

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

220 N.E. 28th Street, Board Room

Oklahoma City, OK 73105

June 7, 2023

9:30am

Agenda

Call meeting to order - declare quorum present.

"The Board of Architects, Landscape Architects and Registered Commercial 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.
2. CONSENT AGENDA—Board discussion and action, as necessary, regarding:
 - A. Minutes from the April 5, 2023 meeting.
 - B. Financial documents from March and April 2023.
 - C. 2023 Policy against Sexual Harassment
3. FORMAL HEARINGS, PENDING FINAL ACTIONS AND/OR ENFORCEMENT ISSUES
 - A. Formal request by Dondraya Williams, regarding case #2022-630 and the formal hearing held by the Board on January 24, 2023, to reopen, rehear, or reconsider the case due to new evidence.
 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. Updates on case #2022-625, the Board vs. Philip B. Townsend.
4. ADMINISTRATIVE—Board discussion and action, as necessary, regarding:
 - A. Final 2023 Legislative Session update.
 - B. Legislative Office of Fiscal Transparency (LOFT) Central Purchasing Exemptions report
 - C. May 10, 2023, Letter of Counsel received in response to request for an Attorney General Opinion regarding "Responsible Control".
 - D. Report from Licensing Manager:
 1. Licenses issued.
 2. Certificates of Authority issued.
 3. Emeritus status changes.
 - E. Committee Reports:
 1. University/Scholarship Committee: Chair, Glasgow

2. Investigations Committee: Chair, Gaskins, Secretary-Treasurer
 - a. Complaints Received.
 - b. Investigations closed.
 - c. Actions taken.
 - d. Establishing policy regarding other professionals' seals on plans for building code use groups that are exempt from requiring an Architect.
 3. Arch/Engineers Joint Committee: Chair, Brunsteter
 4. Finance Committee: Chair, Gaskins, Secretary-Treasurer
 - a. FY24 Budget Work Program (operational budget)
 - b. Staff Education Assistance Policy
 - i. Lauren Vaughan application for Master of Legal Studies
 5. Act & Rules/Legislative: Chair, Taylor
 6. Youth Outreach: Chair, Baker
 7. Nominations Committee: Chair, Howard
 - a. Election of Board Officers for FY24 (July 1, 2023-June 30, 2024)
- F. Review Contracts for Legal Services
- G. Annual review and possible merit raise increase for Executive Director.
1. Proposed executive session if necessary to deliberate the above proceedings. Authority: 25 O.S., Section 307 (B)(1).
 2. Vote on whether to convene into executive session.
 3. Vote to return to open session.
 4. Vote on matters discussed in executive session
5. ORGANIZATIONS REPORTS—Board discussion and action, as necessary, regarding:
- A. NCARB/AIA
 1. NCARB Annual Business Meeting, Tampa, FL, June 15-17, 2023
 - a. NCARB 2023 Resolutions to be Acted Upon at the Annual Meeting
 - B. CLARB/ASLA
 - C. CIDQ/OIDC/ASID/IIDA
 - D. ICOR—Interorganizational Council on Regulation

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

Engineering and Design Professionals Center

220 N. E. 28th Street, Board Room

Oklahoma City, OK 73105

June 7, 2023

9:30 a.m.

Minutes

The Board of Governors of the Licensed Architects and Landscape Architects and Registered Commercial Interior Designers of Oklahoma met on Wednesday, June 7, 2023, with the following members and guests present:

Nate Baker, Architect, Chair
M. Bradley Gaskins, Architect, Secretary Treasurer
Jim Hasenbeck, Architect
Scott Howard, Landscape Architect, Chair
Candace Dillingham, Landscape Architect
J. Mark Taylor, Registered Commercial Interior Designer
David Blackburn, Public Member
Russell Lissuzzo, Prosecuting Attorney
Brad Klepper, Board Counsel
Leslie Hanska, Executive Director
Ellen White, Licensing Program Officer
Lauren Vaughan, Enforcement and Compliance Officer
Niki Batt, Deputy Attorney General
Kasey Egelston, Guest
Dondraya Williams, Guest

Beth Glasgow, Architect; Betsy Brunsteter, Architect; Wade Scaramucci, Architect; and Vicki VanStavern, Registered Commercial Interior Designer were absent.

WELCOME/PUBLIC COMMENTS

1. There were no public comments.

CONSENT AGENDA

2. A - C. Mr. Hasenbeck motioned to approve all consent agenda items. Motion seconded by Mr. Gaskins. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. See attachment A.

FORMAL HEARINGS, PENDING FINAL ACTIONS AND/OR ENFORCEMENT ISSUES

3. A. Formal request by Dondraya Williams, regarding case #2022-630 and the formal hearing held by the Board on January 24, 2023, to reopen, rehear, or reconsider the case due to new evidence. Mr. Hasenbeck motioned to enter executive session. Motion seconded by Mr. Howard. Voting aye: Messrs. Baker,

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Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting aye: Voting nay: None. Motion unanimously approved. Mr. Hasenbeck motioned to come out of executive session. Motion seconded by Mr. Howard. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. Mr. Hasenbeck motioned to grant Petitioner's request to reopen case number 2022-630, based upon the need to hear additional evidence to properly dispose of the matter and the public interest. Motion seconded by Mr. Taylor. Voting aye: Messrs. Baker, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Voting Abstain: Mr. Gaskins. Motion approved. Mr. Hasenbeck further motioned to refer this matter to the Investigation Committee pursuant to 55:10-15-11. Motion seconded by Mr. Taylor. Voting aye: Messrs. Baker, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Voting Abstain: Mr. Gaskins. Motion approved.

3. B. Case #2022-625, the Board vs Philip B. Townsend, we are currently waiting on a response from the Attorney General's Office.

ADMINISTRATIVE

4. A. Executive Director presented a legislative update.

4. B. Executive Director presented the Fiscal Transparency (Loft) Central Purchasing Exemptions report. Mr. Gaskins requested that the Executive Director follow up with Loft. Deputy Blatt agreed that a written response would be appropriate, to make them aware that the information regarding the agency not utilizing Peoplesoft was incorrect.

4. C. Board discussed the May 10, 2023, Letter of Counsel received in response to request for an Attorney General Opinion regarding "Responsible Control". The response was not a formal opinion, but advisory only. "...determining whether a licensed architect has acted consistent with the professional standard of care for licensed architects is a question of fact. Questions of fact fall outside the purview and scope of an official Attorney General Opinion. 74 O.S.2021, 18b(A)(5). Such a decision most appropriately left to the Board's sound discretion through its rulemaking authority and quasi-judicial power vested in it by the Oklahoma Legislature". See attachment B

4. D. (1-3). Ms. White presented the report of all licenses/registrations and certificates of authority that have been issued between April 5, 2023, to present. Ms. White also presented a list of all licensees approved for emeritus status. See attachment C.

4. E-1. University/Scholarship Committee: Mr. Taylor reported, OSU Architecture Professor Suzanne Bilbeise is retiring, and John Phillips will be interim. Scholarship announcements to all the universities will begin in the fall.

4. E-2. (a-c). Investigations Committee: Mr. Gaskins reported the following: three (3) complaints have been received; one (1) investigation has been closed; three (3) investigations have been acted upon and ten (10) investigations are currently pending.

4. E-2d. Board discussed establishing a policy regarding other professionals' seals on plans for building code use groups that are exempt from requiring an Architect. Request for the Arch/Engineers Joint Committee to establish a policy.

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4. E-3. Arch/Engineers Joint Committee: Mr. Hasenbeck reported the committee is working together to address overlapping practice.
4. E-4a. Finance Committee: Executive Director presented the proposed FY24 Budget Work Program on behalf of the Finance Committee. Mr. Gaskins motioned to approve the FY24 Budget Work Program. Motion seconded by Mr. Hasenbeck. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. See attachment D.
4. E-4b. Board discussed the Staff Education Assistance Policy. Mr. Gaskins motioned to approve the Staff Education Assistance Policy. Motion seconded by Mr. Howard. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. See attachment E.
4. E-4b (i). Board discussed Ms. Lauren Vaughan's application for a Master's in Legal Studies. Mr. Hasenbeck motioned to approve Lauren Vaughan's application for tuition assistance. Motion seconded by Mr. Gaskins. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. See attachment F.
4. E-5. Act & Rules/Legislative Committee: No report
4. E-6. Youth Outreach Committee: Mr. Baker reported, Wade Scaramucci has joined the committee.
4. E-7a. Nominations Committee: Mr. Howard presented the following FY24 Board Officer nominations to the board; Mr. Baker as Chair; Ms. Dillingham as Vice Chair; and Ms. Vicki VanStavern as Secretary Treasurer. Mr. Gaskins will remain on the investigations committee. Motion seconded by Mr. Hasenbeck. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved.
4. F. Executive Director presented the contract with the Attorney General's Office. Mr. Klepper agreed he will resign from the Board as Board Counsel. Mr. Hasenbeck motioned to accept Mr. Klepper's resignation effective thirty (30) days from the date of this meeting. Motion seconded by Ms. Dillingham. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. Mr. Baker motioned to contract with the Attorney General's Office for legal services. Motion seconded by Mr. Gaskins. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved.
4. G. Mr. Howard motioned to enter executive session to discuss the Executive Director's Annual Review and possible merit raise. Motion seconded by Mr. Hasenbeck. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. Mr. Taylor motioned to come out of executive session. Motion seconded by Mr. Hasenbeck. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. Mr. Gaskins motioned to approve the Executive Director's merit raise to \$114,237.00 annually. Motion seconded by Mr. Hasenbeck. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. Mr. Baker noted that a copy of the review will be available for the Executive Director's personnel file.

NCARB/CLARB/CIDQ/ORGANIZATIONS, ISSUES AND REPORT

5. A-1a. NCARB/AIA – Board discussed NCARB FY23 resolutions to be acted upon at the June Annual Meeting. Mr. Hasenbeck motioned to support FY23 resolutions 1-4 and to vote not in favor of resolution 5 unless new information is brought forward at the time of the annual meeting. Motion seconded by Ms. Dillingham. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved. Mr. Hasenbeck motioned to vote for the following individuals as Officers on NCARB’s Board of Director’s: Richard McNeil as Treasurer and Lenora Isom as Secretary. Motion seconded by Mr. Howard. Voting aye: Messrs. Baker, Gaskins, Hasenbeck, Howard, Taylor, Blackburn, and Ms. Dillingham. Voting nay: None. Motion unanimously approved.

5. B. CLARB/ASLA – Ms. Dillingham announced CLARB’s Annual Meeting will take place September 19-22, 2023, in Henderson, NV. Executive Director announced she will Chair CLARB’s FY24 MBE Committee.

5. C. CIDQ/OIDC/ASID – No report.

5. D. ICOR – No report.

NEW BUSINESS

None

Adjourned at 1:37 p.m.

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



Nate Baker, Chair



M. Bradley Gaskins, Secretary-Treasurer