

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

January 29, 2014

Board Conference Room, 2080 East Flamingo Road, Suite 120, Las Vegas, NV 89119

Wednesday, January 29, 2014

Chairman Greg Erny called the meeting to order at 8:05 a.m.

Roll Call: Greg Erny, Chairman; John Klai, Secretary/Treasurer; George Garlock, Jim Mickey, William Snyder and Kimberly Ciesynski. Larry Tindall, Sean Tanner and Sandy Peltyn were absent.

Also in attendance: Gina Spaulding, Executive Director; Louis Ling, Legal Counsel; Betty Ruark, Chief Investigator; Monica Harrison, Laura Bach and Tammy Bond, staff.

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: October 22, 2013
- C. Secretary/Treasurer Report
 - 1. Nevada Architect, Registered Interior Designer and Residential Designer Licensing Statistics
 - 2. Wells Fargo Bank Statements
 - 3. December 2013 QR Statement
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
 - 1. BSLI, Inc.
 - 2. HMD Group PA
 - 3. Klai Juba Wald Architects, Ltd.
 - 4. LK Design Group Inc.
 - 5. M Inc. Architecture Planning & Interior Design
 - 6. TSK
 - 7. 4U Architectural Solutions LLC
- F. Firm Registration Approval Requests
 - 1. Apex Planning Studios
 - 2. BJG Architecture & Engineering
 - 3. DWV Group, Inc.
 - 4. MM Creative Studio
 - 5. M & S Architecture, LLC
 - 6. TBS ARCH.GROUP
 - 7. THG of Nevada, LLC
 - 8. FFKR Architects/Planners II

Architects: Registration by reciprocity

7031	Pietro F. Magaro	7042	Douglas W. Whitney
7032	Carl Irwin	7043	Brian J. McKenna
7033	James M. Baeck	7044	Scott H. Melching
7034	John R. Bardin	7045	Lewis W. Robinson
7035	David Blodgett	7046	Frank H. Mackay
7036	Timothy J. DeBuse	7047	Mark D. Mucci
7037	William K. Elsass	7048	Lalaine A. Tanaka
7038	Bradley V. Richards	7049	Deanna Nafzger
7039	Laurence C. Rose	7050	Kenneth Whistler
7040	Quentin P. Sutter	7051	Lynn M. Peters
7041	Dennis J. Trupka		

Board members requested agenda item 2F-7 and 2F-8 be pulled from the consent agenda.

Motion: Snyder moved to approve the consent agenda, items 1 through 2F-6. Motion seconded by Klai.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-7 Firm registration approval request: THG of Nevada, LLC

Motion: Klai moved to approve the firm registration request for "THG of Nevada, LLC." Motion seconded by Garlock.

Mickey requested that this item be tabled pending the board's review of agenda item 7A-5 in the matter of Philip Hettema and THG, LLC.

AGENDA ITEM 2F-8 Firm registration approval request: FFKR Architects/Planners II

Motion: Garlock moved to approve the firm registration request for "FFKR Architects/Planners II." Motion seconded by Ciesynski.

Garlock asked for clarification on the percent of firm ownership by Nevada registrants. Spaulding verified that the total was 72.37% by Nevada registrants.

Vote: All in favor. Motion passes.

Motion: Erny moved to re-open the consent agenda to pull and reconsider item 2F-2. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-2 Firm registration approval request: BJB Architecture & Engineering

Erny asked for board member input regarding the fact that this proposed firm is 95.9% held by engineers and 1.03% held by an architect. He said the proposed name of "BJG Architecture & Engineering" might be misleading to the public and he suggested that the name "BJG Engineering & Architecture" would more accurately reflect the firm's ownership structure.

Spaulding said this name was previously approved under Firm Name Approval on March 7, 2007. She said this is the architectural arm of the engineering firm "Blakely Johnson & Ghushn Inc."

Upon further discussion, board members agreed that board statute allows for the name as proposed.

Motion: Garlock moved to approve the firm registration request for "BJG Architecture & Engineering." Motion seconded by Klai.

Vote: Erny opposed. All others in favor. Motion passes.

AGENDA ITEM 4.5 Discussion and possible decision regarding the residential design application of Steven Fitzgerald pursuant to NAC 623.280 and NAC 623.410

Spaulding said Mr. Fitzgerald who was previously licensed in Nevada as a residential designer let his license lapse in 2008 due to the downturn in the economy. She said that regulation requires that he appear before the board with a new application to regain licensure in Nevada as a residential designer. She said a registrant who has allowed their license to lapse for more than three years must be issued a new license number upon approval of the application by the board.

Erny clarified with Spaulding that Fitzgerald would be exempt from submitting the continuing education units from the years his license was lapsed. She said as a new registrant being issued a new license number he would be exempt from the CEU requirement for 2014 and 2015.

Motion: Klai moved to approve the application of Steven Fitzgerald for residential design. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 4 Discussion and possible decision regarding the application of Mohammed Esa for architect reciprocal registration

Spaulding said Mr. Esa's architect reciprocity application revealed that his NCARB record contained disciplinary action. Spaulding said that he was disciplined by the Oregon board in June of 2002 for practicing architecture without obtaining a certificate of registration.

Motion: Klai moved to approve the application of Mohammed Esa for architect reciprocal registration. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 3A **Deliberations/Action on applications for registration:**
Architect

Garlock swore in the following individuals as architects:

1. Lance Kirk.....7053
2. Mark Mohning.....7052

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

Vote: All in favor. Motion passes.

AGENDA ITEM 3C **Deliberations/Action on applications for registration:**
Registered Interior Designer

Garlock swore in the following individual as a registered interior designer:

1. Chelsea Lavell.....206-ID

Motion: Ciesynski moved to approve the registration of the above referenced individual as a registered interior designer. Motion seconded by Klai.

Vote: All in favor. Motion passes.

AGENDA ITEM 3B **Deliberations/Action on applications for registration:**
Residential Designer

Klai swore in the following individuals as residential designers:

1. Alexander Mireles.....327-P
2. Carlos Rivadeneira.....328-P

Motion: Snyder moved to approve the registration of the above referenced individuals as residential designers. Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

After the board conducted the swearing-in and registration ceremony, Erny introduced Randy Lavigne, Hon. AIA, Executive Director of AIA Nevada and AIA Las Vegas. The five new registrants were recognized for their milestone accomplishments of becoming registered in the state of Nevada and Lavigne presented each of them with a Certificate of Recognition on behalf of the AIA. She wished them continued success and best wishes in their future endeavors.

Erny asked that new registrants offer any feedback, constructive comments, or concerns they had regarding the entire exam and licensing process.

Kirk said the architectural licensing was a long-term process and that because of that he supports the board's intent to pass the law allowing students to begin the exam process upon graduation. He said he hears that many students leave the state so they can take exams sooner and that acting quickly on the passage of the new law would keep students here in Nevada.

Both residential designers acknowledged and thanked board staff for being very encouraging and helpful throughout the entire residential design exam process.

One of the residential designers said he would have liked to have seen tests results sooner.

A residential designer asked that in the future the staff clarify or remind candidates often during testing that it is very important to print the graphic portion of the exam upon completion.

A new architect suggested that there not be a six month waiting period to retake the vignette portion of the exam.

The registered interior designer said the Prometric Testing Center at the Art Institute was a nice environment for the eight hour exam.

Spaulding addressed new registrants telling them that the registration ceremony is an opportunity for new registrants to get to know their profession's board and to know that anytime they have any questions or concerns it is best to call the board office for clarification before moving forward and having a problem arise later. She said it is also important to research laws and rules in other jurisdictions prior to beginning the pursuit of any projects in those jurisdictions.

Board members thanked all family and friends in attendance saying that this is most likely the largest crowd of supporters they remember attending a registration swearing-in ceremony.

AGENDA ITEM 5

NSBAIDRD Strategic Plan 2014-2019 and Communication Document Final Review and Approval

Spaulding presented the one-page summary document of the Strategic Plan to board members asking for final feedback. She said that there will be one more edit, if necessary.

Board members agreed the plan was well-written, very professional and they liked the single-page summary document. Spaulding said the final edit of the summary will be posted on the board website upon approval.

Board members discussed the staff and board member succession planning item as listed on the strategic plan document. Board members agreed that a succession plan in preparation for Spaulding's future retirement would be that over the next five years Spaulding would groom and train interested staff in all aspects of the executive director role for potential internal

promotion. In the event there would not be an internal staff member interested in training for the position, board members discussed conducting a nationwide search for potential candidates.

Spaulding asked for board feedback regarding board member succession. After some discussion among board members, Erny asked that this item be placed on a future board meeting agenda for a further discussion regarding board member specifications, time commitment required to serve, and the expectations of a board member during their term of service on the board.

Garlock and Erny noted items on the Strategic Plan with unrealistic target dates beginning in July 2013 and ending December 2014. Spaulding said she will adjust the dates that set a better criteria for success.

Spaulding will send a thank you letter to M3Planning for the excellent job they did of collaborating with the board to produce such a professional and well-written strategic plan.

Motion: Klai moved to approve the 2014-2019 NSBAIDRD Strategic Plan as presented with target dates to be amended by Spaulding. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITEM 6 Final Board Review and Approval of the 2014 Blue Book

Motion: Garlock moved to approve the 2014 Blue Book. Motion seconded by Ciesynski.

Ciesynski asked if there would be an electronic version of the Blue Book made available as well as the hard copies. Spaulding said yes and that all agencies will be able to post our link onto their websites.

Board members agreed that board staff would send a hard copy of the Blue Book via an automated mailing service to each NSBAIDRD registrant. Spaulding said Bond contacted each Nevada construction industry agency and the individual building departments in the state to ask what quantity they want for their offices. Those ordering a quantity of five or less will not be charged. Board staff will invoice those agencies ordering more than five copies for the price of the books plus the shipping costs.

Garlock said we have always sent a copy to each registrant and we need to continue to do so. Erny said the Blue Book is a great opportunity to help fulfill the outreach obligation by collaborating to publish the Blue Book and then providing a copy to our registrants and others who benefit from its content. Snyder said it gives us a good, strong hands-on communication tool for the building departments and everyone else involved to use.

Motion: Garlock amended the motion to approve the printing of the 2014 Blue Book and for the board to continue to mail a hard copy to each NSBAIDRD registrant. Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

AGENDA ITEM 7A-1 Case No. 13-025N – In the matter of Philippe Starck

Attorney, Marla Hudgens of Lionel Sawyer & Collins was present on behalf of Philippe Starck.

The Respondents are alleged to have violated NRS 623.360.1 (a) (b) and (c) by holding themselves out as being qualified to practice architecture and registered interior design and by engaging in the practice of architecture and registered interior design, for two projects located in Nevada without having certificates of registration issued by this Board.

Staff located a newspaper article naming Philippe Starck as the designer for the Hyde Bellagio. A search of the Internet of "Philippe Starck Las Vegas" also returned over 300,000 articles about Starck designing the Hyde Bellagio and SLS Hotel and Casino. Further investigation revealed that Starck had prepared some preliminary drawings/renderings for both the Hyde Bellagio and the SLS prior to a Nevada registrant being in responsible control. Additionally, Starck disseminated multiple agreements with his client to provide services that fall under the practice of architecture and registered interior design.

The Respondents were sent a Notice of Charges concerning this project and a letter of response was received. The Respondents' case was discussed with Chief Investigator Ruark and the decision was made to offer the Respondents an opportunity to settle this issue informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Prosecution Clause and an Administrative Penalty of \$20,000 plus Investigative Costs in the amount of \$4,075.

Staff recommended approval of the settlement agreement.

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

Vote: All in favor. Motion passes.

AGENDA ITEM 7A-2 Case No. 13-035N – In the matter of John McDonald and Wingstop

The Respondents are alleged to have violated NRS 623.360.1 (a) (b) and (c) by holding themselves out as being qualified to practice architecture and by engaging in the practice of architecture, for two projects located in Nevada without having certificates of registration issued by this Board.

During the course of a related investigation it was discovered that the Respondents prepared site specific architectural drawings for two restaurants located in Nevada without having certificates of registration with this Board. Further investigation revealed that the Respondents disseminated a franchisee brochure on their website offering architectural services by their in-house team of architects. Additionally, the respondents' 'contract for franchisees' required them to use Wingstop's in-house architect.

The Respondents were sent a Notice of Charges concerning these projects and a letter of response was received. The Respondents' case was discussed with Chief Investigator Ruark

and the decision was made to offer the Respondents an opportunity to settle this issue informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Non Admission of Guilt Clause and an Administrative Penalty of \$15,000 plus Investigative Costs in the amount of \$2,300.

Staff recommended approval of the settlement agreement.

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

Vote: All in favor. Motion passes.

AGENDA ITEM 7A-3 Case No. 13-052N – In the matter of Jill and Marc Abelman and Inside Style

The Respondents are alleged to have violated NRS 623.360.1 (a) (b) and (c) by holding themselves out as being qualified to practice registered interior design and by engaging in the practice of registered interior design, for a project located in Nevada without having certificates of registration issued by this Board.

During the investigation of a related case the Respondents' website was discovered which advertised that the Respondents provided commercial interior design. Further investigation revealed that the Respondents had been holding themselves out on their website, Facebook and Linked In pages as being qualified to provide services that fall under the practice of registered interior design. Additionally, it was discovered that the Respondents had engaged in the practice of registered interior design by preparing preliminary renderings and drawings for a hair salon to be located in the Miracle Mile shops in Planet Hollywood.

The Respondents were sent a Notice of Charges concerning this project. The Respondents' case was discussed with Chief Investigator Ruark and the decision was made to offer the Respondents an opportunity to settle this issue informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Guilt Clause and an Administrative Penalty of \$7,500 plus Investigative Costs in the amount of \$1,750.

Staff recommended approval of the settlement agreement.

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

Vote: All in favor. Motion passes.

AGENDA ITEM 7A-4 Case No. 14-005N – In the matter of Branislav Hetzel and Hetzel Design Inc.

Garlock presided over the presentation of case No. 14-005N. Board chairman Erny abstained.

The Respondents are alleged to have violated NRS 623.360.1 (a), NRS 623.360.1 (b) and NRS 623.360.1 (c) by holding themselves out as being qualified to practice architecture in Nevada and engaging in the practice of architecture for a project located in Nevada.

Staff reviewed several news articles identifying the “Quad Facade and Vortex” project associated with the LINQ in Las Vegas, Nevada, as being designed by “Hetzel Design” as well as a company brochure under the Respondents’ former name, “360 Design” which contains multiple computer generated images of commercial projects located in Nevada and or contemplated for Nevada.

Further investigation revealed Branislav Hetzel/Hetzel Design Inc. advertising the Quad project on their website, which included multiple color renderings of the design and a detailed description of the \$300M project for their client Caesars Entertainment.

Additionally, Hetzel Design’s (360 Design) initial overall retail planning and conceptual design services for the new retail and entertainment destination on the Las Vegas Strip, was performed prior to being under the responsible control of a Nevada registered architect.

The Respondents were sent a Notice of Charges concerning this project and a response was received. The decision was made to offer the Respondents an opportunity to settle the issue informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a No Contest Clause, an Administrative Penalty of \$10,000 and Investigative Costs in the amount of \$1,675.

Staff recommended approval of the settlement agreement.

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

Vote: Klai recused himself. Erny abstained from the vote. All others in favor. Motion passes.

AGENDA ITEM 7A-5 Case No. 14-006N – In the matter of Philip Hettema and THG, LLC

The Respondents are alleged to have violated NRS 623.360.1 (a) and NRS 623.360.1 (b) by holding themselves out as being qualified to practice architecture in Nevada.

Staff reviewed numerous news articles indicating the Vegas High Roller Observation Wheel project was designed by The Hettema Group. A review of The Hettema Group’s website and company brochure also reveals they are advertising they designed the Observation Wheel in Las Vegas, Nevada.

Further investigation revealed The Hettema Group formed THG, LLC, a California Limited Liability Company with a Nevada registered architect for the Observation Wheel work in Nevada, but failed to file a firm registration application with the Board or qualify to do business with the Nevada Secretary of State.

The Respondents were sent a Notice of Charges concerning this project and a response was received. The decision was made to offer the Respondents an opportunity to settle the issue informally rather than face a disciplinary hearing before the Board. A settlement agreement was negotiated incorporating a Guilt Clause, an Administrative Penalty of \$2,500 and Investigative Costs in the amount of \$1,675.

Staff recommended approval of the settlement agreement.

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

Vote: Klai recused himself. All others in favor. Motion passes.

AGENDA ITEM 2F-7 Firm registration approval request: THG of Nevada, LLC

Erny recalled item 2F-7, tabled earlier pending approval of Agenda Item 7A-5 Case No. 14-006N in the matter of Philip Hettema and THG, LLC.

Motion: Snyder moved to approve the firm registration request for "THG of Nevada, LLC." Motion seconded by Ciesynski.

Vote: Klai recused himself. All others in favor. Motion passes.

AGENDA ITEM 7B Discussion and possible decision regarding closure of enforcement cases

Ruark recommended the following cases, which were investigated, for closure without disciplinary action:

12-045N	13-012N	13-041R	13-043N
13-046N	13-047N	13-056N	14-007N
14-012N			

Motion: Mickey moved to close the above-referenced cases. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITEM 7C Survey results regarding the release of plans from building departments

Bach reported survey results to the board regarding building department policies on the release of architectural plans to members of the public. Bach said she contacted every building department with many of them providing feedback on the issue resulting in basically two streams of opinion.

One opinion was that plans are a matter of public record allowing anyone to obtain a copy unless it is considered a restricted or confidential document under NRS and NAC Chapter 239 regarding the release of public records and the procedures regarding the release of restricted or confidential records. The second stream of opinion was that plans are copyrighted and approval by the design professional is required prior to the releasing of plans.

Erny said the results of the survey show no absolute consistency on the interpretation of the matter. Bach said that many of the building departments contacted expressed interest in having guidance from the board on the issue.

After discussion among the board members they determined that based on the survey results, the board has no jurisdiction over the building departments regarding the release of plans. Ling said this issue is more of an industry issue than a regulatory issue. He said that if the board's attorney general gave an opinion on the issue he would only be able to advise on state regulatory issues and not on county or city issues. Those who inquire of the board regarding this matter will be referred back to the individual building departments to cite their individual policies.

Motion: Garlock moved for the board to take no action based on the results of the survey conducted by board staff. Motion seconded by Mickey.

Vote: All in favor. Motion passes.

AGENDA ITEM 10A Update regarding Prometric and the Nevada Residential Design Exam content

Spaulding gave an update regarding Prometric's non-renewal of the contract with the board for the Nevada residential design exam content. She said the board is currently in the process of seeking a new vendor to obtain the exam content from Prometric.

Spaulding recently met with NCARB CEO, Mike Armstrong to discuss the possibility of NCARB bidding to become the new vendor for the exam. Spaulding said that as the process began to potentially transfer the exam content from Prometric to NCARB's secure share site, it was discovered that Prometric's exam content that was released was incomplete.

Spaulding told board members that after several emails to Prometric staff and some research into the archives it has been determined that the original contracts cannot be produced to determine if the board owns the content nor does the board have the item bank for the exam.

Spaulding said the current exam content for the three written portions of the residential design exam was written with the help of board members, volunteers, building officials, structural engineers, and code officials. In the past, the board paid Prometric to provide a psychometrician to make sure the exam questions were psychometrically defensible and appropriate for the residential design exam.

In regards to the ownership of the exam content, Ling said that the board created the content, and Prometric was paid to make sure the questions were psychometrically sound, and paid to format the information into a testlet. He said none of that changes the ownership of the content. He said that unless a contract is produced establishing otherwise, the board owns the content.

Regarding administration of the next exam, Spaulding said the exam would not have to be re-written. Erny said there is a genuine interest by NCARB to potentially become the vendor for the exam. Ling said there must be evidence of the psychometric evaluation provided to NCARB if they do become the exam vendor. Klai said the items should come with the statistics.

Ling said he will draft an urgent letter to Prometric informing them that the board's intent is to administer the current bank of questions in a testlet assembled by the board. Ling said the board can self-administer the next exam ensuring it is up to date to the 2006 Building Code. Board members agreed that the next exam could be administered based on the item bank the board currently has.

AGENDA ITEM 8 **Formal Contested Administrative Hearing – In the Matter of Donna Leventhal and DL Design Architects, Inc., (Case Number 14-003N), consideration and adjudication of the Complaint alleging violations of NRS 623.360.1(a)(b)(c)**

There was no formal contested administrative hearing held. Ruark negotiated a settlement agreement.

The Respondents are alleged to have violated NRS 623.360.1 (a) (b) and (c) by holding themselves out as being qualified to practice architecture for a project located in Nevada and engaging in the practice of architecture, without having been issued a certificate of registration from the Board.

Board staff received a telephone call from a Nevada licensed general contractor inquiring whether he was allowed to submit drawings to a building department which had been prepared by a California architect. The contractor explained that he was responding to a Request for Proposal (RFP) for a large project in Las Vegas and the RFP required the contractor to seal and submit the architect's drawings to the building department.

The contractor was informed that it was not legal for him to use the contractor's exemption, NRS 623.330.1(d), to submit drawings to a building department if the drawings were prepared by someone other than himself or his bonafide employee. The contractor followed up by filing a complaint with the Board against the California architect.

Subsequent investigation revealed the Respondents entered into an agreement with Shelby American Inc. to provide architectural and interior design services and prepared architectural drawings for Shelby American's new corporate production facility, offices, retail space and showroom, located in Las Vegas, Nevada.

The Respondents were sent a Notice of Charges concerning the project and a response was received. The decision was made to offer the Respondents an opportunity to settle the issue informally rather than face a disciplinary hearing before the Board. A Settlement Agreement and Confession of Judgment were negotiated. The Settlement Agreement incorporates a Guilt Clause, an Administrative Penalty of \$10,000 and Investigative Costs in the amount of \$4,100.

Staff recommended approval of the settlement agreement and confession of judgment.

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

Vote: All in favor. Motion passes.

AGENDA ITEM 9A **Discussion and possible decision regarding which board members and staff will attend the 2014 Regional Summit in San Antonio on March 7-8, 2014**

Spaulding said all regions will be gathering in one location for the first time. Erny suggested that in regards to succession planning this would be a good meeting for junior board members and members of staff to attend. Spaulding, Erny, Snyder, and Klai will be funded by NCARB with staff members Harrison and Bond being funded by the board.

AGENDA ITEM 9B **Discussion and possible decision regarding proposed draft changes to the WCARB Bylaws**

Spaulding said that there were two proposed draft changes to the WCARB Bylaws to be noted. Provisions have been added explaining revotes in the event of a tie for an election to serve on the WCARB Executive Committee. Also, detail has been added regarding the WCARB Secretary/Treasurer position.

AGENDA ITEM 9C **FYI: NCARB's CEO Update for September, October, November and December 2013**

Erny said this information was provided for board members' information.

AGENDA ITEM 9D **FYI: NCARB's BOD Brief for December 2013**

Erny said this information was provided for board members' information.

AGENDA ITEM 9E **FYI: NCARB's Fast Facts for November and December 2013**

Erny said this information was provided for board members' information.

AGENDA ITEM 9F **FYI: NCARB Memo re TXA White Paper on Path to Licensure**

Erny said this information was provided for board members' information.

AGENDA ITEM 11 **Registered Interior Design Issues**

Ciesynski led the discussion regarding potentially using NCIDQ's alternative path for binder reviews and for the board to discuss regulation changes to NAC 623.562-594 on a future agenda.

AGENDA ITEM 12A Executive Director Report-Update on office activities

Spaulding said that as of January 28, 2014 staff had processed 2852 registration renewals of the 3094 renewal notice letters that were sent via USPS in mid-October 2013. Of the 75 audits that were sent, thirteen had not yet been submitted for renewal.

Spaulding said she will be attending the Regional Leadership Committee Meeting in Baltimore, Maryland from February 6-9, 2014.

AGENDA ITEM 12B Review and possible approval of the budget amount for the 2014 Board CEU Program

Spaulding said that both CEU events held in 2013 were very well-received by all participants. Spaulding and staff were told by numerous registrants that they would have paid to attend such a great continuing education opportunity.

In Las Vegas 77 AIA members were in attendance. There were 141 non-members in attendance. There were 217 RSVPs but 178 showed. In Reno 51 AIA members were in attendance. There were 108 non-members in attendance. There were 153 RSVPs but 128 showed.

Spaulding suggested that there be a nominal charge to each attendee for lunch to prevent such a large number of no-shows for future seminars.

Board members suggested charging \$25 per person to help recover the cost for lunch.

Ciesynski offered to assist staff in finding a non-casino meeting location for Reno's 2014 seminar.

Motion: Klai moved to approve a \$5,000 budget per venue for the two 2014 CEU Seminars to be held in Las Vegas and Reno. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITEM 12C Discussion and possible decision of bill draft requests for the 2015 Legislative Session

Spaulding discussed with board members the proposal of bill draft requests for the 2015 Legislative Session. She suggested requesting the services of NCARB to review NRS 623.280 for problematic language and potentially propose a statutory change that would authorize the board to consider recognizing Mutual Recognition Agreements.

Spaulding also proposed that a change needs to be submitted for NRS 623.192 to change the name of NCIDQ to CIDQ.

Board members discussed a proposed statute change to allow for penalties to be added to the fee schedule for those registrants that do not pass continuing education renewal audits. Ling

suggested that rather than addressing a failed continuing education audit with a change to the fee schedule in the regulations, the board can choose to address failed audits through enforcement via settlement agreements. A failed audit would be considered an enforcement issue when a registrant attests to having completed required CEUs but does not provide the backup documentation upon being audited.

AGENDA ITEM 12D **Update on the GL Suite program and the online renewal process**

Spaulding said GL Suite is building the back end for online renewals in the board's registrant program. With the implementation of online renewals, there will be an approximate five dollar fee assessed by the credit card merchant for each credit card transaction processed.

AGENDA ITEM 13 **Board Counsel Report**

Ling said the Kaleta case was heard in Minden, Nevada on January 28, 2014 where the respondent alleged the board was in violation of the statute of limitations. The judge ruled that the statute of limitations does not apply to the board. Chairman Erny was in attendance for the hearing. Ling said this was the second time the case was reviewed by a judge. It was determined that the penalties assessed by the board were correct.

Ling updated the board regarding the Rusk case by saying the board is still waiting for the Supreme Court's final decision regarding Rusk's request for a rehearing and reconsideration of the dismissal of his case.

AGENDA ITEM 14 **Public Information Report**

Bond told the board that the final 2013 issue of the *Focus* newsletter was provided to them in their e-book and that the next issue would be published late February.

AGENDA ITEM 15 **Public Hearing for NSBAIDRD Housekeeping Regulations R076-13**

Erny opened the public hearing for NSBAIDRD Housekeeping Regulations R076-13 calling for public comment. There was none.

Motion: Garlock moved to approve the proposed NSBAIDRD Housekeeping Regulations R076-13. Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

AGENDA ITEM 16 **Items for future agenda**

- Board member succession
- Discuss RID binder issue and potential change to NAC 623.562-594
- Potential future bill drafts

AGENDA ITEM 17 **Public Comment**

There was no public comment.

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

Gina Spaulding, Executive Director

John Klai, Secretary/Treasurer