

MISSISSIPPI STATE BOARD OF ARCHITECTURE
Minutes of a Regular Meeting and Rules Retreat
October 20, 2020, 10:10 AM
345 St. Andrews Drive, Jackson, Mississippi

Members Present: Larry Bishop, Greg Durrell, Leigh Jaunsen, Richard McNeel, Heath Perry

Others Present: John Cothron, Andrew Kilpatrick (by phone for portions of the meeting), Jimmy Sullivan, Ellie Word

With a quorum present, Mr. Bishop called the meeting to order.

Agenda Item	Explanation	Actions Taken/Planned
1. Minutes		<p>Motion was made by Mr. Durrell and seconded by Mr. Perry to approve minutes of the July 21, 2020, Board of Architecture (BOA) meeting. The motion passed unanimously.</p> <p>Motion was made by Mr. Perry and seconded by Mr. McNeel to table approval of the Landscape Architecture Advisory Committee (LAAC) minutes from August 12, 2020, to the next BOA meeting pending legal review of the agenda item #11 discussion regarding the request for an opinion from the Attorney General regarding joint ventures. The motion passed unanimously.</p>
2. Approval of Certificates		<p>Motion was made by Mr. Perry and seconded by Mr. Durrell to approve architect certificates issued since the July 2020 meeting (attached) and landscape architect certificates approved at the August 2020 LAAC meeting. The motion passed unanimously.</p>
3. Complaint #2019-10	Mr. Perry reported on the results of his review of the complaint.	Mr. Cothron will contact the complainant for more information to substantiate the allegation.
4. Complaint #2019-11	Mr. Cothron reported that the respondent has signed the settlement agreement discussed at the July 2020 BOA meeting.	Motion was made by Mr. McNeel and seconded by Mr. Perry to accept the settlement agreement. The motion passed unanimously.
5. Complaint #2020-4	Mr. Bishop reported on the results of his review of the complaint.	Motion was made by Mr. McNeel and seconded by Mr. Durrell to refer the complaint to the Board of Licensure for Professional Engineers and Surveyors for failure to seal specifications and possible practice outside areas of competence. The motion passed unanimously.
6. Complaint #2020-5	Mr. McNeel reported on the results of his review of the complaint, in which numerous deficiencies were identified in the plans.	Motion was made by Mr. McNeel and seconded by Mr. Perry to designate Mr. McNeel and Mr. Durrell to meet with officials from the City of Jackson to report the Board's findings regarding the project and to inform the appropriate state agency or agencies following this meeting. The motion passed unanimously.

The Board took a break at 11:38 AM and readjoined at 12:35 PM.

7. Complaint #2020-6	Ms. Jaunsen reported on the results of her review of the complaint.	Motion was made by Mr. Perry and seconded by Mr. McNeel to issue a hearing notice to the respondent for violations of <i>Miss. Code Ann.</i> § 73-1-29(1)(c) and Rules 4.1.1 and 4.1.3 (negligence and practice outside areas of competence), with authorization to propose a consent agreement providing for a reprimand, \$5,000 fine, and one (1) year probation. Also refer to the Board of Licensure for Professional Engineers and Surveyors. The motion passed unanimously.
8. Complaint #2020-13	Mr. Sullivan reported on his investigation of the complaint. He noted that he will continue to monitor the project's status.	
9. Complaint #2020-19	Mr. Cothron reported on the results of the investigation.	<p>Motion was made by Mr. Durrell and seconded by Mr. McNeel to issue a letter of education to the respondent. Following discussion, the motion was withdrawn.</p> <p>Motion was made by Mr. Durrell and seconded by Mr. McNeel to (1) issue a letter of education to the respondent requesting that they change their firm's legal name to remove "Landscape Architects" and cease the practice of landscape architecture in Mississippi unless they employ a Mississippi-licensed landscape architect; and (2) issue a letter of warning regarding providing architectural services through a business corporation and advising them of the firm ownership requirements in the law. The respondent will also be asked to provide evidence of compliance. The motion passed unanimously.</p>
10. Complaint #2020-20	Mr. Cothron reported on the results of the investigation.	Motion was made by Mr. Perry and seconded by Mr. Durrell to (1) issue a letter of education to the Kentucky-licensed architect regarding licensure requirements for federal projects in Mississippi, and (2) issue a letter of warning to the Mississippi architect regarding providing architectural services through a business corporation and advising him of the responsible control requirements. The motion passed unanimously.
11. Late CEU Complaint Complaint #2020-14	Mr. Cothron noted that the respondent reported late continuing education units and had signed a consent agreement providing for a private letter of admonition and the payment of a fine.	Motion was made by Mr. McNeel and seconded by Ms. Jaunsen to accept the agreement. The motion passed unanimously.
12. Shlomo Wygoda Reciprocity Application	Members discussed Mr. Wygoda's misdemeanor conviction.	Motion was made by Mr. Durrell and seconded by Ms. Jaunsen to approve Mr. Wygoda's application. The motion passed unanimously.

13. Bruce Morris Reciprocity Application	Members discussed Mr. Morris' offer to practice prior to licensure.	Motion was made by Ms. Jaunsen and seconded by Mr. Perry to approve Mr. Morris' application and to issue a letter of education regarding practice prior to licensure. The motion passed unanimously.
14. Joshua Vernon Reciprocity Application	Members discussed Mr. Vernon's offer to practice prior to licensure.	Motion was made by Mr. Perry and seconded by Ms. Jaunsen to approve Mr. Vernon's application. The motion passed unanimously.
15. Christine Walck Reciprocity Application	Members discussed Ms. Walck's offer to practice prior to licensure.	Motion was made by Mr. Perry and seconded by Mr. Durrell to approve Ms. Walck's application and to issue a letter of education regarding soliciting work prior to licensure. The motion passed unanimously.
16. Brian Buckner Reciprocity Application	Members discussed concerns regarding misleading information on social media and a partnership between Mr. Buckner and an architect in Georgia.	Motion was made by Mr. McNeel and seconded by Mr. Perry to approve Mr. Buckner's application. The motion passed unanimously.
17. Bernard Peters Reciprocity Application	Members discussed Mr. Peters' offer to practice prior to licensure and firm ownership concerns.	Motion was made by Mr. McNeel and seconded by Mr. Durrell to approve Mr. Peters' application contingent upon receipt of an affidavit from the firm's attorney confirming the ownership of Epic Design, PC. The motion passed 4-0 (Mr. Perry was absent for the vote).
18. Troy Verrett Reinstatement Application	Members discussed possible practice on an inactive license.	Motion was made by Mr. Perry and seconded by Ms. Jaunsen to approve Mr. Verrett's application. The motion passed unanimously.
19. Question re: RFQ Response	Members discussed a question submitted by Marion "Marty" Hardy: Is there anything in our laws or rules that would prevent an architectural firm from submitting a response to an RFQ as the prime and also being listed as a team member on another firm's response to the RFQ? This is a public project, and the RFQ does not request price information.	The Board responded that there is nothing in the Board's laws or rules to prevent an architectural firm from submitting a response to an RFQ as the prime and also being listed as a team member on another firm's response to the RFQ.
The Board took a break at 2:07 PM and readjoined at 2:22 PM.		
20. Executive Director's Report	Mr. Cothron reported on administrative matters and reviewed the financial report for the first quarter of FY 2021 and customer service survey results. He noted that Administrative Assistant Faye Dodds is planning to retire on April 30, 2021, and members requested that he keep them informed of the hiring process for a new Administrative Assistant.	

21. NCARB Updates	Members and staff serving in leadership roles or on committees provided brief updates on NCARB activities. Communications regarding online proctoring of the ARE were also discussed.	
22. Joint Committee on Building Design and Construction Update	Mr. Cothron reported that the final draft of the handbook for building officials is nearing completion. He will follow up with the Executive Director of the Board of Licensure for Professional Engineers and Surveyors to discuss potential dates for the next Joint Committee meeting.	
23. BOAM Winter Conference Update	Mr. Cothron noted that the conference is still scheduled for December 2-4 in Natchez.	
24. Meeting Schedule		<p>Motion was made by Ms. Jaunsen and seconded by Mr. Durrell to approve the following 2021 meeting dates:</p> <ul style="list-style-type: none"> • January 26-27 • March 24 (possibly at MSU) • July 20-21 • October 19-20 (location TBD) <p>The motion passed unanimously.</p>
Law and Rules Review		
25. Proposed Law Changes	Mr. Cothron reviewed proposed legislation relative to higher education funding, firm requirements, Fresh Start Act changes, competitive bidding, and continuing education penalties. Members decided to take no action on this item.	
26. Military Licensing Rules: Rule 2.9 (Architects) Rule 1.13 (Landscape Architects) Rule 2.4 (Interior Designers)	Mr. Cothron presented proposed rule changes to comply with SB 2117 (2020 session).	Motion was made by Mr. Perry and seconded by Mr. McNeel to approve the proposed rule changes. The motion passed unanimously.
27. Joint Ventures between Architects and Landscape Architects	Mr. Cothron summarized Mr. Kilpatrick's conclusion that joint ventures would be considered a partnership under <i>Miss. Code Ann.</i> § 73-1-19. Members expressed satisfaction with the current law, and no action was taken on this item.	
28. "Tackle the Tape" Initiative	Members discussed the Secretary of State's new initiative to reduce regulations.	
29. Open Discussion	Mr. Cothron presented a question from Brian Measells, a Rankin County building official, who asked if a 10,080 sq. ft. pole barn being used for commercial storage would require sealed plans.	The Board concluded that this project would not fall under any of the exemptions in the Architect Registration Act, thus sealed plans would be required.

There being no further business, the meeting adjourned with unanimous consent at 4:14 PM.

1/26/21

Date Approved

Larry Bishop

Larry Bishop, President

Richard McNeel

Richard McNeel, Secretary/Treasurer

John Cothron

Prepared by John Cothron, Executive Director, on 10/26/2020

Architect Certificates Issued for Approval

Lic Number	Name	License Date	Method
5615	Rudolph Johannes Baakman	8/5/2020	RECIPROCITY
5612	Kelly Beaudreau-Hwang	7/24/2020	RECIPROCITY
3989	Tracy Chen	8/5/2020	REINSTATEMENT
3016	William Percy Curtis	7/20/2020	REINSTATEMENT
5623	Nicholas Dryden	9/23/2020	RECIPROCITY
5624	Chad Fowler	10/1/2020	RECIPROCITY
5613	Christine Huckins Franck	7/24/2020	RECIPROCITY
5614	Steven H. Goss	7/24/2020	RECIPROCITY
5611	David M. Harper	7/24/2020	RECIPROCITY
5620	William Dean Hickey	9/10/2020	RECIPROCITY
5622	Joshua Luke Hoffpauir	9/16/2020	RECIPROCITY
5617	David Masters	9/2/2020	RECIPROCITY
3863	Lewis Carlyle McKinney, Jr.	8/20/2020	REINSTATEMENT
5618	John Patrick Melancon	9/2/2020	RECIPROCITY
5610	Michael Dwayne Sparkman	7/20/2020	RECIPROCITY
5619	John Kyle Stribling	9/2/2020	EXAM
5621	Robert Zappulla	9/10/2020	RECIPROCITY