the Board that if they decide to renew with First Independent Bank, they would offer 1.71% at 7 months, 2.05% at 11 months, and 2.30% at 13 months. She asked the Board which term length do they prefer or would they prefer to stagger the lengths of each CD. Erny asked if it was possible to go with a different company that offers better rates to maximize the return. Klai stated that as long as the funds are insured, it should be okay to stagger the term lengths or go with another bank with better rates.

**Motion:** Mickey moved to renew the CDs under the condition that staff explores alternative financial institutions to find better rates with staggered terms for each CD. Harrison will present the proposal to the Chair and Secretary/Treasurer for final approval. Motion seconded by Snyder.

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

**AGENDA ITEM 8**                      **Review and possible approval of amendment to independent contract for legal services with Louis Ling**

**Motion:** Waugh moved to approve the amendments to the independent contract for legal services with Louis Ling. Motioned seconded by Morelli.

Harrison stated that the contract was effective as of September 2017 and will expire in August 2019. She recommended the Board renew the contract and with a new expiration date of August 2022.

Erny questioned the purpose of the 3 year increments rather than a 5 year or 10 year contract. Harrison responded that the term of the contract was at Ling's discretion. Erny voiced his concerns of the legislative session and asked if there is a detriment to the Board if the contract changes. Long stated that the standard contract should include language pertaining to the termination of the contract in the event that a bill that affects the contract is passed. Harrison stated that the original contract does include termination language.

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

**AGENDA ITEM 9**                      **Review and update of the NSBAIDRD Strategic Plan 2019-2023**

The updated NSBAIDRD Strategic Plan 2019-2023 was presented in the board meeting eBook.

**Motion:** Waugh moved to approve the updates of the NSBAIDRD Strategic Plan 2019-2023. Motion seconded by Snyder.

Erny referred to page 176 of the eBook and stated that the word "regulation" must be changed to "regulatory." Ciesynski referred to the mission statement on page 174 and said that the term "who" sounds better than the term "to." Waugh and Snyder disagreed as the term "to" regulates one of doing something. Board members agreed to leave the mission statement as is.

Hatfield referred to the Team Member Objectives in exhibit 2.2.1 on page 186 of the eBook. She stated that it should not state "free of charge" and should be changed to "low cost."

Harrison referred to the Team Member Objective in exhibit 3.2.1 on page 187 of the eBook and questioned how the board will accomplish the assessment. Hatfield said that staff has done surveys before and did not get much response. Ciesynski suggested including questions during the renewal



season. Hatfield also pointed out that on exhibit 3.2.2, it should not state that it is measured "quarterly" as she will continue to provide newsletters five times a year.

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

**AGENDA ITEM 10**                      **Debriefing of the Design Professional Meet & Greet event at the Legislative Building in Carson City**

Harrison informed the board that Hatfield had created a flyer with the Board's information that was handed out to guests who attended the meet and greet event. She stated that the event was held on February 15, 2019, and joined by Aguada and Hatfield during the event. She reported that there were a few representatives that attended but not enough foot traffic at the event because of cancelled committee meetings due to bad weather conditions.

Hatfield shared that it was great to have Ciesynski attend, not only as the Chair of the Board but also as a Registered Interior Designer to help explain the profession. Ciesynski mentioned that she did meet a representative who is in support of deregulation of the Registered Interior Design Profession and said that the Board must be aware that there are other people who feel the same way.

Erny suggested that in addition to the efforts that were made at the meet and greet event, staff should try to target specific committee leaderships. Ciesynski said that she reached out to her representatives in her area to invite them to the event and was able to have some of them attend. She said that she shared information in regards to the interior design profession with some of the attendees and found that some of them did know of the profession. Ciesynski suggested that the board members should reach out to their representatives to increase awareness and communication.

**AGENDA ITEM 11**                      **Discussion and possible action regarding bills tracked during the 2019 Legislative Session that affects the Board**

A personalized list of Nevada Legislative Bills that the Board is tracking has been presented in the board meeting eBook.

Harrison stated that the Board is tracking several bills that may affect the Board. She shared that the Executive Director of the Nevada Board of Engineers has informed her of the Assembly Bill (AB) - 2. She said that AB-2 was introduced on behalf of Clark County and would create an exemption for public works projects. Harrison informed the board that the current language says that the exemption applies only if the project is less than \$35,000 but AB-2 would increase the threshold to \$100,000. Mickey said that the intent of the increase is to eliminate price shopping. Erny stated that with the amendment, the person conducting the project is still required to be qualified and licensed. Harrison stated that Board will support the Board of Engineers for their proposed amendment. Hatfield said that there has been no scheduled hearing or movement of the bill.

Hatfield informed the Board that staff track any proposed amendments to Chapter 54, the Professional Regulations, because those amendments could potential change the laws in Chapter 623.

Harrison stated that there is a proposed bill that allows the Landscape Board to charge a credit card processing fee. Erny said that our statutes currently state that our Board is not allowed to charge a credit card processing fee. Harrison said that there is a similar bill, Senator Bill (SB) – 219, that prohibits regulatory boards from charging additional fees for accepting credit cards.

**AGENDA ITEM 12A-1**

**Case No. 19-025N In the matter of Andy Williams and Medicine Man Technologies, Inc.**

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

Staff received information that the Respondent and Medicine Man Technologies, Inc. may be preparing architectural drawings for medical marijuana facilities in NV without having anyone registered in Nevada. Further investigation revealed that they had entered into three contracts offering to provide services that fall under the practice of architecture for Nevada projects and prepared floor plans for one of them.

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 with an Administrative Penalty of \$4,000 plus Investigative Costs in the amount of \$1,400.

Staff recommended approval of the settlement agreement.

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

Klai asked why staff had not pursued a larger administrative penalty. Bach responded that the drawings that were completed were very minimal and extremely preliminary. Klai asked how many facilities were involved. Bach replied that there were three facilities but only one had drawings. Erny argued that the drawings of the facility were well-developed plans with the size and scope of the project, and that the settlement agreement was too lenient.

Bach stated that the firm has Nevada Registered Architects on the project and revised some of the language on the proposal because only one of the three projects had drawings. She stated that the intent of the drawings was to display where the "grow-lights" will be positioned in the facility. Erny asked if this project was a new facility and Bach replied that it was already an existing building. Erny commented that their contract was more encompassing in what services they've actually offered. Bach said that their focus was to only specify the location of the "grow-lights" and that they've over-stated in their contract of what they actually do.

**Vote:** Erny opposed and all others in favor. Motion passes.

**AGENDA ITEM 12A-2**

**Case No. 19-029R In the matter of Donald Lee**

The Respondent is alleged to have violated NRS 623.270.1 (f) and ROC 1.2, 3.4 and 5.5 by knowingly designing to California Building Codes for a Nevada project; by deliberately failing to accurately disclose material facts requested in connection with his application for registration; and by making misleading and false statements.

Staff received a complaint that the Respondent had been misleading to Board staff when he was applying for his reciprocal license. During the reciprocity interview the Respondent was asked if he had

prepared a proposal or any preliminary drawings to which he replied that he had. A case file was opened and copies of the proposal and drawings were requested. The Respondent presented a proposal discussing different ways that an architect could bill with no pricing and nothing specific to any project at all. Additionally, the Respondent produced a generic drawing and 3d rendering that were not site specific or state specific. The case was closed with a letter of caution. The Respondent did proceed to obtain licensure under these false pretenses. He has not renewed his registration for 2019.

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 terms that prohibit him from seeking licensure for the next five years upon which time he can come before the Board if he wishes to apply for registration. It also includes an Administrative Penalty of \$10,000 plus Investigative Costs in the amount of \$1,500.

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

Garlock asked Bach if the respondent had received his Nevada registration and Bach replied that he did receive Nevada registration but only for a short period. She said that the respondent was only registered from August to December 2018 and did not renew his license. Bach also said that she consulted with Ling and said that this case should be treated as they would with a registrant versus a non-registrant because the respondent was a registrant during some point in the project.

Garlock verified with Bach that the respondent still has not renewed his license and he has agreed to a 5-year waiting period before he is able to reapply. Bach confirmed and also stated that the respondent would be required to come before the Board to petition.

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

**AGENDA ITEM 12B**                      **Discussion and possible decision regarding closure of enforcement cases:**

Bach recommended the following cases for closure without disciplinary action:

19-027N      19-030R      19-031N      19-033N      19-036R

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

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

**AGENDA ITEM 12C**                      **Enforcement Report**

Klai asked Bach how many cases she currently has opened, and if the projects were from northern or southern Nevada. Bach replied that she currently has 12 open cases; a couple of them from the north but majority of them are from the south. Mickey asked who reports the complaints. Bach stated that she receives complaints equally from both registrants and consumers but nothing from building departments.

Morelli asked if it would be beneficial to the Board to inform registrants that they are able to report violations. Klai commented that if the Board did do so, it would seem as if the Board is hunting for people. Erny agreed with Klai that the Board does not want to give the public the wrong perception. Bach suggested an article in Focus on how enforcement is being proactive and educating unlicensed individuals.

**AGENDA ITEM 13A**                    **Architect Report – NCARB Continuing Education Guidelines for comment until April 2, 2019**

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

Erny stated this is new language that further defines the guidelines of continuing education. He said that it allows AXP supervisors and mentors to obtain credit. Ciesynski asked if NCARB is requesting the Board approve the guidelines, and Erny replied that it is for comment to share if the Board supports it. Erny said that this material is available for review for the 120-day comment period.

Harrison stated that there are some sections of the NCARB guidelines that contradict some of the regulations in Chapter 623. She referred to page 356 in the board meeting eBook that included information in regards to the Nano Learning Program. Harrison informed that based on the regulations of Chapter 623, registrants will not receive credit for education units that are only 15-minutes long. She also mentioned that the guidelines require 12-units but our Board only requires 8-units. Ciesynski said that the Board does not need to adopt the guidelines at this time but needs to form a committee to review the Board’s Continuing Education requirements and possibly make amendments. She asked if there are any comments that the Board would like to submit to NCARB. Harrison said that she will submit her comments that contradict our Board’s regulations to NCARB before the deadline on April 11, 2019.

**AGENDA ITEM 13B**                    **Architect Report – FYI: FY20 Region 6 WCARB Executive Committee Candidate Announcements**

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

Harrison shared the list of candidates that are currently running for the WCARB Regional Director. She mentioned that Mickey is running for Regional Director and that she made campaign stickers to support Mickey. Erny commented that Mickey is very worthy of becoming the Director as he has been very engaged with NCARB. Ciesynski asked who will be the delegate that will cast the vote on behalf of the Board. Harrison replied that Ciesynski will cast the vote as she is the Board Chair.

**AGENDA ITEM 13C**                    **Architect Report – FYI: FY20 NCARB Call for Volunteers**

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

Erny encouraged the board members to apply if they are interested in volunteering.

**AGENDA ITEM 13D**                    **Architect Report – FYI: NCARB January 2019 Update**

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

Mickey informed the Board of the recent case in regards to exam candidates who cheated. He shared that specific exam content was been shared and exposed. He also said that the individuals were all from the same architecture firm. Since the exam material was exposed, it could take 2 to 3 years for new questions to be vetted and included into the exams. Snyder asked how the individuals were caught. Waugh stated that the individuals shared an email chain that included three levels of disclosure. He also said that the individuals felt pressure from their firm to pass the exams. Hatfield shared that some of the individuals who were included in the email chain have actually received licensure. Mickey stated that it is up to each state board whether or not they will revoke their licenses.

**AGENDA ITEM 13E**                    **Architect Report – FYI: NCARB January 2019 Fast Facts**

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

**AGENDA ITEM 13E**                    **Architect Report – FYI: BOD Brief January 2019**

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

**AGENDA ITEM 14A**                    **Residential Design Report – Update regarding the Residential Design Exam**

Morelli reported that the Residential Design (RD) Exam was held on Thursday, February 7, 2019. He said that there were two candidates that took the exams in Reno and five candidates in Las Vegas. Morelli also reported that the candidates who took the exams in Reno passed all sections of the exam and were licensed today.

Erny suggested that the board should have a broader pool of questions for the RD Exams. Ciesynski asked when was the last time were the exams written. Mickey stated that it was written about four years ago. Hatfield mentioned that the RD Exams must be updated with the new codes. Ciesynski recommended for the Board to start updating the exam, get a committee together and have this item as a future agenda item. Snyder and Erny volunteered to assist Morelli in the RD Committee

**AGENDA ITEM 15A**                    **Registered Interior Design Report – FYI: New Official Definition of Interior Design**

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

Fleming informed the board that CIDQ has streamlined the definition of an Interior Designer and condensed it to one paragraph.

Fleming also informed the Board that next session for the NCIDQ testing will be in April. She asked Harrison if staff is aware of any locals who may be taking the test. Aguada responded that staff does not receive any notices of locals taking the tests but does receive the results of those who passed.

**AGENDA ITEM 16****Public Member Report**

Waugh shared that he has submitted his request to volunteer with NCARB and was able to be involved with NCARB committees. He also shared that Darryl Hamm, the current NCARB Public Director, will not be running for another term. Waugh said that he is considering running for the position as NCARB Public Director.

**AGENDA ITEM 17****Executive Director Report**

Harrison reported that staff is currently in the process of sending out the report of expired licenses. She said that there are 118 registrants who have not renewed and was happy to report that the number has decreased from last year. Erny asked if the individuals who have not renewed are in-state or out-of-state registrants. Harrison replied that majority of those who have not renewed were licensed through reciprocity. She also reported that she plans to send out the Continuing Education Unit Audit next week.

Harrison reminded the board that board meetings are scheduled for June 12, 2019 in Las Vegas and August 21, 2019 in Reno.

Harrison informed the board that the office had an internet outage for the past few days. After going through the hassle of resolving the internet issues, Harrison stated that it has been determined that the equipment must be replaced and updated. She said that she plans to replace the network equipment, update the database, and possibly purchase new computers before the next fiscal year. Erny asked how much will the upgrade cost and Harrison said that it will cost no more than \$10,000. Erny suggested staff inquire about the database that NCARB is using. Harrison said that her concern with the NCARB database is that the database has restrictions and the board won't have full control of the system. She said that she prefers to have direct access but will look into it.

**AGENDA ITEM 18****Board Counsel Report**

Erny asked if there were any updates on any legal matters that involved the Board. Harrison replied that she had not received any updates.

**AGENDA ITEM 19****Public Information Report**

Hatfield informed the Board that this year is the Board's 70<sup>th</sup> Anniversary and that the legislature passed the architectural laws on March 28, 1949 which went into effect on July 1, 1949. In celebration of the anniversary, Hatfield created NSBAIDRD mugs with the Board's logo and gave a mug to each board member and staff.

Hatfield said that the CEU Seminar is scheduled for May 9, 2019 in Reno and reminded board members to register if they haven't done so already. She informed that Mickey, Jared Zurn, Attila Lawrence, Dylan Wint, Chris Pingree, and Alexia Chen are the speakers for the seminar.

Hatfield reported that she spoke to Eric Strain's design management class on January 31, 2019. She said that the students were very engaged and had a lot of questions. She said that there were a few students that already completed the AXP and some that would test while they are still in school if state law allowed it.

Hatfield provided her calendar in the board eBook that outlines the Board's social media content and postings and also provided the recent issue of Focus.

**AGENDA ITEM 20**                    **Items for future agenda**

- Committee to review CEU requirements and guidelines
- Residential Design Committee

**AGENDA ITEM 21**                    **Public Comment**

There was no public present.

Chairman Ciesynski adjourned the meeting at 1:47 p.m.

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Monica Harrison, Executive Director

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James Mickey, Secretary/Treasurer