

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

June 6, 2018

The Gina Spaulding Boardroom

2080 East Flamingo Road, Suite 120, Las Vegas, NV 89119

Wednesday, June 6, 2018

Chairman James Mickey called the meeting to order at 8:00 a.m.

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

Also in attendance: Monica Harrison, Executive Director; Louis Ling, Legal Counsel; Laura Bach, Chief Investigator; Terylle Kenani Aguada, Executive Assistant.

AGENDA ITEM 1 Public Comment

There was no audience present to provide public comment.

AGENDA ITEM 2 Approval of Consent Agenda

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: March 6, 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. March 2018 Quarterly Report Statement
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
 - 1. JEG Architecture Nevada, Inc.
 - 2. JK Architecture Engineering
 - 3. Lalire March Architects, LLP
 - 4. MK Architecture, L.L.C.
 - 5. Yaeger Architecture, Inc.
 - 6. Zarin-Afsar & Associates, Inc.
- F. Firm Registration Approval Requests
 - 1. 2WR + Partners
 - 2. DS+R Architects LLC

Architects: Registration by Reciprocity

| | | | |
|------|-------------------------|------|---------------------|
| 7815 | Joseph W. Ashcraft | 7852 | Thomas R. Williams |
| 7816 | Richard L. Conneen, Jr. | 7853 | Andrew G. Amor |
| 7817 | Timothy D. Casey | 7854 | Arturo M. Castro |
| 7818 | Olusanmi A. Fawehinmi | 7855 | Joshua J. Divilbiss |
| 7819 | Jay CJ Lee | 7856 | Kevin W. Harney |

| | | | |
|------|-------------------------|------|------------------------|
| 7820 | Brandon T. McLaughlin | 7857 | Sarah B. Less |
| 7821 | Eric W. Wohle | 7858 | Michael Z. Starr |
| 7826 | Christopher P. Collins | 7859 | Brett L. Smith |
| 7827 | Sorin I. Comanescu | 7860 | Gina R. Van Tine |
| 7828 | Michael L. Guthrie | 7861 | Scott L. Harmon |
| 7829 | Brandon L. Weholt | 7862 | Mark D. Anderson |
| 7830 | Benjamin T. Gilmartin | 7863 | Gonzalo Villares |
| 7831 | Jonathan Ma | 7864 | Soong Kim |
| 7832 | Christopher T. Lee | 7865 | Todd Mohagen |
| 7833 | Michael T. Leishman | 7866 | Donald J. McKay |
| 7834 | Neil J. Sheehan | 7867 | Theodore J. Mowen, Jr. |
| 7835 | David A. Valladarez | 7868 | Darryl Muir |
| 7836 | Christopher C. Vicencio | 7869 | Jason R. Shepard |
| 7837 | Sam A. Andras | 7870 | Michael J. Stanton |
| 7838 | Clay RJ Aurell | 7882 | Andrew M. Dell |
| 7840 | Aaron P. Clark | 7883 | Brendan M. Grady |
| 7841 | Jose A. de la Cruz | 7884 | James E. Graham |
| 7842 | Megan Holmes | 7885 | David HC Kuo |
| 7843 | Rex P. Lalire | 7886 | Robert S. Loken |
| 7844 | James A. Terry | 7887 | Raymond A. Silverstein |
| 7845 | David M. Combs | 7888 | Jeffrey P. Stein |
| 7846 | Scott H. Allen | 7889 | Dennis S. Wright |
| 7847 | Fredrick J. Green | 7890 | Steve J. Kuhn |
| 7848 | Sukho Jang | 7891 | Alfred A. Flies |
| 7849 | Bruce D. Jordan | 7892 | Christopher D. Jones |
| 7850 | Thomas J. Roth | 7893 | Matthew S. Ellis |
| 7851 | Eric Thompson | 7894 | Dennis L. Bonds |

Residential Designers: Registration by Reciprocity

368-RD Paul N. McClean 369-RD Adam D. Posard

Motion: Garlock moved to approve the consent agenda items 2A, 2B, 2C-1 through 2C-4, 2D, 2E-1, and 2E-3 through 2F-2. Motion seconded by Klai.

Discussion: Erny requests to remove item 2E-2. Mickey questions if the firm application must be pulled as there is an applicant/owner listed on the firm application that was also listed on the Reciprocity Ratification List. Mickey needed clarity as to whether or not the firm must be pulled if the applicant has not completed the reciprocity registration process. Harrison confirms that the individual has completed reciprocity registration and has received his license prior to submitting the firm application.

Vote: All in favor. Motion passes.

AGENDA ITEM 2E-2 Firm Name Approval Request: "JK Architecture Engineering"

Motion: Waugh moved to approve firm name approval request for "JK Architecture Engineering." Motion was second by Klai.

Ciesynski questioned the use of the term "engineers" in the proposed firm name. Harrison responds and confirms with Aguada that the firm is indeed registered with the Engineers Board. Ciesynski also said that firm has no owners who are licensed engineers. Harrison states that she did not sign-off on

firm request as the information in application was odd and that there were too many concerns on the firm application.

Klai then comments that all the supporting paperwork included the name "Jordan Knighton" and was expecting to find evidence of application for a Fictitious Name for "JK" with the state. Aguada replies that they have applied for DBA with the City of Sparks. Klai comments that filing with City of Sparks is not by means of the Secretary of State. Ling states that only if the firm's corporate name is filed with secretary of state and then the firm can to file a DBA with the secretary of state. Klai reiterates to Ling that the corporate name is under "Jordan Knighton" and not "JK."

Mickey also notes that they've provided a business license and DBA from the City of Sparks for a company is located in Reno. Erny questioned actual location of firm. Klai comments that it's only in one jurisdiction and questions if it's typical for firms to not have recorded documentation of the DBA with the Secretary of State. Harrison replies that it's always been a requirement for the firm to obtain a DBA from the County of where their project will be located but will have staff require more documentation. Ling also states that we can request for the firm to file the DBA of "JK Architecture Engineering" with the Nevada Secretary of State. Harrison asks the Board if they would like to include this requirement for firm approval requests moving forward to be consistent. Mickey and Erny observes that the firm must clean up paperwork. Mickey and Harrison questions if the firm is utilizing the name "JK Architecture Engineering" with the Board of Engineers. Bach confirms that they are utilizing the DBA and that the Engineers Board is not as strict.

Ciesynski had concerns about staff listed as engineers on application. Her concern is that if the engineers decide to leave the firm, the firm will still represent themselves as engineers. Fleming asked about the services offered that was selected on the firm application of the NV Engineers board as it only indicated engineering services.

Erny questions once more of the location of the firm and needed clarity of their physical office address as several documents stated addresses in different cities. Harrison provided clarity for the physical address and resident address. Bach informs the Board that the firm has two offices, one in Reno and another in California, and that the registrant is working out of the Reno location.

Erny also asked about the previous approved firm name, "Jordan Knighton Architects, Inc.," but did not state whether the firm will be active or inactive. Bach replied that the previous approved firm will remain active as the corporate name must remain active in order have the DBA approved.

Mickey asks Board if they would like to table the item. Klai responds to request for board staff to obtain documentation from the Engineers Board to verify firm registration. Erny also request to confirm the addresses of the firm as well as the registrant's addresses.

Fleming request to review page 78 of the eBook as she questioned the professional services offered on the Board of Engineers Firm Application. The applicant only stated that they will provide engineer services in the firm name "JK Architecture Engineering" but did not state architectural services. Harrison responds that Engineers are exempt and they cannot hold themselves out as architects but can provide some services as long as they are done in a competent manner. Harrison says that it's been an issue with the Board of Engineers and that it may be a future agenda item. Erny states that the Board of Engineers needs to comply with our requirements and standards for firm approval requests. Laura adds that the DBA from the City of Sparks indicate the firm will provide architect services and the firm is trying to incorporate engineering.

Again, Erny asks for clarity and accuracy of the office location to identify their primary location and contact for the public as the supporting documentation states addresses in Tahoe City, Reno and California but has DBA documents from City of Sparks and Washoe County. Ling responds that our Board's application alone allows them to provide the firm name and address in Nevada and the fact that they have other office locations should not be our issue. Ling states that our issue is that if that firm name approvable. Bach corrects her pervious statement that there are actually three office locations in total which are in Auburn California, Tahoe City and in Reno.

Mickey mentions email that Aguada received on May 29th in regards to the list of Nevada License Engineers employed by the firm. Mickey states observation that the firm can already practice architecture and engineer as they already have Nevada Engineers on staff.

Garlock requests to review page 77 of the eBook due to concerns of the Board of Engineers Firm forms. The three principles listed all have a discipline of Architect and included their architect license number except for Chris Vicencio. Mickey confirms that Chris Vicencio had just completed reciprocity and received his license a couple months ago. Garlock was concerned that all principles were architects applying for firm approval from the Board of Engineers.

Mickey asked if the firm can practice architecture under the Board of Engineers approved firm name of "JK Architecture Engineering." Erny replies that only the architects can provide architectural services as an individual but not under the firm. Bach counter responds that they can practice architecture under the corporate name, "Jordan Knighton Architects, Inc.," and that the firm is trying to be legal with our Board as they were not aware that they needed to have the DBA approved with us as well.

Motion: Klai moved to approve Agenda Item 2E-2 with a Conditional Approval contingent upon resubmitting a new clarified firm application with verified addresses and sufficient supporting documentation and file a Fictitious Name with the Nevada Secretary of State. Motion seconded by Waugh.

Vote: All in favor. Motion passes.

AGENDA ITEM 6 Boards Financial Investment Report

Ciesynski pointed out the increase of one whole percentage rate. Harrison reminded that our board opened four flex CDs about a year ago for \$75,000 each. Harrison also stated that the first \$250,000 is insured for the secured bank purchases. The interest is accrued daily is paid monthly but by the time we needed to renew, we've earned about \$451.24 per CD. She reported that the total amount of earnings was \$1,804.96 and we renewed the CDs for 11 months at the interest rate of 1.60%. Ciesynski states that the interest rate went from 0.550% to 1.60%. Harrison was pleased to inform the Board that we are making money. Harrison requests Board to revisit item in 11 months for possible increase or to move the CDs.

Mickey comments of how we will manage this item and informs the Board that we won't receive a response from Sunset Subcommittee review for another couple weeks in regards to the determination of the control of reserves and certain amounts. Harrison states that the last Sunset Subcommittee will be held on June 13th and the Executive Branch Audit Committee (EBAC) will meet the day after.

AGENDA ITEM 9 NSBAIDRD/AIA Continuing Education Report – May 2018

Harrison provided handouts to the Board that included feedback returned from attendees at the seminar. Harrison reported that we had our sixth annual seminar on May 24th at the World Market Center. There were 178 attendees with 10 no-shows. She says that the seminar was well received for the most part and reviews feedback and comments provided on the handout.

The feedback was compared to last year's feedback and discussed each of the four sessions. Session One: Building and Fire Code Updates with Sam Palmer, Session Two: NCARB with Martin Smith, Session Three: Bio-Inspiration with Jeff Roberts, and Session Four: Fire Door Code Compliance with David Dodge. Harrison thanks Ciesynski and Morelli for attending seminar. Harrison comments that we may need to ask NCARB to change their presentation due to some technical difficulties. Klai finds that the publicity of wind and solar power materials may be an interesting topic to have at a future seminar. Harrison also states that the attendees want to see more Interior Design topics as well.

Harrison shares that 178 pages of feedback was a lot and suggest to transition to obtain feedback electronically by possibly sending it by email. Garlock believes that emailing the feedback won't be effective as most attendees won't submit their comments. He also comments that the luxury of having the attendees submit their feedback forms directly after the seminar is achieving immediate responses.

Ciesynski asks if there was a survey or app technology for attendees to submit their feedback electronically and Morelli replies that there's a technology called "Survey Monkey."

AGENDA ITEM 10A-1 Case No. 18-035N – In the Matter of Starbucks

The Respondent is alleged to have violated NRS 623.360.1 (c) by engaging in the practice of architecture in Nevada without having a certificate of registration with this Board.

Staff received an anonymous complaint about a Respondent preparing drawings that are well into the design development stage before handing them off to a Nevada registrant. A sampling of the Respondent's contracts and drawings that were given to registrants over the past year (2017) for Nevada projects was obtained. A review of the sampling revealed that the Respondent had prepared site specific detailed drawings for 65 stores over all of 2017 and did engage in the practice of architecture.

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 Non-Admission of Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$65,000 plus Investigative Costs in the amount of \$2,500.

Staff recommended approval of the settlement agreement.

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

Vote: Mickey recused himself as he assisted staff with this case. All others in favor. Motion passes.

AGENDA ITEM 4A Deliberations/Action on Applications for Registration: Architects

Snyder swore-in the following individuals as Architects:

1. Travis Paul Allen.....7871

- 2. Adam J. Beck.....7872
- 3. Marshall R. Cowan.....7873
- 4. Andrew J. Hansen.....7874
- 5. Kyle A. Kithas.....7875
- 6. Catherine C. Coffee Polk.....7876
- 7. Kelly E. Root.....7877
- 8. Yeshaya M. M. Shor.....7878
- 9. Simona Stephens.....7879
- 10. Jason Villoria.....7880
- 11. Kevin J. Ward.....7881

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

Vote: All in favor. Motion passes.

**AGENDA ITEM 4B Deliberations/Action on Applications for Registration:
Registered Interior Designers**

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

- 1. Sophie E. Klippstein.....246-ID

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

Vote: All in favor. Motion passes.

Mickey congratulates all registrants. He voiced that they have all taken different paths to get to where they are today. He also says that some of the registrants have had the chance to jump into exams after graduating school and some have had different employment opportunities and other life opportunities. Mickey reminds them that the Board and numerous other organizations are here to support them. He encourages the registrants to reach out to the community and public support. He praised that two of our senior members are leaders from CIDQ and NCARB are serving with us on the Board; Ciesynski was a past president of CIDQ and Erny who is the current president of NCARB. Mickey emphasizes that there is tremendous opportunities for all Nevada registrants to participate in other organizations.

Mickey introduced Randy Lavigne, executive director of the American Institute of Architects (AIA) Nevada and AIA Las Vegas.

Lavigne thanked the board for inviting her to share the occasion and told the registrants that she was excited and honored to be there. She voiced that there was no better time to become a design professional because design professionals are problem solvers and creative thinkers, and the world and the community needs professionals like them now more than ever. Lavigne said that the AIA is a professional association that offers support and resources for those in the design profession, including continuing education opportunities and advocating in protection of their professions. She shares that AIA stands for equity and human rights, architecture that strengthens communities, and investigation future. She invites the new registrants to become a part of the AIA and welcomes them into the profession on behalf of the 95,000 AIA members across the country, presented them with a Certificate of Recognition, and wished them continued success.

Lavigne introduced Glenn Nowak, UNLV Associate Professor.

Glenn Nowak introduced himself as the UNLV Associate Professor, Graduate Coordinator in the School of Architecture. He announces the celebration of the 20 years in which UNLV School of Architecture has been an accredited and has the only accredited program in Nevada. To commemorate the 20 years of accreditation, UNLV compiled a book of recent student works and Nowak presents the book to Harrison and the Board. Nowak recognizes the all the licensees, especially the alumni from UNLV. He states that 7 of the 11 inductees are UNLV alumni. He presented the UNLV alumni with a UNLV pin and encourages them to wear it with pride. Nowak thanked the board for allowing him to be part of the momentous occasion and congratulates the UNLV alumni and the fellow registrants.

Erny introduced himself as the president of NCARB and member of the Board. He asked which of the registrants hold a passport in which they all responded yes. Erny encourages the registrants to continue keep their NCARB record active and maintain it and to also take the next step in getting the NCARB Certificate. He points out that no one camps out in the same spot and having a passport allows them the mobility to practices their profession in different states, jurisdictions and even different countries. Erny voices that no one knows where life will take them but they should put themselves in a position that allows them get to where they want to go. He says that having a passport and NCARB Certificate will allow them to respond to the opportunities that will come along in life, wherever it may be. Erny congratulated all the registrants and gave them best wishes going forward.

Mickey reminds the registrants of the Boards tremendous involvement with different boards and committees such as CIDQ, NCARB and exam committees. Mickey invited the registrants to give feedback concerning their paths to registration.

Ward shares that he began in the Architect Registration Examination (ARE) in the 4.0 version and wanted to potentially transition into the ARE 5.0 version. He says that he decided to stick to the ARE 4.0 as he hadn't taken the correct exams from ARE 4.0 that would support his situation to possibly make the transition to the ARE 5.0. He shares that the tests were challenging and had most difficulties with the Structures Exam.

Stephens shares that to some, the vignettes may be hard but she liked them and it should stay. Polk replies that the vignettes were fine but the software had problems. Polk explains that she transitioned from ARE 4.0 to ARE 5.0 because of the problematic software. She also shares that ARE 5.0 is friendlier.

Hansen stated that he started the 5.0 as soon as it was released. He says that he went effortlessly through all the exams and that it was a smooth process.

Mickey asked Klippstein how the Interior Design exams were for her. Klippstein replies that she hand-drafted her initial exam and also took two separate exams on the computer. She stated that her overall experience with the exams went well.

Erny asked for constructive feedback how the application and registration process went for all the registrants and if they had the support they needed. Villoria and Ward replied that NCARB was great in transferring their records to the board quickly. Hansen also replied that he was close to the deadline for submissions and NCARB was able to expedite his transcripts.

Klai asked for feedback for the application and registration process with the board office. Hansen shared positive feedback that Aguada was able to help and coordinate throughout the process.

Erny asked the registrants about their journey from initiating education to getting their license. Cowan responds that his life got him side tracked and took a 14 year journey to obtain his license. Kithas shares that he had the shortest journey of obtaining his license as he just graduated from Cal Poly in 2016. Kithas stated that the involvement with NCARB in the Cal Poly Architecture Program helped facilitate his path.

Harrison introduced herself and explained to the new registrants that they can always reach out to the staff in the office if they ever need anything or if they are thinking of registering their firm. She also mentions to the architect registrants that they may now seek reciprocity in other jurisdictions as the board office will send their Certificate of Registration forms to NCARB. Harrison congratulates all the registrants and shares that it's nice to see such a large group for first-time registrants as it's not often.

Harrison explains that as first-time registrants, they are exempt from Nevada's continuing education requirement for 2019 and 2020 registration renewal but would have to complete the required continuing education units in 2020 for 2021 renewal. She stated that they will only be required to complete 8 units every year and said that the board and AIA Nevada offer two continuing education seminars each year.

Garlock reiterated the importance of reaching out to the board staff for guidance since they now have a high level of responsibility as registered professionals and must follow the Nevada statutes, especially to prevent unintentional aiding and abetting of unlicensed people or others that are not under their control.

**AGENDA ITEM 10A-2 Case No. 18-037N In the matter of William Fain Jr.
and Johnson Fain, Inc.**

The Respondent is alleged to have violated NRS 623.360.1(a) (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 an anonymous complaint about a newspaper article naming the Respondent as the urban developer for a large parcel of property located in Henderson, NV. Further investigation including a review of the Respondent's contract and power point presentation revealed that he was offering to provide and did provide services that fall under the practice of architecture.

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 Non-Admission of Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$10,000 plus Investigative Costs in the amount of \$1,400.

Staff recommended approval of the settlement agreement.

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

Vote: All in favor. Motion passes.

**AGENDA ITEM 10A-3 Case No. 18-039N In the matter of Michael Lostra
and Lostra Engineering**

The Respondent is alleged to have violated NRS 623.360.1 (b) by advertising that he provided architectural and residential design services without having a certificate of registration with this Board.

Staff received an anonymous complaint about the Respondent advertising on his website www.lostraengineering.com and Facebook page that he provided architectural and residential design services. Further investigation revealed that the Respondent had also submitted a statement of qualifications for a project for the city of Elko that specifically called for qualified architectural firms.

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 Guilt Clause with an Administrative Penalty of \$2,500 of which \$1,500 is stayed as long as the Respondent remains in compliance with all the terms and conditions of the settlement agreement 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 10A-4 Case No. 18-040N In the matter of Shauna Heinicke

The Respondent is alleged to have violated NRS 623.360.1 (c) by engaging in the practice of architecture in Nevada without having a certificate of registration with this Board.

Staff received an anonymous complaint about a website www.shaunaheinicke.com/skillz where the Respondent was stating that she had designed Hotbox Salon, a beauty salon she worked at. Further investigation revealed that she had prepared elevations and a floor plan which was then given to a contractor to submit to the building department.

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 with an Administrative Penalty of \$1,000 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 10A-5 Case No. 18-045N In the matter of Nicholas Freund
and Freund Associates**

The Respondent is alleged to have violated NRS 623.360.1 (b) and (c) by putting out a device (proposal) indicating that he was 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 it was discovered that the Respondent's firm had issued a proposal and prepared an adjacency plan for a project located in Nevada. Staff requested and received copies of the proposal and drawings. Further investigation including a review of the Respondent's contract and adjacency plans revealed that he was offering to provide and did provide services that fall under the practice of architecture.

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 Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$2,000 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 10A-6 Case No. 18-046N In the matter of Gregory Melton and Melton Design Group, Inc.

The Respondent is alleged to have violated NRS 623.360.1(c) by engaging in the practice of architecture in Nevada without having a certificate of registration with this Board.

Staff received an anonymous complaint about a newspaper article showing a rendering prepared by the Respondent. The Respondent is a registered landscape architect in California and has an employee who is a registered landscape architect in Nevada; however, a review of our database revealed that neither holds a certificate of registration to practice architecture.

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 Guilt Clause and an Effect on Licensure Clause with an Administrative Penalty of \$2,000 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 10A-7 Case No. 18-047N In the matter of Robert Chaffee and S.A. Miro, Inc.

The Respondent is alleged to have violated NRS 623.360.1 (a) and (b) by holding himself out as an architect and putting out a device (statement of qualifications) indicating that he was qualified to practice architecture in Nevada without having a certificate of registration with this Board.

During a reciprocity interview it was discovered that the Respondent's firm had issued a statement of qualifications in which the Respondent was referred to as the project architect and offered to provide services that fall under the practice of architecture. A site visit was also performed prior to the Respondent obtaining his certificate of registration.

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 \$2,500 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 10A-8 Case No. 18-048N In the matter of Thomas D. Lee and Fletemeyer & Associates

The Respondent is alleged to have violated NRS 623.360.1 (a) (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.

During the background check for the Respondent's reciprocity application it was discovered that the Respondent's website was showing a Nevada project. When asked during the phone interview, Respondent disclosed that there was another project he was getting licensed for and that a proposal had been issued and drawings had been prepared.

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 10B Discussion and Possible Decision Regarding Closure of Enforcement Cases

Bach recommended the following cases for closure without disciplinary action:

| | | | | |
|---------|---------|---------|---------|---------|
| 18-019R | 18-029N | 18-038R | 18-041N | 18-042N |
| 18-043N | 18-044N | 18-049N | 18-050N | |

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 3B

Formal Contested Administrative Hearing - In the matter of MiQuelle Quinn and MQ Interiors INC., Consideration and Adjudication of the Complaint Alleging Violations of NRS 623.360.1(b), NRS 623.360.1(c) and NRS 623.365 for Possible Action

A formal hearing was held in the matter of MiQuelle Quinn, case number 18-030N and 18-036N. Chairman James Mickey presided over the hearing. The respondent was alleged to have violated NRS 623.360.1(b), NRS 623.360.1(c) and NRS 623.365 by advertising and holding herself out as being qualified to practice registered interior design and engaging in the practice of registered interior design without having a certificate of registration with this Board.

In attendance:

Petitioner MiQuelle Quinn

Louis Ling, Prosecutor on behalf of the NSBAIDRD

Sophia Long, Deputy Attorney General, Acting as Board Counsel

Witnesses for the prosecution:

Laura Bach, NSBAIDRD Investigator

Witnesses for the defense:

None

The cause of action brought against MiQuelle Quinn is as follows:

FIRST CAUSE OF ACTION (Corena Project)

By advertising on her website and Houzz page that she provided commercial interior design services, which requires a certificate of registration from the Board, the Respondent held herself out as being qualified to provide registered interior design services which violated NRS 623.360.1(b).

SECOND CAUSE OF ACTION (Corena Project)

By specifying furniture for the Corena Project, which is a commercial project which registration with the Board is required, the Respondent engaged in the practice of registered interior design and violated NRS 623.360.1(c).

THIRD CAUSE OF ACTION (Becker Project)

By offering to provide elevations, a floor plan, and space planning and by specifying new electrical outlets for the Becker Project, all of which require registration with the Board, the Respondent engaged in the practice of registered interior design and violated NRS 623.360.1(c).

Quinn claims that she was unaware that she could have an attorney in attendance to represent her case. Quinn stated that she will be better prepared and would like to reschedule the hearing for the next Las Vegas board meeting in October 2018.

Testimony was heard and evidence was introduced into the record, which substantiated the allegations against the respondent. This agenda item was transcribed by a court reporter. The transcript may be available to the public upon request.

Motion: Waugh moved to postpone the hearing until the October 2018 board meeting in Las Vegas. Motion seconded by Morelli.

Vote: All in favor. Motion passes.

AGENDA ITEM 3A

Formal Contested Administrative Hearing - In the matter of Maria Angeles Scorsetti and Scorsetti Design, LLC, consideration and adjudication of the Complaint alleging violations of NRS 623.360.1(a), NRS 623.360.1(b), NRS 623.360.1(c) and NRS 623.365

A formal hearing was held in the matter of Maria Angeles Scorsetti, case number 18-010N. Chairman James Mickey presided over the hearing. The respondent was alleged to have violated NRS 623.360.1(a), NRS 623.360.1(b), NRS 623.360.1(c) and NRS 623.365 by advertising and holding herself out as being qualified to practice registered interior design and engaging in the practice of registered interior design without having a certificate of registration with this Board.

In attendance:

Petitioner Maria Angeles Scorsetti

Adam Solinger, Esquire on behalf of Petitioner Scorsetti

Louis Ling, Esquire Prosecutor on behalf of the NSBAIDRD

Sophia Long, Deputy Attorney General, Acting as Board Counsel

Witnesses for the prosecution:

Laura Bach, NSBAIDRD Investigator

Witnesses for the defense:

None

The cause of action brought against Maria Angeles Scorsetti is as follows:

FIRST CAUSE OF ACTION

By holding herself out and advertising herself as a registered interior designer on her website and Facebook page, MARIA. A. SCORSETTI violated NRS 623.360.1(a) and (b).

SECOND CAUSE OF ACTION

By specifying furniture, fixtures, equipment and finishes in a commercial environment, namely for the Mandarin Oriental in Las Vegas, Nevada, MARIA. A. SCORSETTI violated NRS 623.360.1(c).

This agenda item was transcribed by a court reporter. The transcript may be available to the public upon request.

Motion: Erny moved that the Board finds the respondent guilty of holding herself out and advertising herself as a Registered Interior Designer in violation of NRS 623.360.1(a) and (b). Motion seconded by Waugh.

Vote: All in favor. Motion passes

Motion: Erny moved that the Board finds the respondent guilty of specifying furniture, fixtures, finishes (FF&E) in commercial environments, in violation of NRS 623.360.1(c). Motion seconded by Waugh.

Vote: All in favor. Motion passes

Motion: Erny moved to approve the settlement agreement with the disciplinary action and modifying the Civil Penalty amount from \$10,000 to \$2,500 for each violation plus the Investigative Costs. Motion seconded by Waugh.

Vote: Garlock and Klai opposed. All others in favor. Motion passes.

AGENDA ITEM 5 **Presentation of and potential action regarding the Integrated Path to Architectural Licensure (IPAL) by NCARB, UNLV and the Board**

Harry Falconer and Joshua Batkins of the National Council of Architectural Registration Boards (NCARB) presented the new Integrated Path to Architectural Licensure (IPAL)

Batkins articulates that the IPAL program was derived from discussions of NCARB's National Board of Directors and inputs from other committees, leaderships and architects to develop and consider the program. He briefly speaks of how students can benefit from this program as it is a streamline to the path of licensure. Batkins states that it allows students to obtain all three E's: Experience, Education and Examination. He shares that IPAL program provides students the opportunity to gain practical experience and take examinations to complete the requirements for licensure while earning their degree, all at the same time.

Falconer outlines why students and academies should participate in the IPAL program. He stated that NCARB encourages NAAB-accredited programs to incorporate the IPAL program so that students can start the Architectural Experience Program (AXP) and take the Architect Registration Exams (ARE) while completing the academic curricula. He informed that students will still be able to graduate even though they have not passed each division of the ARE. Falconer mentions that they've already had a few candidates who've completed their AXP and some ARE prior to graduating.

Batkins reiterates that the IPAL program was created to streamline the path to licensure and to ensure that candidates have the opportunity to complete the requirements to get licensed while they are still in school. He also states that NCARB believes that the IPAL program will help facilitate, motivate and encourage candidates in the continuance of pursuing their license, even after graduating to demonstrate their competencies in Architecture.

Falconer shared that the University of Maryland is one of the schools that has adopted the IPAL program and displayed their curriculum which includes the IPAL program, to demonstrate how the program works. He explained that students obtain AXP hours part-time while attending school or during their summer sessions and the school may recommend which and when a student should take the ARE. Falconer also shared that students will also have the opportunity to obtain AXP hours abroad.

Batkins opens discussion to ask any questions or share any comments. Erny shares that the current national average path to licensure without the IPAL program is over 12 years and with the IPAL program incorporated, the average path to licensure is about 7 years.

Nowak articulates his fondness of the benefit that the IPAL program provides in fostering professional development not only for all Architectural students but especially for female candidates and minorities in the profession as UNLV is known to be the most diverse university in the nation.

Harrison stated her concern about the social security number requirement and how it may cause a problem for our board due to the current Nevada Statue, NAC 623.215.2(a) and the federal laws. Batkins replies that NCARB may issue a memorandum that simplifies, if an applicant has a social security number then they must state it on the application but if they do not have a number, they

won't be required to provide a social security number especially for those who are foreign applicants. Snyder questioned if candidates without social security numbers will not be paid and also voiced that a social security number is required in order to work and get paid.

Falconer asked Nowak if majority of the UNLV students have social security numbers. Nowak responded, in regards to the international students, they typically obtain work visas and he is not sure if the international students would take interest in the IPAL program. Nowak also stated that the IPAL program is merely a path and doesn't guaranteed

Mickey thanked Falconer and Batkin for providing information, conversation and insight of the IPAL program for the board. Falconer and Batkin returned a thank you to the board for opportunity to speak at the board meeting.

AGENDA ITEM 7 Review and possible approval of the Draft NSBAIDRD Outreach Program Plan

The Draft NSBAIDRD Outreach Program Plan was presented in the June 6th, 2018 board meeting eBook and a copy was also handed out to members of the Board.

The NSBAIDRD Outreach Program Plan draft is as follows:

Purpose:

- Creating and implementing a basic outreach plan to help create awareness, become proactive, and to increase education, professional and public outreach. This outlined plan is a one year plan with clear goals and specific timelines to assist the public information coordinator in establishing and implementing cohesive communication and public relations strategies and support the mission statement and services of the Board.

Goals:

- The goal of the Public Information Outreach Plan is to increase awareness of NSBAIDRD, which is a key strategy, intertwined in many of the goals and objectives in the strategic plan. The intent behind the outreach and collaboration goal is to increase awareness not only of the mission and services of NSBAIDRD, but also to enhance positive public perception, credibility, and visibility in the industry.

ONE YEAR PLAN - Public Protection Goals & Organization Objectives

- Proactive prevention: Increase education and outreach efforts to proactively prevent and reduce the number of violations in the practices of architecture, registered interior design and residential design.
 - a) Schedule quarterly visit building departments (northern and southern Nevada) on an annual basis
 - b) Review and update board brochures and flyers as needed
 - c) Develop communication tools to accomplish outreach efforts
- Educational Outreach (Students, Interns, Candidates, and Emerging Professionals)
 - a) Coordinate and give presentations to at least two schools a month (universities, colleges, K-12 schools). Identify prospective audience/request invitation, create presentations, visual aids, and corresponding handouts

- Professional Outreach (Registrants)
 - a) Coordinate and give presentations to at least one professional group meeting quarterly (AIA, ASID, SNBO, NOBO or other similar professional associations)
 - b) Coordinate and schedule presentations to at least four design professional firms a month (Q&A sessions, meet-and-greets, special presentations)

- Collaboration (Professional Organizations)
 - a) Identify organizations to partner with
 - b) Coordinate with AIA in the administration of the NSBAIDRD continuing education seminar-offered twice a year

Communication Strategies and Activities: Public information and outreach activities will promote the overall core messages (i.e. make a plan, assemble a kit, and stay informed) Specific activities utilized by NSBAIDRD will include the following:

- Organize meet-and-greet events, Q&A sessions, presentations

- Working with partner agencies within the state and around the region on events, conferences and information sharing

- Frequently posting new content on the NSBAIDRD website

- Actively using established NSBAIDRD Twitter and Facebook account or other social media sites

- Creating/updating pamphlets and other flyers

- Conducting targeted outreach to share information and build relationships with the public, registrants and other state agencies

Implementation: The implementation of the outreach plan is guided by the NSBAIDRD strategic plan and annual public outreach plan with monthly and specific project plan documents.

Organization and Responsibilities

Public Information Coordinator (PIC): The NSBAIDRD Public Information Coordinator plans, directs, and implements the board's public information/education program through a variety of communication vehicles, media, and community resources. The PIC combines professional and technical skills to produce a variety of written and graphic materials in support of board objectives and activities and responds to media inquiries and represents the board in public forums.

Ciesynski articulated that the Board's strategic plan has a few goals that include outreach. Ciesynski stated that she would like to further review the strategic plan and move forward to implement an outreach program, in a written way, to meet the Board's goals and outline the program. She also shares that the outline was put together by Harrison and as time evolves, the Board can continue to add more items to the outline if needed.

Harrison shares that the program is an outlined strategic plan that serves as a timeline of the public outreach. She also comments that she reached out to NCARB for assistance and feedback when creating the program in which they were very excited to assist and requested to review the presentations and materials for the outreach.

Erny expressed that since NCARB was willing to assist, NCARB may use this Outreach Program Plan as a potential model that can be offered or available to other jurisdictions to adopt as a resource.

Motion: Garlock moved to approve and adopt the NSBAIDRD Outreach Program Plan. Motion seconded by Waugh.

Vote: All in favor. Motion passes.

AGENDA ITEM 11A **Architect Report - Review, discussion, and potential action related to the Final Resolutions that will be discussed at the Annual Business Meeting in Detroit, MI**

Erny presents the resolutions and asks if the board has any language concerns to the content of the resolutions. He stated that the resolutions have been reviewed by different regional boards and committees and have taken their recommendations and comments into consideration to adjust some of the language.

AGENDA ITEM 11B **Architect Report - FYI: FY19 Officers and Public Director Nominations on NCARB Board of Directors**

This material was provided for board members' information.

AGENDA ITEM 11C **Architect Report - FYI: NCARB Fast Facts April and May 2018**

This material was provided for board members' information.

AGENDA ITEM 11D **Architect Report – FYI: NCARB Update March 2018**

This material was provided for board members' information.

AGENDA ITEM 11E **Architect Report – FYI: NCARB Understanding Architectural Legislation in Your State**

This material was provided for board members' information.

AGENDA ITEM 10C **Enforcement – Enforcement Report**

Bach states that as directed by the Board, staff revised the memo and letter addressed to furniture vendors that specifying FF&E and space planning.

The following updated notice was provided for the board members:

NOTICE

May 29, 2018

To: Nevada vendors and designers who specify furniture, finishes, fixtures and equipment (FF&E)

From: Nevada State Board of Architecture, Interior Design and Residential Design

Re: How to legally specify FF&E and provide space planning services in Nevada

The mission of the Nevada State Board of Architecture, Interior Design and Residential Design (NSBAIDRD) is to protect the health, safety, and welfare of the public by assuring the quality of the built environment.

Depending on your role and responsibilities either (as a client of design services; designer; design professional; vendor of furniture, fixtures, equipment, and finishes), it is important that you know that Nevada law dictates who can provide space planning services and who can specify finishes and furniture, fixtures, and equipment (FF&E). The intention of this notice is to clarify that and to provide a clear understanding of the practice of “registered interior design” versus that of “interior design/interior decorating” and “certified interior design.”

- First, it is important to understand that the acronym “**FF&E**” stands for “**furniture, fixtures, and equipment.**” It does **not** include **finishes.**

When we refer to **FF&E**, we are speaking of things that are not attached to the structure of the building: the sofa, the throw pillows, the coffee table, the art on the wall, the lighting, the door hardware, the appliances, etc.

Finishes refer to materials used to cover floors, walls, and ceilings. They include (but are not limited to) carpet, tile, wood, paint, wallpaper, plaster, wall trim, blinds, drapes, curtains, decorative materials suspended from walls or ceilings (i.e. fabric, foam, plastic), and faux plants. In a commercial setting, permits and/or approval are required prior to installation of such items. Fabric covered partitions must meet specific flame spread and smoke development requirements of the “Interior Finishes” chapter of the applicable building code.

- Second, know that **space planning** on a commercial project requires compliance with applicable building and fire codes and the Americans with Disabilities Act. Space planning includes the type, amount, and placement of finishes and FF&E, as well as the ingress and egress that is created or changed by the placement of such items. **The placement of systems furniture is space planning as it heavily involves ingress and egress.** Only a registered design professional or appropriately licensed contractor may provide space planning services.
- Third, there are three types of interior design practiced in Nevada. The following is a summary of each type, including which services may be legally provided by each.
 - 1) **Registered Interior Designer** – These design professionals are allowed to provide services in both residential and commercial settings. They can specify FF&E and finishes for residential and commercial projects, including the preparation and stamping of plans for submittal to building

departments within the scope of practice defined in [Nevada Revised Statute \(NRS\) 623.0225](#). The [requirements \(education, experience, and examination\) for becoming a registered interior designer](#) are extensive to ensure protection of the public. Registered interior designers are regulated by NSBAIDRD. In order to provide these services lawfully you may become a registered interior designer; work under the responsible control of a design professional or become a licensed contractor under NRS 624. Recently, [the Board has streamlined the process of obtaining registration for those who are unable to traditionally document the minimum educational requirement through their new Alternative Review Process \(ARP\) https://www.cidq.org/alternative-review-program.](#)

- 2) **Certified Interior Designer** – In addition to being able to perform the services of an interior designer/interior decorator, these designers may also specify FF&E (**not finishes**) for commercial projects to the extent authorized by their certification. They may prepare drawings of the layout of such materials and furnishings and install them, but they are **not** allowed to provide space planning services. **The placement of systems furniture is space planning as it heavily involves ingress and egress.** Also, note that although certified interior designers can specify FF&E, they cannot legally specify moveable cases, counters, or partitions (including modular furniture) over 69 inches in height. The minimum education requirement for becoming a certified interior designer is completion of one class in building code and one class in fire code. There is no experience requirement. Certification is issued through the [Nevada State Fire Marshal Division](#).
- 3) **Interior Designer or Interior Decorator** – These designers are allowed to specify FF&E and finishes for **residential projects** that are not regulated by any building code or other law, ordinance, rule, or regulation governing the alteration or construction of a structure. They may also prepare drawings of the layout of such materials and furnishings and install them. They may not work in a commercial setting unless they are under the responsible control of an architect, engineer, or registered interior designer. They cannot work in a commercial setting under the responsible control of a contractor. Interior designers/interior decorators are not required to satisfy any education or experience requirements in order to practice.

Note that there are also limitations for registered interior designers, including acting as the lead design professional when there are more than two professional disciplines (engineers or architects) on a project. **In this instance, there must be an architect as the lead design professional on the project.** Other limitations on the scope of practice of a registered interior designer can be found in [Nevada Administrative Code \(NAC\) 623.850](#).

If you are unsure if the services you provide are regulated by NSBAIDRD or if you are not sure as to what type of designer you should be hiring to legally complete a project, please contact NSBAIDRD staff at (702) 486-7300 or nsbaidrd@nsbaidrd.nv.gov. We want to clarify any questions and/or concerns you may have about this matter to ensure that you and/or your business are in compliance with Nevada law.

Ciesynski questioned if the memo will be mailed out every interior designer. Bach responded that the memo will be sent to individuals listed in the library's database under the classification of an interior designer, interior decorator and furniture vendor. Ciesynski reiterated that the Board should make a commitment to send out the memo annually or every two years. Erny requested that the memo be sent to other boards as well, like the Board of Engineers or Contractors Board, to keep them informed as those professionals may one day work together with an interior designer.

Garlock requested to revise the memo and remove "To: Nevada vendors and designers who specify furniture, finishes, fixtures and equipment (FF&E)." He said that the memo should be more of a general memo that may also be referred to by others such as hotels and restaurants and not addressed only to vendors and designers.

Motion: Ciesynski moved to approve with slight modifications to the notice. Motion seconded by Waugh.

Vote: All in favor. Motion passes.

AGENDA ITEM 12A **Residential Design Report – Update and potential action regarding the Graphic Residential Design Exam**

Morelli shared that the Residential Design (RD) Exam will be held on August 9th and 10th and offered in Las Vegas and Reno. In Reno, it will be held at TMCC and in Las Vegas; the exam has been moved to UNLV instead of CSN. Erny reconfirms that there are two candidates in Reno and asked if there are any candidates registered for Las Vegas. Aguada responded that none have registered for the Las Vegas location but is expecting at least one. Morelli also shared that the notices for the upcoming RD Exam has been posted on the Board's website and have been mailed out to candidates on May 29th, 2018.

Morelli said that Harrison will arrange a committee meeting to review the Graphic Portion for revisions to create an updated version. Harrison requests for volunteers for the committee meeting. Mickey, Morelli, Erny and Snyder volunteered for the committee meeting. Harrison stated that she will coordinate with the volunteers and schedule a committee meeting in the beginning of July.

AGENDA ITEM 13A **Registered Interior Design Report – FYI: Q Connection 2nd Quarter 2018**

This material was provided for board members' information.

AGENDA ITEM 13B **Registered Interior Design Report – FYI: CIDQ Board of Directors – Now Accepting Applicants**

This material was provided for board members' information.

Fleming said that NCIDQ is currently requesting applications for the Board of Directors. She shares that the candidate must have been an official delegate for at least two years to be able to submit and the final day for submissions is on June 15th. She also shares that the head of the Alternative Review Program (ARP) Peer Review Committee, Lori Barker, has left NCIDQ on May 25th. The new head of the ARP Peer Review Committee is now Maureen Lederer. Ciesynski mentions that Lederer has been with NCIDQ for about three to four years. Fleming states that there is a NCIDQ annual meeting coming up in November and hope that some of the Board Members will have the chance to meet her.

Fleming asked Harrison about the email that she received from Ginger Hahn on May 5th in regards to a press release to promote the ARP Process. She asked if the press release was

ever issued, where it was issued and what format was it in and referred to a quote that was in made by Ciesynski. Monica stated that she recalls having conversations with Hahn and said that the press release was issued but is unsure where it was issued. Fleming and Ciesynski requested a follow-up from Harrison to confirm that the press release was issued.

AGENDA ITEM 14 **Public Member Report**

Waugh shared that he completed his term on the examination committee and is thankful to be present elected officer and for reappointing him to the comment committee for the upcoming fiscal year.

AGENDA ITEM 15 **Executive Director Reports**

Harrison provided update that Erny, Mickey, Ciesynski, Snyder, Garlock and herself will be attending the upcoming NCARB meeting at the end of June and that the board will be well represented.

Harrison reminded the Board that the next board meeting is scheduled for August 22nd in Reno at the Eldorado. She stated that the meeting is being held at a different location from last year to experience different venues and that Eldorado was recently renovated. She also confirmed with Ling that there is a hearing scheduled for the October board meeting and that it won't need to be moved to another date.

Harrison stated the Sunset Subcommittee will hold it's last meeting on June 13th. She confirmed that she will attend the meeting. She also stated that the Executive Branch Audit Committee (EBAC) has conducted an audit report for 34 boards. She commented that she found the audit strange because it was sent out to all the Executive Directors from each individual board in which the EBAC requested a confidential response in regards to time frames for implementations of recommendations listed on the audit report. Harrison explained that she was not allowed to share the report with the Board as it is confidential and sought advice from the Board Counsel, Ling, and other boards on how to address the matter. She also stated that the EBAC will be meeting on June 14th to review and approve the audit report. Once the audit report has been approved, Harrison will then be allowed to share the information with the Board. Harrison stated that her official response has not been issued yet. She also said that she received an email for the lobbyist for the Board of Engineers who reached out to Mr. Hutchinson. Ling responded that Mr. Hutchinson will postpone the consideration because he recognized that the procedure that was asked to be followed by the EBAC violates the Open Meeting Law. Lind explained that the review and approval of the audit may be postponed until December.

Harrison announced that the Board will take in Waugh suggestion to hold a "Professional Day" as soon as the legislation session starts and that one of the rooms in the Nevada Legislature Building will be reserved. The Professional Day will be hosted by the Nevada State Board of Architecture & Design, Board of Engineers and Landscape Board and the purpose of the event is to share with the Legislature what each board does and to provide comprehension. Erny requested to communicate with the legislature the value of licensure. Ling recommended that

the event include information regarding registered interior designers and decorators and possibly having a registered interior designer present because of the report given by the Institute of Justice (IOJ).

Harrison provided update on the hours of operation for the Board's office and that the temporary office hours due to staffing. Also, she stated that the staff will not be able to take part in the Flex-Schedule due to short staffing and shared the information with the staff at a recent staff meeting held on June 4th. Effective June 18th, the temporary office hours will be 8am to 5pm until the office has enough staff.

Harrison informed that Margie, from the Contractors Board, organized a comprehensive board member training on July 11th in which Erny, Fleming, Morelli, and Ciesynski will attend. She included that board members from the Contractors Board and Board of Engineers will be attending. Harrison stated that the training will be presented by the Federation of Associations of Regulatory Boards (FARB).

AGENDA ITEM 16 Board Counsel Report

Ling informed that the Board that there are no updates in regards to the Rusk case as he is still waiting on the judge to rule.

Ling shared news about the Supreme Court and recent two cases:

The first case shared by Ling involved the Public Records Law and a County Commissioner who reviewed a zoning application issue. An individual who was unhappy with matters filed a Public Records request for all the text and emails that was made amongst the County Commissioners and to the developers. The case was fought all the way up to the Supreme Court because the County Commissioners did not want to turn over the information as they used their personal phones. Ling stated that the Supreme Court ruled that their text and emails from their personal phone were considered public records. Ling Reminds the board and staff that all text and emails that the information and content is considered public record. He warned to keep all communication professional and be sparing with the use of personal phones.

The second case Ling shared involved the Ethics Commission who reviewed a matter that involved a Northern Assemblyman who trapped critters to close to humanity and violated the law. The Department of Wildlife cited the man for trapping improperly. The man went to the Legislative Counsel Bureau (LCB) and requested an opinion that states that he was not in violation. The LCB realized that it was in his private citizen capacity and not as an Assemblyman therefor could not request for an opinion. Throughout the case, it evolved into higher courts and involved other boards and departments. In regards to the Board of Commission, moving forward, Ling states that in the event the Board is being sued and he must defend a lawsuit, appeal or other legal matters, he will ask the board in advance to hold a special meeting to authorize legal action and funding.

AGENDA ITEM 17 Public Information Report

Harrison said that the last issue of the newsletter was sent out on February 28th and also said that Ginger Hahn was previously working on publishing volume 28 but it was never published. Harrison stated that she will try her best to publish volume 28 as it is still pending.

During the month of May, Harrison shared that Hahn had two speaking engagements and performed presentations at the North Western Technical Academy Center and the Art Institute of Las Vegas. Harrison said that she had a conversation with Hahn where Hahn expressed her liking to the engagements as it wasn't so much a presentation but an informal interaction with the students. Harrison also included a comment that Hahn's work performance has been better and she noticed her effort to reach out to firms.

Erny inquired about publishing more newsletters. Harrison responded that the Board used to issue 5 newsletters annually and stated that she reduced the publication to only 4 newsletters annually when she became the Executive Director as Hahn became overwhelmed with her workload. She stated that moving forward; the Board will publish 5 newsletters annually to be consistent with the full board meetings.

AGENDA ITEM 18 **Items for further agenda**

- Adopting 2018 Code for Blue Book in January 2019
- RFQ & RFP
- Possibly creating statute for filing DBA with State, not county level

AGENDA ITEM 8 **Consideration and potential action regarding pay recommendations for board staff**

The Board request for staff, Bach and Aguada, to exit the room as the Board went into closed session pursuant to NRS 241.030 as the discussion may involve a staff member's character, alleged misconduct, professional competence, or similar items.

Motion: Garlock moved to approve pay recommendations for board staff. Motion seconded by Waugh.

Vote: All in favor. Motion passes.

AGENDA ITEM 19 **Public Comment**

There was no audience present to provide public comment.

Chairman Mickey adjourned the meeting at 4:03 p.m.

Monica Harrison, Executive Director

Kimberly Ciesynski, Secretary/Treasurer

