

MISSISSIPPI STATE BOARD OF ARCHITECTURE
 Minutes of a Regular Meeting
 October 19, 2021, 12:53 PM
 Mississippi State University, School of Architecture
 899 Collegeview St., 240 Giles Hall, Mississippi State, MS 39762

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, Mr. McNeel called the meeting to order.

Agenda Item	Explanation	Actions Taken/Planned
1. Minutes		<p>Motion was made by Mr. Bishop and seconded by Mr. Jones to approve minutes of the August 10, 2021 Landscape Architecture Advisory Committee (LAAC) meeting. The motion passed 4-0-1, with Mr. Barlow abstaining from the vote.</p> <p>Motion was made by Ms. Jaunsen and seconded by Mr. Jones to approve minutes of the October 12, 2021 LAAC meeting. The motion passed unanimously.</p> <p>Motion was made by Mr. Bishop and seconded by Ms. Jaunsen to approve minutes of the October 12, 2021 Interior Design Advisory Committee (IDAC) meeting. The motion passed unanimously.</p> <p>Motion was made by Ms. Jaunsen and seconded by Mr. Jones to approve minutes of the August 10, 2021 Board of Architecture (BOA) meeting. The motion passed unanimously.</p> <p>Motion was made by Mr. Bishop and seconded by Ms. Jaunsen to approve minutes of the August 11, 2021 BOA meeting. The motion passed unanimously.</p>
2. Approval of Certificates		<p>Motion was made by Mr. Bishop and seconded by Ms. Jaunsen to approve certificates issued since the August 2021 meeting (attached). The motion passed unanimously.</p>
3. Complaint #2020-5	<p>Mr. Cothron and Mr. McNeel provided an update on the complaint status.</p>	<p>Members agreed to designate Mr. McNeel, assisted by Mr. Barlow, to meet with the Board of Licensure for Professional Engineers & Surveyors to outline the Board's concerns.</p>
4. Complaint #2020-6	<p>Mr. Cothron reported on the respondent's compliance with the consent agreement.</p>	

5. Complaint #2021-3	Mr. Cothron reported that a letter of education was issued to the respondent, and the respondent has agreed to comply with the laws and rules.	Motion was made by Mr. Bishop and seconded by Mr. Barlow to close the complaint. The motion passed unanimously.
6. Complaint #2021-4	Mr. Cothron reported that a letter of education was issued to the Authority Having Jurisdiction.	Motion was made by Ms. Jaunsen and seconded by Mr. Bishop to close the complaint. The motion passed unanimously.
7. Complaint #2021-5	Mr. Cothron, Mr. Sullivan, and Ms. Word reported on the results of the investigation. They noted that no evidence was provided that the respondent had violated a law or rule of the Board.	Motion was made by Mr. Bishop and seconded by Ms. Jaunsen to dismiss the complaint. The motion passed unanimously.
8. Complaint #2021-6	Mr. Cothron reported that a letter of education was issued to the respondent, and the respondent has agreed to comply with the laws and rules.	Motion was made by Mr. Jones and seconded by Mr. Barlow to close the complaint. The motion passed unanimously.
9. Complaint #2021-7	Mr. Cothron, Mr. Sullivan, and Mr. Bishop reported on the results of their investigation and review.	Motion was made by Mr. Jones and seconded by Mr. Bishop to issue a letter of education to the respondents providing clarification on exempt projects and requesting assurance of compliance. The motion passed unanimously.
10. Guidelines for Processing Renewals with Discipline	Mr. Cothron presented draft guidelines for processing renewals from registrants reporting disciplinary action in other jurisdictions.	Motion was made by Mr. Bishop and seconded by Mr. Jones to adopt the guidelines (attached) as a policy with the following changes: <ul style="list-style-type: none"> ▪ Amend the first sentence of section (1) to read, "For registrants reporting discipline other than suspension or revocation for any of the following violations" ▪ Delete failure to furnish child support from section (1)(d). The motion passed unanimously.
11. Executive Director's Report <ul style="list-style-type: none"> • First Quarter FY 2022 Financial Report • Renewal Update 	Mr. Cothron reviewed the financial report for the first quarter of FY 2022 and provided an update on renewals.	
12. Question re: an Emeritus Status Architect Serving on the Board of Architecture and Request by Larry Bishop for Emeritus Status	Mr. Bishop presented his request for emeritus status, and Mr. Kilpatrick reviewed his opinion on the issue of an emeritus status architect serving on the Board of Architecture.	Following discussion, Mr. Bishop agreed to renew his license for 2021-2023 and to apply for emeritus status when his term on the Board expires.
Mr. McNeel presented a presentation to the Board outlining concerns related to complaint #2020-5.		
13. NCARB Updates	Mr. McNeel provided updates from the September 2021 NCARB BOD (Board of Directors) Brief publication.	
14. Joint Committee on Building Design and Construction Update	Mr. Cothron informed the Board that the next meeting of the Joint Committee is scheduled for October 22, the primary purpose of which will be to finalize the handbook for building officials. He then reviewed the latest handbook draft.	Mr. McNeel suggested that a question be added regarding high-rise buildings and that graphics be added to the final version, particularly to illustrate exempt versus non-exempt buildings.

15. Meeting Schedule	Mr. Cothron discussed plans for the new licensee recognition ceremony scheduled for December 7, 2021, and reviewed proposed dates for regular meetings in 2022.	Members agreed on the following 2022 meeting dates: <ul style="list-style-type: none">▪ January 25-26▪ April 12-13▪ July 26-27▪ October 18-19 (location TBD)
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The meeting recessed at 5:15 PM by unanimous consent.

Architect Certificates Issued for Approval			
Lic Number	Name	License Date	Method
5664	Aaron P. Campbell	3/26/2021	RECIPROCITY
5714	W. Alan Crotwell	10/1/2021	RECIPROCITY
5707	Robert S. Day	8/4/2021	RECIPROCITY
5667	Shawn T. Fisher	3/26/2021	RECIPROCITY
3904	David L. Glasgow	8/25/2021	REINSTATEMENT
5706	Francis Hofheins	8/4/2021	RECIPROCITY
5712	Lyle Roger Hutson	9/22/2021	RECIPROCITY
5668	Anthony Keller	3/26/2021	RECIPROCITY
5710	Laurel Rose Martin	8/24/2021	RECIPROCITY
5717	Justin Parker	10/13/2021	EXAM
5709	Richard S. Richard	8/19/2021	RECIPROCITY
5713	Darrell Sears	9/22/2021	RECIPROCITY
5711	Marion Ralph Snowden IV	9/14/2021	EXAM
3978	David Ware	10/1/2021	REINSTATEMENT
5659	Ira Wimer	3/26/2021	RECIPROCITY

Mississippi State Board of Architecture
Guidelines for Disciplinary Actions Reported on Renewals

Renewal applications from registrants reporting discipline by another jurisdiction will be processed in accordance with the following guidelines:

1. For registrants reporting discipline other than suspension or revocation for any of the following violations, staff will process the renewals with no further action:
 - a. Continuing education violations;
 - b. Violations relating to technical submissions such as seal and signature requirements, title block mistakes, failure to timely submit plans for review, construction administration notifications, and the like;
 - c. Corporate or firm registration violations;
 - d. Disciplinary actions on account of failure to pay taxes or student loans or other like civil violations;
 - e. Disciplinary actions following nonpayment of renewal fees or failure to file information or to meet other administrative requirements for continued registration;
 - f. Disciplinary action in one jurisdiction that is based solely on the disciplinary action of another jurisdiction or failure to report the disciplinary action of another jurisdiction (provided that such prior jurisdiction's disciplinary action had been previously reported to the Mississippi Board).
2. For registrants reporting any other actions or who fail to report actions, the renewals will be presented to the Board.
3. For registrants reporting pending investigations or charges, staff will inform the registrants of the need to report the outcome to the Board.

Adopted October 19, 2021.

MISSISSIPPI STATE BOARD OF ARCHITECTURE
 Minutes of a Rules Retreat
 October 20, 2021, 8:06 AM
 Mississippi State University, School of Architecture
 899 Collegeview St., 240 Giles Hall, Mississippi State, MS 39762

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

Others Present: John Cothron, Andrew Kilpatrick, Ellie Word

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

Agenda Item	Explanation	Actions Taken/Planned
16. Meeting with MSU Faculty	Dr. Karen Spence, Director of the MSU School of Architecture, and Dr. Angi Bourgeois, Dean of College of Architecture, Art and Design, met briefly with the Board.	
17. Firm Practice Requirements (<i>Miss. Code Ann. § 73-1-19</i>)	Members discussed the BOA/LAAC task force proposal to amend <i>Miss. Code Ann. § 73-1-19</i> to allow landscape architects to have ownership interest in a firm offering architectural services and to remove restrictions on corporate practice (business corporations and LLCs). Most discussion centered on paragraphs (4), (5), and (6), regarding the percentage of landscape architect ownership allowed, language requiring an architect to sign a contract to provide architectural services, and language to preserve personal liability for any negligent or wrongful acts or omissions.	<p>Motion was made by Mr. Bishop and seconded by Ms. Jaunsen to accept the proposed language as presented. Following discussion, the motion was withdrawn.</p> <p>After further discussion on varying issues, and in light of the fact there were two recently appointed new members attending their first meeting and this was the first information they had received on this issue, the members agreed that additional discussion was required on this item, and Mr. Cothron was asked to schedule a special meeting in the next two weeks to discuss the BOA/LAAC task force proposal.</p>
18. Proposed Modification to <i>Miss. Code Ann. § 73-2-5</i>	Members discussed adding a reference to safeguarding of "life, health and property" to the landscape architecture statute.	<p>Motion was made by Mr. Bishop and seconded by Ms. Jaunsen to approve the proposed change. The motion passed unanimously.</p> <p>Following discussion, motion was made by Mr. Jones and seconded by Mr. Barlow to reconsider the motion to approve the proposed change. The motion to reconsider passed unanimously.</p> <p>The Board then took up the original motion as made by Mr. Bishop and seconded by Ms. Jaunsen. The motion to approve the proposed change to <i>Miss. Code Ann. § 73-2-5</i> passed unanimously.</p>
19. Qualifications-Based Selection (QBS) Provisions in Engineering Law/Rules and Impact on Architects	Mr. Cothron reviewed the QBS provisions in the laws and rules for architects and engineers, which are not in sync due to differences in the law.	Following discussion, members agreed to place this item on hold for future discussion.

20. LAAC and IDAC Rule Changes	Mr. Cothron reviewed proposed changes to LAAC Rules 1.2.3 (regarding eligibility requirements), 1.5 (to align the duplicate certificate fee with the fee in the statute), 1.10.1 (regarding reinstatement requirements), 1.11 (regarding seal and signature requirements), 1.13 (to comply with the "Universal Recognition of Occupational Licenses Act") and 3.1 (regarding disciplinary procedures), and IDAC Rules 2.4 (to comply with the "Universal Recognition of Occupational Licenses Act"), 6.3 (to update the Board's website address), and 6.8 (to address disciplinary actions).	Motion was made by Mr. Barlow and seconded by Ms. Jaunsen to approve the proposed rule changes as presented. The motion passed unanimously.
21. Complaint Withdrawal Procedures (Rule 5.1)	Members discussed adding complaint withdrawal procedures to the rules. Mr. Cothron noted that, in reviewing the rules of several other states, he could not find an example of a complaint withdrawal rule. No action was taken on this item.	
22. "Tackle the Tape" Discussion	Members discussed the Secretary of State's initiative to reduce regulations.	Mr. Cothron was tasked with reorganizing the rules for ease of reference and conciseness, and Board members were asked to submit any suggested rule changes to Mr. Cothron.

There being no further business, the meeting adjourned with unanimous consent at 1:30 PM.

1-26-22

Date Approved


 Richard McNeel, President


 Leigh Jaunsen, Secretary/Treasurer


 Prepared by John Cothron, Executive Director, on 10/29/21