

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

**UNAPPROVED MINUTES**  
**Meeting of August 20, 2008**

1. The meeting was called to order at 10:11 AM.

Members present: Ed Wolfstein, Chairman, Arnold Ahlstrom, Rebecca Arnold, Frank Guillot, Robert Meyer, and Heidi Pasalacqua. Absent: Janet Stackpole.

OPRP Personnel: Larry S. Novins, Board Counsel; Carl A. Preston, Unit Administrator; and Kristy Kemp, Staff Secretary.

2. The Chair called for approval of the Minutes of the June 18<sup>th</sup> meeting. On page one, the last sentence in the last paragraph under item 5 was amended to read: The Board mentioned an upcoming Accreditation Review Conference to be held in October.

Mr. Guillot made a motion, seconded by Mr. Wolfstein, to approve the Minutes of the June 18, 2008 meeting as corrected. The question was called and the motion passed unanimously.

3. **Reports**

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

- a. **AR03-1007** – The Board reviewed the Report of Concluded Investigation and voted to accept the Investigative Team's recommendation and conclude this case without charges. Ms. Arnold and Mr. Guillot, Investigating Members, did not participate in the vote.

5. **Legislation/Rulemaking**

The Board followed upon its discussion from the June meeting regarding sections of the rules that need to be updated to agree with current or soon to be current National Council of Architecture Registration Boards (NCARB) requirements. Those sections include reporting periods, responsible control (versus direct supervision), electronic seals, electronic signatures, and soon.

The Board also mentioned amending its statutes regarding educational requirements to eliminate the "Nine year Rule" method of application and require an architectural degree. The elimination of that provision could be set out to a future date to allow potential applicants time to adjust. This topic will be addressed at future meetings.

6. **Applications 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.

**Mark C. Behr** (Examination)  
**Robert A. Black** (Blue Book)  
**James G. Garrison** (Blue Book)  
**Lee N. Mehler** (Blue Book)

**James D. Bell** (Blue Book)  
**Mohamad Farzan** (Blue Book)  
**Penapa Hildebrand** (Examination)  
**Stephen H. Silver** (Examination)

6. **Applications for Licensure** - continued

The Board reviewed **Richard T. McSherry's** application for licensure. Mr. McSherry's original file could not be located in the Office. Records showed that he applied, paid applicable fees, and was admitted to the examination in 1996. The Office has records of the most recent division of the Architect Registration Examination (ARE) he had passed. Mr. McSherry provided copies of his application, letters he received from the Board, and evidence that he had passed all divisions of the ARE. Based on the documents available, Mr. Guillot made a motion, seconded by Ms. Arnold, to approve Mr. McSherry for licensure on the basis of his successful completion of the ARE. The question was called and the motion passed, 5 in favor—1 opposed.

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.

**Theodore L. Kaiser** – The Board reviewed Mr. Kaiser's application to sit for the ARE. Records showed that he originally applied in 1981 and passed two portions of the ARE in 1985. Since those portions of the examination are no longer offered and have been superseded, the Board was unable to give him credit for having passed them. The Board concluded that Mr. Kaiser would need to update his application by providing his NCARB Intern Development Program (IDP) Record, three current letters of reference from licensed or registered architects attesting to his readiness for licensure, and current responses to the legal questions asked of all applicants as well as child support, taxes, and unemployment. Mr. Kaiser indicated that he held a current license in Ontario, Canada. He may contact NCARB to see if his Ontario license would make him eligible for an NCARB Certificate under the US-Canada Interrecognition Agreement. He could then apply based on his Ontario license versus on the basis of examination.

**Noel J. Clarke** (Reinstatement) – The Board reviewed the documents Mr. Clarke submitted to reinstate his Vermont license which lapsed on January 31, 2005. Pursuant to 26 V.S.A. § 205a and Rule 3.1, he must submit a new application versus a renewal application. In addition to the Vermont application, he must provide three current references from licensed or registered architects and his NCARB IDP Record. At this point, the Board has not ruled out the need for Mr. Clarke to retake the ARE but is willing to review his updated application and supporting documents before making that determination.

**Frank L. Balla** (Examination) – The Board reviewed Mr. Balla's application to sit for the examination. Records show that he applied and was approved to sit for the ARE in 1996. He indicated that he has not yet taken any division of the ARE and wanted to be sure he was still approved or registered to do so. The Office will contact the examination service to verify Mr. Balla's status.

7. **Newsletter Topics!**

The Board discussed topics to be included in its Newsletter (January 2009). Topics included, the latest resolution regarding IDP, IDP guidelines, version 4.0 of the ARE, proposed statutory or rule changes, and soon. Mr. Meyer agreed to draft an article regarding responsible control.

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

- a. The Board reviewed and noted the News Clip from NCARB regarding the 2008 Annual Meeting and Conference including Resolution 2008-07. The resolution requires Interns to report their training on-line every six months, on forms prescribed by NCARB, and within two months after the end of the period being reported.

9. **Miscellaneous Correspondence:**

- a. The Board reviewed and noted the Email from Clary O. Buckley expressing opposition to NCARB proposition 2008-07. The Board noted that the meeting was held in June and that the Vermont Board supported the proposition.

10. **Public Comment**

11. **Other Business Introduced:**

- A. The Board continued its discussion regarding hosting the regional meeting of the New England Council of Architectural Registration Boards (NECARB) to be held in Burlington from October 31 to November 2<sup>nd</sup>.

12. The next meeting of the Board is scheduled for **October 15, 2008** at 10:00 AM. The last meeting in 2008 is scheduled for December 17, 2008.

11. The meeting was adjourned at 12:13 PM.

Respectfully submitted,

Carla Preston  
Unit Administrator  
Office of Professional Regulation