MINUTES FOR BOARD MEETING OF THE NEVADA STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN AND RESIDENTIAL DESIGN June 13, 2012 Board Conference Room, 2080 E. Flamingo Rd., Suite 120, Las Vegas, NV 89119

Wednesday, June 13, 2012

Chairman Greg Erny called the meeting to order at 8:35 a.m.

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

Also in attendance: Gina Spaulding, Executive Director; Louis Ling, Legal Counsel; Betty Ruark, Chief Investigator; Laura Bach, Monica Harrison, 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: March 28, 2012
- C. Secretary/Treasurer Report
 - 1. Nevada Architect, Registered Interior Designer and Residential Designer Licensing Statistics
 - 2. Wells Fargo Bank Statements and March 2012 quarterly report
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
 - 1. Avaruus Studios Inc.
 - 2. DLR Group Architecture & Engineering inc.
 - 3. Foundry Interior Design, LLC
 - 4. KCA PLLC
 - 5. Lombard-Conrad Architects-Nevada, Ltd.
 - 6. Blend Architecture LLC
 - 7. RAFI Architecture and Design
- F. Firm Registration Approval Requests
 - 1. Architect Exam Prep LLC
 - 2. Front and Bridge, LLC
 - 3. DG Architecture, LLC
 - 4. Water Technology West, LLC
 - 5. Field/Paoli Architects A Professional Corporation

Architects – Registration by Reciprocity

6786	David F. Cassidy	6791	Mark A. Anderson	6796	Herber C. Godsey
6787	David T. Hatton	6792	Andrew W. Barnard	6797	Perry A. Haviland
6788	Anthony Miller	6793	John G. Burk	6798	Geoffrey B. Lim
6789	Brian D. Tempas	6794	Curtis Chong	6799	Scott C. Maloney
6790	Eric W. Thomson	6795	Daniel D. Filuk	6800	Sanders M. Loring

6801	Larry D. Mitchell	6811	John C. Scales	6820	Richard J. Lavelle
6802	Paul R. Nigro	6812	Matthew W. Freeby	6821	Robert W. Snyder
6803	Richard S. Sickeler	6813	Michael L. Fields	6822	Jay W. Clark
6804	D. Brooke Smith	6814	James Benjamin	6823	Jose Teran
6805	Derek J. Sola	6815	John C. Schneider	6824	David C. Doucette
6806	Yann E. Taylor	6816	Gerald L. Valgora	6825	Michael P. Strand
6807	James A. Wilson	6817	Steven M. LaBruna	6826	Scott A. Wendell
6808	Richard M. Harris	6818	Darlene Rutkowski-Hanks	6827	George M. Schevon
6809	Gladys C. Makabenta	6819	William P. Lacey	6830	Joshua D. Crawford
6810	James R. Draheim			6831	Richard E. Sambucetti

Board members requested agenda items 2E-2, 2E-5, 2E-7 and 2F-1 through 2F-3 be pulled from the consent agenda.

Motion: Klai moved to approve the consent agenda, items 1 through 2E-1, 2E-3, 2E-4, 2E-6 and 2F4-2F5. Motion seconded by Garlock. **Vote:** All in favor. Motion passes.

AGENDA ITEM 2E-2 Firm name approval request: DLR Group Architecture & Engineering inc.

Spaulding clarified for Erny that this firm which was approved at the last board meeting has been resubmitted due to ownership changes within the firm.

Motion: Klai moved to approve the firm name request for "DLR Group Architecture & Engineering inc." Motion seconded by Ciesynski. **Vote:** All in favor Motion passes

Vote: All in favor. Motion passes.

AGENDA ITEM 2E-5 Firm name approval request: Lombard-Conrad Architects-Nevada, Ltd.

Garlock asked for clarification regarding the submittal of this application in regard to the retired names displayed on the firm's letterhead. Spaulding explained that this is an ownership change from Lombard and Conrad, retired former Nevada registrants who have transferred ownership of the firm to a current Nevada registrant. NAC 623.740 allows for the original firm name to continue to be used as long as the natural names are displayed on the letterhead and reflect that Lombard and Conrad are retired.

Motion: Garlock moved to approve the firm name request for "Lombard-Conrad Architects-Nevada, Ltd." Motion seconded by Klai.

Vote: All in favor. Motion passes.

AGENDA ITEM 2E-7 Firm name approval request: RAFI Architecture and Design

Ciesynski asked for clarification regarding whether or not Bob Fielden is retired. Spaulding said he is partially retired but is still the architect in the firm.

Motion: Klai moved to approve the firm name request for "RAFI Architecture and Design." Motion seconded by Tindall.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-1 Firm registration approval request: Architect Exam Prep LLC

Motion: Garlock moved to approve the firm name request for "Architect Exam Prep LLC." Motion seconded by Klai.

The board discussed the appropriateness of approving a firm application for a business intending to practice as an exam firm or general business rather than a professional services business under NRS/NAC Chapter 623. Garlock agreed that unless the firm is going to practice architecture under the approved name, it would not be a name required to come before the board for approval.

Spaulding said that since the legislative change in 2009, any Nevada business license application submitted to the Secretary of State containing any derivative of the word 'architect' must be approved by this board. As director, Spaulding typically approves these requests in writing with no need for board review. In this unique situation, Spaulding had this request brought before the board in the form of a firm application because the owner of the proposed business is an architect. He is licensed in Nevada and other partners in his firm plan to register in Nevada, as well.

Vote: All opposed. Motion fails.

The board directed Spaulding to send a letter to the applicant explaining that it is not in the board's jurisdiction to approve a business essentially providing services that a school would provide. Because he became a registered Nevada architect, he can operate the business using the word "architect." Further, board members directed Spaulding to caution the applicant that if he wishes to pursue architectural projects in Nevada in the future, he will need to practice independently or submit a new firm application at a later date for approval of a fictitious or corporate architectural firm name.

AGENDA ITEM 2F-2 Firm registration approval request: Front and Bridge, LLC

Motion: Klai moved to approve the firm name request for "Front and Bridge, LLC." Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

AGENDA ITEM 2F-3 Firm registration approval request: DG Architecture, LLC

Tindall noted there are project architects listed on the application that are not Nevada registrants. Spaulding said we will send the standard letter cautioning any architects not licensed in Nevada not to hold themselves out as registrants.

Motion: Klai moved to approve the firm name request for "DG Architecture, LLC." Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

AGENDA ITEM 3 Discussion and possible decision regarding the architect application of Steven B. Christiansen pursuant to NAC 623.280

Spaulding said that Mr. Christiansen, whose Nevada base state license has been lapsed for more than three years, has come before the board for an oral interview seeking restoration of his Nevada license. Spaulding explained that upon the board's approval for reinstatement, a new license number would be issued.

Erny asked Christiansen what circumstances are bringing him back to Nevada as well as what he has been doing since the lapse of his license. Christiansen said he was hired in 1995 by LCA Architecture in Boise, Idaho and worked in their public safety and justice department and he let his Nevada license lapse in 1996. Erny asked if Lombard Conrad still maintains an office in Elko. Christiansen said they do not.

Spaulding asked if he has done any work in Nevada since the lapse of his license. He said he had not.

Motion: Garlock moved to approve Steven B. Christiansen's architect application. Motion seconded by Tindall.

Vote: All in favor. Motion passes.

AGENDA ITEM 4 Discussion and possible decision regarding the architect application of Byron L. Smith pursuant to NAC 623.280

Mr. Smith, also seeking reinstatement of his lapsed Nevada base state license, said he became a Nevada registrant in 1987, letting his license lapse in 1994 when he moved to Boise, Idaho. He said he practiced in Idaho until he became employed by Washington State University. Smith is seeking Nevada licensure due to a recent employment opportunity with Lombard Conrad who previously maintained an office in Elko, Nevada. The firm is in the process of leasing space and plans to re-open an office in Elko.

Erny asked if he had any architectural activity in Nevada while his license was lapsed or if he had pursued any projects in Nevada during that time. He said he had not and that he has made it very clear to everyone that he is not licensed in Nevada. Mr. Smith thanked the board for staff's assistance in expeditiously processing his application for reinstatement.

Motion: Garlock moved to approve Byron L. Smith's architect application. Motion seconded by Klai. **Vote:** All in favor. Motion passes.

AGENDA ITEM 5 Discussion and possible decision regarding Bridget Slentz' request that the board approve her interior design degree pursuant to NRS 623.192.1(d)(2)

Spaulding told the board that the registered interior design binder committee recently met and reviewed Ms. Sletz's binder. The committee consisting of Erny, Tanner, and Ciesynski recommended that the board find her education to be substantially equivalent pursuant to NRS 623.192.1(d)(2) and that the board approve her application allowing her to be registered with her peers.

Erny asked Ms. Slentz for feedback regarding the binder process. Slentz said that she had guidance from a registrant that had previously gone through the binder process. She said the process took lots of time but, upon completion, it was very rewarding to see her work product represented in one binder. Spaulding asked if she could share with the board how much time was put into preparing the binder. Sletz said she committed at least one hour per day over a 5 to 6 month period. Spaulding told Sletz she did a very good, thorough job

and that the board is happy to see UNR graduates successfully complete the binder process. Erny said it is important for the board to provide this vehicle for UNR students as a means for registration. Spaulding said it would be helpful for the board in updating the binder process to know if there were any sections or standards within the application she found problematic to complete. Slentz said it was difficult finding a project pertaining to the areas of mechanical and electrical.

Slentz told the board that as a UNR student, she was informed by faculty to keep all past syllabuses for reference in preparation of the binder.

Motion: Klai moved to approve Bridget Slentz' request for approval of her interior design degree. Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

AGENDA ITEM 14A-6 Case No. 12-017N In the matter of Lori Amis and Lori Amis Interiors

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

The Respondents are alleged to have violated NRS 623.360.1 (a) (b) and (c) by holding themselves out as being qualified to provide services that fall under the practice of registered interior design and by engaging in the practice as a registered interior designer for multiple projects located in Nevada, without having been issued a certificate of registration by the Board.

A search of the internet revealed the Respondents' two websites, which included photographs of interior design services the Respondents provided for The Ridge Tahoe and Ridge Plaza Resorts located in Lake Tahoe, Nevada. Upon further investigation additional information was obtained which indicated the Respondents also provided registered interior design services for Walley's Hot Springs in Genoa, Nevada. A Notice of Investigation was sent to the Respondents and supplemental documentation was received which confirmed the Respondents engaged in the practice of registered interior design and specified materials and finishes that are regulated by Nevada Building and Fire Codes.

The Respondents were sent a Notice of Charges concerning this project and a letter of response was received. The Respondents were given the opportunity to settle this issue informally rather than face a disciplinary hearing before the Board. A settlement agreement and confession of judgment were negotiated. The settlement agreement incorporates an Effect on Licensure Clause, a No Contest clause, an Administrative Penalty of \$37,500 and Investigative Costs in the amount of \$2,750.

Staff recommends approval of the settlement agreement.

The attorney representing Ms. Amos told the board that her client has received her State Fire Marshal's Furniture, Fixtures & Equipment (FF&E) Certificate and will be providing a copy of that to the board. She also plans to apply for licensure as a registered interior designer with the board.

Vote: Ciesynski recused herself. All in favor. Motion passes.

AGENDA ITEM 6A Deliberations/Action on applications for registration: Architect

Garlock swore in the following individuals as architects:

- 1. Paciano Diaz......6828
- 2. Brian Henley......6829

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

Vote: All in favor. Motion passes.

AGENDA ITEM 6B Deliberations/Action on application for registration: Residential Designer

Klai swore in the following individual as a residential designer:

1. Raymond Finkel......317-P

Motion: Tindall moved to approve the registration of the above referenced individual as a residential designer. Motion seconded by Garlock. **Vote:** All in favor. Motion passes.

AGENDA ITEM 12 Discussion and possible decision regarding Governor Sandoval's Executive Order 2012-11

Spaulding said that all Nevada boards received a letter from Governor Sandoval regarding expediting the reciprocity process for military spouses seeking licensure in Nevada. Spaulding said that the current processing time for reciprocity applications ranges anywhere from ten days to several weeks, depending on the responsiveness of the applicant and the means by which correspondence are handled during the process. After some discussion among Spaulding and the board members, it was determined that the board office will expedite the process to shorten the time frame and make sure military and/or military spouse applicants are registered expeditiously. Erny asked that it also be duly noted that today on previous Agenda Items 3 and 4, the discussion regarding Christiansen's and Smith's application process established that staff currently works diligently with applicants to expedite the registration process when necessary.

Motion: Garlock moved to support Governor Sandoval's Executive Order 2012-11. Motion seconded by Tindall.

Vote: All in favor. Motion passes.

<u>AGENDA ITEM 6C</u> Deliberations/Action on applications for registration: Registered Interior Designer

Klai swore in the following individuals as registered interior designers:

- 1. Genette Payne.....197-ID
- 2. Bridget Slentz.....198-ID
- 3. Jennifer Wagner.....199-ID

Motion: Ciesynski moved to approve the registration of the above referenced individuals as registered interior designers. Motion seconded by Oppenheimer. **Vote:** All in favor. Motion passes.

Erny invited the new registrants to share any thoughts or concerns regarding the licensing and/or exam process.

Several new registrants made various comments regarding Monica's responsiveness and how smooth she made the process for them.

Regarding NCARB, a new registrant shared that it would be beneficial for exam candidates to have online access to more information such as exam results and IDP information versus making phone calls to NCARB. Erny assured him that NCARB is currently working towards that and candidates should see a progressive improvement in having online access to their information.

The new residential designer said, in regards to the written portions of the residential design exam, that the answers available to him on some of the multiple choice questions were, in his opinion, incorrect. He said that he would be honored to assist the board in formulating questions for future exams. He feels that sharing knowledge gained from his years of experience as a building department employee would be helpful to the residential design profession. He also suggested the board offer the graphic portion of the exam twice a year.

A new registered interior designer said that NCIDQ has online access and the entire process went smoothly for her.

Spaulding told the new registrants that this is their registration board and if they have questions or need advice, please contact us and we will always be responsive.

AGENDA ITEM 7 Discussion and possible decision regarding AIA request that the NSBAIDRD consider amending NAC 623.400(2)

A joint discussion was held between board members and representatives from the Las Vegas chapter of the AIA regarding a request for the board to consider amending NAC 623.400(2) to allow qualified candidates to begin the ARE examination process upon graduation, and in concurrence with the IDP process. AIA representatives in attendance were Randy Lavigne, Executive Director, AIA Nevada; Jeff Roberts, President, AIA Las Vegas; and Westin Conahan, a 4th year student at UNLV and President, AIAS, Las Vegas.

Lavigne shared with the board that AIA's purpose in making the request is not to diminish the examination or the registration process but rather to improve and expedite it so that qualified candidates can enter into the profession in a timely manner.

Roberts shared his views from his perspective as principal of a local architectural firm overseeing interns and Conahan addressed the board representing UNLV's student voice.

Erny proposed this issue could be explored more thoroughly by forming an ARE/IDP committee comprised of three board members and three AIA representatives. Greg Erny, John Klai, and Jim Mickey were chosen to represent NSBAIDRD. Board members suggested that AIA choose three representatives, including a student representative from AIAS. Lavigne will provide Spaulding with those names at a later date. The committee's findings will be reported back to the board within six months.

Motion: Garlock moved to form the proposed committee. Motion seconded by Snyder. **Vote:** All in favor. Motion passes.

AGENDA ITEM 8 Discussion and possible decision regarding AIA participation in initial registration ceremony at board meetings

Lavigne discussed with the board the possibility of a representative of AIA attending future board meetings to present new registrants with a milestone award and welcome them to the profession. After some discussion, board members agreed that upon completion of the swearing-in ceremony, the board would acknowledge that a representative of the AIA was in the audience and would like to speak. Lavigne or a representative of the AIA would then congratulate all new registrants, presenting them with a certificate or other "milestone."

The board directed Spaulding and Lavigne to work together regarding the details and present them to the board at a later date.

AGENDA ITEM 9 Discussion and possible decision regarding AIA request for Board feedback on SB 268

Lavigne addressed the board regarding how AIA's Legislative Committee might aid in getting SB 268 of the 2011 Legislative Session off hold and propose an equitable preference solution for all Nevada registrants applying for certificates of eligibility for public works projects. Spaulding said the AIA has been approached by Assemblywoman Marilyn Kirkpatrick to see how the bill can be adjusted and they are asking for suggestions on how, if the bill goes forward, it will be equitable for all Nevada registrants. AIA is currently working to help ensure SB 268 qualifications allow for sole proprietors and small firms to benefit from the preference law.

Board members suggested proposing to the legislative commission that a more equitable way for Nevada registrants to qualify for the preference might be to establish proof of residency in Nevada as part of the requirement for eligibility. Suggestions were made among various board members that proof of Nevada residency could be established by providing Nevada vehicle registration, driver's license, business address, residence address, and/or voter registration.

Spaulding added that the bill, as it is written, neglected to include consideration of preference for the residential design and registered interior design professions.

Erny also conveyed a need for the administrative process of issuing the certificates of eligibility to be simplified. As it is written now, it takes lots of time and effort for our board staff to administer the certificate of eligibility to ensure those who are granted the certificate are actually qualified.

Lavigne said the board's suggestions would be taken back to AIA's legislative committee, an amendment drafted, and brought back to the board for review.

AGENDA ITEM 10 Discussion and possible decision regarding joint NSBAIDRD/AIA participation in biannual continuing education seminars

Spaulding discussed with the board the possibility of the NSBAIDRD working jointly with the AIA and the ICC to offer free continuing education seminars for all Nevada registrants to be held biannually

in both Southern and Northern Nevada. Proposed seminars would cover topics relevant to the three professions, such as building codes and ADA requirements. AIA Executive Director, Randy Lavigne said with two entire days of seminars offered per year, registrants in both Southern and Northern Nevada could potentially get all of the continuing education credits they need for licensure at no cost.

Erny agreed that both NSBAIDRD and the AIA have a shared interest in helping registrants meet CE requirements. Erny said this joint effort between the NSBAIDRD, AIA, and the ICC is worth pursuing if it helps educate registrants and from a regulatory standpoint helps maintain health, safety, and welfare of the public.

According to Las Vegas AIA President, Jeff Roberts, the ICC and the building departments are open to helping lead the seminars. Spaulding looks forward to joint resources being used to provide relevant opportunities to our registrants free of charge. Board members asked Spaulding and Lavigne to come back to the board with the proposed details for review in October.

AGENDA ITEM 11 Discussion and possible decision regarding whether to amend Nevada's continuing education reporting requirements pursuant to NAC 623.644

Klai opened the discussion about amending Nevada's current continuing education reporting process. Board members discussed replacing the current continuing education tracking log with an amended registration/renewal form. The revised registration/renewal form will include an affidavit checkbox stating that the registrant is in compliance with Nevada's CEU requirements. Only those registrants randomly selected for audit would be required to supply backup documentation establishing compliance with the requirements.

Board members agreed that any further changes to the current CEU requirements such as adopting NCARB's model law, changing the audit procedure, and switching to online renewals would be revisited at a later date with a plan to implement changes to the requirements in stages.

Spaulding suggested the board review a proposed revision to the registration/renewal form at the next board meeting to see if there is any information that could be removed to make room for the affidavit. She said an update to the form this renewal season will get registrants accustomed to just checking an affidavit prior to board implementation of online renewals.

Klai suggested that a short blurb regarding the upcoming change in the continuing education portion of the renewal process be announced in the upcoming newsletter with more detail to be included in the next newsletter.

Motion: Klai made a motion to replace the continuing education reporting form with an affidavit to be incorporated into the registration/renewal form. He further moved that a discussion be held at the August board meeting regarding evolving Nevada's continuing education requirements. Motion seconded by Mickey.

Vote: All in favor. Motion passes.

AGENDA ITEM 13 Board Counsel Report

Ling told the board that the Dennis Rusk judicial review is scheduled to be heard on June 20 at 9 am in front of Judge Israel. He said that any board members wishing to be there are welcome to attend. Ling said he would notify Spaulding of the outcome.

AGENDA ITEM 14A-1 Case No. 09-019N In the matter of Turner Duncan Jr., Kimberley Miller and Duncan Miller Interiors, Inc., dba Duncan & Miller Design

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

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

Staff received information that the Respondents may be offering architectural and registered interior design services for projects at the Palazzo Hotel. A review of the NSBA database revealed that the Respondents did not have certificates of registration. Further investigation revealed that although the Respondents had worked under the responsible control of Nevada registrants, they had entered into a contract for the projects at the Palazzo directly with the client to provide regulated interior design services. Additionally, Respondents had a rendering on their website <u>www.duncanmiller.com</u> of Harvey's Lake Tahoe lobby and a Facebook page with photographs of First Food and Bar at the Palazzo, without disclosing that they worked under the responsible control of a Nevada architect or registered interior designer.

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 Guilt Clause and an Administrative Penalty of \$6,000 plus Investigative Costs in the amount of \$2,500.

Staff recommends approval of the settlement agreement.

Vote: All in favor. Motion passes.

AGENDA ITEM 14A-2 Case No. 09-030N In the matter of Mark Zeff and Zeff Design/Z One Design, LLC

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

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

Staff received an article in the Nevada Contractor Publication naming the Respondents as the firm chosen to redesign and rebrand the Hard Rock Hotel (HRH) in Las Vegas. During a review of the Internet, staff discovered the website <u>www.markzeff.com</u> (formerly <u>www.zeffdesign.com</u>) which displayed multiple photographs of various venues of the HRH project. Additionally, there were three magazine articles showing the HRH being redesigned by the Respondents. During the investigation it was determined that the Respondents did work under the responsible control of Klai Juba Architects; however, they held themselves out without disclosing their scope of work and that they worked as the design consultant to the architect of record.

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 and confession of judgment were negotiated. The settlement agreement incorporated a Guilt Clause and an Administrative Penalty of \$5,500 plus Investigative Costs in the amount of \$1,500.

Staff recommends approval of the settlement agreement.

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

AGENDA ITEM 14A-3 Case No. 09-032N In the matter of Thomas Schoos and Schoos Design Inc.

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

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

Staff received an article in the In Business Las Vegas publication naming the Respondents as the designer of the LAX Nightclub in the Luxor Hotel. During a review of the Internet, staff discovered the website <u>www.schoos.com</u> and two Facebook pages which displayed multiple photographs of the LAX Nightclub, Tao Restaurant and Nightclub at the Venetian and the Flight Bar and Tender Steakhouse at the Luxor; neither the website or the Face book pages disclosed the Respondent's scope of work or that they worked as a design consultant to the architect of record.

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 and confession of judgment were negotiated. The settlement agreement incorporated a Guilt Clause and an Administrative Penalty of \$9,500 plus Investigative Costs in the amount of \$1,575.

Staff recommends approval of the settlement agreement.

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

AGENDA ITEM 14A-4 Case No. 12-007N In the matter of Jeff Miller and A.D.S. Inc.

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

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 residential design and by engaging in the practice of architecture and residential design for multiple residential projects in Nevada, without the Respondent having been issued a certificate of registration from this Board.

Information was received that Jeff Miller/Advanced Drafting Services was holding himself out as a licensed residential designer/firm in Nevada. Staff conducted an investigation which revealed the Respondent held himself out through various internet sites such as, Facebook, Architizer, LinkedIn and engaged in the practice architecture and residential design for multiple residential projects in Nevada.

The Respondent was sent a Notice of Charges concerning these projects and a response was received. The Respondent was given the opportunity to settle this issue informally rather than face a disciplinary hearing before the Board. A settlement agreement and confession of judgment was negotiated. The settlement incorporates a Guilt Clause, Effect on Licensure clause, an Administrative Penalty of \$10,000 and Investigative Costs in the amount of \$1,925.

Staff recommends approval of the settlement agreement.

Vote: All in favor. Motion passes.

AGENDA ITEM 14A-5 Case No. 12-010N In the matter of Neil Tucker, Barry Ludlow, Inga Kruliene, Gabe Hernandez, Steven Segure, Vincent Iacobellis and Design Republic Partners, LLP

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

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 three retail projects in Nevada, without the Respondents having been issued certificates of registration from this Board.

Staff received a Complaint from an anonymous source stating that Design Republic Partners, LLP, may be holding themselves out as being qualified to practice architecture for the FENDI store located in Caesars Forum Shops. Included with the Complaint was an architectural drawing on Design Republic's title block which showed a demolition/elevation plan. The investigation revealed that Design Republic entered into an agreement with FENDI international and provided Pre-Design through Construction Document Services for a FENDI store and kiosk.

During negotiations of the settlement agreement for the FENDI projects, staff was informed by the Respondent's attorney that the Respondents could not sign the agreement as written, because they had provided design services for the temporary and permanent Salvatore Ferragamo stores in Caesars Forum Shops and a Tom Ford Store located in Crystals at City Center, Las Vegas.

Upon further investigation it was determined that Design Republic Partners, LLP also entered into agreements with Salvatore Ferragamo and Tom Ford and provided design services from Pre-Design through Construction Documents.

The Respondents were sent a Notice of Charges concerning these projects and a response was received. The Respondents given the opportunity to settle this issue informally rather than face a disciplinary hearing before the Board. A settlement agreement and confession of judgment was negotiated. The settlement incorporates a Guilt Clause, an Administrative Penalty of \$30,000 and Investigative Costs in the amount of \$2,950.

Staff recommends approval of the settlement agreement.

Vote: All in favor. Motion passes.

AGENDA ITEM 14A-7 Case No. 12-031N In the matter of Craig T. Kitterman and Craig Kitterman and Associates Architects

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

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 residential design and by engaging in the practice of architecture and residential design for a residential project located in Nevada without having a certificate of registration issued by this Board.

During the reciprocity interview for the Respondent it was revealed that he had issued a proposal and prepared construction drawings for a residence, which he attempted to submit to the Elko building department. The building department informed the Respondent that he may qualify to obtain a certificate of registration as a Residential Designer as the architectural drawings he submitted were not stamped. A copy of the executed proposal and the construction drawings were obtained from the Respondent. Additionally, the Elko building department was contacted and verified that the Respondent attempted to submit the plans without a stamp and was informed that the architectural sheets had to be stamped.

The Respondent was sent a Notice of Charges concerning this project and a letter of response was received. The Respondent's case was discussed with Chief Investigator Ruark and the decision was made to offer the Respondent 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, an Effect on Licensure Clause and an Administrative Penalty of \$12,500 plus Investigative Costs in the amount of \$1,200.

Staff recommends approval of the settlement agreement.

Vote: All in favor. Motion passes.

AGENDA ITEM 14A-8 Case No. 12-032N In the matter of Edese A. Doret, Jr. and Edese Doret Industrial Design, Inc.

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

The Respondents are alleged to have violated NRS 623.360.1 (a) (b) and (c) by holding themselves out as being qualified to provide services that fall under the practice of registered interior design and by engaging in the practice as a registered interior designer for the Sands Aviation hangar at McCarran International Airport in Las Vegas Nevada, without the Respondents having been issued a certificate of registration by the Board.

Information was received which indicated the Respondents were providing interior design services for a new hangar at McCarran International Airport. The Department of Aviation Construction/Engineering Division at McCarran Airport was contacted and a copy of the drawings submitted by the Respondents was obtained. A Notice of Investigation was sent to the Respondents and supplemental documentation was received which confirmed the Respondents engaged in the practice of registered interior design and specified materials and finishes that are regulated by Nevada building and fire codes.

The Respondents were sent a Notice of Charges concerning this project and a letter of response was received. The Respondents were given the opportunity to settle this 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 No Contest clause, an Administrative Penalty of \$12,500 and Investigative Costs in the amount of \$1,875.

Staff recommends approval of the settlement agreement.

Vote: All in favor. Motion passes.

AGENDA ITEM 14A-9 Case No. 12-040R In the case of Robert Hall and Integrated Design/Architecture

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

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 by engaging in the practice of architecture, for five projects located in Nevada while his certificate of registration had lapsed.

Staff received an application from the Respondent, who had allowed his registration to lapse December 31, 2010 and now wanted to re-instate his registration. Upon speaking with the Respondent he admitted to entering into agreements for architectural services and preparing, architectural drawings to various phases depending on the contract from preliminary to construction for five commercial projects in Northern Nevada.

The Respondent was sent a Notice of Charges concerning these projects and a letter of response was received. The Respondent's case was discussed with Chief Investigator Ruark and the decision was made to offer the Respondent 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, an Effect on Licensure Clause and an Administrative Penalty of \$20,000 plus Investigative Costs in the amount of \$1,625.

Staff recommends approval of the settlement agreement.

Vote: All in favor. Motion passes.

AGENDA ITEM 14B Discussion and possible decision regarding closure of enforcement cases

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

07-041N	09-023N	09-029N	09-071N
09-081R	10-016N	10-035N	12-025N
12-029N			

Motion: Klai moved to close the above-referenced cases. Motion seconded by Snyder. **Vote:** Garlock recused himself. All others in favor. Motion passes.

AGENDA ITEM 14C Enforcement report

Ruark asked the board if they felt sufficient backup documentation is being provided in the agenda books for the enforcement cases. Board members were in agreement that the information provided while voluminous, is appropriate and necessary.

AGENDA ITEM 15 Review and discussion regarding prototypical plans

Garlock addressed the board regarding prototypical plans and whether or not large corporations should have the ability to study sites for a potential project without having to hire a Nevada registrant to do the feasibility and site study.

After some discussion among the board members and staff, the board directed Spaulding to poll the other state boards to see which jurisdictions allow feasibility and site studies prior to registration. Spaulding will share the results at the next board meeting.

Erny said the prototypical plan issue also needs to be included as a future strategic planning item.

AGENDA ITEM 16A Discussion and possible decision regarding the draft NCARB Resolutions which will be presented for discussion at the NCARB Annual Meeting in Minneapolis on June 20-23, 2012

Erny told the board that the draft resolutions reviewed at the last board meeting have since been voted on by the Council Board of Directors. They were all passed with the exception of a split vote on Resolution 2012-09.

After some discussion, board members advised Spaulding, Erny, and Klai who will be representing Nevada at the annual meeting that they were not in support of Resolution 2012-09, but were neutral on the remaining resolutions.

AGENDA ITEM 16B Discussion and possible decision regarding NCARB IDP program changes

Board members had a discussion regarding proposed modifications to NCARB's Intern Development Program. Board members voiced concern in regards to the proposed elimination of the 930 hour cap on earning hours while participating in an Academic Internship. A discussion ensued and board members felt before they could support this modification to the program they would need further clarification. They suggested board members seek further clarification from NCARB while in attendance at the upcoming annual NCARB meeting in Minneapolis.

Board members were in support of the second proposed modification to IDP regarding Construction Work expressing no comments or concerns.

AGENDA ITEM 16C FYI: 2012 Candidate Resumes for NCARB officer positions

Spaulding said this item was provided for board members' information.

AGENDA ITEM 16D FYI: NCARB News Clips for April 2012

Spaulding said this item was provided for board members' information.

AGENDA ITEM 16E FYI: NCARB Fast Facts-March & April 2012

Spaulding said this item was provided for board members' information.

AGENDA ITEM 17 Interior Designer Issues

Ciesynski told the board that NCIDQ had a recent reporting error in the test results sent out to NCIDQ exam candidates. 179 people received failing grades that had actually passed and 179 received passing grades that had actually failed. The grades were switched as the result of a clerical error. Within two days, exam candidates were contacted regarding the error. NCIDQ is offering each candidate a free retake of the exam in the fall.

AGENDA ITEM 17A FYI: NCIDQ BOD meeting minutes for March 2012

Spaulding said this item was provided for board members' information.

AGENDA ITEM 18A Residential Designer Issues

Tindall made a presentation regarding redesign of the residential design stamp. Tindall reviewed with board members the results of the recent email request he sent to all residential designers asking for input, comments, and suggestions regarding redesign of the original stamp. Included in Tindall's summary for board review were the top stamp concepts and the comments made regarding each concept. Out of 150 residential designers, 94 responded.

Overall, registrants were interested in seeing a more professional looking stamp, getting away from the current square shape, which is the same shape used for the Nevada notary stamp. Tindall further noted that the round shape is the most widely-used shape for professional stamps in many states. Many of our residential designers would like to see the letter following their individual registration numbers being changed from 'P' to 'RD'.

Tindall proposed that, upon implementation of an approved revised stamp, the board would provide each residential designer with a new stamp at the board's cost.

Erny acknowledged the time and energy Tindall put forth in polling each registrant and the detail in the results compiled for the board's review.

Motion: Tindall made a motion for approval of concept #10 and to move forward with finalizing the design of the new stamp for presentation and final approval at the October board meeting. Motion seconded by Oppenheimer.

Vote: All in favor. Motion passes.

AGENDA ITEM 19 Executive Director Report

Spaulding proposed that the upcoming August board meeting be held in Reno and the October meeting be held in Las Vegas this year and in future years. She said it would be beneficial to flip the location of the two board meetings because the board's annual audit review is held in October which would alleviate travel

expenses for the board's auditor as well as allow for Borka Samardzija, the staff Financial Office Specialist to be in attendance for the review.

Spaulding said NCARB has appointed her to serve on the following three committees for Fiscal Year 2013:

- Chair of the Member Board Executives Committee
- Governance Task Force Committee
- Regional Leadership Committee

AGENDA ITEM 20 Public Information Report

Bond said the latest issue of *Focus* was provided in the board e-book and that the next issue is scheduled to be published approximately mid-July.

She told the board that Spaulding has been preparing her to work on bill tracking for the next legislative session.

Spaulding added that in addition to learning about bill draft items, in the fall they will be reaching out to area schools to schedule presentations to students regarding the various paths to licensure in Nevada.

Erny congratulated Garlock on his recent induction into the Nevada Entertainer/Artist Hall of Fame.

Erny also congratulated staff for continually making registrants aware of free and low-cost continuing education opportunities available to them.

AGENDA ITEM 21 Items for future agenda

- Discussion regarding amending Nevada's CEU requirements to mirror NCARB's model law
- Strategic plan proposal and self-evaluation report
- Prototypical plan discussion

AGENDA ITEM 22 Public comment

There was no public comment.

Chairman Erny adjourned the meeting at 3:30 p.m.

John Klai, Secretary/Treasurer

Gina Spaulding, Executive Director