

**BOARD OF ARCHITECTS**  
Secretary of State, Office of Professional Regulation  
National Life Building, North, Floor 2, Montpelier, VT 05620-3402

**UNAPPROVED MINUTES**  
**Meeting of June 3, 2009**

1. The meeting was called to order at 10:07 AM.

Members present: Edward Wolfstein, Chairman; Frank Guillot, Vice-Chair; Arnold Aho, Secretary; Rebecca Arnold; Robert Meyer and Janet Stackpole. Absent: Heidi Passalacqua.

OPR Personnel: Kevin Leahy, Board Counsel, Carla Preston, Unit Administrator; and Patty Skinner, Administrative Assistant.

2. The Chair called for approval of the Minutes of the April 1<sup>st</sup> meeting. On page 3, #12, the second sentence was amended to read: In the end, members concluded that a statute that limits time to apply statutes of limitations, liability, is not under the Board's purview and does not pertain to the Board's responsibility regarding public protection. Mr. Guillot made a motion, seconded by Chairman Wolfstein, to approve the Minutes of the April 1, 2009 meeting as amended. The question was called and the motion passed unanimously.

3. **Reports**

Chairman Wolfstein mentioned the upcoming National Council of Architectural Registration Boards (NCARB) meeting to be held June 17-20, 2009 in Chicago and the proposed resolutions to be addressed. Persons attending will report on the results of the conference at the next meeting.

4. **Hearings/Stipulations/Reports of Concluded Investigations**

2008-284 (AR01-0808) – The Board reviewed the Report of Concluded Investigation. Mr. Guillot made a motion, seconded by Mr. Aho, to accept the Investigative Team's recommendation and conclude this case without charges. The question was called and the motion passed. Ms. Arnold, Investigating Member, did not participate in the vote.

5. **Legislation/Rulemaking**

The Board is currently working on statutory changes to strengthen the educational requirements for licensure to an accredited architectural degree, thus phasing out and eliminating the nine-year rule (experience only). The provision will include the Board's plan to phase in the new requirement. People who are in the process the year the law passes (such as students enrolled at the Vermont Technical College) may apply under the former provision and be allowed to continue that route to licensure.

Attorney Kevin Leahy provided an overview of the process for amending statutes and rules. He said that the largest part of it is deciding what are the changes and coming up with the proper language. He said when the Board has a good rough draft, it should be sent out to the regulated community and the interested persons to gather input. The Notice may be on a postcard highlighting the significant changes and referring recipients to the Website for the full language.

The Board noted areas that need to be addressed, which included the educational changes, definition of responsible control, supervision requirements, early sitting of the Architect Registration Examination, and soon.

5. **Legislation/Rulemaking** - continued

The Board may adopt appropriate portions from NCARB's model language regarding responsible charge and supervision. The Board noted that there is a lack of clarity between acceptable supervision requirements. The rules need to address direct supervision, electronic supervision, personal supervision, and soon. The assertion is that the new practice models have the potential to possibly impact health safety and welfare. The Board needs to embrace the changes in practice. The Board agreed that the NCARB model language was a good resource but would not adopt it in its entirety. Since changes to the model do not occur that often, the Board believed that it could amend its statute and rules to remain current with the changes in practice standards.

Attorney Leahy explained the process for amending statutes and rules in more detail. He noted that statutory changes are influenced by the Board and may take less time, however the Board has less control and amendments to provisions may occur at the last minute. The rulemaking process is much more predictable. The Board has total control with the changes in the statute would be approved. He said the Board may work on them concurrently which assumes the proposed legislative changes being considered and aid the Board could notify licensees of the input early on would reduce the fear of the statute change not being accepted.

The Board noted that the wording to describe some of the acceptable education was found in the 2007-2008 Intern Development Program Guidelines regarding IDPEligibility. The language pertained to when training units may be earned, which included three years in a NAAB-accredited professional degree program; the third year of a four-year professional degree program in architecture accepted for direct entry to a two-year NAAB-Accredited professional master's degree program," and soon.

Board members agreed to send an electronic version of the proposed statutory changes drafted thus far to Attorney Leahy and Ms. Preston within the next few days. The draft language will be shared with the American Institute of Architects (AIA) and with Vermont schools. The Board plans to revise the statute and rules concurrently.

6. **Applicants for Licensure**

The Board reviewed and approved the following applicants for licensure on the basis of their NCARB Certification, or having met Vermont's requirements. Applicants who were approved for licensure based on their successful completion of the Architect Registration Examination must submit updated child support/tax and unemployment statements and responses to the legal questions (i.e., convictions, discipline in other states, etc.).

**Robert J. Bucher, Jr.** (Blue Book)  
**Marc Dowling** (Examination)  
**Lawrence C. Lott** (Blue Book)  
**Matthew Lutz** (Blue Book)

**Daniel L. Casinelli** (Blue Book)  
**Scott Jordan-Denny** (Blue Book)  
**Andrew Loverud** (Blue Book)  
**Terence Denny Taylor** (Blue Book)

**Karyn Alman** (Examination)—Mr. Meyer made a motion, seconded by Ms. Stackpole, to approve Ms. Alman for licensure based on her successful completion of the ARE pending receipt of updated child support/tax and unemployment statements and responses to the legal questions (i.e., convictions, discipline in other states, etc.). The question was scaled and the motion passed unanimously.

**John E. Fuller** (Blue Book)—Mr. Guillot made a motion, seconded by Mr. Meyer, to approve Mr. Fuller for licensure subject to receipt of completion of page 4 of his application. Motion passed unanimously.

**7. Applications for review and discussion:**

The Board reviewed and discussed the following applications and took action as indicated. The applicants will be advised of the Board's conclusions regarding their inquiry or of documents needed to complete their applications.

**Jane Alessandra** (Examination)—At the last meeting, the Board reviewed the information provided by NCARB and by Ms. Alessandra regarding the discrepancy in the training units awarded for her Intern Development Program. It was clear that NCARB and Ms. Alessandra agreed about the number of hours of training units she had earned to date, 433 training units. Ms. Alessandra indicated that she is not currently working and was interested in the option mentioned in the new version of the Intern Development Program regarding Emerging Professional's Companion which is used in lieu of actual office experience. It is an online supplement which NCARB allows for some of the required 500 core training units. The Board had no objections as long as NCARB agreed.

**Sabine Dickel**—The Board reviewed Ms. Dickel's April 6, 2009 letter to Prometric and copied to the Board stating irregularities with the computer testing center in Florida where she sat for the "Site Planning and Design" division of the ARE in early April. The Board noted her concerns but took no further actions since Ms. Dickel passed that division of the ARE.

**Thomas W. Gillis**—Reinstatement. The Board noted that since Mr. Gillis's license became inactive in October of 2008, it was not yet considered reinstatement only a later renewal. Although his continuing education was AIA approved, it was not all related to health, safety and welfare, thus not acceptable. Mr. Gillis will be notified of the additional HSW credits needed to renew his license.

**8. Newsletter Topics!**

Topics to address in the Board's next issue of its Newsletter include proposed legislative changes, rule making process, new licensing system (eLicense), and soon.

**9. National Council of Architectural Registration Boards (NCARB) Correspondence**

**10. Miscellaneous Correspondence:**

a. The Board reviewed and discussed the email from Elizabeth Fife inquiring about licensure requirements to pursue a project in Vermont when the architect is not licensed. Members noted that advising the Board in advance is proper procedure. The architect must be qualified and eligible to obtain a license and in this case the architect is NCARB certified. If the architect is awarded the project she/he must submit an application and become licensed before services are rendered. The Board indicated that it is acceptable to bid on a project upon proper notification to the Board and evidence that the architect is eligible for licensure.

**11. Public Comment**

**12. Other Business Introduced:**

a. The Board reviewed the "Information Regarding the Continuing Educational Requirements" that appears on its webpage. The Board verified that the information listed under the FAQ's simplifies the opposite site and should be removed to avoid confusion. That statement pertained only to the first biennium when continuing education requirements were first implemented in 2001.

12. **Other Business Introduced** - continued

The Board does not allow carryover credits of continuing education from renewal period to renewal period. Licensees must earn a total of 24 continuing education credits within the two year period. Licensees do not need to earn 12 credits per year.

- b. The Board had no objection to updating its application for initial licensure similar to that of applications created for other professions in OPR. Ms. Preston will present a draft for review at the next meeting.

14. The next meeting of the Board is scheduled for **August 19, 2009** at 10:00 AM.

15. The meeting was adjourned at 12:00 PM.

Respectfully submitted,

Carla Preston  
Unit Administrator  
Office of Professional Regulation