

MINUTES

BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS

DATE: October 19, 2009

PLACE: Department of Business Regulation (DBR)
1511 Pontiac Avenue, Bldg 69-1 Conference Room
Cranston, RI 02920

MEMBERS PRESENT: Wilbur E. Yoder, David R. Prengaman, Barbara Feibelman, John K. Grosvenor and Christian J. Ladds

MEMBERS ABSENT: None

OTHERS PRESENT: Richard W. Berstein, DBR Executive Counsel
Brian J. Riggs, DBR Department Budget Administrator
Dawne Broadfield, Board Executive

CALLED TO ORDER: Chair Yoder called the meeting to order at 1:12 p.m.

to commence Board business.

Attorney Berstein and Mr. Riggs left at 3:20 p.m.

MINUTES OF THE MEETING OF THE BOARD

(1) Vice-Chair Prengaman moved to approve the open meeting minutes of September 14, 2009 as published. Mr. Ladds seconded.

Mr. Grosvenor abstained since he was not present at that meeting.

Motion approved.

(2) Mr. Ladds moved to approve and seal the executive session meeting minutes of the September 14, 2009 as published. Vice-Chair Prengaman seconded. Mr. Grosvenor abstained since he was not present at that meeting. Motion approved.

EXECUTIVE SESSION

(1) Mr. Grosvenor moved to convene into executive session at 1:13 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Secretary Feibelman seconded. Motion approved.

(2) Mr. Grosvenor moved to adjourn from executive session and to reconvene to an open meeting at 2:23 p.m. pursuant to R.I.G.L. §42-46-4. Mr. Ladds seconded. Motion approved.

(3) Mr. Grosvenor moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Mr. Ladds seconded. Motion approved to close Sanderson Association Medical Facility in Smithfield, RI and Leone Nell Smets.

(4) Mr. Grosvenor moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Mr. Ladds seconded. Motion approved.

10/19/09, Page 1 of 4

OLD BUSINESS

(1) Record Retention Schedule

No update at this time. The Board is currently working under the Secretary of State's "General Schedule" and will be working in the future to develop a schedule specifically for Design Professionals. This has been continued.

(2) 2009 Legislative Session

Attorney Berstein indicated that Legislature will be reconvening in the next few weeks and that there are no DBR – Design Professionals matters scheduled at this time.

(3) Discussion of Future Law Changes governing "Architects"

Attorney Berstein indicated that proposed law changes must be submitted to the Governor by the end of November. Suggested

changes have been and continue to be discussed.

The prior Board suggested that “phishing” be allowed since it is not currently allowed at this time. The new Board agreed with the prior Board to remove [“to offer”] to practice, which would just prevent the practice of architecture. But if this were to occur, those individuals who did not have the ability to be licensed could offer to practice including advertising in the Yellow Pages/Yellow Book, and the Board would not be able to take action against them. Therefore, no change will be made.

Vice-Chair Prengaman moved to continue for final review of the proposed changes and to poll the states through the National Council of Architectural Registration Boards (NCARB) to inquire whether the state has any procedures in place to prevent unregistered individuals or firms from advertising as architects in the print media or on the internet. Secretary Feibelman seconded. Motion approved.

(5) Review of “Form Letters” signed by the Board Secretary (Batch 4)

The Board reviewed the following “Form Letter”: Architectural Registration Examination® (ARE®)-Pass. Secretary Feibelman moved to customize the letter to fit the candidate indicating the rules that apply to that candidate. Mr. Grosvenor seconded. Motion approved.

(6) DBR Enforcement Actions (Publishing on Websites)

Mr. Ladds moved to accept DBR practices on its enforcement actions.

Mr. Grosvenor seconded. Motion approved.

(7) Annual Meeting with the Building Officials and the State Building Code Commissioner

- Plan for Spring 2010 Meeting.**

- Informational Bulletin March 2009 – Reminder of Registration Laws for Landscape Architects in Rhode Island.**

Mr. Ladds will contact John Leyden, State Building Code Commission, to express the Board's interest in attending one of their monthly meetings in the Spring to discuss the importance of architectural stamps and Certificates of Authorization (COA). It is the practice of this Board to attend this meeting yearly.

When former Board member, Joseph Cirillo, attended the Building Official's meeting last year, the Building Officials had questions concerning the Informational Bulletin March 2009 – Reminder of Registration Laws for Landscape Architects in Rhode Island that they received from the Board of Examiners of Landscape Architects. Mr. Cirillo could not answer those questions. Attorney Berstein notified the Chair of that Board that the Building Officials had concerns with the Informational Bulletin.

BLUE BOOKS (RECIPROCITY)

(A) Mr. Grosvenor moved to approve the following Blue Books as submitted with an expiration date of December 31, 2011. Mr. Ladds seconded. Motion approved.

10/19/09, Page 2 of 4

(1) CHOI REDFERN, Pamela (6) PEARCE, Scott A.

(2) GRANDE, Luigi (7) PITMAN, Peter F.

(3) HATCH, Robert (8) RENFRO, Charles H.

(4) HOLLEB, Matthew A. (9) SIEGEL, Robert H.

(5) KUBAT, James R.

CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached List)

(A) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Sole Proprietorships for The Burrell Group, Stephen T. Rogers Architect, and Dennis J. Swart Architecture as submitted. Mr. Ladds seconded. Motion approved.

(B) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Corporations for OEST Associates, Inc. and T42, Inc. d/b/a Tracey Dillon Architecture as submitted. Vice-Chair Prengaman seconded. Motion approved.

(C) Secretary Feibelman moved to approve the renewal application for the Certificate of Authorization for the Sole Proprietorship, #A-10,702,

for Knute T. Haglund IV pending receipt of the \$25 correction fee that was due since the renewal application was submitted late on April 6, 2009 without the late fee. The renewal application then was returned for the late fee with resulted in the correction fee being due. Vice-Chair Prengaman seconded. Motion approved.

(D) Mr. Grosvenor moved to return the application for the Certificate of Authorization for the Limited Liability Company for TMG Architects LLC for correction in that the firm has one employee and the word “Architects” is plural in the name and to indicate the firm entity. Mr. Ladds seconded. Motion approved.

NEW BUSINESS

(1) American Institute of Architects (AIA) – “Unauthorized Practice” Article.

The Board received a request from Cynthia Gerlach, AIA, President Elect, American Institute of Architects/Rhode Island Chapter (AIA/ri) asking if the Board tracks the number of illegal practices in Rhode Island, and if so, would the Board share that information. Attorney Berstein responded on behalf of the Board and suggested that she refer to the Board’s recently amended Rules and Regulations, Rule 10 Disciplinary Guidelines, that reconfigured the offenses and penalties that could be imposed by the Board. This demonstrates the Board’s commitment to enforcement. DBR is in the process of significantly updating its licensee tracking system, which should enable the Board

to accomplish this in the future.

Attorney Berstein suggested possible legislation that would mandate that when the Building Officials are asked to approve a permit by an individual who is not registered and certified, that the Building official report that individual to the Board. This Board felt that this idea should be brought to the Building Code Standards Committee for comment and discussion. Mr. Ladds will contact John Leyden, State Building Code Commissioner, on this matter.

Vice-Chair Prengaman moved to continue. Secretary Feibelman seconded. Motion approved.

ADJOURNMENT

Vice-Chair Yoder announced that the next meeting of the Board is scheduled for November 9, 2009 at 1:00 p.m. at 1511 Pontiac Avenue, Conference Room 69-1, Cranston, RI 02920. Vice-Chair Prengaman moved to adjourn the meeting at 3:35 p.m. Mr. Ladds seconded. Motion approved.

Respectfully submitted,

Barbara Feibelman, AIA

Secretary

BF/dmb

10/19/09, Page 3 of 4

C. O. A. APPLICATIONS

Board Meeting of OCTOBER 19, 2009

SOLE PROPRIETORSHIPS

THE BURELL GROUP \$100. APPROVED – 10/19/09

**KNUTE T. HADLUND, IV APPROVED – PENDING RECEIPT OF THE
\$25**

**A-10,702 – Renewal Application Rec'd lat on 04/06/09 CORRECTION
FEE – 10/19/09**

**without late fee – Had to Return Application for Late Fee
which also Required a Correction Fee since the Application
was Returned – Questioning with he has to pay a Correction Fee**

STEPHEN T. ROGERS ARCHITECT - 0 - APPROVED – 10/19/09

DENNIS J. SWART ARCHITECTURE - 0 - APPROVED – 10/19/09

LIMITED LIABILITY COMPANY

**TMG ARCHITECTS LLC - 0 - RETURN APPLICATION FOR
CORRECTION IN**

**THAT THE FIRM HAS ONE EMPLOYEE AND THE
WORD "ARCHITECTS" IS PLURAL IN THE NAME
AND FAILED TO CHECK OFF WHAT THE FIRM IS
ACTUALLY FILING FOR – 10/19/09**

CORPORATIONS

OEST ASSOCIATES, INC. \$100. APPROVED – 10/19/09

Previously Denied – Did not meet the 2/3rds-1/3rd

Requirement–Corporation Reformed & Resubmitted

T42, INC. d/b/a TRACEY DILLON - 0 - APPROVED – 10/19/09

ARCHITECTURE

10/19/09

Page 4 of 4