

OKLAHOMA BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS, LANDSCAPE ARCHITECTS AND
COMMERCIAL REGISTERED INTERIOR DESIGNERS

Oklahoma History Center, Chesapeake Event Room

800 Nazih Zuhdi Drive

Oklahoma City, OK 73105

November 3, 2021

9:30am

Agenda

Agenda item
#3A-1
2/9/22

Call meeting to order - declare quorum present.

"The Board of Architects, Landscape Architects and Registered Interior Designers are meeting pursuant to notice filed with the Secretary of State. The agenda was posted outside the Board Offices and on the Board's website twenty-four hours prior to the meeting setting forth thereon the date, time, place, and business for the meeting. *Pursuant to the applicable statutes, rules and code, the Board is reminded to refrain from utilizing their personal tablet, portable computers, or phone for any purpose other than reviewing offered materials or agenda matters. It is requested that during enforcement hearings you do not look at or utilize the Internet for any information pertaining to the hearing.*"

1. WELCOME/PUBLIC COMMENTS ON CURRENT AGENDA ITEMS ONLY. Time limit to five (5) minutes per individual with sign-in required five (5) minutes prior to meeting beginning.

A. Welcome to new board member, Vicki VanStavern, Registered Commercial Interior Designer.

2. FORMAL HEARINGS, PENDING FINAL ACTIONS AND/OR ENFORCEMENT ISSUES

A. Formal hearing and board action as necessary to consider case #2019-551 in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Dewayne Havens and Aris Design Group.

1. Proposed executive session, if necessary, to deliberate the above proceedings. Authority: 25 O.S., Section 307 (B)(8).
2. Vote on whether to convene into executive session.
3. Vote to return to open session.
4. Vote on matters discussed in executive session.

B. Formal hearing and board action as necessary to consider case #2021-611 in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers vs. Justin Reyes.

1. Proposed executive session, if necessary, to deliberate the above proceedings. Authority: 25 O.S., Section 307 (B)(8).
2. Vote on whether to convene into executive session.
3. Vote to return to open session.
4. Vote on matters discussed in executive session.

3. CONSENT AGENDA

A. Board action as necessary on consent agenda items.

1. Minutes from the September 1, 2021 meeting.
2. Financial documents from August and September 2021.
3. Executive Director's purchase card transactions from September and October 2021 per OMES Central Accounting and Reporting policy and procedure.
 - a. American Airlines baggage charge (CLARB Annual Meeting)—one bag—\$30.
 - b. Kimpton Hotel (CLARB Annual Meeting)—\$570.75.

- c. American Airlines baggage charge (FARB Regulatory Law Seminar)—two bags—\$60.
- d. Loews Hotel (FARB Regulatory Law Seminar)—\$799.26.

4. ADMINISTRATIVE

- A. Discussion and action to clarify the September 1, 2021 Board decision to adjust staff salary, effective immediately. This included the salary adjustment for Executive Director, Leslie Hanska from \$90,000 to \$102,000 and in conjunction with the pay band adjustment for state executive directors per AAA HCM 201-10 (dated July 14, 2021).
- B. Discussion and possible action about the Board's role in the Oklahoma medical marijuana building permitting process.
- C. Discussion and possible action as necessary regarding the reporting of Continuing Education requirements for biennial renewals.
- D. Update from Executive Director.
 - 1. Legislative and ARPL.
 - 2. State Supplier Expo.
 - 3. New budget reporting.
- E. Discussion and possible action regarding proposed Rules changes for FY22.
- F. Report from Licensing Manager
 - 1. Licenses issued.
 - 2. Certificates of Authority issued.
 - 3. Candidates eligible to test.
 - 4. Pinning Ceremony 2022.
- G. Discussion and possible actions on the following committee reports:
 - 1. University/Scholarship Committee: Chair, Taylor
 - a. OCCF 2022-2023 Scholarship Flyer.
 - 2. Investigations Committee: Chair, Gaskins, Secretary-Treasurer
 - a. Complaints Received.
 - b. Investigations closed.
 - c. Actions taken.
 - 3. Arch/Engineers Joint Committee: Chair, Brunsteter
 - 4. Finance Committee: Chair, Gaskins, Secretary-Treasurer
- H. Action to set regular meeting dates at the Oklahoma History Center for calendar year 2022: February 9, 2022; April 6, 2022; June 1, 2022; September 7, 2022; and November 2, 2022.

5. CLARB/NCARB/CIDQ/ORGANIZATIONS, ISSUES AND REPORTS

- A. Report from NCARB activities
- B. Report from CLARB/ASLA activities
 - 1. CLARB Annual Meeting—September 22-24, 2021.
 - 2. ASLA National Convention—November 18-22, 2021.
- C. Report from CIDQ/OIDC/ASID activities
 - 1. ASID Oklahoma State Convention—September 16, 2021.
 - 2. CIDQ Virtual National Convention—November 12-13, 2021.
- D. Report from FARB activities
 - 1. Regulatory Law Seminar—October 1-3, 2021.

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NEW BUSINESS

Adjourn

It is noted the Board will break the meeting for lunch and may or may not resume the meeting when finished.

OKLAHOMA BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS, LANDSCAPE
ARCHITECTS AND REGISTERED COMMERCIAL INTERIOR DESIGNERS

Oklahoma History Center, Chesapeake Event Center

800 Nazih Zuhdi Drive,

Oklahoma City, OK 73105

November 3, 2021

9:30am

Minutes

The Board of Governors of the Licensed Architects and Landscape Architects and Registered Commercial Interior Designers of Oklahoma met on Wednesday, November 3, 2021, with the following members and guests present:

Scott Howard, Landscape Architect, Chair
Nate Baker, Architect, Vice Chair
M. Bradley Gaskins, Architect, Secretary Treasurer
David Hornbeek, Architect
Betsy Guthrie-Brunsteter, Architect
Elizabeth Glasgow, Architect
Candance Dillingham, Landscape Architect
J. Mark Taylor, Registered Commercial Interior Designer
Vicki VanStavern, Registered Commercial Interior Designer
David Blackburn, Public Member
Russell Lissuzzo, Prosecuting Attorney
Leslie Hanska, Executive Director
Ellen White, Licensing Program Officer
Janie Hollars, Business Manager
Lauren Vaughan, Enforcement and Compliance Officer
Jane McConnell, Court Reporter
Dewayne Havens, Guest
Justin Reyes, Guest

Jim Hasenbeck was absent.

1. There were no public comments. The Board welcomed new board member Vicki VanStavern, Registered Commercial Interior Designer.

FORMAL HEARINGS, PENDING FINAL ACTIONS AND/OR ENFORCEMENT ISSUES

2. A. Formal hearing to consider case #2019-551 in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Commercial Interior Designers vs. Dewayne Havens and Aris Design Group. A full record of the case was taken by the court reporter. Ms. Brunsteter motioned to enter executive session. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Meses. Brunsteter, Dillingham, Glasgow and VanStavern.

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Voting nay: None. Motion unanimously approved. Mr. Taylor motioned to come out of executive session. Motion seconded by Mr. Hornbeek. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Meses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Motion unanimously approved. Ms. Glasgow motioned to find the defendant guilty and a fine of two thousand dollars (\$2,000.00) on all four (4) Counts. Count I: Aris Design Group's creation of plans for the Carpe Diem wedding venue despite not possessing a Certificate of Authority to practice Architecture in the State of Oklahoma; Count II: Aris Design Group holding itself out as having the capability to practice architecture in the state of Oklahoma through its use of "Architectural Renderings" on its website despite not possessing a Certificate of Authority to practice Architecture in the State of Oklahoma; Count III: Mr. Havens unlawfully practicing architecture by creating architectural plans for Carpe Diem wedding venue without a license to practice Architecture in the State of Oklahoma; and Count IV: Mr. Havens holding himself out as having the ability to practice architecture in the State of Oklahoma through the use of "Principal Architectural Designer" on a Facebook post from February 15, 2019 despite the fact he did not possess and currently does not possess a license to practice Architecture in the State of Oklahoma. Motioned seconded by Ms. Brunsteter. Voting aye: Messrs. Blackburn, Hornbeek, Howard, Taylor, and Meses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Voting abstain Messrs. Baker and Gaskins. Motion approved.

2. B. Formal hearing case #2021-611 in the matter of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Commercial Interior Designers vs. Justin Reyes. A full record of the case was taken by the court reporter. Mr. Taylor motioned to enter executive session. Motioned seconded by Ms. Brunsteter. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Meses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Motion unanimously approved. Ms. Brunsteter motioned to come out of executive session. Motion seconded by Mr. Taylor. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Meses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Motion unanimously approved. Ms. Glasgow motioned to find the defendant guilty and a fine of thirty thousand dollars (\$30,000.00) on all three (3) Counts. Count I: Mr. Reyes affixed a fraudulent Oklahoma Licensed Architect seal to plans for the HydroFire project located at 4190 N. Meridian Ave, Oklahoma City, OK 73107 (the "Project") as well as identifying himself as the architect of record in connection with the Project despite the fact Mr. Reyes did not have a license to practice architecture in the State of Oklahoma; Count II: Mr. Reyes committed dishonest practice by affixing a fraudulent Oklahoma Licensed Architect seal to the plans for the Project without having a license to practice Architecture in the State of Oklahoma; and Count III: Mr. Reyes committed fraud or misrepresentation by knowingly making false and/or misleading statements to the general public, the City of Oklahoma City, and clients that Mr. Reyes is a licensed Architect by affixing a fraudulent Oklahoma Licensed Architect seal to the plans for the Project without having a valid license to practice Architecture in the State of Oklahoma. Motioned seconded by Mr. Baker. Voting aye: Messrs. Baker, Blackburn, Howard, Taylor, and Meses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Voting abstain Messrs. Hornbeek and Gaskins. Motion approved.

CONSENT AGENDA

3. A. Mr. Taylor motioned to approve all consent agenda items. Motion seconded by Mr. Baker. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Meses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Motion unanimously approved. See attachment A.

ADMINISTRATIVE

4. A. Board discussed action to clarify the September 1, 2021 decision to adjust staff salaries effective immediately; including the salary adjustment for the Executive Director, Leslie Hanska from \$90,000 to \$102,000 and in conjunction with the pay band adjustment for state executive directors per AAA HCM 201-10 (dated July 14, 2021). Mr. Hornbeek motioned to approve staff salaries including the Executive Director. Motion seconded by Mr. Gaskins. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Mses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Motion unanimously approved.

4. B. Board discussed its role in the Oklahoma medical marijuana building permitting process. The Chair tasked the Act and Rules committee to monitor the on-going impact of this industry as it may or may not relate to the board's statutes.

4. C. Board discussed changes regarding the reporting of continuing education requirements for biennial renewals. Ms. Brunsteter motioned to leave it up to the board staff to make the necessary changes and to simplify the process. Motion seconded by Ms. Glasgow. Voting aye: Messrs. Baker, Blackburn, Howard, and Mses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Voting abstain Mr. Taylor. Motion approved.

4. D. The Executive Director updated the board on the following: upcoming FY22 legislative session, Alliance for Responsible Licensing (ARPL), and The State Supplier Expo.

4. E. Mr. Baker discussed the proposed FY22 Rules changes. Mr. Taylor motioned to give the Act and Rules Committee the authority to continue the Rules changes and to file for the December 15, 2021, deadline. Motion seconded by Ms. VanStavern. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Mses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Motion unanimously approved.

4. F. Licensing Program Officer's report was presented. The Newly Licensed/Registered Pinning Ceremony will take place at the History Center on Saturday, January 15, 2022, at 2:00 p.m. The ceremony will be recipients from the past two-years. See attachment B.

4. G-1. University/Scholarship Committee: Mr. Taylor reported that scholarship presentations will be presented virtually and will begin with Oklahoma State University's interior design class scheduled for November 4th; University of Central Oklahoma interior design class scheduled for November 8th; University of Oklahoma (all classes) is scheduled for November 15th, Oklahoma State University landscape architecture class is scheduled for January 19th and Oklahoma State University architecture class and Oklahoma Christian University interior design class have not been confirmed.

4. G-2. (a-c). Investigations Committee: Mr. Gaskins reported the following: two (2) complaints have been received; four (4) investigations have been closed; seven (7) investigations have been acted upon and eight (8) investigations are currently pending.

4. G-3. Arch/Engineers Joint Committee: Ms. Brunsteter reported that the committee is in the process of setting up a date to meet with the Engineer Board and their first goal is to create a matrix that defines what type of buildings require an architect and/or an engineer to be used as a tool for plan reviewers and local AHJ.

4. G-4. Finance Committee: The Executive Director reported that the agency is now using QuickBooks as the agency internal record keeping and reporting to be used in conjunction with the official OMES financial reports/reporting system.

4. H. Mr. Taylor motioned to approve the regular board meeting dates for calendar year 2022: February 9, April 6, June 1, September 7, and November 2. All to be held at the Oklahoma History Center. Motion seconded by Ms. Brunsteter. Voting aye: Messrs. Baker, Blackburn, Gaskins, Hornbeek, Howard, Taylor, and Mses. Brunsteter, Dillingham, Glasgow and VanStavern. Voting nay: None. Motion unanimously approved.

NCARB/CLARB/CIDQ/ORGANIZATIONS, ISSUES AND REPORT

5. A 1-2. NCARB/AIA – No report

5. B. CLARB/ASLA – Ms. Dillingham reported that she attended her first CLARB Annual Meeting and Chairman Scott Howard will be inducted as a fellow at ASLA's National Convention which is scheduled to take place in Nashville, TN - November 18-22, 2021.

5. C. CIDQ/OIDC/ASID – Mr. Taylor reported that CIDQ's Annual Meeting will take place virtually November 11-12, 2021. ASID has a new board for the year, and they are working toward getting as many universities as they can to be involved.

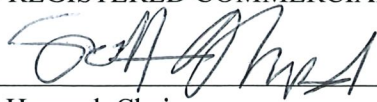
5. FARB – Ms. Hanska and Ms. White both attended FARB's Law Seminar in-person and Ms. Vaughan attended virtually.

NEW BUSINESS

None

Adjourned at 1:11 p.m.

THE BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS, LANDSCAPE ARCHITECTS
AND REGISTERED COMMERCIAL INTERIOR DESIGNERS OF OKLAHOMA



Scott Howard, Chair



M. Bradley Gaskins, Secretary-Treasurer