

MISSISSIPPI STATE BOARD OF ARCHITECTURE
Minutes of a Regular Meeting
October 17, 2023, 1:14 PM
Monmouth Historic Inn, Quitman Study
1358 John A. Quitman Blvd., Natchez, Mississippi 39120

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

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

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

Agenda Item	Explanation	Actions Taken/Planned
1. Minutes		Motion was made by Ms. Jaunsen and seconded by Mr. Bishop to approve minutes of the July 18, 2023, Board of Architecture (BOA) meeting, and the August 2, 2023, and October 11, 2023, Landscape Architecture Advisory Committee (LAAC) meeting minutes. The motion passed unanimously.
2. Approval of Certificates		Motion was made by Mr. Bishop and seconded by Mr. McNeel to approve certificates issued since the July 2023 meeting (attached). The motion passed unanimously.
3. Complaint #2020-5	Ms. Word provided an update on the request for documents from the Board of Licensure for Professional Engineers and Surveyors (PEPLS).	
4. Complaint #2023-1	Mr. Cothron and Mr. Sullivan provided a summary of the investigation and complaint review.	<p>Motion was made by Mr. Barlow and seconded by Mr. Bishop to issue a letter of education to the architect of record regarding application of the date of signature over the seal and the successor architect notification requirement. The motion passed unanimously.</p> <p>During discussion of the complaint, members requested that legal counsel draft a rule for consideration to require inclusion of a disclaimer noting that the architect did not prepare the drawings if an architect applies their title block to drawings that were not prepared under their responsible control.</p>
5. Complaint #2023-2	Mr. Cothron reported that all actions approved at the July 2023 BOA meeting had been carried out and that the respondent had provided assurance of compliance with the law.	Motion was made by Mr. Barlow and seconded by Mr. McNeel to close the complaint. The motion passed unanimously.
6. Complaint #2023-8	Mr. Cothron provided a summary of the complaint.	Motion was made by Mr. McNeel and seconded by Ms. Jaunsen to issue a letter of caution to the respondent regarding the restriction on practice through a business corporation and the requirement to seal all working drawings and plans. The motion passed unanimously.

7. Complaint #2023-9	Mr. Cothron reported that the respondent had signed a consent agreement providing for a public reprimand and \$1,000 fine.	Motion was made by Mr. Barlow and seconded by Mr. Bishop to approve the consent agreement. The motion passed unanimously.
8. Complaint #2023-10	Mr. Cothron reported that the respondent had signed a consent agreement providing for a public reprimand and \$1,000 fine.	Motion was made by Ms. Jaunsen and seconded by Mr. Barlow to approve the consent agreement. The motion passed unanimously.
9. Complaint #2023-12	Mr. Cothron reported that the landscape architect respondent had signed a consent agreement providing for a public reprimand and \$750 fine.	Motion was made by Mr. McNeel and seconded by Mr. Bishop to approve the consent agreement. The motion passed unanimously.
10. Complaint #2023-14 Complaint #2023-15	Mr. Cothron and Mr. Sullivan provided a summary of the investigation.	Motion was made by Mr. McNeel and seconded by Mr. Bishop to issue a letter of education to the unlicensed out-of-state firm, with a copy to the respondents, outlining the restriction on unlicensed practice and the responsible control and firm practice requirements, and close upon receiving assurance of compliance. Additionally, Mr. Sullivan will continue to monitor the project. The motion passed unanimously.
11. Executive Director's Report <ul style="list-style-type: none"> • First Quarter FY 2024 Financial Report 	Mr. Cothron reviewed the financial report for the first quarter of FY 2024 and provided an update on administrative matters.	
12. NCARB Updates	Members and staff serving on committees provided brief updates on NCARB activities.	
13. Enforcement of Building Codes		Mr. Cothron noted that he will invite the State Chief Deputy Fire Marshal to the January 2024 Board meeting, as well as a representative from the International Codes Council (ICC), to provide them with an overview of the Board's concerns and possible means to address those concerns.
14. Board Notifications	Members provided suggestions to improve the notification forms.	Motion was made by Mr. McNeel and seconded by Mr. Bishop to approve the new Emergency Safety Assessment Services Notification Form. The motion passed 4-0 (Mr. Barlow was absent for the vote).
15. Meeting Schedule	Due to the low number of new initial licensees this year, Mr. Cothron recommended that the new licensee recognition ceremony be postponed to 2024. Mr. Cothron also reviewed proposed dates for regular meetings in 2024.	Members agreed on the following 2024 meeting dates: <ul style="list-style-type: none"> ▪ January 23-24 ▪ April 16-17 ▪ July 9-10 ▪ October 22-23 (possibly in Greenwood) Members requested that a joint meeting be held with the LAAC and the Interior Design Advisory Committee on January 23, followed by a regular BOA meeting on January 24.
16. Building Officials Association of Mississippi (BOAM) Winter Conference		Motion was made by Mr. Barlow and seconded by Mr. McNeel to designate Mr. Sullivan and Mr. Cothron to attend the BOAM Winter Conference in Natchez on November 29-December 1, 2023. The motion passed unanimously.

Law and Rules Review

<p>17. Rule Changes Previously Discussed (Rules 4.3.5 and 3.2.16)</p>		<p>Regarding proposed changes to Rule 4.3.5 (services during emergencies), members requested that a question on this rule be included in the jurisprudence examination for architect applicants. Mr. Cothron was asked to send the jurisprudence exam to members for review.</p> <p>Members discussed several changes to Rule 3.2.16, and requested that legal counsel work on revised language for discussion at the January 2024 Board meeting.</p>
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The meeting recessed at 5:13 PM by unanimous consent.

Architect Certificates Issued for Approval			
Lic Number	Name	License Date	Method
5946	Justin Altazan	8/28/2023	RECIPROCITY
5966	Stacy L. Andrick	10/4/2023	RECIPROCITY
5947	James W. Bradford Baker	8/28/2023	RECIPROCITY
5964	Adam L Beazley	9/20/2023	RECIPROCITY
5962	Eugene M. Bell	9/15/2023	RECIPROCITY
5942	Daniel G. Beyer	8/9/2023	RECIPROCITY
5965	Brian S. Black	10/4/2023	RECIPROCITY
5967	Steven Cox	10/4/2023	RECIPROCITY
5938	Greg Croft	8/2/2023	RECIPROCITY
5930	Timothy Charles Engelbert	7/26/2023	RECIPROCITY
5955	Corey Allan Englund	9/11/2023	RECIPROCITY
5968	W. Scott Fay	10/4/2023	RECIPROCITY
5958	Anthony Michael Flier	9/15/2023	EXAM
5945	Richard Bret Flory	8/25/2023	RECIPROCITY
5948	Walter D. Fritts	8/28/2023	RECIPROCITY
5954	Eduardo G. Guerra	9/11/2023	RECIPROCITY
5897	Greta Hansen	7/18/2023	RECIPROCITY
5957	Brian A. Hauff	9/15/2023	RECIPROCITY
5956	Mark Heck	9/15/2023	RECIPROCITY
5944	Alexandra Lydia Lopatynsky	8/25/2023	RECIPROCITY
5926	Roney J. Mateu	7/13/2023	RECIPROCITY
5934	Sherri Miller	7/26/2023	RECIPROCITY
5943	Scott G. Nacheman	8/9/2023	RECIPROCITY
5941	Solvei M. Neiger	8/4/2023	RECIPROCITY
5952	Lee A. Norsworthy	9/11/2023	RECIPROCITY
3117	Carlton B. Parker	9/11/2023	REINSTATEMENT
5927	Nicole L. Peterika	7/12/2023	RECIPROCITY
5959	Daniel A. Pieters	9/15/2023	RECIPROCITY
5936	Christopher Quirk	7/26/2023	RECIPROCITY
5939	Guilford A. Rand	8/4/2023	RECIPROCITY
3929	James T. Reese III	9/17/2023	REINSTATEMENT
5937	Nilo C. Regojo	8/2/2023	RECIPROCITY
5960	Brian Nicholas Reno	9/15/2023	RECIPROCITY
5949	Brian P. Richard	8/28/2023	RECIPROCITY
5933	Glenn M. Roby	7/12/2023	RECIPROCITY
5961	Corbett Scott	9/15/2023	RECIPROCITY
5953	William Palmer Sealock	9/11/2023	RECIPROCITY
5950	Steven A. Starr	9/11/2023	RECIPROCITY
5951	James Patrick Thompson	9/11/2023	RECIPROCITY
5969	David S. Tobin	10/4/2023	RECIPROCITY
5931	Jason Turnbow	7/12/2023	RECIPROCITY
5935	Matthew Richard Usbeck	7/26/2023	RECIPROCITY
5963	Peter A. R. Wilson	9/20/2023	RECIPROCITY
5940	Victor Yue	8/4/2023	RECIPROCITY

MISSISSIPPI STATE BOARD OF ARCHITECTURE
Minutes of a Rules Retreat
October 18, 2023, 8:07 AM
Monmouth Historic Inn, Quitman Study
1358 John A. Quitman Blvd., Natchez, Mississippi 39120

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

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

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

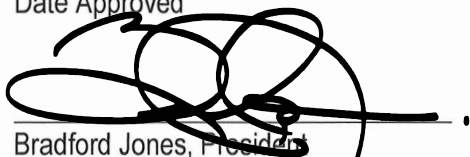
Agenda Item	Explanation	Actions Taken/Planned
18. Business Formation and Liability of Architects Survey	Mr. Barlow expressed concern about the expanding personal liability of architects and noted that some states limit this liability.	Members concluded that this issue would be best addressed by the American Institute of Architects (AIA).
19. Proposed Modifications to <i>Miss. Code. Ann.</i> §73-1-19	Mr. Kilpatrick and Ms. Word provided an update on legislation to amend <i>Miss. Code. Ann.</i> §73-1-19 and presented proposed language to address concerns raised by the American Council of Engineering Companies of Mississippi.	<p>Members amended the first sentence of paragraph (5) to read, "In a business entity between one (1) or several registered architects and registered professional engineers or one (1) or several registered architects and registered landscape architects, or one (1) or several registered architects, registered engineers and registered landscape architects offering architectural services in this state, any contract or agreement to provide architectural services as the prime design professional shall be executed on behalf of the business entity by a partner, stockholder, director, member, manager or officer of the business entity, with authority to contractually bind the business entity, who is a registered architect in this state." Members agreed with the revision to paragraph (6) to mirror the personal liability language in the engineers' law (<i>Miss. Code. Ann.</i> §73-13-43).</p> <p>Members requested that the revised language be shared with the PEPLS Board.</p>
20. Survey re: Consultants and Solicitation Prior to Licensure	Mr. Cothron reviewed a survey of National Council of Architectural Registration Boards (NCARB) Region 3 jurisdictions.	
21. Licensure of Design Consultants (Rule 3.2.8)	Members discussed the licensure requirement for out-of-state, non-certifying consulting architects.	Members agreed with a proposed rule revision stating that a person registered as an architect in another state, but not in Mississippi, may serve as a consultant to an architect registered in Mississippi if the Mississippi-registered architect is in responsible control of the project and if the consultant does not use the title "architect" or any form thereof. The proposed language will be presented for further discussion at the January 2024 meeting.

22. "Tackle the Tape/29 by 29" Discussion	Mr. Cothron presented the Secretary of State's recommendations to discuss amendments to Rule 4.5.2 and the design/build rules.	
23. Responsible Control Requirements (Rule 4.5.2)	Mr. Cothron and Mr. Kilpatrick compared the requirements of Rule 4.5.2 with the NCARB and National Council of Examiners for Engineering and Surveying (NCEES) model documents and rules in other states, and presented proposed revisions for discussion.	Mr. Cothron was directed to respond to the Secretary of State that the Board will continue to study possible revisions to Rule 4.5.2.
24. Design/Build Rules (Rules 3.2.6, 3.2.7, 4.5.12)	Mr. Cothron reviewed research on the design/build requirements in other U.S. jurisdictions.	Mr. Cothron and Mr. Kilpatrick were directed to respond to the Secretary of State by detailing the reasoning behind the design/build rules.
25. NCARB Statement on Multiple Paths for Licensure and Reciprocity Requirements (<i>Miss. Code. Ann.</i> §§73-1-13 and 73-1-21)	Members reviewed the NCARB statement on multiple paths for licensure and research on licensure requirements across the U.S., and discussed acceptance of multi-national agreements.	Members agreed to continue discussion of this item at the January 2024 meeting.
26. Grants to Higher Education (<i>Miss. Code. Ann.</i> §73-1-11)	Mr. Cothron reviewed a survey of states that provide grants and the Board's current fee structure, revenue and expenditures, and suggested that the Board could consider a fee reduction in lieu of providing grants. Members decided to take no action on the grants proposal.	Motion was made by Mr. Barlow and seconded by Mr. McNeel to request that legal counsel study a potential rule change to eliminate application fees for in-state initial applicants by examination. The motion passed unanimously.
27. Title Block Requirements	Mr. Cothron reviewed research on title block requirements in other U.S. jurisdictions. No action was taken on this item.	
28. Continuing Education Credit for Board-Related Activities (Rule 6.4)	No action was taken on this item.	

There being no further business, the meeting adjourned with unanimous consent at 1:55 PM.

1/24/2024

Date Approved


Bradford Jones, President


Larry Bishop, Secretary/Treasurer


Prepared by John Cothron, Executive Director, on 10/25/2023