

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

**August 17, 2016**

**The Gina Spaulding Boardroom**

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

**Wednesday, August 17, 2016**

Chairman George Garlock called the meeting to order at 8:35 a.m.

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

Also in attendance: Monica Harrison, Executive Director; Louis Ling, Legal Counsel; Laura Bach, Chief Investigator; Ana Goins, Executive Assistant; Ginger Hahn, Public Information Coordinator

**AGENDA ITEM 1      Public Comment**

There was no public comment.

**AGENDA ITEM 2      Approval of Consent Agenda**

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: June 8, 2016
- 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. June 2016 QR Statement
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
  1. 3D Klein Design
  2. DAI-Nevada PC
  3. WHR Design PC
  4. JWDA-MS Architect
- F. Firm Registration Approval Requests
  1. BBGM Nevada, Inc
  2. Think Architecture of Nevada, LLC
  3. Denton House Nevada, LLC
  4. Kendle Design Collaborative, Inc.
  5. NORR, A MICHIGAN GENERAL PARTNERSHIP
  6. archall, L. P.
  7. Md7 Architecture Services, Inc.
  8. RMW Nevada, Inc.
  9. Blue Heron Architecture, LLC

**Architects: Registration by Reciprocity**

7470	Michael C. Sun	7489	Randall P. Syphus
7471	Justin M. Campbell	7490	Galen G. Grant
7472	Arthur M. Balourdas	7491	Brandon E. Hall
7473	Paul R. Campbell	7492	Kristy M. Angyal
7474	Geoffrey B. Woods	7493	Kevin A. Bryan
7475	Matthew D. Wittmer	7494	Todd G. Mather
7476	Martin Ramirez Jr	7495	Jennifer R. Frost
7477	Domingo C. Ottolia	7496	Paul C. Hutton
7478	Luis G. Cruz-Martinez	7497	Jennifer A. Dotson
7479	Lauren E. DuCharme	7498	Robert C. Krone
7480	William S. Hayer	7499	David L. McVeigh
7481	Stuart M. Romm	7500	Dudley C. Campbell
7482	Kevin S. Sauser	7501	James E. Dougherty
7483	John A. Oney	7502	Mariah J. Magill
7484	Branden D. Wilm	7503	Gregory R. Seifert
7485	Jeremy G. Nelson	7504	Herbert C. Blackstock Jr.
7486	Bradley A. Parish	7505	Carrie E. Byles
7487	Thomas L. Spader	7506	Robert B. Pitt
7488	Douglas R. Welsh	7507	Melissa K. Tom

**Residential Designers: Registration by Reciprocity**

345-RD Paul F. Warner

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

**Motion:** Tindall moved to approve the consent agenda items 2A through 2D, 2E-2 through 2F-6, and 2F8 through 2F-9. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**Agenda Item 2F-7 Firm Registration Approval Request:  
Md7 Architecture Services, Inc.**

The board questioned the firm registration approval request for "Md7Architecture Services, Inc." due to the makeup of ownership. Md7, LLC (parent company of Md7Architecture Services Inc.) owns 33.3% of Md7 Architecture Services, Inc. Ownership of that 33.3% was documented as follows: ten individuals with a combined total of 28.12%, "current and former employees" with 3.72%, "Ascent Wireless Partners" with .85%, and "Md7, Inc." with .61%.

**Motion:** Klai moved to approve the firm registration request for "Md7 Architecture Services, Inc." pending the condition that the applicant provide a list of the people that make up the current and former employees, Ascent Wireless Partners, and Md7, Inc. Motion seconded by Tindall.

**Vote:** All in favor. Motion passes

#### **Agenda Item 4**

#### **Review of Regulation Change to Determine Whether to Proceed to Public Workshop and Hearing**

Harrison refreshed the board on background information that led up to the proposal of amending NAC 623.572.

In January 2015 Ciesynski presented the Council for Interior Design Qualification's (CIDQ) Alternative Application Review Program (AARP) to the board, a program set up for broadly experienced applicants that were not able to document the minimum educational requirement for NCIDQ Examination eligibility. When originally presented, the AARP was intended to replace the NSBAIDRD's binder process. The title of the program was since renamed Nevada Alternative Application Review Program (NAARP) and, if implemented, would serve as an additional, not a replacement, review program to assess Council for Interior Design Accreditation (CIDA) educational equivalency.

The draft language was submitted to the Nevada Legislative Counsel Bureau (LCB) after it was approved at the June 8, 2016 board meeting. Harrison said LCB had since returned the draft with their modifications.

Harrison and Ling questioned why LCB added the word "National" in front of "Council for Interior Design Qualification" because CIDQ dropped the word "National" from its name in 2013. LCB also changed the language to indicate that the program was "jointly" developed by NSBAIDRD and CIDQ. The program was developed solely by CIDQ and approved by NSBAIDRD.

Harrison said Ling modified the draft language as presented in the board eBook and that she was seeking approval from the board to resubmit it to LCB.

*(b) Do not apply to an applicant who submits to the Board a letter of approval from the [national] Council for Interior Design Qualification or its successor organization indicating that the applicant has successfully completed an alternative program of interior design [jointly] developed by [the Board and] the [National] Council and approved by the Board. The Board may issue a certificate of registration to practice as a registered interior designer to such an applicant.*

**Motion:** Waugh moved to approve the modified draft language and have Harrison submit it to LCB. Motion seconded by Mickey.

**Vote:** All in favor. Motion passes.

Harrison was instructed to proceed with scheduling the public workshop on September 6 and the public hearing on October 26.

#### **Agenda Item 5**

#### **Discussion and Possible Decision Regarding Revised NSBAIDRD Banking Investment Strategy**

Mickey told the board that the Board Financial Investment Strategy had been revised once more as the board accountant is not able to provide financial advice and is only able to manage the board's books. The modified draft was presented in the board eBook as follows:

***DRAFT Board Financial Investment Strategy***

1. *The goal of the investment strategy will be low risk with low fees.*
2. *All certificates of deposit and money markets must be in insured accounts (e.g., FDIC, SIPC). For fixed income, the Board will only own investment grade bonds or better.*
3. *During the first board meeting of the calendar year, the Secretary/Treasurer will make a presentation to the Board regarding the status of the board's investments and get Board consensus regarding how the investments are being handled for the coming year. Revisit investment policy as needed.*
4. *Must have Board approval for investment changes and reinvestment strategies.*
5. *Have the board accountant independently review the investment mix and ~~give opinion~~ **reconcile with general ledger.** ~~on the risk/reserves/portfolio mix annually.~~*
6. *At no time shall the maximum threshold of the investment portfolio exceed 75% of the board's reserves.*
7. *The signature policy for changes to the investment portfolio shall consist of the Board Chair, Secretary/Treasurer and the Executive Director.*

**Motion:** Klai moved to adopt the Board Financial Investment Strategy as presented. Motion seconded by Tindall.

**Vote:** All in favor. Motion passes.

**Agenda Item 6                      Review of Formal Hearing Rules of Practice as Required by NRS 233B.050 (1) (a)**

Harrison said that she received a letter from Nevada Secretary of State requiring that the board review their formal and informal hearing rules of practice as required by NRS 233B. This must be done every three years and a statement of compliance must be submitted to Nevada Secretary of State after completion of review.

Nevada Secretary of State requires the board to identify items that have become obsolete as well as any changes that the board intends to make. Bach reviewed the language and reported that nothing needed to be updated at the time.

Waugh pointed out that NSBAIDRD's website address needed to be updated in the rules of practice from <http://nsbaidrd.state.nv.us> to "www.nsbaidrd.org."

Ling said that the board must review NRS Chapter 623 in its entirety every ten years and that he would find out when NSBAIDRD is due for the review.

**Motion:** Waugh moved to approve changing the formal and informal hearing rules of practice to reflect NSBAIDRD's new website address. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**Agenda Item 3A**

**Deliberations/Action on Applications for Registration:  
Architect**

Mickey swore in the following individuals as architects:

- 1. Hsin Chen.....7508
- 2. Lyndon Manuel.....7509
- 3. Matthew Y. Ronhaar.....7510
- 4. Michele K. Brigida..... 7511
- 5. John Joseph Carroll, Jr. ...7512

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

**Vote:** All in favor. Motion passes.

**Agenda Item 3B**

**Deliberations/Action on Applications for Registration:  
Registered Interior Designer**

Mickey swore in the following individuals as registered interior designers:

- 1. Alice O’Keefe.....230-ID
- 2. Shannon W. Ferguson....231-ID

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

**Vote:** All in favor. Motion passes.

**Agenda Item 3C**

**Deliberations/Action on Applications for Registration:  
Residential Designer**

Tindall swore in the following individual as a residential designer:

- 1. Chad R. Klein.....346-RD

**Motion:** Snyder moved to approve the registration of the above referenced individual as a residential designer. Motion seconded by Tindall.

**Vote:** All in favor. Motion passes.

Garlock congratulated the new registrants and encouraged them to reach out to the board staff with any questions or concerns they may have in the future. He said that their choice to make Nevada their base state was a wise one because the reciprocity process will be much easier for them in several jurisdictions due to Nevada’s licensing requirements.

Harrison congratulated the registrants on behalf of the board and staff. She stressed the importance of researching laws and rules in other jurisdictions prior to beginning the pursuit of any projects in those jurisdictions and told them that becoming NCARB certified will facilitate licensure by reciprocity in other jurisdictions.

Garlock introduced Randy Lavigne, executive director of AIA Nevada and AIA Las Vegas, to the new registrants.

Lavigne thanked the board for inviting her to be a part of the swearing-in ceremony. She recognized the new registrants for their milestone accomplishments of becoming registered in the state of Nevada and presented them each with a Certificate of Recognition on behalf of the AIA.

**AGENDA ITEM 2E-1**                      **Firm Name Approval Request:  
3D Klein Design**

Garlock recalled this item that had been tabled pending registration of Chad R. Klein.

**Motion:** Klai moved to approve the firm name request for "3D Klein Design." Motion seconded by Waugh.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 7A-1**                      **Case No. 16-018N - In the Matter of Jack Cruz**

The respondent is alleged to have violated NRS 623.360.1(a), (b), and (c) by engaging in the practice of architecture for a project located in Nevada without having a certificate of registration issued by the board.

Staff received information from the Boulder City building department that they had received a set of owner builder plans for a residential remodel with an unlicensed individual's name on the title block who was not the owner. Further investigation revealed that the plans were prepared by the owner's cousin.

The respondent was sent a Notice of Charges concerning this project. The respondent's case was discussed with Executive Director Harrison and Board Counsel Ling and the decision was made to offer the respondent an opportunity to settle this issue informally rather than face a disciplinary hearing before the board. A settlement agreement was negotiated incorporating a Non-Admission of Guilt Clause. Additionally, the board and the respondent shall each bear their own costs.

Staff recommended approval of the settlement agreement.

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

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 7A-2**                      **Case No. 17-004R - In the Matter of John K. Grist**

The respondent is alleged to have violated NRS 623.270.1(c), (d), (e), and (f), NRS 623.325 and NAC 623.740.1 by being negligent in the preparation of plans submitted to the building department; aiding and abetting the unlicensed practice of architecture; affixing his seal and

signature to plans that were not prepared by him or in his responsible control; providing architectural work without having a contract and using an unapproved firm name.

Staff received information from the Washoe County Building Department about a deficient submittal prepared by Grist Architects and stamped by John Grist. Further investigation revealed that the respondent had been working with an unlicensed individual allowing him to prepare plans and then stamping the plans without being in responsible control. There were three projects none of which had a contract and all using an unapproved firm name.

The respondent was sent a Notice of Charges concerning these projects. 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. The settlement agreement incorporates a Guilt Clause and requires the respondent to either pay an Administrative Penalty of \$10,000 plus Investigative Costs in the amount of \$1,600 or voluntarily surrender his certificate of registration and the Administrative Penalty of \$10,000 will be stayed. The respondent chose to voluntarily surrender his certificate of registration and will pay the Investigative Costs of \$1,600.

Staff recommended approval of the settlement agreement.

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

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 7B**                      **Discussion and Possible Decision Regarding Closure of Enforcement Cases**

Bach recommended the following case for closure without disciplinary action:

16-026R

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

**Vote:** Garlock recused himself. All others in favor. Motion passes.

**Agenda Item 7C**                      **Enforcement Report**

Bach asked the board for their opinion on owner's representatives providing construction management and architectural services. The board recommended that Bach enter into further discussion with Nevada State Contractors Board and Nevada State Board of Professional Engineers & Land Surveyors Board concerning the matter.

**Agenda Item 8B**                      **FYI: Launch of Architectural Experience Program (AXP)**

Garlock said this information was provided for board members' information.

**Agenda Item 8C**

**FYI: NCARB's CEO Update for June – July 2016**

Garlock said this information was provided for board members' information.

**Agenda Item 8D**

**FYI: Fast Facts for August 2016**

Garlock said this information was provided for board members' information.

**Agenda Item 9**

**Residential Design Issues**

Harrison reported that on August 4 – 5, the Residential Design Exam was administered to six people in Las Vegas and four people in Reno. There were no issues during the exams.

Tindall said that all of the new test questions for the written exam had now been utilized. He said that he appreciated the assistance of Erny, Mickey, and Snyder in writing those questions.

The board discussed the frequency that the written and graphic portions of the Residential Design Exam are offered. The written portion is offered twice per year and the graphic portion is offered once per year. The exams are administered both in Las Vegas and Reno on the same dates. The board agreed that the frequency of testing meets current needs and will be monitored so that it can be adjusted if needed.

**Agenda Item 10**

**Registered Interior Design Issues – Discussion and Possible Decision Regarding Who Will Attend the 2016 Annual Council for Delegates Meeting in Ft. Lauderdale, FL on November 11-12, 2016**

Harrison asked which board members would attend CIDQ's Annual Council for Delegates meeting in November. Board members in attendance would include Ciesynski, Fleming, and Mickey.

Garlock asked if anyone else had any other registered interior design business to discuss. There was no further discussion.

**Agenda Item 11**

**Public Member Report**

Waugh said he would be participating in his first NCARB Professional Conduct Committee telephone conference in September and attending a joint meeting with NCARB's Ethics Committee in Washington, D.C.



## **Agenda Item 12**

## **Executive Director Report**

Harrison said that the next board meeting would be held in Las Vegas on October 26 along with the public hearing for proposed regulation R111-16.

She reminded board members that wanted to be reappointed to the board to submit their applications by the due date of September 16.

Harrison said that staff was transitioning well since former Executive Director Spaulding's retirement. She thanked the board for their support during the transition.

## **Agenda Item 13**

## **Board Counsel Report**

Ling said that Chalmers, the respondent in the matter of case 16-001N, had filed a petition for judiciary review with Washoe County but the board had never been served. Ling reported that he would soon be filing a motion to have the petition dismissed.

## **Agenda Item 14**

## **Public Information Report**

Hahn said that on June 27 an email blast was sent to all residential designers announcing the revision of the letter sent to them in May concerning the role of a residential designer. The revised letter was also posted on NSBAIDRD's website and announced in the last issue of *Focus*. She said no further comment had been received since the revised letter was announced.

A notice concerning clarification of the contractor's exemption was mailed to 3,389 recipients (contractors licensed pursuant to NRS 624 and all Nevada building departments) on July 5. No feedback concerning the letter has been received at this point.

Hahn reported that she participated in CIDQ's annual re-training webinar to fulfill the requirement of being an Ambassador of the NCIDQ exam and gave highlights of NCARB's Licensing Advisors Summit that she attended at the beginning of August.

## **Agenda Item 8A**

## **Discussion and Decision Regarding NCARB's Mutual Recognition Agreement with Australian and New Zealand**

Garlock gave background information on NCARB's Mutual Recognition Agreement with Australia and New Zealand.

*The Mutual Recognition Arrangement was designed to recognize the professional credentials of architects licensed/registered in the U.S., Australia, and New Zealand and to support their mobility by creating the opportunity to practice beyond their borders. More specifically, the purpose of the arrangement is to facilitate the registration of an architect licensed in a participating U.S. jurisdiction as an Australian architect or New Zealand architect; and the licensing of an Australian architect or New Zealand architect as an architect in a U.S. jurisdiction that has agreed to participate in the arrangement.*

The resolution in support of the agreement passed at NCARB's Annual Business Meeting in June without Nevada's support.

In order for Nevada to adopt the agreement, NRS 623 would have to be changed.

**Motion:** Mickey moved that NSBAIDRD not sign NCARB's Mutual Recognition Arrangement with Australia and New Zealand. Motion seconded by Tindall.

**Vote:** All in favor. Motion passes.

**Agenda Item 15                      Items for Future Agenda**

- discussion of licensing requirements concerning specialty designers (such as food & beverage, dental office, & medical office)
- discussion of requiring planning and zoning documents to be sealed

**AGENDA ITEM 16            Public Comment**

There was no public comment.

Chairman Garlock adjourned the meeting at 1:38 p.m.

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Monica Harrison, Executive Director

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James Mickey, Secretary/Treasurer