

Columbus FOR YEAR OF September 30, 2016

HELD AT ON

**1. ATTENDANCE AND ANNOUNCEMENTS.**

Present: John Rademacher, President; Monica Green, Vice President; Chris Meyers, Secretary; Douglas Steidl, Member; Amy Kobe, Executive Director; Chad B. Holland, Investigator; Barry McKew, Asst. Attn. Gen.

Guests: Jim Sarks, AIA  
Harry Falconer, AIA, NCARB  
Kathy Hillegas, CAE, NCARB

**2. ENFORCEMENT.**

Mr. Rademacher moved the Board go into executive session, pursuant to Ohio Revised Code section 121.22 (G) 3, for the purpose of discussing pending or imminent litigation. Ms. Green seconded the motion that passed on a roll call vote as follows:

Ms. Green	Yes
Mr. Meyers	Yes
Mr. Rademacher	Yes
Mr. Steidl	Yes

The Board returned to regular session at 9:38 AM.

**A. Settlement Agreements-**

- 1) File No. 2016-16: Roy J. Yoder, Cert. No. 5311- On motion by Mr. Steidl, second by Ms. Green, the Board voted to accept the Settlement agreement and close the case. Motion passed by a 4-0 vote.

**B. New Cases**

- 1) File No. 2016-19: Jessica S. Rieveschl, Cert. No. 16516- On motion by Ms. Green, second by Mr. Meyers, the board voted to dismiss the case due to no violation. Motion passed, 4 - 0.
- 2) File No. 2016-20: Donald P. Kiley, Cert. No. 12431- On a motion by Mr. Rademacher, seconded by Mr. Steidl, the Board voted to send a letter concurring with the Engineer's Board's position. Motion passed by a 4-0 vote.

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C. Second Review Case

1) File No. 2016-18, Richard R. Drake, Cert. No. 14973- On a motion by Mr. Rademacher and seconded by Mr. Meyers, the Board voted to allow a six-month payment plan for \$333.33 per month. If any payments are missed, the license *will* automatically be suspended and balance must be paid in full before license can be reinstated. Motion passed, 4 - 0.

3. CONSENT AGENDA ITEMS

On motion by Ms. Green, second by Mr. Steidl and a vote of 4-0, the consent agenda was approved.

- A. MINUTES- July 29, 2016
- B. FINANCE- Financial Report- August 30, 2016
- C. CREDENTIAL REPORT- September 20, 2016
- D. REGISTRATION-

a. Emeritus Applications-

Data unavailable.

b. Reciprocal Registration

The following applicants for registration under the provisions of Section 4703.08 of the Revised Code, previously approved by the Executive Director, were ratified:

<u>Cert. No.</u>	<u>Name</u>	<u>Base State</u>
ARC.1616705	TODD ANDREW STINE	WA
ARC.1616706	MICHAEL KRAWIEC	NJ
ARC.1616707	THOMAS ROY HOLLAND	WA
ARC.1616708	BRUCE W. BISBANO	RI
ARC.1616710	MATTHEW SCOTT BREAKEY	WV

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## Reciprocal Registration, cont.

<u>Cert. No.</u>	<u>Name</u>	<u>Base</u>	<u>State</u>
ARC.1616711	HERBERT C. BLACKSTOCK	MI	
ARC.1616712	JENNINGS LEE COPLEY II	KY	
ARC.1616713	BRADLEY ALAN BUSER	KS	
ARC.1616716	MARIO R. VERGARA	NY	
ARC.1616717	ELDRICK JOHN ALEXANDER	CA	
ARC.1616719	WILLIAM T STAMBAUGH	IN	
ARC.1616721	ARAM PAUL GARBOOSHIAN	IL	
ARC.1616722	JAMES F. OLSON	WI	
ARC.1616723	NAZIR KHALFE	TX	
ARC.1616727	MARIO R. VALENTINI	IL	
ARC.1616731	CRAIG PALMER ROGERS	AL	
ARC.1616732	ALAN SCHLOSSBERG	PA	
ARC.1616733	EDMUND PHILIP KLIMEK	NJ	
ARC.1616734	ENRIQUE NUNEZ CASTEL	IL	
ARC.1616735	MINDY M. MICHAEL	MN	
ARC.1616736	JONATHAN KRAS	IL	
ARC.1616737	JOSH PARKER LEWIS	NC	
ARC.1616738	JAMES F. CARTWRIGHT	MO	
ARC.1616741	BRADFORD ALAN PIERCE	MO	
ARC.1616742	GARRICK B. LANDSBERG	PA	
ARC.1616743	PHILIP ROBERT GALLEGOS	AZ	
ARC.1616744	CLIFFORD V. GAYLEY	MA	
ARC.1616745	SCOTT R. HERLITZKA	FL	
ARC.1616746	JENNIFER ANN HAUSER	IL	
ARC.1616747	MARK B. MIKELSON	NV	
ARC.1616748	RYAN ANDREW SCHROEDER	MN	
ARC.1616750	MICHAEL JOHN MATURO	NY	
ARC.1616751	JOSEPH NOWLAND WINGER	UT	
ARC.1616752	SEAN M. BRIGHT	IN	
ARC.1616753	ROHIT ANAND	VA	
ARC.1616755	GEORGE MERGES	PA	
ARC.1616757	JOHN T. CAMPO	LA	
ARC.1616758	WILLIAM JAY GEORGE	GA	
ARC.1616759	CHRISTOPHER LEARY	MA	
ARC.1616760	JOSEPH OLIVER CHURCH	CO	

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**I. CERTIFICATES OF AUTHORIZATION**

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**1. Applications**

The following architectural firms have applied for registration to practice in the state of Ohio. They have met all of the ownership requirements, and have shown proof of registration with the Ohio Secretary of State. These have been reviewed by the investigator for the Board and approved by the Executive Director. Formal certificates have been issued. The board's approval ratifies those actions.

PERKOWITZ + RUTH, INC.  
PLAN ARCHITECTURAL STUDIO, PC  
BOYNE STUDIO ARCHITECTURE & DESIGN, LLC  
ERIC PURYEAR, ARCHITECT  
HERA LAB PLANNERS, P.C.  
HARTSHORNE PLUNKARD, LTD  
JOHN T. CAMPO & ASSOCIATES, INC.,  
ARCHITECT/PLANNER (A  
PROFESSIONAL CORPORATION)  
THE THRASHER GROUP, INC.  
SM DESIGN & CONSULTING PC  
ORANGE FROG DESIGN GROUP  
MTI DESIGN GROUP, LTD.  
ROTH MARZ PARTNERSHIP P.C.  
RYAN A. SCHROEDER, ARCHITECT, LLC  
AMOR ARCHITECTURAL CORPORATION

**4. REPORTS**

- a. Executive Director- Written report attached.
- b. AIA Ohio- Jim Sarks, AIA liaison, reported he was unable to attend the last AIA Ohio Board Meeting. However, he noted that the annual convention is coming up in Akron from October 6 - 8 and that they plan to reach out to the Board of Building Standards to help them develop ideas for recruiting more trainees.

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- c. NCARB/Region 4 No date has been announced for the Educator Practitioner Conference, will be held at Kent State University, in the fall of 2017, not this October, as was previously noted. The NCARB Member Board Chairs/Member Board Executives meeting will take place at the Hilton Columbus on Oct. 28th and 29th. Mr. Rademacher can only attend on Friday due to other obligations. Mr. Rademacher asked Mr. Falconer for assistance with ideas for the program. He will let Glenda Loving, the Region IV administrator, know that Kent has a new Dean.

Kathy Hillegas noted that the September 14 regional call, led by Regional Director Stephen Sharp, is intended to keep member boards informed on issues being discussed by the NCARB Board of Directors. No programmatic changes are currently under consideration, but it is hoped that these calls will keep boards better informed. They hope the calls will be continued and seen as beneficial.

The NCARB BOD spent several hours at their most recent meeting with discussions centered on the Model Law Task Force. A Resiliency Task Force (i.e., recovery from major disasters) is discussing what NCARB's role should be and how the subject can be integrated into the ARE and AXP. The AIA is part of this task force.

Harry Falconer reported that ARE 5.0 launches November 1. A great deal of outreach has already taken place with candidates, member board executives and AIA component executives. Scores will be delayed until a cut score is established. Once at least 600 people have taken an exam, a cut score committee will be quickly convened. Candidates are being incentivized to take the exam early with a \$100 gift card.

Mr. Falconer also reported that the Intern Development Program became the Architectural Experience Program on June 29. Upon implementation, some 2,900 candidates had completed the AXP requirements as a result of the changes. His staff is working on evaluating the education hours needed to qualify via the new Broadly Experienced Architect route to certification. 66 persons with architecture related degrees have submitted applications. They must document 2X the AXP hours. The new Foreign Architect certification program is working well. Twelve individuals are eligible for the AXP Portfolio route to certification. Four others are working on their portfolios.

## 5. NEW BUSINESS-

- a. Approval of Out of State Travel- NCARB ARE 5.0 Item Development Committee, November 4 -5 to Portland, OR for Ms. Green. Costs will be reimbursed by NCARB. On motion by Mr. Rademacher, second by Mr. Steidl, the Board voted to approve the above out of state travel. Motion passed by a 3-0 vote. Ms. Green recused herself from the vote.

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- b. **Certification, Education and Training Standards-** Director Kobe thanked Kathy Hillegas and her staff for providing the information requested by the Board. Mr. Steidl expressed his concern that the certification standards are based on the lowest common denominator. He is concerned that universities will define the degrees as opposed to the profession and that applicants will graduate with 60 credit hours of architecture, but evade the design and technical courses that prepare architects for full understanding of welfare issues. He doesn't agree that licensure should be issued to candidates without a professional degree.

## 6. OLD BUSINESS-

- a. **Board of Building Standards-** The board will meet with the Board of Building Standards at 1 PM this afternoon to discuss their request to change the experience requirements for licensure. The OAB does not support changing the experience requirement, as deviation from the NCARB standards would restrict licensee's ability to obtain NCARB Certification and reciprocity in other states.

AIA Ohio will be represented by Jim Sarks at the meeting and they have written a letter supporting the OAB's position.

Harry Falconer, NCARB's Director of Education and Experience, Kathy Hillegas, NCARB Director of Council Relations, and Stephen Sharp, AIA, Region IV Director, will also be attending the meeting.

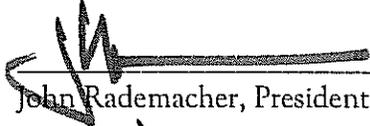
- b. **Statute Review-** The Board continued its year-long review of Revised Code Chapter 4703 statutes:

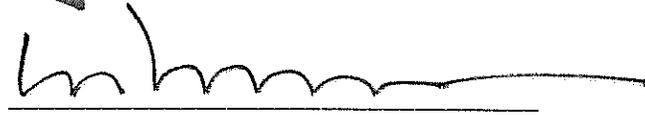
As a result of having attended the Model Law Task Force, Director Kobe suggested that the board include a review of NCARB Model Law along with the statute review. The material prepared for this meeting includes Model Law along with current Ohio law. The Board briefly discussed section 4703.18, focusing on the ownership requirements. There was general discussion on the ownership requirement, including the lack of a requirement that an architect be one of the owners. Due to a lack of time, the discussion will be continued at the board next meeting.

## 7. ADJOURNMENT.

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Mr. Steidl moved the meeting be adjourned at 11:22 AM. Ms. Green  
seconded the motion which passed by a 40 vote.

  
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John Rademacher, President

  
\_\_\_\_\_  
Christopher Meyers, Secretary

**Executive Director Report**  
**September 21, 2016**

**eLicense Project:** Staff participated in User Acceptance Testing (UAT) for eLicense 3.0 from May 23 through June 10 and, after a six week hiatus, from July 18 through August 5. Each step of the licensing and renewal process was tested and multiple bugs were identified. Shortly after the June 10 date, the project was paused for six weeks, due to data integration and software difficulties, pushing back the go-live date for six weeks to August 22.

Letters were mailed on August 19 to all licensees with instructions on how to use the new portal and register for access their accounts. Unfortunately, the Firm Certificate of Authorization functionality still is not working well and customers are unable to complete the process online. While this is being corrected, we are advising customers to use paper applications. Other processes seem to be working just fine.

We have received a few complaints from individuals who object to our having their Social Security Numbers on file. However, SSN's are required by several sections of Ohio law. Each complaint is answered with a explanation of the SSN requirements and the security protocols within eLicense 3.0.

**Sunset Review:** The Sunset Review Committee recommended that the Landscape Architects Board be combined with the Architects Board. However, this recommendation was *not* in the form of a bill, which is necessary to make such a change. It is uncertain as to if there is even a member who is willing to sponsor a bill this session. Even if a bill were introduced, and considering that there will be opposition, there probably isn't enough time to hold hearings during a lame duck session, as well as passing a bill in both chambers before adjournment in December.

**HB 243:** House Bill 243 (Continuing Education) became effective on August 16. No changes are recommended to the current rules (OAC 4703-2-07), which follow NCARB Model Law and Regulations and are working well.

The old language read as follows:

*"If the board adopts rules pertaining to continuing education requirements, the board shall specify in the rules that the continuing education requirements may be satisfied by coursework or activities dealing with technical, ethical, or managerial topics relevant to the practice of architecture and that a registrant may earn continuing professional education hours by completing or teaching university or college level coursework; attending seminars, workshops, or conferences; authoring relevant published papers, articles, or books; receiving patent awards; actively participating in professional or technical societies serving the architecture profession, or actively participating in any other activity deemed relevant by the board. If the board adopts rules pertaining to continuing education requirements, the board shall, in general, follow model continuing education recommendations established by the national council of architectural registration boards or a similar successor organization."*

The new language says:

*"If the board adopts rules pertaining to continuing education requirements, the board shall, in general, follow model continuing education recommendations established by the national council of architectural registration boards or a similar successor organization."*

**Staff:** Cheryl Thaxton is out on medical leave for approximately three months beginning September 7. I have assumed her duties in her absence. Due to the additional workload and the functionality issues surrounding eLicense 3.0, I decided against attending the CLARB Annual Meeting.

**Model Law Task Force:** I attended the first meeting of the Model Law Task Force at NCARB headquarters in Washington, DC on September 16-17. There were several interesting conversations and it looks like the Task Force will be spending several years on the assignment. We should review Model Law along with our statute review.

**Budget:** The FY18-19 budget request was submitted September 14 (see attached copy.) As we are limited to 100% of our FY16-17 budget, there won't be many significant changes. A request ("Extended B Request") for additional operating funds was included due to increases in eLicense 3.0, payroll, rent and other items outside of the Board's control. Testimony on the budget will occur over the winter, with the budget being in place by July 1, 2017.

**Incidental Practice:** A draft copy of legislation has been circulated to the Task Force's stakeholders and comments gathered. The next meeting of the Task Force is in the process of being scheduled.

As was reported earlier, and which bears repeating, the Ohio Society of Professional Engineers has some reservations and issued a statement which read:

*"Our concerns fundamentally regard (1) the inadequate education of landscape architects to perform engineering design which bears upon public health, safety and welfare that is incidental to their projects and (2) the defining of the magnitude of the "incidental practice" relative to the size of the entire project. Our concerns are not mitigated by the compromise language recommended by the Task Force. We believe that the currently proposed amendment language lacks the practicality and specificity necessary to be an effective and useful guide to design professionals, whether they be architects, landscape architects or engineers, as they interact with one another on projects where two or three of these disciplines are involved."*

The Task Force views legislation as necessary because the statutes of each board need to be synchronized, which they are not currently. The objection regarding the landscape architect education standard is without merit because this is a scope of practice issue, not an education issue.

I attended the August 16 meeting of the Professional Engineers and Surveyors Board, along with the OCASLA lobbyist, Luther Liggett. We discussed the background of the task force and how we arrived at the draft language. The Engineers Board supports the language, as does the Landscape Architects Board.

The director of the surveyors association objected to not being included on the task force. While I promised to keep them apprised of further progress, the Executive Director of the Engineers Board and Mr. Liggett pointed out that surveyors were not included because they do not currently have any incidental practice language. To add language including surveyors would actually open up the practice and allow the other professions to practice surveying, a move surveyors were strongly advised *not* to undertake.

**Board of Building Standards:** A letter supporting the Board's position against modifying the experience requirements was sent by AIA Ohio. A copy is included. A meeting is scheduled for 1 pm September 30.

As directed, I asked the BOBS how many plans examiners are Architects and how many are Engineers. They reported that, although registration type is not an item they enter in their system, of the 200+ plans examiners, a little over 70% of active plans examiners are Registered Architects and just under 30% are Professional Engineers.

**Statute Review:** At the Model Law Task Force meeting, charts were circulated showing which boards had adopted Model Law. It appeared from the charts that Ohio has adopted very little of Model Law; however, this doesn't really mean that we haven't adopted Model Law. Rather, our language differs from NCARB's. Still, as we have not included a review of Model Law in our review of the statutes, I recommend we do so. This will require some backtracking and may push our review into 2017. A copy of the Model Law and Regulations is attached. Please read before the meeting. There are some notable differences in the two, including construction administration.

This meeting, we are scheduled to review ORC 4703.17 through 4703.5. I have attempted to add the relevant sections of Model Law next to the Revised Code. This is difficult due to differences in how the two are organized.

**Member Board Chairs/Member Board Executives Summit – October 28-29, Hilton Columbus:** This is the first national NCARB meeting to take place in Columbus in recent memory. John Rademacher and Amy Kobe will be attending on behalf of the board.

**Presentations:**

- September 1: University of Cincinnati, Professional Practice
- September 6: Miami University, Professional Practice (with Chad Holland)
- September 26: Ohio State, Landscape Architecture Professional Practice 10:30 am  
Kent State, Professional Practice, 6:35 pm (with Monica Green and Chad Holland)
- December 6: Ohio State, Architecture Professional Practice, 7:15 pm
- TBA: Bowling Green

**Secretary of State:** The Landscape Architects Board is sending a letter to the SOS. Several comments were received by LA board members regarding a change to the SOS's reporting system for Business Entities.

The SOS is no longer recognizing the profession of landscape architecture when renewing or applying as a Business Entity. Instead, Landscape Architecture businesses are now reported as Architecture.

The letter read in part, *"This, of course, is deeply offensive to this profession. The profession of Landscape Architecture is distinct and separate from Architecture. In order to become a Landscape Architect, and subsequently operate an Ohio Business Entity providing Landscape Architecture services, one must obtain an accredited professional degree in Landscape Architecture, complete three years of supervised experience and pass a rigorous four part examination. It is not a "sub-category" to Architecture. We respectfully request that the Business Category of Landscape Architecture be restored to your records."*

**CSA Overview:** A document is attached which provides an overview of the services provided to the Boards by Central Service Agency.

**Certification, Education and Experience Requirements:** Three documents are attached in response to the Board's request at the July 29 meeting. They were prepared by Maurice Brown of the NCARB staff, who did a fantastic job! There is a summary of the alternative paths to Certifications (past and present), a chart of the Education and Experience Requirements for states which do not require a NAAB degree, and an excerpt of the Member Board Licensing Requirements related to the Education requirement.

**Educator/Practitioner Conference:** At the last meeting, it was reported that the Educator/Practitioner Conference would take place in October at Kent State. As of this date, no further information on the meeting has been received.