

MISSISSIPPI STATE BOARD OF ARCHITECTURE

Minutes of a Regular Meeting

January 24, 2023, 10:00 AM

Ridgeland, Mississippi

Members Present: Charles Barlow, Jr., Larry Bishop, Leigh Jaunsen, Bradford Jones, Richard McNeel

Others Present: John Cothron, Andrew Kilpatrick, Jimmy Sullivan, Ellie Word

With a quorum present, Ms. Jaunsen called the meeting to order.

Agenda Item	Explanation	Actions Taken/Planned
1. Minutes		Motion was made by Mr. Bishop and seconded by Mr. Jones to approve the Interior Design Advisory Committee minutes from January 23, 2023. The motion passed unanimously. Motion was made by Mr. McNeel and seconded by Mr. Bishop to approve the Board of Architecture minutes from October 18-19, 2022. The motion passed unanimously.
2. Approval of Certificates		Motion was made by Mr. McNeel and seconded by Mr. Jones to approve certificates issued since the October 2022 meeting (attached). The motion passed unanimously.
3. Complaint #2020-5	Mr. Cothron provided an update on the complaint, which was closed by the Board of Licensure for Professional Engineers and Surveyors (PEPLS) in December 2022. Mr. Cothron has requested the documents obtained by the PEPLS Board in the course of their investigation.	
4. Complaint #2022-14	Mr. Cothron provided an update on the complaint, which is currently under review.	
5. Complaint #2022-15	Messrs. Cothron, Bishop, and Sullivan reported on the results of the investigation and review.	Mr. Jones recused himself from discussion of this item. Motion was made by Mr. Barlow and seconded by Mr. McNeel to authorize a formal hearing with authority to propose a consent agreement providing for a public reprimand and a \$2,500 fine. The motion passed 4-0.
6. Complaint #2022-16 Complaint #2022-17	Mr. Cothron and Mr. Jones reported on the results of the investigation and review.	Ms. Jaunsen recused herself from discussion of this item. Motion was made by Mr. Barlow and seconded by Mr. McNeel to issue a letter of caution to the respondents regarding the need to comply with all federal, state and local building laws and regulations governing a specific project. The motion passed 4-0.

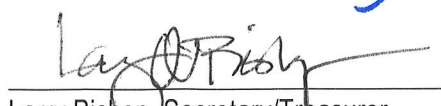
7. Jerry Coleman (Architect #5788) NCARB Certificate Discussion	Members discussed the revocation of Mr. Coleman's NCARB Certificate for lack of compliance with NCARB's Rolling Clock exam policy. Mr. Cothron noted that Mr. Coleman passed all required divisions of the exam, but not within the required timeframe.	Motion was made by Mr. Barlow and seconded by Mr. Bishop to take no action on this item. A vote on the motion was deferred to allow time to contact NCARB for more information.
8. Question re: Rule 4.5.11 ("Contingency Basis" Rule)	Members discussed a question regarding a potential conflict between an "Availability of Funds" provision in state contracts and Rule 4.5.11.	Motion was made by Mr. Barlow and seconded by Mr. Jones for Ms. Word to respond that the Board's position is that there is no conflict between the "Availability of Funds" provision of state contracts and Rule 4.5.11, and that the Board will take no action against an architect merely for signing a contract with a state agency that contains an "Availability of Funds" provision. The motion passed unanimously.
The Board recessed for lunch from 11:54-12:05 AM. Following the recess, members agreed to move to item 11 of the agenda.		
11. NCARB Updates	Members and staff serving in leadership roles or on committees provided brief updates on NCARB activities.	
9. Legislative Report	Mr. Cothron and Mr. Kilpatrick reviewed pending legislation impacting the Board, including House Bill (HB) 519, which revises Section 73-1-19 to authorize multi-disciplinary firms with landscape architects and amends Section 73-2-5 to declare that regulation of the practice of landscape architecture is necessary in order to safeguard life, health and property.	Motion was made by Mr. Bishop and seconded by Mr. Barlow to approve a change to Section 1, paragraph 3, of HB 519 to delete the requirement for the name of a business entity to contain the name of at least one (1) person who is a registered architect in this state and to instead add language requiring disclosure of the name of at least one (1) person who is licensed as an architect in this state. The motion passed unanimously.
10. Executive Director's Report <ul style="list-style-type: none"> • Second Quarter FY 2023 Financial Report 	Mr. Cothron reported on administrative matters and reviewed the financial report for the second quarter of FY 2023.	
12. Community College Course Acceptance	Members discussed acceptance of architectural courses completed at community colleges, a topic currently being discussed by NCARB.	
13. Resolution re: Responsible Control	Members reviewed a memo from NCARB's legal counsel regarding the Mississippi resolution on responsible control.	Mr. Cothron was directed to contact Board members for input on the resolution.
14. Enforcement of State Fire Prevention Code	Mr. Cothron reported that he has been contacted by the Lieutenant Governor's office regarding the Board's letter expressing concerns with codes enforcement in the state, and they wish to set up a meeting after the legislative session to discuss the Board's concerns and recommendations.	Mr. Cothron will follow up with the Lieutenant Governor's office after the legislative session.

15. AG Opinion re: Adoption of Building Codes by the Town of Bay Springs	Ms. Word reported that the AG opinion has been removed from Westlaw and a new opinion will be issued rescinding the previous opinion. Mr. Kilpatrick added that the Town of Bay Springs has elected to continue use of the International Building Code.	
16. Proposed Rule Changes	Members reviewed proposed changes to Rules 4.3.5 and 3.2.16. The changes will be held for further review when other rule changes are necessary.	
17. Survey re: Consultants and Solicitation Prior to Licensure	Members agreed to continue discussion of the survey results at the next meeting.	
18. Board Notifications	Members agreed to hold this item for discussion at the next meeting.	
19. AIA-MS Architect Licensing Advisor	Mr. Cothron stated that AIA-MS has requested the Board's assistance in identifying potential candidates for the Architect Licensing Advisor position.	Members were asked to provide the names of any potential candidates to Mr. Cothron.
20. "Tackle the Tape/29 by 29" Discussion	Mr. Cothron reported that the Secretary of State's office is still working with its partners to compile its review of the Board of Architecture rules.	
21. Meeting Schedule	April 12, 2023, was affirmed as the date of the next meeting, which will be held at Mississippi State University.	
22. Officer Elections		Motion was made by Mr. McNeel and seconded by Mr. Barlow to elect Mr. Jones as Board President and Mr. Bishop as Secretary/Treasurer. The motion passed unanimously.
7. Jerry Coleman (Architect #5788) NCARB Certificate Discussion, cont.		Following discussion, a vote was taken on the motion to take no action on this item. The motion passed unanimously.

There being no further business, the meeting adjourned with unanimous consent at 3:15 PM.

4/12/2023
Date Approved


Bradford Jones, President


Larry Bishop, Secretary/Treasurer


Prepared by John Cothron, Executive Director, on 1/31/2023

Architect Certificates Issued for Approval			
Lic Number	Name	License Date	Method
4981	Jim Barrett	10/12/2022	REINSTATEMENT
5833	Tiffany Ann Beffel	10/24/2022	RECIPROCITY
4046	Harry Miller Caldwell, Jr.	11/29/2022	REINSTATEMENT
5848	Eric Claus	12/7/2022	RECIPROCITY
5850	James L. Cohen	12/7/2022	RECIPROCITY
5839	Geoffrey L. Crowley	11/3/2022	RECIPROCITY
5860	Mayva Donnon	1/11/2023	RECIPROCITY
5838	Aaron E. Duncan	11/3/2022	RECIPROCITY
5855	Anderson Ervin III	1/11/2023	EXAM
5849	Brian R. Fleener	12/7/2022	RECIPROCITY
5856	Roger W. Freibert, Jr.	1/11/2023	RECIPROCITY
5851	James L. Gooden	12/11/2022	RECIPROCITY
4066	Michael Graham	11/15/2022	REINSTATEMENT
5843	J. Clifford Grout III	11/30/2022	RECIPROCITY
5832	Kevin Henrichson	10/12/2022	RECIPROCITY
5840	Jennifer Paola Higgins	11/7/2022	RECIPROCITY
5852	Austin Keaton	12/14/2022	EXAM
5841	Shane Labeth	11/7/2022	RECIPROCITY
5854	Jonathan Lamar	1/11/2023	RECIPROCITY
5844	Robert Guadalupe Metoyer	11/30/2022	RECIPROCITY
5853	Nathan Alan Miley	12/19/2022	EXAM
5842	Kirk E. Oldenburg II	11/10/2022	RECIPROCITY
5831	Navin Pathangay	10/12/2022	RECIPROCITY
5857	Satto R. Rugg	1/11/2023	RECIPROCITY
5837	Matthew C. Sutter	11/2/2022	RECIPROCITY
5834	James B. Swiger	10/24/2022	RECIPROCITY
5861	John Neil Tate	1/12/2023	RECIPROCITY
5836	William John Tessier	11/2/2022	RECIPROCITY
5835	Stephen Townsend	10/24/2022	RECIPROCITY
5830	Morgan Leigh Warmath	10/12/2022	EXAM
5847	Michael Paul Warren	12/7/2022	RECIPROCITY
5845	Edward Scott Wilms	11/30/2022	RECIPROCITY
5846	Edward J. Wilson	11/30/2022	RECIPROCITY