

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

August 22, 2018

**Eldorado Resort Casino Reno – CLARET ROOM
345 North Virginia Street, Reno, NV 89501**

Wednesday, August 22, 2018

Chairman James Mickey called the meeting to order at 9:22 a.m.

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

Also in attendance: Monica Harrison, Executive Director; Laura Bach, Chief Investigator; Stacey Hatfield, Public Information Officer; Terylle Kenani Aguada, Executive Assistant. Louis Ling, Legal Counsel arrived at 10:10 a.m.

AGENDA ITEM 1 Public Comment

No comments from the public.

AGENDA ITEM 2 Approval of Consent Agenda

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: June 6, 2018 & July 12, 2018
- C. Secretary/Treasurer Report (Reports and bank statements)
 - 1. Nevada Architect, Registered Interior Designer and Residential Designer Licensing Statistics
 - 2. Wells Fargo Bank Statements
 - 3. First Independent Bank Statements
 - 4. June 2018 Quarterly Report Statement
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
 - 1. BUKHARI DESIGN STUDIO
 - 2. AJB Architecture, LLC
 - 3. Dwell Design Studio, LLC
 - 4. Hermez Design Associates, Inc.
 - 5. Office Bauen LLC
- F. Firm Registration Approval Requests
 - 1. Kora LLC
 - 2. RSP Architects, PLLC
 - 3. SNH Architects, Ltd.
 - 4. SR Design, LLC

Architects: Registration by Reciprocity

7895	Jonathan D. Buglar	7917	Jon P. Allen
7896	Chamlou Y. Ghiai	7918	Brian G. Hagedon
7897	David Hitchcock	7919	Christine J. Kandigan
7898	Eric J. Nielsen	7920	Donald S. McClure
7899	Brian K. Spence	7921	Kevin L. Reisch
7900	Andrew M. Cupples	7922	Michael A. Pendergrass
7901	Robert A. Healy	7923	Michael Rabcich
7902	Dan Brunn	7924	Gary Luzzader
7903	Tanner E. Kinde	7925	Tamara C. Schroll
7904	Jeremy P. Wiesen	7926	Christopher A. Giattina
7905	William S. Buzard	7927	Robert J. Lara
7906	Robert S. Chafee	7928	Quyên V.H. Luu
7907	Mark K. Cueva	7929	Robert G. Spaete
7908	Craig M. Dixon	7930	David E. Asfour
7909	Andrew C. Innis	7931	Patrick D. Burke
7910	Barbara J. Joslin	7932	Michael Busch Jr.
7911	Thomas D Lee	7933	Lisa M. Lamp
7912	Mariah B. Meyer	7934	Craig R. Williamson
7913	Dale M. Songy	7935	David A. Streebin
7914	Matthew M. Staublin	7936	Anthony G. Gianopoulos
7915	Thomas C. Wyatt	7937	Ryan K. Marsden
7916	Scott E. Ackatz		

Residential Designers: Registration by Reciprocity

370-RD Rogerio Deitos

Motion: Waugh moved to approve the consent agenda items 2A through 2D, 2E-2, 2E-4, 2E-5, 2F-3, and 2F-4. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 2E-1 BUKHARI DESIGN STUDIO

Garlock questioned why this firm was included on the consent agenda if the applicant/owner of the firm was not licensed yet. Harrison responded that the Board has been allowing this process for many years by pulling the firm from the consent agenda and approving the firm after the applicant has completed the swear-in and registration process. Harrison also stated that the Board allows this process for new registrants so that they do not have to wait until the next board meeting to request a firm approval. Ciesynski stated that the Board can take it off the consent agenda. Garlock said that including the firm of new registrants on the consent agenda is not the correct way to do it. To confirm what Garlock requested, Mickey reiterated that the firm approval requests of new registrants should not be on the consent agenda but on a separate agenda item for possible action to be approved after the registrant has been sworn-in and completes registration. Garlock agreed that it would be a better and cleaner process rather than pulling firms from the consent agenda.

Erny pointed out that the proposed firm name on the application does not match the name on the business license. Aguada confirmed that the registrant will include "LLC" in the firm name.

AGENDA ITEM 2E-3 Dwell Design Studio, LLC

Motion: Waugh moved to approve the firm name approval request for "Dwell Design Studio, LLC." Motion seconded by Garlock.

Mickey spoke on behalf on Fleming and shared her concern of using the term "Dwell" in the proposed name. Fleming's concern is that "Dwell" is very popular and is also the name of a well-known magazine and may cause confusion or misrepresentation. Harrison stated that she has checked the Nevada Secretary of State website and confirmed that Dwell Design Studio is not registered as a corporate name in this state. Mickey stated that if Dwell Magazine has a trademark registration for the term "Dwell" or if it is a protected term than the Board should reach out to them to confirm.

Vote: All others in favor. Motion passes.

AGENDA ITEM 2F-1 Kora LLC

Motion: Klai moved to approve the firm name registration request for "Kora LLC.". Motion seconded by Waugh.

Klai voiced his concern that one of the owners listed on the form, Alexis Bailey, indicated that she is pursuing interior design licensure but will be responsible for interior design for the firm. Ciesynski stated that as long as they are working under the registered architect than it would not matter. Erny responded that as long as she does not hold herself out as a Registered Interior Designer or gives the impression that she is licensed, it's permissible. Ciesynski reiterated that Bailey can practice interior design as long as it is under the responsible control of the principal who is registered. Klai stated that the applicants have been forthright to indicate that Bailey will have full responsibility of interior design even though she is not registered with our Board yet.

Harrison provided background of the firm and stated that the firm, "Kora LLC," was previously approved on June 10, 2015 under a Firm Name Approval and is restructuring its shareholders.

Mickey pointed out that the interior designer is located in Idaho and architect principal is located in Las Vegas therefore, Mickey questioned where the responsible control of the firm will be.

Erny also pointed out that one of the individuals listed on the form that is part of the firm, Nayef, has identified oneself as an "Intern Architect." Erny stated that the term "Architect" is a protected word and had concerns to whether or not Nayef was allowed to hold oneself out as an "Intern Architect." Harrison confirmed that Shaza Nayef cannot utilize the term architect.

Motion: Garlock moved to provide a letter of caution to outline the roles and responsibilities. A memo will also be issued for the use of the term "Architect" as the title "Intern Architect" cannot be used in the state of Nevada if the intern is not registered with the Board. Motion seconded by Erny.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-2 RSP Architects, PLLC

Motion: Klai moved to approve the firm name registration request for "RSP Architects, PLLC". Motion seconded by Waugh.

Klai requested to verification that the ownership percentages meet Nevada Regulations. Harrison confirmed that as long as the Nevada registrants hold at least the minimum requirement of ownership than the firm meets the requirements.

Vote: All in favor. Motion passes.

AGENDA ITEM 4 Review and possible decision regarding application for architect registration of Shawn Anderson pursuant to NRS 623.260 and NAC 623.280

Documentation of Anderson's request for restoration of his registration as an architect was available in the Board Meeting eBook.

Motion: Garlock moved to approve the application of Shawn Anderson as an architect. Motion seconded by Waugh.

Garlock asked if the reasoning for Anderson's request for restoration is due to his arrest record. Harrison responded that Anderson was licensed for only one year in 2007 and allowed his license to lapse for more than three years. Harrison stated that he is reapplying, is in compliance with his Continuing Education Units (CEU) and will be issued a new number once approved. Snyder asked how long a license can be expired before the registrant must apply for restoration and not renewal. Harrison responded that the registrant has three years to renew a license. After three years, the registrant must reapply and the application must go before the board.

Klai questioned the term "lapse" and if it's defined as voluntarily allowing your license to expire. Klai asked, what is the proper way to inform a state or jurisdiction that a registrant does not want to renew and instead would like to voluntarily allow their license to expire without being deemed a bad status? Harrison responded that Nevada only has Emeritus Status, however the Board receives those types of notices and that information is notated in the database and provided on a separate list. Garlock stated that every jurisdiction has different time periods for the renewing lapsed licenses and different requirements. Erny asked if all registrants must submit CEUs in order to meet the requirements. Harrison responded yes, the Board requires all registrants be in compliance with CEUs for each year, and only new registrants are exempt for the first two years. Harrison also stated that if the registrant allowed their license to expire within the first three years, the registrant must provide CEUs for each year lapsed. If the license is expired for more than three years, then the registrant must provide CEUs for the last three years lapsed.

Vote: All in favor. Motion passes.

AGENDA ITEM 6 Review and approval of the March 2, 2016 revised minutes

The revised March 2, 2016 Board Meeting Minutes were provided to the Board on the Board Meeting eBook.

Mickey informed the Board that the revisions to the March 2, 2016 Board Meeting Minutes have been revised due to the discovery of missing items that were not originally documented. He also stated that the purpose of the revisions is to reflect the accuracy of the Board Meeting.

Motion: Waugh moved to approve the revisions of the March 2, 2108 board meeting minutes. Motion seconded by Erny.

Erny shared his disappointment of the lack of accuracy in the minutes and for the lack of attention when reviewing the minutes to prevent from such errors. Erny stated that the Board should be more diligent with the minutes to be consistent and accurate. Harrison informed the Board that she has been reviewing all recordings and minutes since January 2016 to ensure all other minutes are accurate.

Vote: All in favor. Motion passes.

AGENDA ITEM 7 Review and update of the NSBAIDRD Employee Handbook

Klai asked who assisted the Board in creating the Employee Handbook. Harrison responded that the document was created in 1998 by Hatfield. Hatfield confirmed that she created the Employee Handbook with assistance from the State of Nevada by taking their Handbook and revising certain items that were relevant to the Board.

Harrison stated that she compared the Board's Employee Handbook with the State's Employee Handbook and said that both are really similar. She also stated that she recently made updates to the Handbook and the only section that must be removed is Longevity Pay, due to recommendations made by the Sunset Subcommittee. Harrison said that the only employees that will be affected by this change would be herself and Bach. Ciesynski asked if the Board is prohibited from giving bonuses when the Longevity Pay is removed. Klai and Harrison said no, the Board is not prohibited from giving bonuses.

After going through the Sunset Subcommittee and making changes to the Employee Handbook, Klai asked if the Board is satisfied with the current developments and updates. Garlock realized that the document was old and stated that the date of which the document was updated should be included on the final document to reflect its history. Erny agreed that the document should include the revised date for each section.

Harrison referred to page 206 in the Board Meeting eBook to show the Board the updates made to Health and Dental Insurance as well as updates made on page 207 for the Life Insurance and Long-Term Disability. Klai asked if Jury Duty was included in the Handbook and Harrison responded that it was not. Erny asked what the Sunset Subcommittee requested the Board change in the Handbook. Harrison replied that the only request made by the State was to remove Longevity Pay. Erny pointed out that the Board and staffs are not State employees but there are some references to State Employees in the Handbook. The Board continued to discuss this matter at lengths.

Waugh requested language be included in the Employee Handbook that prohibit staff from directly contacting the Board Members and staff should direct office matters to the Executive Director first.

Erny pointed out the language stated on page 205 of the Board eBook, under Salary Administration and referred to "the opposite sex of equal skill." He criticized the language as dated and requested it be changed to more contemporary language.

Garlock stated that the Board is not a State Agency but follows the State's model. He asked if there is recent document from the State the Board may follow. Harrison said that the State does have a current Handbook that is more extensive. Hatfield suggested the Board use the current State Handbook and amend certain sections. Ciesynski requested a short and concise document for employees, as they might not read and go through such a long document.

Due to the review and request of the Audit Committee, Mickey repeated to the Board that the Longevity Pay portion will be removed from the document.

Motion: Erny motion to approve under the condition that Longevity Pay portion is removed and to further revise certain sections in the Employee Handbook to update language and to be in compliance. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITEM 6 **Review and possible approval of the draft Travel In-State/ Out-of-State Policy**

The draft of the Travel In-State/ Out-of-State Policy was presented in the Board Meeting eBook.

Motion: Garlock moved to approve review of the draft Travel In-State/ Out-of-State Policy. Motion seconded by Waugh.

Garlock asked if there was already a Travel Policy in place and Harrison responded there was not. Harrison stated that the Policy provided in the eBook is a draft. Garlock also asked why the Travel In-State/ Out-of-State Policy is necessary now. Harrison replied that the policy is being introduced due to the recommendation of the Sunset Subcommittee and appropriate for the financial policy. Harrison also stated that the document can be amended if the Board wishes to as it is only a draft. Mickey shared that the policy was modeled on the NCARB Travel Policy.

Harrison stated that once the Policy is approved, the effective date will be September 1, 2018. She also stated that there has been a change to the expense voucher which was located on page 223 of the eBook. A line was added onto the voucher that requests Board Members include the total time spent for each meeting when submitting expense vouchers. Ciesynski requested clarification on per diem while traveling. Erny responded that any time devoted for the preparation and traveling of the meetings should be included. Waugh stated that the total time spent is considered only for days conducting business. Ciesynski and Klai requested the voucher be revised to state that per diem include the total time spent for the meeting.

Motion: Garlock moved to approve the amendment of the Board's Travel In-State/ Out-of-State Policy and clarification of Total Time Spent of the Expense Voucher. Motion seconded by Waugh.

Vote: All in favor. Motion passes.

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

Mickey welcomed the new registrants and the audience. He voiced his gratitude for this Board for having the tradition of inviting the new registrants to the Board Meetings and allowing friends and family of the new registrants to be a part of their special moment. Mickey shared that the tradition

started back in the early 1980's. He also commented that completing the registration process and being sworn-in is a great opportunity and it is an honor to have Nevada as their base state.

Ciesynski swore in the following individuals as architects:

1. Seth S. Bartlett.....7938
2. Sally J. Gimbert.....7939

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

Vote: All in favor. Motion passes.

**Agenda Item 3B Deliberations/Action on Applications for Registration:
Registered Interior Designers**

Ciesynski swore in the following individuals as registered interior designers:

1. Hasnaat Bukhari.....247-ID
2. Tina Gukasyan.....248-ID

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

Vote: All in favor. Motion passes.

Mickey announced Nate Hudson from the American Institute of Architects (AIA) was presented and wanted to share comments and issue a certificate to the new registrants. Hudson introduced himself and stated that he is speaking on behalf of the AIA. Hudson announced that he is the National Strategic Counselor of AIA and a proud registrant whose base state is Nevada. He voiced that he was honored to be there to witness their registration and congratulates each new registrant.

Hudson informed the new registrants about the AIA. He shared that the AIA is a professional organization for architects and all related design professionals and hopes that the new registrants can utilize the organization as a resource for continuing education, legislative advocacy, public recognition, knowledge communities and quality design. He invited the new registrants to join the 93,000 AIA members and over 700 members in Nevada to build stronger, more beautiful and sustainable communities for future generations to come. He said that there was no better time to become a design professional because the world needs more passionate and creative problem solvers now more than ever and the world has been patiently waiting for professional such as the new registrants. On behalf of the AIA, Hudson congratulated them and wished them continued success. Hudson concluded his presentation by distributing certificates and AIA promotional material to the new registrants.

Mickey invited the registrants to give feedback concerning their paths to registration and also pointed out that the Board has tremendous involvement with the National Council of Architectural Registration Boards (NCARB) and the Council for Interior Design Qualification (CIDQ). Mickey asked which of the registrants transitioned from the 4.0 ARE to the 5.0 ARE with NCARB. Gimbert responded that she did not take the 5.0 ARE and only took the 4.0 ARE. Gimbert said that the context and the process of the 4.0 were fine and pretty straight forward. She also stated that the new interface online for NCARB was much more helpful than it was in the past. Gimbert said she would have liked feedback after taking the exams, especially because each exam is different. She wanted to know what areas she may have not done well in and what areas she did great in.

Mickey asked at what point the examinees should receive feedback as the exams are produced electronically and in a certain point during the exam, it is already determined if the examinee has passed or failed. Gimbert answered that there's nothing wrong with finishing the exam because you will have the opportunity to see what the other questions are to gain more knowledge and experience. Gimbert also stated that the time frame between the exam and the receiving the results are pleasant as it provides a short break before moving on to the next step.

Erny said that providing feedback after NCARB exams is different from an educational environment where the examinee may acquire the education from the evaluators. He stated after the exams are completed, they are assessed and the assessment is an evaluation moment and not a teaching opportunity. He also said that the results of the exam will tell the examinee how many questions they have missed but won't indicate exactly which ones. Gimbert replied that multiple choice is not the best way to assess but may be the most efficient. She also said that some test takers do very well in multiple choice tests and others don't, and depending on how well a person is at testing, feedback may be helpful.

Mickey invited the Interior Design Registrants to provide feedback. Gukasyan shared that the exams were not too difficult and that the results for the CIDQ exams were helpful as it included hints in areas that they need improvement. Mickey asked Gukasyan what her time frame was to complete all the exams. Gukasyan said that she took a prep-course while working full-time and was also pregnant when she first started the exam process. She mentioned that she did not pass the first set of exams and waited a while to retake them due to her pregnancy and time constraints. She also stated that she should have requested accommodations at the time. Mickey commented that the Board is always curious as to the different paths that each registrant takes to achieve licensure as each individual has overcome life obstacles and distractions throughout their path.

Erny noted that some of the new registrants were not born in the U.S. He asked the registrants about the journey they took to get to where they are today and requested their feedback on the importance of achieving licensure. Bukhari responded that he is originally from Pakistan and arrived in the U.S. in 1989 to attend Arizona State University and transferred to UNLV in 1992 for the Interior Architecture and Design Program. He stated that he stayed in Las Vegas to work for local firms and recently worked as a consultant while completing the NCIDQ exams, which lead him to pursue his license.

Gimbert shared that she has been in the U.S. for 22 years because her parents brought her and her siblings to the U.S. for educational reasons. She stated that she is now a permanent resident and heading towards naturalization. Gimbert said that she has experience the processes of moving, living in the U.S. and becoming a citizen which allowed her to pursue her career and licensure. Erny asked for clarification if she attended school in the U.S. and did not have to transfer credits internationally. Gimbert responded that she attended school in the U.S. She also stated that education and licensure in the U.S. holds higher standards especially for the Architect profession. Gimbert expressed that being licensed in the U.S. is highly recognized and easily transferred to other countries, including in Australia where she is originally from.

Erny stated that he was the past President of NCARB. He asked the registrants if they had NCARB Certificates and they all responded, yes. Erny encouraged the architects to maintain their certificate so that they will be able to move forward with the occasion when the opportunity presents itself.

Lastly, Erny asked the registrants if there was value of being sworn-in in person. Bartlett shared that it was worth it to be present to experience the moment and that the experience was valuable. Bukhari shared that it was important for him to be present in order to take an oath and receive licensure. Gimbert was joined by her entire family, including her young son. She stated that this occasion was

very meaningful to her by way of being a role model for her son. She shared that it was a long journey to get to where she is today and felt that it was nice to have the ceremony as it was closure for her. Also, Gimbert said that having the support of leaders, such as the Board, was important and meaningful too. Klai voiced that it is good the applicants chose Nevada as their base State. He stated that Nevada holds architectural standards very high and interior design standards even higher. He expressed that if the registrants want to be mobile; they can go to other jurisdictions and get licensed to practice

Ciesynski spoke to the Registered Interior Designers and shared that there are only a handful of States that recognize Registered Interior Design and Nevada is one. She believes that it is the responsibility of the Registered Interior Designers to be a champion to the profession and move forward by educating others on what they do. Ciesynski encouraged them to become an Ambassador through the CIDQ program to be able to reach out to other designers and have the resources needed to educate and share experiences.

Mickey informed the new registrants that they are exempt from Continuing Education Units (CEU) for their first two years of licensure. He also mentioned that the Board offers a CEU Seminar in Nevada twice a year and encouraged them to attend. Mickey stated that the Board is a resource for the registrants and encouraged the registrants to reach out to the Board if they ever need assistance or guidance in any matters related to their practice. He expressed that it is always a pleasure for him to see new registrants because it is an expanding profession and he is thankful that he is able to share this experience with the new registrants. Mickey welcomed the registrants into the profession and thanked everyone.

AGENDA ITEM 2E-1 **BUKHARI DESIGN STUDIO**

Motion: Garlock motioned to approve the firm Bukhari Design Studio with the condition that "L.L.C." be included in the proposed name as it reads on the Nevada Business license. Motioned seconded by Waugh.

Vote: All in favor. Motion passes

AGENDA ITEM 5 **Review of the Board response to the Sunset Subcommittee regarding the anonymous complaint submitted on June 13, 2018 and the Work Session Document**

The Board's response to the Sunset Subcommittee regarding the anonymous complaint and the Work Session Document was presented in the Board Meeting eBook.

Mickey referred to page 149 of the eBook to identify the beginning of the response and review each section. Garlock asked why the Board must spend a lot of time on each item and commented that staff had put together a thorough and straight approach to the Response. Mickey responded that he just wanted to give everyone the opportunity to address any concerns or comments, and avoid jumping back and forth between items. Mickey stated that they will go through the anonymous complaint first.

Ciesynski requested the verbiage in the second paragraph be changed to "one-time fee of \$300," instead of "submit a fee of \$300," so that it is clear to the applicant that the \$300 is not an annual fee. Harrison said that she will make the revisions.

Mickey asked if there were any comments "registration for architecture, interior design and residential design." Waugh pointed out the first sentence should state "present" instead of "presented." Harrison noted the error. Ciesynski referred to the fees stated throughout the Response and asked if the fees had changed. Harrison replied that the only fee that had changed was the fee for the firm. Ciesynski pointed out that in the response it stated that fees were clearly stated on the website and that the fees have not changed. She requested that the statement of "the fees have not been changed" to the beginning of the Response rather than later in the Response, to stress the fact that the information in regards to fees is not new. Harrison and Hartfield stated that the fees had not been changed since the late 90's or early 2000's.

Mickey moved forward by introducing the next item of the Response, "Traveling In-State and Out-of-State." Erny stated that the one aspect that the Response does not reflect is the activity level Board Members are engaged in that is outside regular Board Meetings. He continued by stating that the Board participates in programs and committees of the national organizations, NCARB and CIDQ. This involvement has led to Nevada being a leader at the national level. He also stated that it is critical for the Board to be able to participate in Regional and Annual meetings to be more engaged nationally with fellow boards throughout the country. He said this involvement has helped to develop the successful way the Board operates. Other Board Members agreed.

Waugh stated that the Subcommittee's concerns are very one dimensional and although the Board recognizes the value of being leaders in the profession, he believes that Legislators might not care. Erny and Klai replied that the Subcommittee and the Legislators need to be educated about the value of Nevada leadership at the national level. Ciesynski asked if it was possible to include additional information of leadership into the Response in just two to three sentences. Waugh stated that mentioning the information would be good but the Board should not reflect too much passion and spend too much time on the subject.

Harrison shared that she contacted Jim Wadhams and reviewed the Response with him to ensure that it set the correct tone. Mickey said other Boards who shared their Response had a lot of hostility, which was not the intent of the meeting. He stated that the intent of the Response was to see how the Board can be cooperative. He also stated that it gave the Board the opportunity to provide educational insight, show that the Board behaves at a much higher level of professionalism, and share the Board's desire to be engaged. Klai pointed out that the registrants who were registered today are currently working out of state and commented that there is a reason why the registrant's chose Nevada as their base state. Harrison stated that the feedback that was given by the new registrants will be incorporated in the Response.

Mickey continued onto the next item of the Response, "Continuing Education Units (CEU)." Erny said the \$45 fee should be accurately advertised as the cost of covering food and beverage. Ciesynski commented that it is clearly stated that the seminar itself is free of charge. She suggested that the Response incorporated language that displays the value of the seminar, that it is affordable in comparison to what other organizations charge for their CEUs, and that it is a service the Board provides for the registrants. Garlock shared that when the seminar was initially introduced it was 100% funded by the Board, and one of the problems that arose was the amount of no-shows. Due to the increasing amounts of no-shows every year, Garlock said that the Board decided to charge a small fee as registrants were more likely to attend and not "no-show." Waugh asked Harrison if someone can attend the seminar if they do not pay the \$45. Harrison replied that they cannot attend. Waugh said that even though the \$45 covers food and beverages, it is required to pay the fee to attend or they won't be able to take advantage of the CEUs provided at the seminar. Snyder suggested resolving the issue by stating that the \$45 is to not only cover food and beverage but also the cost of the speakers. Erny suggested resolving the issue by clarifying and revising the language to reflect that for

only \$45, the registrants will be able to obtain \$1,200 worth of CEUs in just one 8-hour seminar. Ciesynski shared that the Board wanted to make the seminar affordable for the registrants. Harrison agreed and stated that the seminar has been very successful and appreciated. Bach stated that she agreed with Waugh stating that no matter how the cost was justified the registrant must pay the \$45 in order to attend the seminar and therefore is not free. Hatfield reminded the Board that it is not the legislature who has issues on the matter but the individual who has made the allegations and submitted the anonymous complaint.

Mickey moved forward to the next subject of the Response, first time registration and the swearing-in ceremony. Mickey shared that the swearing-in ceremony initially started in the early 1980's and has become a tradition. He said that today was a great example of how valuable the ceremony has become as registrants are able to invite their family to show support and take part in the tradition. Garlock expressed his disappointment and that the Board needs to defend the ceremony as it has become a valued tradition. Erny said that the Board's prestige and valuable tradition recognizes the importance of the professions and obtaining licensure and should be a model to other states.

Mickey progressed to the final matter of the Response, "CIDQ Alternative Registration Review." Ciesynski suggested revising the first sentence to define what the alternative review is, state that it is an alternative path that may be beneficial, and that it is not mandatory. Klai asked how much it costs to establish an NCARB record. Harrison replied that it costs \$1,100 to establish a record. Ciesynski commented that the Response had too much information and should be condensed. She reiterated that Response should briefly define what the alternative review is and that it is merely an option and not a requirement.

Motion: Garlock moved to approve the Board's response to the Sunset Subcommittee regarding the anonymous complaint and the Work Session Document, with the condition that the response incorporate the comments and suggestions discussed and the final draft be reviewed by Mickey. Motion seconded by Morelli.

Vote: All in favor. Motion passes.

AGENDA ITEM 11A-1 Case No. 18-053N - In the matter of Frederick Clay Fry and F. Clay Fry Architect, Inc

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

Staff received anonymous information that the Respondent had prepared drawings for a project for UNR. Further investigation revealed they had done feasibility studies for five Nevada projects including drawings for three 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 No Contest Clause and an Effect on Licensure Clause with an Administrative Penalty of \$13,000 plus Investigative Costs in the amount of \$1,000.

Staff recommended approval of the settlement agreement.

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

Erny expressed his opinion that the settlement agreement was light given the level of assessment and the amount of work that was done over a six month period.

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

AGENDA ITEM 11A-2 Case No. 18-063N - In the matter of Ralph La Macchia and La Macchia Group

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

During a reciprocity interview for it was discovered that the applicant's firm had issued a proposal offering to provide architectural services and prepared preliminary drawings for a project in Nevada in which the applicant had no involvement. Respondent was named in the proposal and is the principal of the company.

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

Staff recommended approval of the settlement agreement.

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

Vote: All in favor. Motion passes.

AGENDA ITEM 11B Discussion and Possible Decision Regarding Closure of Enforcement Cases

Bach recommended the following cases for closure without disciplinary action:

18-051N 18-054N 18-055N 18-057N 18-059N 19-004N

Motion: Waugh moved to close the above-referenced case. Motion seconded by Morelli.

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

AGENDA ITEM 11C Enforcement Report

Bach reported that she has visited northern Nevada Building Departments for that past couple days and will provide a detailed report at the next board meeting. She shared that she reviewed the language for RFQs and proposals with Ling to incorporate Nevada registration numbers in their

responses. Bach stated that it was an accomplishment that the Building Department agreed to incorporate some of the language to prevent from non-registrants from bidding on projects.

Bach presented a letter to the Board that will be issued to address firms who provide space planning and how they may advertise their services. Ciesynski commented that this issue may be a dilemma for firms who provide systems furniture and some firms may not have a Registered Interior Designer on staff. Klai asked Bach who would receive this letter. Bach replied that it will be sent to the same groups as the last letter related to this matter. Ciesynski requested that the Board send the notice at least every two years to be more proactive and have better outreach. Bach responded and offered to speak with groups to share this information and to educate the public. The Board discussed matters in length.

AGENDA ITEM 9 **Review and possible approval of the Executive Branch Audit Committee (EBAC) Report and Board response**

The Board's response to the Executive Branch Audit Committee (EBAC) Report and the Board's response were presented in the Board Meeting eBook.

Harrison referred to page 245 of the eBook to review the recommendations related to the Board. Garlock requested to start the discussion on the second recommendation, which is to utilize the Attorney General's (AG) office for baseline level support. He asked if it was a general process across the Boards that all Boards must use the AG's office. Ling replied that the AG's office must be used for baseline support. Garlock asked if the Board is currently following this process and Ling responded it was. Harrison added that she does contact Sophia Long from the AG's office for support from time to time. She also consults with Ling, Board Legal Counsel. She shared that the preliminary response can be found on page 267 of the eBook.

Ling voiced that the Board is in compliance with all of the recommendations made by the EBAC. He stated that the response can be made simple by stating that the Board has reviewed the audit and provide notice that the Board is in compliance and intends to continue to be in compliance. Garlock pointed out that the EBAC wants the Board to evaluate the legal counsel usage. Ling stated that he is \$4 an hour less expensive than the AG's office. He said he found it ironic that the EBAC recommended the In-House Counsel Model as he was considered an In-House Counsel, until the legislature passed the bill and he can no longer be identified as an In-House Counsel.

Ling informed the Board that the result of this response will depend on the upcoming election and that the Board should expect the legislature to pass new bills. He stated that the Board should prepare a new Reserve Policy and warned that boards will no longer be able to keep their enforcement fees and fines. Erny asked if the Board will be able to determine the costs. Harrison replied that the enforcement hourly fee has been the same for many years but that the Board can change it. Ling confirmed, yes, the Board can determine the costs.

Ling stated that the licensing fees should be what cover the costs to run the office. He said that if the office is not able to cover the cost of running the office, then the Board must increase licensing fees. Ciesynski commented that it seems that the Board has two options: wait and see what bills will be passed and handle them as they come, or be proactive before the bills are passed. The Board continued to discuss the matters of costs, fees and fines.

Ling recommended that the Board make an effort to speak with legislators to educate them about the professions the Board licenses. Hatfield said that they should try to reach out to the legislators to speak to them one-on-one and need to meet before the legislative session begins.

Ling told the Board that it will have time from when the bills are passed to when they go into effect to make necessary changes to its budget. Snyder asked if the bills would be retroactive. Ling replied that the Board would not have to surrender any enforcement fees and fines it has now.

Ling articulated that there are 34 separate agencies that have different ways of doing things. He said that he had not been in an interim sessions where the boards have been under such scrutiny and hopes that somewhere along the way, there will be some reward to all the efforts. He also stated that he will prepare the Board for the changes and will continue to stay engaged.

Harrison asked how often the Board would be reviewed and audited. Ling responded that every Board must be reviewed every ten years. Ciesynski asked if the Board can increase the reserves amount to protect the Board. She stated that the Board currently has twelve months.

Motion: Waugh moved to approve the Board's response to the EBAC Audit. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITME 10

Discussion and possible decision regarding how to access the registrant's disciplinary information from the Board's website for the consumers

Harrison referred to page 301 of the eBook and utilized the Board of Engineers' website as an example of what disciplinary information is provided for consumers through the website. She also mentioned that the Contractors' Board has a separate disciplinary database available. She stated that this Board currently does not have any disciplinary information available on the website for consumers and only provides simple information of when a registrant was licensed and when the license expires. Harrison stated that she recently attended the Nevada Comprehensive Board Member training, along with some of the Board Members, and the topic was introduced by the Federation of Associations of Regulatory Boards (FARB). Harrison found the presentation informative and found that similar Boards have the disciplinary information on their website.

Harrison asked the Board if they want to include the disciplinary information on the Board's website, how much information should be provided, and how many years back should they have information available. Ciesynski stated that the information should be available on the Board's website but should contain minimal information. Snyder commented that the Board's newsletter already provides such information and suggested that if anyone inquired if a registrant has any disciplinary action, they should refer to the newsletter. Hatfield said that the website only has newsletters from the last three years.

Ling said listing some disciplinary information on the website provides transparency as consumers would want such information prior to hiring the professional. He suggested the Board keep a separate spreadsheet and link that consumers can select from the website that will reflect disciplinary actions for non-registrants.

Harrison offered to include a simple "yes" or "no" under "disciplinary action" for each registrant record on the website and if the answer is "yes" then there could be instructions for consumers to contact staff for additional information. Erny asked if the Board reports the disciplinary items to NCARB. Bach responded that she reports all disciplinary matters to NCARB and LCB. Snyder asked if there is no admission of guilt, would the answer be "yes" for discipline and Bach replied, yes.

Erny asked how far back should information be available and Ciesynski reiterated that it should be as far back as three years. Ling suggested that there be no date restrictions and to allow the public decide if the date is relevant. Bach agreed and stated that if the consumers call staff for information, staff is required to provide the disciplinary information no matter how old it is as it is public information.

Motion: Erny moved to approve for the Board's website to include "yes" or "no" to indicate if registrants have disciplinary action on their record. Motion seconded by Ciesynski.

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

AGENDA ITEM 15 **Potential approval of initiation of extraordinary writ proceeding in *Rusk v. NSBAIDRD* matter**

A copy of the Notice of Entry Order and Order regarding the Motion to Dismiss and Motion to Strike in the matter of Rusk v. NSBAIDRD was presented in the Board Meeting eBook. Ling handed out a copy of the writ to the Board for reference during the duration of this agenda item only.

Ling reminded the Board that they previously had a Board Meeting regarding the approval of litigation expenses related to the matters involving Dennis Rusk. Ling stated that the Notice of Entry Order is the work product that was a result of the approval of the litigation expense. He also stated that according to the Attorney General's Office and the Court, he must ask the Board for approval to initiate the extraordinary writ proceeding and legal action.

Ling said that if he receives approval today than it will be filed on Monday. He informed the Board that Plaintiff's counsel, Bob Nersesian, is aware of what is to come and that the process may take several months as there is no timeline attached to a regular appeal. Ling informed the Board that the case had been reassigned to another department with a new judge, Judge Delaney.

Motion: Waugh moved to approve the initiation of the extraordinary writ proceeding in the matter of Rusk v. NSBAIDRD. Motion seconded by Morelli.

Vote: All in favor. Motion passes.

AGENDA ITEM 18 **Board Counsel Report**

Ling had nothing to report.

AGENDA ITEM 17 **Executive Director Reports**

Harrison reminded the Board of the Board Member reappointments of Mickey, Fleming and Waugh and that their applications for reappointment have been submitted. She also informed the Board that she

has submitted a letter of support for reappointment on behalf of the Board. Harrison stated that she had not yet received a response from the Governor's Office or any notice indicating if there have been other applicants for the three available positions.

Harrison informed the Board that she is currently working on Part Two of the EBAC Audit Report and that she will have it completed in a week.

Harrison said that she will be attending the Member Board Executive (MBE) Summit Meeting in St. Louis and that she will continue to be on the NCARB MBE Committee for another year.

For an update in the NSBAIDRD office, Harrison said that staff has been busy preparing for the upcoming financial audit with Anderson as field work will begin in a couple weeks.

AGENDA ITEM 19 Public Information Report

Hatfield shared that she recently distributed the latest issue of the Focus Newsletter, which was in the Board Meeting eBook, and told the Board that she had changed the format a bit. She asked the board if there were any suggestions of different formats, or any changes or ideas the Board would like to see. She said the current vendor has a new software program and platform that will allow her to make changes. She also shared that there is a mobile version of the Focus Newsletter as a third of subscribers open the newsletter on their mobile phone or tablet. Hatfield stated that she will continue to post a new issue after each Board Meeting. Ciesynski thanked Hatfield and commented that it is great to have a newsletter issued after every Board Meeting to be consistent.

There is an upcoming CEU Seminar in December and it will be held in Reno. Hatfield said that she met with the local American Institute of Architects (AIA) to discuss the upcoming seminar, learn what her role is in collaborating with AIA, and facilitating the seminar. She also stated that she will coordinate the publicity with AIA starting in October.

Hatfield told the Board that she has created Phase One of the Educational Outreach Program. She had identified UNLV, CSN and TMCC and what each college currently offers for the professions. She also plans to focus on high schools to speak to students who will be applying to colleges soon and offer information about accredited degrees and provide guidance. Hatfield found that there are currently three high schools in the Las Vegas area that have technical classes with emphasis on architectural design and interior design and she plans to contact those three schools first. Ciesynski informed Hatfield that there is the Academy of Arts, Careers and Technology (AACT) in Northern Nevada that offers classes with emphasis in design that she may contact as well.

Lastly, Hatfield mentioned that the Board expressed interest in improving its social media presence. She stated that she has limited experience in that area and is in the process of researching and gaining social media experience to self-educate and create a program.

Waugh praised Hatfield and said that he liked the new refreshed look and was impressed by the amount of work she completed in the short amount of time she has been back with NSBAIDRD.

AGENDA ITEM 16 Public Member Report

Waugh shared that he is looking forward to working with Harrison and Hatfield to prepare for the legislative session in Carson City. He informed the Board that he will attend the NCARB Professional

Conduct Committee Meeting in Washington, D.C. Waugh also said that he will be starting his second to last semester at UNLV and is looking forward to completing it.

AGENDA ITEM 14A **Registered Interior Design Report – Discussion and decision regarding who will attend the 2018 Annual Council of Delegates meeting in Nashville, TN on November 9-10, 2018**

Information regarding the 2018 CIDQ Annual Conference was presented to the Board in the Board Meeting eBook.

Harrison stated that Ciesynski, Fleming, Mickey and she will attend the conference. Harrison said that she would be the funded delegate.

On Behalf of Fleming, Harrison shared her comments and updates. Harrison stated that there are currently three applicants going through the Alternative Review Process (ARP) and they hope to register in time for the October or January Board Meeting.

AGENDA ITEM 14B **Registered Interior Design Report – Discussion and possible decision regarding the nominations for the 2019 CIDQ Board of Directors**

This information was provided to the Board in the Board Meeting eBook.

Ciesynski requested that the Board make a motion and approve the nominations before the CIDQ Annual Council Meeting. Harrison said that there is a deadline to submit the nominations and Ciesynski added that the Board will not meet again before the Annual Meeting.

Motion: Erny moved to approve the nominations for the 2019 CIDQ Board of Directors. Motion seconded by Klai.

Vote: All in favor. Motion passes.

AGENDA ITEM 14C **Registered Interior Design Report – FYI: Healthcare Interior Design Program from UNLV**

This information was provided to the Board in the Board Meeting eBook. On the final agenda of this Board Meeting, this agenda item was marked as an action item. Harrison confirmed that this item is not an action item and it was a typo.

Harrison shared that Hatfield conducted some research and found that UNLV offers a Master of Healthcare Interior Design degree. Harrison referred to page 434 of the eBook to show that students have two ways to obtain this degree. Hatfield explained to the Board of how to obtain the degree and the conditions of the program. Waugh shared that this program has been around for two years at UNLV. Harrison and Hatfield said that they will contact UNLV and do more research to obtain more information about the program.

AGENDA ITEM 14D **Registered Interior Design Report – FYI: NCIDQ Study Tips**

This information was provided to the Board in the Board Meeting eBook.

AGENDA ITEM 13A **Residential Design Report – FYI: Update regarding RD Exam on August 9-10, 2018 in Las Vegas and Reno**

Morelli reported the total amount of candidates that took the Residential Design (RD) Exam: four in Las Vegas and three in Reno.

Morelli shared two concerns that some Residential Designers have. He stated that the first concern is the constant conflict amongst other professionals in regards to providing drafting services. He voiced that Residential Designers hold a higher standard and the fact that there are graphic service companies, engineers and contractors who can also provide drafting services created conflicts. Snyder mentioned that the Board attempted to find a solution to the issue by including verbiage in the Blue Book however the issue was never resolved.

The second concern that Morelli shared was that some Nevada Homeowners Association (HOA) won't allow Residential Designers to submit plans. Mickey asked if the HOA has the privileges to restrict Residential Designers from applying and Ling replied, yes.

Both concerns were discussed at lengths and it was recommended to have the issues revisited as a future agenda item for further discussion.

AGENDA ITEM 12A **Architect Report – FYI: NCARB Diversity Statement**

This information was provided to the Board in the Board Meeting eBook.

AGENDA ITEM 12B **Architect Report – FYI: NCARB Fast Facts July 2018**

This information was provided to the Board in the Board Meeting eBook.

AGENDA ITEM 12C **Architect Report – FYI: NCARB June & July Update 2018**

This information was provided to the Board in the Board Meeting eBook.

AGENDA ITEM 12D **Architect Report – FYI: NCARB Blog July 2018**

This information was provided to the Board in the Board Meeting eBook.

AGENDA ITEM 20 **Items for future agenda**

- Revisions and updates for the NSBAIDRD's Strategic Plan
- Conflicts with Residential Design Drafting Services

- Expense comparisons of holding the Board Meetings in Las Vegas contrasted with Reno Board Meetings

AGENDA ITEM 21 **Public Comment**

There was no public present.

Chairman Mickey adjourned the meeting at 3:42 p.m.

Monica Harrison, Executive Director

Kimberly Ciesynski, Secretary/Treasurer