NEW MEXICO BOARD OF EXAMINERS FOR ARCHITECTS

Minutes of a Regularly Scheduled Board Meeting

February 14, 2014
Albuquerque, New Mexico

Synopsis of Meeting Topics
Approval of Agenda
Policy Discussion
Action Items
Strategic Plan Updates
Reports

Board Members Present:
Raymond Vigil, Vice Chair, Architect Member
Geoffrey Adams, Secretary/Treasurer, Educator/Architect Member
Jim Oschwald, Architect Member
Robert Calvani, Architect Member
Tara Rothwell-Clark, Architect Member
Sam Valencia, Public Member
Stacey George, Student Observer

Staff Present:
Wren Propp, Director/CFO
Katie Kruthaupt, Investigator
Melanie Gonzales, Admin. Services Coordinator
Consuelo Pineda, Admin. Assistant

Others Present:
Steve Alano, AIA NM
James Satzinger, AIA NM
Kristina Yu, SAAP/UNM
Ron Burstein AIA NM
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I. Meeting Called to Order

Vice Chair Vigil called the meeting to order at the approximate hour of 9:08 a.m.

II. Quorum Roll Call and Introductions

Roll was taken and a quorum was determined to be present. Chair Michael Bodelson was absent. Sam Valencia was absent. Ms. Propp introduced new staff member, Consuelo Pineda. Ms. Propp also introduced C. Robert Campbell and his wife Kay. Jared Winchester and Alexander Webb IV were in attendance to receive their certificate. The AIA contingent included Jim Satzinger and Steve Alano. Vice Chair Vigil added that Mr. Bodelson was not able to attend due to a death in his family but had wanted to be here personally especially for presentations. Vice Chair Vigil said he will speak on his behalf.

III. Approval of Revised Agenda

Vice Chair Vigil asked for a motion to accept the revised agenda.

Motion: Approval of the agenda as amended.
By: Jim Oschwald
Second: Sam Valencia
Board Vote: Passed unanimously

IV. Awards Ceremony

Vice Chair Vigil presented decorative wall certificates to Mr. Webb and Mr. Winchester. Vice Chair Vigil, speaking on behalf of Chair Bodelson, stated the appreciation he had for Mr. Campbell and that Mr. Bodelson sent his thanks for Mr. Campbell’s service to the Board over the past three decades. Vice Chair Vigil spoke briefly about Mr. Campbell and his accomplishments: he was a NMBEA architect member from 1991 to 2000, and served as President of NCARB in 2002 & 2003. Mr. Campbell served as a co-author of the 1996-97 edition of the handbook for New Mexico building officials and also as co-author of changes to the New Mexico Architectural Act in 1999. His guidance and support on the Board’s work regarding regulation and licensing are recognized today as the Board’s first outstanding service award granted by Board Chair Bodelson. Vice Chair Vigil introduced Mr. Campbell. Mr. Campbell thanked his wife, Kay, the Board and staff. He briefly spoke about
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his experience of 23 years with the Board and about great times and great memories.

It was noted that Mr. Valencia arrived at the meeting at approximately 9:20 a.m.

V. Policy Discussion

Vice Chair Vigil

1. Review and Discussion of Proposed Changes to the NM Architectural Act

Ms. Propp recommended that Mr. Calvani discuss the changes. She pointed out the proposals are not action items, but the Rules and Regulations Committee hopes the proposals will be discussed, and thought about and at the May meeting there could be an action made. Mr. Calvani mentioned that statutory changes have been a topic of discussion for a year now. Mr. Calvani discussed the proposed statutory changes in the handout:

1. Section 61-15-4 J, the Board has the authority to prosecute any unlicensed individual or licensed individual practicing badly;
2. Under Section 61-15-5 D and E covers additional duties of the Board: The roster can be distributed/sold to public and NCARB;
3. Under Section 61-15-6 G strike the sentence that the Board may register an individual licensed elsewhere who does not have a certificate issued by the national council of architectural registration boards;
4. Under Section 61-15-6 K to include only a company that is owned by registered architects licensed in New Mexico or elsewhere. The goal is to prevent non-licensed individuals from running a business offering architectural services. The proposal requires a 2/3 ownership by registered architects. There are firms and entities in the state that are owned by non-architects and Mr. Calvani said it can be a problem to the health, safety and welfare of the citizens of New Mexico. Rewriting Section K would solve this problem.
5. Under Section 61-15-9 B project exemptions would be decreased: removing the exemption of multiple dwellings not more than 2 stories in height and 4 dwellings.
6. Under Section 61-15-12 A to increase the penalty by statute; the current proposed language calls for penalties up to $10,000 but the committee would suggest increasing the potential civil penalty to $20,000 in a civil matter. This provides flexibility if the issue deserves that kind of penalty.
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Mr. Calvani said the statutory proposals are still in the works and that there needs a Rules and Regulation Committee meeting to review the wording and any suggestions from other Board members. Mr. Calvani would like to see this worked on as soon as possible so it can be done before the legislative session.

Vice Chair Vigil said the statutory proposals are not an action item on the agenda, and asked for a time frame from Mr. Calvani.

Ms. Propp said the Board could review and take a vote on the statutory changes in May, then the Board can get a lawmaker or two that express a desire to work with this issue. Senator Griego and Senator John Arthur Smith may be interested, also Senator Sue Wilson Befort is friendly to licensure for architects and there may be some people in the Senate, but (the Board) needs to find somebody in the House that would help, Ms. Propp said. The most important task of the Board members is to review the proposals by the Rules and Regulations Committee and make a determination if they should be included in the proposal for statutory changes.

- **Review and Discussion of Proposed Policy Change to Reflect Changes to Uniform Licensing Act RE: Reciprocity for Military Services Members and Spouses Who Are Licensed Elsewhere (House Bill 180)**

  Mr. Oschwald said the statement offered by himself and Board Member Geoffrey Adams as Exam and Reciprocity Committee members is in response to House Bill 180, which was passed by the Legislature and went into effect in July of last year. It amends the Uniform Licensing Act to expedite professional licensure for military personnel, spouses of military personnel and veterans who are seeking reciprocity across state lines. Mr. Oschwald said his statement is in keeping with the language of the law. Mr. Oschwald read the response and then asked for any questions. Mr. Oschwald does not find anything in the House Bill 180 that would be controversial to the current operating procedure of the Board.

  Vice Chair Vigil asked for questions or comments.

- **NCARB Certification of Broadly Experienced and Broadly Experienced Foreign Architects & NM BEA Working Group reports**

  Ms. Propp stated that Chair Bodelson had said he would contact the Working Group, but since no written report had been made, that the Board would discuss what transpired in December. Ms. Propp also asked if Mr. Oschwald could update the group about what movement NCARB is making regarding the BEA process.

  Vice Chair Vigil stated he attended a meeting of the NCARB BEA Certification Committee while they were evaluating a BEA candidate and meeting in Albuquerque. He asked Mr. Adams to speak on this topic.
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Mr. Adams also attended the same meeting. Mr. Adams stated it was interesting to see the process and clear to him that they are reworking how they are evaluating the candidates.

Mr. Oschwald also said there can still be more clarity brought to the process in terms of what the candidates were turning in, at least in what they showed.

Mr. Adams said it was difficult to determine the applicant’s authorship of some of the work. They would show a completed project and it was clear the applicant did not do the entire project.

Mr. Oschwald said it would be difficult to represent that aspect of it without talking to the applicant. Mr. Oschwald said there was a discussion on what students do in studios and how that is measured and how NCARB does the measurement. There is the potential of applying the same criteria, NCARB criteria, in a more direct manner. Mr. Oschwald said it seemed like they were making progress, but the process continues to cause frustration for individuals.

Vice Chair Vigil emphasized that in the dialogue with NCARB it is clear that NCARB is aware of the issue and they are looking at it, not only at expediting the process, but at cost reduction.

Mr. Adams said one of the options they are entertaining is Skype/electronic interviews. Mr. Calvani said one of the resolutions that will be discussed next month at NCARB’s regional meetings will be the BEA guidelines with a recommendation to make the process easier. Mr. Calvani said he believes NCARB is looking at the BEA process because all the boards have the same issues as the New Mexico Board does.

Mr. Oschwald said he has had conversations with several that fall into this category of having been licensed somewhere else but not meeting requirements of the NM Board, and who do not have an NCARB certificate. These individuals may have been licensed somewhere else where a professional degree wasn’t required and they have moved to New Mexico, and aren’t eligible for licensure here because they have not taken the opportunity to go through NCARB’s BEA program and receive the certification that clears their education requirement through the BEA. There are also candidates who have exam deficiencies or IDP deficiencies that don’t meet the NCARB certification requirement and therefore are not able to be currently licensed in New Mexico. Mr. Oschwald said the Working Group is willing to look at opportunities or ways to work with those currently licensed elsewhere and help them get through the NCARB BEA process to be licensed in New Mexico. They did not look at individuals looking to get licensed based on time, experience or other avenues. They do not have the capabilities through the Act to license these individuals, or to support the group, but to point them to states that allow that type of licensure.

In December, the Working Group met with about seven or eight people with varied backgrounds, histories and situations. Michelle Kinasiewicz, NCARB’s education director, met with the BEA Working Group and the people who are seeking licensure
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here and talked about the current NCARB process and the proposed changes. Mr. Oschwald said he was involved in the BEA process for many years and was responsible for changing the process to a completely electronic one -- removing the in-person interviews from the process. This change was a direction from the NCARB Executive Board. Now the NCARB Executive Board is looking at the ramifications of those changes. They have already made it less expensive, which was the primary drawback for those going through the process. The other issue is the body of work that could be reviewed for the candidate going through the BEA; they have to prove their education deficiency through life experience/professional experience. Until recently, they could only provide work they were in responsible charge of in the state where they were licensed. The current NCARB BEA task force is looking at several other changes for the BEA process. The resolution that will go before NCARB members in June will be to remove/open up the requirement so an individual who is licensed can provide examples of their work wherever it occurred, show their responsibility of the work, and how it meets the education deficiency. The reason for the Board’s BEA Working Group was to emphasize to the NCARB executive committee that there are real and immediate needs in the states, and NCARB’s BEA process should be more user friendly. Vice Chair Vigil asked for questions or comments from the Board. Vice Chair Vigil opened the meeting for public comments. James Satzinger president of AIA-NM thanked the Board for their attention in this matter. He noted that he came to the Board a year ago with several members of the AIA. He also attended a meeting in August and said at that time it was decided there would be a subcommittee formed to talk with the AIA about these issues. Mr. Satzinger said he was never invited to any of the meetings, but did hear about a meeting in December. He wasn’t able to attend due to a snow storm. Mr. Satzinger said he believes there have not been the discussions that he had planned on. Mr. Satzinger said he feels he is right in the middle of this, and since he has gone through the (NCARB BEA) process, feels the most experienced on this matter. Mr. Satzinger said he is disappointed because they are not going to have the interview because he feels the interview was the most real part of getting the BEA. Mr. Satzinger said he felt he was able to show the panel who he was and what he had done beyond paperwork and to cut through the idea that nothing counted between college and registration in California. Mr. Satzinger stated that if the Board intends to open the Architectural Act up for the 2015 legislative session based on the recommendations in the minutes, the Board should have more meetings regarding the BEA process because he intends to oppose the “Option G” being proposed to be rescinded. Mr. Satzinger said he would try to get “Option G” in use again in New Mexico. Also he has another proposal which would be called “Option J”: a person who has successfully completed the ARE (Architectural Registration Examination) in any jurisdiction, and who has been employed as a design professional in the state of New Mexico for at least 5 years, under the
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supervision of a licensed New Mexico architect, may apply for registration by presenting evidence of broad experience. This is intended to catch all the people who are 50 years old, who have had 25 years of experience and are dutiful design professionals and managers and who have done a lot of work in the state. He said he discussed these issues in October in Wyoming at an AIA conference with Harry Falconer, NCARB’s director of the IDP Division.

Mr. Calvani asked Mr. Satzinger how many people are in this situation. Ms. Propp does not know the number because she is unsure if Mr. Satzinger is talking about people who are licensed elsewhere, or not licensed, but passed the ARE.

Mr. Satzinger says that most of the people are licensed elsewhere, but he was trying to simplify the language. Mr. Satzinger states the number is about 20.

Mr. Calvani asked Mr. Satzinger if he is saying that the Board would help the 20 people through the BEA.

Mr. Satzinger answered that it is a compromise but not his first choice. Mr. Satzinger spoke about the need to recognize there are different backgrounds and experiences in life.

Mr. Calvani acknowledged Mr. Satzinger’s position and the Board’s position, which is that licensure is a “three-legged stool” comprised of education, exam and experience. Mr. Calvani stated that his concern is the Board’s vetting of the candidates vs. NCARB’s ability to vet candidates.

Mr. Satzinger then proposed that the Board provide an amnesty for senior design professionals that acknowledge the rules were different when the senior design professionals took the ARE.

Board Member Sam Valencia asked Mr. Satzinger what would be his criteria for amnesty?

Mr. Satzinger said his criteria would be to establish some sort of term of living in New Mexico (whether 10, 15 or 20 years), a term of working for an architectural practice, an interview with the Board and AIA.

Mr. Valencia asked Mr. Satzinger how many years should qualify.

Mr. Satzinger stated it is something that can be negotiated.

Mr. Valencia stated the discussion is warranted and he can’t see closing the door because these people need to be recognized for their tenure.

Vice Chair Vigil emphasized there isn’t any closing of a door and that the Board is working on this issue to the best of its ability.

Mr. Oschwald responded to Mr. Satzinger’s comments: He said he believes the Board has been helpful and aggressive in supporting Mr. Satzinger and others with the working group, and to realize this is a process that is going to take time. He explained the intent behind reciprocity and the consequence of creating a solid reciprocal relationship with other states. He applauded the idea of looking at other individuals that have passed the exam somewhere; he believes through NCARB there are ways to get
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them through without changing the process. He would like to open the future meetings of the Working Group to look at the possibilities.
Mr. Adams stated that there have only been a couple of meetings and nowhere close to a resolution and there will be more meetings.
Vice Chair Vigil would like clarification from Ms. Propp on the language in terms of the current rules requirement going through NCARB.
Ms. Propp read the section of the statute under discussion, Section 61-15-6 G.
Vice Chair Vigil explained the concerns about the liability, expense and difficulties of New Mexico’s Broadly Experienced Architect process in the past and that the Board now endorses the NCARB BEA process. He also clarified that the process is being changed (at the NCARB level). He said he also found there is a genuine recognition for the need that Mr. Satzinger states.
Mr. Satzinger asked if the Board has director’s liability insurance.
Vice Chair Vigil stated his point is at that level there is a level of sensitivity to the responsible charge to endorse a person, because the next person that comes through and doesn’t agree with your assessment may or may not be satisfied with the result of that decision. Vice Chair Vigil says there is a process in place from a national perspective that is making it more equal across state lines. He says he supports making sure this issue is addressed.
Ron Burstein, past president of AIA NM talked about the last meeting he went to about this topic. Mr. Burstein stated that there hadn’t been an opportunity to sit down one on one and have a discussion and negotiate the process. His goal at this point is to get the people who have a valid complaint about the process registered.

2. State Use Act
Vice Chair Vigil asked Ms. Propp to describe the State Use Act.
She said that it is an exemption to the State Procurement Act that requires state agencies and local public bodies to request goods and services from people with disabilities. All requests go through a non-profit that determines whether the providers, who are people with disabilities, are qualified to provide those goods or services. It can be alleged that this non-profit is offering architectural services. The non-profit determines whether the architect on its list of providers is qualified for particular projects. The non-profit is making the determination and also making a profit. It’s a hierarchical organization because there is a Council for Purchasing from People with Disabilities that is appointed by the governor, and it includes heads of state agencies such as the state procurement agent, an attorney from the Department of Finance and Administration, and people who are providers. The council is supposed to oversee the non-profit, the non-profit oversees the providers. The only way to interact with the entire organization is to attend meetings of the Council for Purchasing from People with Disabilities. Ms. Propp attended the meeting on January 30, 2014, in the morning, and
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did express the Board’s concern that it appears Horizons of New Mexico (the non-profit) is offering architectural services without a license. Ms. Propp also brought this concern to the Joint Practices Committee, a committee of representatives of the engineers’, land surveyors’, landscape architects’ and architects’ boards. There has not been an expressed desire to change from the non-profit.
Mr. Calvani states that he and Vice Chair Vigil were also present at the JPC and it will draft a letter to be sent to the organization about practicing without a license in the architectural and engineering areas. The Board is not acting at this time, but could probably write a letter with the Enforcement Committee and go after them for not having a license. It is similar to the Cooperation Education Services, but CES does interview, vet and make sure the people are qualified to do the services, whereas the Board doesn’t feel this organization does.
Vice Chair Vigil added that it was reported at the JPC that there is a single source that is a part of this group, so there is a funneling of work to this one person.
Mr. Calvani said there is a lot of discussion at the JPC about a lot of different set asides. Vice Chair Vigil asks for questions or comments.

- Continuing Education audit and future audits

Vice Chair Vigil asks Ms. Propp to speak on this topic.
It was placed on the agenda as an update for the biennial continuing education audit, Ms. Propp said. With the administrative assistant on board, she and Ms. Propp will began working on it once the filing is done. Many are still submitting their AIA transcripts along with their renewal statements even though it is not required anymore, and one of the consequences of it is that the paperwork needs to be filed. The filing is currently a little bit behind. Ms. Propp expects the audit process will begin the first or second week of March. It is six weeks in length from sending out the first letters, to getting the final information back.
Vice Chair Vigil asks what percent is going to be looked at.
Ms. Propp believes Mr. Bodelson requested that four percent be audited; performance measures only require two percent be audited.
Vice Chair Vigil asked if Ms. Propp received feedback on concerns if something changed in the credits per year, as opposed to doing them all in the cycle.
Ms. Propp said she hasn’t received feedback in the last month, since they provided the information to Cecilia Portal, AIA Albuquerque.
Mr. Calvani recommended that members of the Board show support for the audit and submit their CE for audit.
Ms. Propp stated that usually a member of the board is audited by the scientific random selection.
Mr. Calvani said he has been audited in the past, but does recommend the Board be audited automatically.

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Vice Chair Vigil asked for any other discussion.

- **Host continuing education seminars with providers**
  Ms. Propp stated this is an issue that Chair Bodelson has requested; he would like the Board to set aside some time in the summer to work as the Oklahoma Board has in working with providers to host a Continuing Education Day for all registrants. Ms. Propp has not had a chance to do more research on this topic, but states she thinks it will be possible.
  Vice Chair Vigil says it may be an opportunity for the working group discussions with the AIA since they are looking at the topic as well.

- **Draft Enforcement Subcommittee – Discipline Policy Guide**
  Ms. Propp said that this is an issue raised by Chair Bodelson issue, but there was no information available on it for the Board meeting.

- **NCARB Committee Summit Wrap-Up**
  Mr. Calvani spoke about the organization of six different NCARB committees that met two weeks ago. Mr. Calvani was on the Examination Committee which works on the ARE.
  Mr. Oschwald was there with the Procedures and Documents Committee. Ms. Propp is also on the Procedures and Documents Committee.
  Mr. Calvani said he believes one of the larger issues to be discussed soon is NCARB’s work on an alternative path to licensure. There is task force on this topic. Committee members are talking to schools about students being able to be a registered architect at graduation. Schools that have work study in place could offer it as IDP while the students are in school. They would also have access to the ARE while in school. AIA representatives at the Committee Summit were discussing the issue of emerging professionals and interns who do not want to be called interns. This has been going on for some time, but Mr. Calvani sees this as an issue coming up.
  Vice Chair Vigil said he has heard via some AIA representatives that this issue has been discussed at AIA as well.
  Mr. Calvani asked Mr. Oschwald to speak on this topic.
  Mr. Oschwald said there is a concern because the emerging professionals want to call themselves “architect” when they are not licensed. They want the title and they reject the title of “intern.” The AIA has on their website a clip of the emerging professionals’ summit held in New Mexico in early January. NCARB and all the registration boards throughout all the jurisdictions have worked diligently with such giants as Microsoft to stop them from using the term architect, to reserve that for the licensed individual. He doesn’t see bending for the emerging professionals’ use of the term. The title “architect” needs to be the final seal of approval on somebody’s ability to practice architecture and
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be recognizable by the public as the professional who can protect the health safety and welfare of the public.
Mr. Calvani said there is a report on IDP and how the ARE 5.0 will be.
Ms. Propp said the only other thing that came out of the meeting is the fact that NCARB is floating the idea of freezing the increases to jurisdiction dues. The increases that had been worked into the budget may not occur.

- New Business
Vice Chair Vigil sits on the ARE item writing subcommittee as well and the news is “be ready for change.” There are some really exciting changes that they are looking into for the next level.

V. Action Items

3. Approval of Minutes November 8, 2013

Motion: To approve the November 8, 2013, minutes as presented.
By: Jim Oschwald
Second: Sam Valencia
Board Vote: Passed unanimously

4. Reciprocity, Reinstatement and Exam Applicants

RECOMMENDED APPLICANTS FOR REGISTRATION BY RECIPROCITY

Committee Review November 8, 2013

| Bradley T. Barker  | Russell Mobley Baumann | Arturo Chavez |
| Dallas, TX        | Tempe, AZ              | Houston, TX   |
| Rayburn J. Donaldson | Erik Kocher       | Arnold M. Kraakmo |
| Houston, TX       | St. Louis, MO         | Seattle, WA   |
| Shane Labeth      | Andrew Seamans        | Jory M. Walker |
| Oklahoma City, OK | Norman, OK            | Holladay, UT  |

Committee Review December 5, 2013

| Richard Anthony Chavira | Mark FitzWilliam | Richard Ireland |
| Monterey Park, CA       | Wheat Ridge, CO   | Dallas, TX      |
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Jennifer Matthews  Kurt L. Schmitz
El Paso, TX         Lakewood, OH

Committee Review January 15, 2014

Thomas R. Cassidy  Timothy M. Dodge  Heather E. Lewis  Christian Robert
Albuquerque, NM    Gainesville, FL    Boulder, CO       Santa Monica, CA

Motion: To approve reciprocity applicants as recommended by the Exam and Reciprocity Committee.
By: Geoffrey Adams
Second: Sam Valencia
Board Vote: Passed unanimously

APPLICANTS FOR REGISTRATION BY EXAMINATION
RECOMMENDED FOR LICENSURE PENDING COMPLETION OF THE A.R.E

Jonathan Christopher Chamblin  Alexander Webb IV
Albuquerque, NM                  Albuquerque, NM

Motion: To approve recommended examination applicants for New Mexico Architectural as listed.
By: Geoffrey Adams
Second: Sam Valencia
Board Vote: Passed unanimously

APPLICANTS FOR REINSTATEMENT THROUGH RECIPROCITY

Thomas A. Blatchley  Steve Goldade  Hendrick Koning
Escondido, CA       Fargo, ND        Santa Monica, CA

Paul F. Madigan  Gary J. Nelson
Centennial, CO      Kansas City, MO
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Motion: To approve reinstatement of New Mexico Architectural registration of applicants.
By: Geoffrey Adams
Second: Tara Rothwell-Clark
Board Vote: Passed unanimously

5. Settlement Agreement of NMBEA 2012_06
Ms. Propp presented a settlement agreement and asked Mr. Calvani to speak more about it. At the last meeting, the board stated they wanted to know more about the disciplinary issues. This is an instance, under the statute as it is currently written, where the Board may have more details about a settlement agreement. A Notice of Contemplated Action, which is a public document, has been issued in this case. Mr. Calvani said this individual had been referred to as an architect in certain newspaper articles. He and his attorney asked to have a meeting rather than go to a hearing. Mr. Calvani was at the meeting and was able to talk to them. There are issues of a designer talking to a newspaper reporter about some home in Santa Fe, that the reporter may think he is an architect and say he is an architect in the report, it is not his fault. However, he had other issues where he gave the public the impression he was an architect. He is taking the ARE and does want to be an architect. At this meeting it was decided he did admit to a disciplinary action but did not admit guilt. He would cease and desist as referring to himself as an architect and he did pay a fine of $750.00. After the meeting, it was decided that the hearing wasn't warranted. Vice Chair Vigil asked what the action that caused this, was it him introducing to himself as an architect?
Mr. Calvani stated yes, there were different advertisements and websites that stated he was an architect. Mr. Calvani said that issues like this happen constantly.
Vice Chair Vigil asked for questions or comments.

Motion: To recommend and accept the settlement agreement.
By: Robert Calvani
Second: Geoffrey Adams
Board Vote: Passed unanimously

6. Attendees of NCARB Regional Summit March 7-8, 2014 San Antonio, TX
Vice Chair Vigil would like this open to discussion. There are two members that are going, and the opportunity for one more member to attend. Ms. Propp will also be making the trip.
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Mr. Calvani stated that there are two scholarships, expenses paid by NCARB, as well as Ms. Propp's travel, which will be paid by NCARB. There are two on the Executive Committee of WCARB, which will be funded by WCARB (Region 6). If only three are sent, then all would be paid for by NCARB and WCARB. He recommended the other two take the NCARB scholarships.

Mr. Oschwald said there is a potential to send two, but only allowed to send one. Vice Chair Vigil added Chair Bodelson is willing to go if nobody is interested. Vice Chair Vigil said he would like to go but has a scheduling conflict.

Ms. Rothwell-Clark has schedule conflicts as well.

Mr. Valencia said Chair Bodelson should attend.

Mr. Calvani discussed the topics of the meeting, including possibly five resolutions to be decided at NCARB, as outlined before. He added that resolutions also may include: bylaws language modification; requiring qualifications for regional directorship; BEA guidelines; and a degree window with school accreditation.

VI. Strategic Plan Updates

   • Information Technology Transition

Ms. Propp does not have any written information for Vice Chair Vigil; but does anticipate that beginning February 20, 2014 the final assault on the IT issue. It will be starting with getting together with DoIT, rewriting the application for the database and moving the database under the firewall of the Department of Information Technology. This would include all having to learn how to interface with the database with the forms, licensing and everything else. Ms. Propp expressed that she is looking forward to the learning curve and it is welcome.

Vice Chair Vigil thanked Ms. Propp and the staff for putting up with the transition to make the job better.

Ms. Propp said this step will allow BEA to get on the platform to have online renewal, which is only 18 months away.

Vice Chair Vigil briefly spoke about the group wanting to get the changes made before this past renewal cycle, but not able to get it done in time, but working diligently to make the change happen.

Vice Chair Vigil asked for questions or comments.

VII. Executive Reports

   • Chair's Report - Bodelson

Vice Chair Vigil reports that Chair Bodelson was not available to attend the meeting therefore nothing was prepared to present.

   • Secretary/Treasurer's Report - Adams
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Mr. Adams turned over the floor to Ms. Propp. MS. Propp briefly talked about the revenues and what had happened with renewal. There was a robust renewal: as of a week ago there was 1,994 registrants who had renewed their license or become newly licensed. Ms. Propp said that was a healthy sign, and one of the highest post renewal numbers Board has had since the Recession started. There have also been a large number of people that have decided to go into retirement and take the Architect Emeritus status; that number is up to 90. There were many people considering retiring two years ago; stuck it out and decided at this point to not be registered again. That is the foundational part of BEA’s revenue. There was a gain of $467,722.00 in renewals only. The numbers were for December revenue only; excluding November and January.
Vice Chair Vigil asks for discussion or questions.

7. Director’s Report – Propp
Ms. Propp stated the Board’s Google Analytics stats were under D7 in the Board book. The stats show a high number of people going to the website. Ms. Propp said she hopes this shows that people were going to the website before picking up the phone and calling the BEA. During this renewal cycle there was a fair number of phone calls. Ms. Propp is sorry to report that it looks as though people are not reading instructions anymore; most of the information that people wanted were in the instructions that were sent out. This is the peak period of the website use, but Ms. Propp does hope that BEA will be able to create a new website (goal for FY15). She would like to see a better website, a more professional looking website that is easier for people to navigate, whether they have been in the profession for 40 years or two months.

A. Renewal
Ms. Propp stated Renewal activity seemed to linger for awhile. She didn’t know if it was because the holidays came in mid week, and people closed down their firm for two weeks and staff members were trying to get the renewals with a registrant far away. Ms. Propp thinks a lot of people will get to the online renewal and would like it.

B. Website Report
Ms. Propp showed the website report tracking and the views it received with Google Analytics.

C. Proposed Budget  FY 15
Ms. Propp stated that the Board will take a hit on the budget: Both the Legislature and Executive recommended cutting the budget by 2 percent. They are seeing that Board 15
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has some unexpended funds over a series of years. She would like to point out they are cutting $7500.00 from the Board, $5,000 of which is specifically moving expenses and $2000 for hearing officers and paying for legal reporting at every hearing. This is a concern to Ms. Propp. She has expressed her concern to the DFA analyst and Legislative analyst. If the Board has to move there then needs to be a budget adjustment requested and move that money around and show them in FY16 that the Board does need that money.

Mr. Calvani asked if they are putting the $7500.00 dollars somewhere. Ms. Propp said they are just cutting the budget and the money will not be available. If there needs to be a move or hearing then the money will be recorded and the Board will go back to the Legislature and the Board will have to ask for the money through the bureaucratic steps. There may need to be unspent money moved around if this does happen and there is a move. The actual for FY13 were $351,000.00 (how much was spent), but the operating budget (what we said Board would be spend) was about $370,000. This is primarily due to vacancies. In FY14 the Board asked for an operating budget of $370,400.00 and that is what the Board received and is now trying to spend to that level. The filling of the vacancy and the endeavor with DoIT also adds to spending. The FY15 recommended budget is $362,900.00. Personnel are not being cut, the other contractual services are being cut $5,500.00, and $2000 will be taken for out of state lodging for employees. Ms. Propp stated that the money does need to be back in there because disciplinary matters need to be fully staffed. She thinks what will have to happen is the Board will have to have to tighten their belt a bit and if those needs arise in FY15, everything needs to be recorded that this is money that needs to be in the budget consistently.

Mr. Calvani compared the Board’s recommended budget with other agencies. Ms. Propp said the comparison of the recommendation is on the Governor’s website. The other document is from House Bill 2.

Mr. O'Schwald clarified that the money will not be lost but goes into a reserve. So even if the Board doesn’t have access to it, it will be in a reserve.

Ms. Propp said the last component of the budget are the performance measures. One of the most important performance measures the Board has is the auditing of the continuing education. Her understanding is that continuing education is one of the ways to show the public that the Board wants architects to continue their knowledge base in order to protect the health, safety and welfare of the public. The performance measure of auditing the Continuing Education reports of 2 percent of the registrants hasn’t changed, but Chair Bodelson has asked that Board staff audit of Continue Education each year, and maybe even go to an annual registration. Those changes would change the performance measure requirements.

Vice Chair Vigil asked Ms. Propp if Chair Bodelson also recommended opening up the continuing education audit to 4 percent.
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Ms. Propp said yes. 
Vice Chair Vigil stated there needs to be more discussion on this. 
Ms. Propp said the percentage is not set by statute or by rule, but it is a requirement in the rules and performance measures. 
Vice Chair Vigil asked how it compares with other boards. 
Ms. Propp briefly explained New Mexico is kind of a performance base budgeting state where there are performance measures and a budget, but theoretically they are not connected. There may be agencies similar to the Board, but they do not have the same performance measures. 
Vice Chair Vigil asked about other architectural boards, what percentages are they auditing. 
Mr. Calvani stated that Board used to audit 4 percent, which would be 2 percent every year, and asked if the Chair is asking to double that. 
Ms. Propp thinks that is what his intent is. Ms. Propp said there are about 2,000 current registrants, or more accurately, 1,994. Ms. Propp said the performance measure is 2 percent. 
Vice Chair Vigil asks how the changing would affect staffing. 
Ms. Propp said the number is totally doable. 
Mr. Oschwald briefly describes the initial reason why there was an audit for continuing education, to start the compliance of architects to voluntarily comply with this and assure there was compliance with this. He thinks that with all these types of measures when there is an audit to ensure the process is working, the idea is that eventually the audit goes away. Mr. Oschwald doesn't know if that was the thinking initially when continuing education was brought on to the board. Mr. Oschwald asks Bob Campbell to speak on this. 
Mr. Campbell responded that what Mr. Oschwald said is the process that was envisioned at the time once everybody got on Board. 
Mr. Oschwald states it sounds like the Board discussion is talking about making the audit more involved and he doesn't know that it's necessary. 
Ms. Propp recommended to Mr. Oschwald to take that up with Chair Bodelson. 
Mr. Oschwald stated that what might determine if the audit is needed or not is to determine what the results are. 
Ms. Propp said it's about 1 percent to 2 percent of the people that are audited end up with a deficiency, but sometimes it is as high as 6 percent. Within the audit group there are people that go into a disciplinary matter because they refuse to acknowledge they have not completed continuing ed. 
Vice Chair Vigil ask for clarification; ask when Ms. Propp says 6 percent or 2 percent, it is what number at the end. 
Ms. Propp said it is about 3 or 4 people. 
Mr. Oschwald stated that it sounds like there is willful compliance.
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Ms. Propp said there is substantial willful compliance. Vice Chair Vigil asks for anything else. Ms. Propp would like to talk about the other performance measures; the second one is the number of registration applications processed, over the years that has been interpreted as the number of registrants. They set a mark of 2,100; on the years after renewals the number is not needed. The mark is usually hit on the 2nd year of renewal. The last performance measure is the number of days after the receipt of a complaint to process and deliver the complainant to the Enforcement Subcommittee. In FY13 the target day was 11 average days, which actual took an average of 3 days. The target day was changed to 7 and it has been met over and above. Now the target day is being lowered to 5 days. Because this reporting is done via electronically, that is something that is acceptable to the Board, but shows that the bar is being set higher and higher for Katie. Mr. Adams asks how these performance criteria have been determined. Ms. Propp said they ask her what she thinks on the performance measures and she has told them that she doesn’t want the days of the complaint process to be lowered and they were lowered. She states it won’t be a true integrated system (of the Board getting a budget because they perform excellently) as long as performance measures are detached from the budget. Vice Chair asks for questions or comments.

8. Exam and Reciprocity-Adams
a. Registrant/ Applicant

REGISTRANT/RECIPROCITY/CANDIDATE REPORT
through February 12, 2014

Report Categories

<table>
<thead>
<tr>
<th>Total</th>
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<tbody>
<tr>
<td>1. Number of Active Registrants</td>
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<tr>
<td>2. Number of In-State Registrants</td>
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<tr>
<td>3. Number of Out-of-State Registrants</td>
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<tr>
<td>4. Number of Reciprocity Applicants Pending</td>
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<tr>
<td>5. Number of ARE Candidates who completed IDP</td>
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</tbody>
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6. Number of ARE Candidates who have taken an exam, not in 3 years or more.tbd

7. Number of ARE Candidates who have not taken any exam........................................tbd

8. Number of Early Eligibility ARE Candidates..........................................................tbd

9. Number of Early Eligibility ARE Candidates who have not taken an exam........ tbd

11. New Registrations for the Period.............................................................................28

   a. Resulting from Examination.................................................................5

   b. Resulting from Reciprocity.................................................................23

   Number of Registrants in February Following Two-Year Renewal


   STEVEN J. ALANO  JONATHAN C. CHAMBLIN  RAMON GABRIEL MARTINEZ
   ALBUQUERQUE, NM  ALBUQUERQUE, NM  SCOTTSDALE, AZ

   • Enforcement Subcommittee-Bodelson

   Ms. Propp is not aware of the report.
   Mr Calvani does not have any information.
   Vice Chair Vigil asks if the items increasing, flat lining, or staying the same.
   Mr. Calvani said they are about the same.
   Vice Chair Vigil asks for questions.

   • Rules and Regulations- Bodelson

   Topic skipped.

9. Finance and Operations Committee- Adams
b. Current Budget Status Report
Ms. Propp stated that the topic was already covered.

- **Strategic Planning Committee- Bodelson**
  Ms. Propp stated that there is nothing to report.

- **Joint Practice Committee- Oschwald**
Mr. Oschwald would like to pass to Vice Chair Vigil.
Vice Chair Vigil said there are several items on the agenda that was discussed a few days ago; the State Use Act, and also discussion on the QBS (qualifications based selection).
Mr. Calvani briefly discussed the Home Rule issue and how they are trying to resolve that. Also talked about the Fire Marshal committee, talk to the Fire Marshal and set up a meeting to do that, State Use Act, possible interdisciplinary legislation (called for qualification base selection), BIM, design/build situations and the final topic was the set asides and a veteran’s preference points being awarded as well as local preference points (JPC will follow up on this).
Vice Chair Vigil stated that qualification based selection has been talked about for some time.
Mr. Calvani said the Landscape Architects have lost 25 percent of their members.
James Satzinger, public member and AIA President asked to speak. He asked if the Board was aware of all the efforts AIA is making on QBS and the State Use Act.
Vice Chair Vigil said he was not too familiar.
Mr. Satzinger states one of the key in the State Use Act is whether it was intended to include professional services. There was a letter stating that services will include professional services, and right now AIA is trying to get one of the state heads to rescind it; it was never intended to include professional services, but intended to be more janitorial and other services. Also there was a presentation yesterday by AIA’s lobbyist and they tried to get the QBS bill to be germinated this session and it failed, but made more people aware. They are getting ready to lobby for next legislative session.
Ms. Propp wanted to added that Board Counsel Andrea Buzzard moved to Wyoming and she has tried to contact the Attorney General’s office asking for a new Board Counsel.
She is seeking direction from Vice Chair Vigil to see if she can write a strong letter to the Attorney General saying it has been a month without Board Counsel and a growing concern.
Vice Chair Vigil said yes and would like to recommend time is of the essence.
Vice Chair Vigil asks for any questions or comments.

**XIII. Adjourn**

**Motion:** To adjourn the meeting at 11:40 AM.
**By:** Jim Oschwald
**Second:** Sam Valencia
**Board Vote:** Passed Unanimously
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Whereupon the regular open meeting of the New Mexico Board of Examiners for Architects adjourned by Chair Vice Vigil at the approximate hour of 11:40 AM.

Respectively submitted,

Michael Bodelson, Chair

Geoffrey Adams, Secretary/Treasurer

Date

05.02.14

Date

5/9/14