NEW MEXICO BOARD OF EXAMINERS
FOR ARCHITECTS

UNIVERSITY OF NEW MEXICO
GEORGE PEARL HALL
SCHOOL OF ARCHITECTURE AND PLANNING
Room P104
ALBUQUERQUE, NEW MEXICO

REGULAR BOARD MEETING
Friday, August 12, 2016
11:09 a.m.

TRANSCRIPT OF PROCEEDINGS

BEFORE:

RAYMOND VIGIL, Chair
GEOFFREY ADAMS, Secretary/Treasurer
ROBERT CALVANI, Member
MARK GLENN, Member
JIM OSCHWALD, Member
MICHAEL A. BODELSON, Member

BOARD MEMBERS ABSENT:
TARA ROTHWELL-CLARK, Vice Chair

ALSO PRESENT:
MELARIE GONZALES, Interim Director
JACKIE HOLMES, Compliance Officer/Investigator
JOSEPH DWORAK, Assistant Attorney General
MARIE SHAVER HOLLOWAY, Secretary, New Mexico
AIA JEAN GIBSON, Executive Director, New Mexico
AIA BARBARA FELIX, President Elect, New Mexico
AIA ANDRE LARROQUE, President, New Mexico AIA

REPORTED BY: DEBRA ANN FRIETZE
Paul Baca Professional Court Reporters
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Albuquerque, New Mexico 87102
THE Board Chair: Thanks for attending today. We had a nice introduction earlier from the Dean of the UNM School of Architecture.

I'd like to go ahead and begin the Board meeting and have a call to order, please. Roll call?

MS. HOLMES: Yes, sir, Mr. Chair.

[Whereupon, Chairman Vigil and Members Calvani, Adams, Glenn, Oschwald and Bodelson were present. Excused, Vice-Chair Tara Rothwell-Clark.]

The Board Chair: I apologize. We don't have a flag in here, but I'd like to go ahead and recite the Pledge of Allegiance.

[Whereupon, the Pledge of Allegiance was recited.]

The Board Chair: The first item on the agenda is Approval of the Agenda.

MEMBER BODELSON: So moved.

The Board Chair: We have a motion.

MEMBER OSCHWALD: Second.

The Board Chair: We have a motion by Mr. Bodelson, a second by Mr. Oschwald.

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: Opposed?
The motion carries.
The next item, Introduce of Guests. What I'd like to do, since we had a brief introduction here, I'd like to just take a moment and go around, since there's not too many of us here, and just kind of get an introduction to know who the Board members are.
I'd like to go ahead and start with Joe. You introduced yourself earlier. Could you start? And then start with Jackie.

MR. DWORAK: My name is Joseph Dworak. I'm an Assistant Attorney General at the AG's Office. Our office represents about 115 different Board Commissions, so one of the boards that we're lucky to work with is the Board of Architects.

The Board Chair: Thank you, Joe.

MS. HOLMES: I'm Jackie Holmes. I'm the Compliance Officer for the Board and the Investigator.

MS. GONZALES: I'm Melarie Gonzales. I'm the Interim Director and CFO.

MS. SHAVER HOLLOWAY: I'm Marie Shaver Holloway. I'm the AIA New Mexico Secretary.

MS. GIBSON: I'm Jean Gibson. I'm the Executive Director of AIA New Mexico.

MS. FELIX: I'm Barbara Felix. I am the President Elect for AIA New Mexico.
MR. LARROQUE: I'm Andre Larroque, current President of AIA New Mexico.

MR. ORTIZ: Jeremy Ortiz. I'm just a regular person trying to make a living.

The Board Chair: Thank you.

The next item, I'd like to go ahead and move approval of April 28th, 2016, meeting minutes. Do you all have those in your binders there?

MEMBER ADAMS: I move approval of the meeting minutes.

MEMBER BODELSON: Second.

The Board Chair: We have a motion by Geoff and a second by Michael.

All those in favor -- any further comment? All those in favor?

ALL MEMBERS: Aye.

The Board Chair: Opposed?

The motion carries.

The next item on the agenda, Update on Office of the Attorney General. Joseph?

MR. DWORAK: I apologize for the confusion to the Board with all of the moving around with staff in our office. I know that you thought I was no longer representing the Board.

James, who was supposed to take over with
representation, left our office about a week after the
meeting, so he was the first in a number of people that
either moved around within our office or within state
government.

MEMBER BODELSON: We're glad to see you
back, Joe.

MR. DWORAK: I appreciate that.

So in terms of my representation, I will
still be working with the Board. At some point, I am --
I have a large number of clients right now, and some
that require attending every day. So with that, I know
that this board is one that is on my list to be assigned
to a new attorney when we get them and when they're
trained, which I will be doing for them. So it will be
a while.

I will be at least at the next board
meeting. If there is an attorney assigned to the Board
at that time, that will be their meeting to introduce
you. If not, it may be the next. It will be at some
point down the road. But I will always be the backup
for them, too, in case there is a conflict or anything
like that.

I know that there was also -- the Board's
new prosecutor has also changed. Peggy, who was the
Board's prosecutor in a different division -- and again,
we don't really work in tandem because there's a
separation of roles there, but she did leave our office.
So my understanding is that -- is it
Rebecca Parish who was assigned to the Board?
MS. HOLMES: Well, she said possibly.
MR. DWORAK: Possibly. And they're also
going through some reorganization. They're taking on
new clients in our office, and there are also attorneys
that have moved around within the office as well.
So if it's her or if it's going to be
someone else, I'll make sure that not related to the
specific cases, but in terms of structure, I'm happy to
meet with them and chat with them about how this board
works and to make sure that relationship starts off on a
good foot.
I don't know if there are any questions
about that in general.
The Board Chair: Was she supposed to
be here, Ms. Parish? She was supposed to be here at
today's meeting?
MR. DWORAK: I'm not sure.
MS. HOLMES: Well, she said she may come.
But when I told her the meeting was going to be in
Albuquerque, that may have changed her mind.
She did send me an email and said she
thought she was going to be our prosecuting attorney,
but really wasn't for sure.

The Board Chair: Thank you.

MR. DWORAK: She has been with our office for a while, so she's not a brand new attorney. But like I said, they're still, I think, trying to iron out some changes with what's going on.

The Board Chair: Thank you, Joseph.

MR. DWORAK: Yep.

The Board Chair: Our next item on the agenda is open for public comment. Would anyone like to take an opportunity to have any public comment? If you could stand and state your name?

MR. ORTIZ: Jerry Ortiz. I'm here in response to the BEA program. I've been following this for a couple of years. I apologize. I came in late, so I missed some of the initial discussion.

I was under the impression that you all were setting up a parallel path to the NCARB path so that if there were potential issues in there, it would give you some wiggle room in the ability to bring other design professionals into the state or license them within the state in a way that would encourage us to, number one, keep our people here, but also just give people the ability to work with a license.
I understand that NCARB has changed their path finally, which I'm very happy about. So I'm just -- I was hoping to see some great progress today and hopefully see something set in place before the end of the year. It's kind of looking like that may not be the case, but that's why I'm here.

The Board Chair: Very good. I mentioned earlier, I don't know if you caught it, but Mr. Calvani will be giving a report on the current status of that new BEA process that was approved here recently. And I think you'll find, in a lot of ways, there might even be a shorter, easier path than what we're discussing today.

MR. ORTIZ: Yes, and I have seen that. For me personally, it's going to work great. I will be able to get my license January -- or my certificate January 1, but I'm one among many.

The Board Chair: Very good. Thank you very much. Thanks for attending today.

We're going to go ahead and move forward to Item B, New Business. Moving forward, consideration and possible adoption of proposed rule changes.

As you know, we just had our public hearing and went through all the items. It sounds like the only item that we had any conversation about or the most
interest was Item 16.30.3.

What I'm going to do is we'll present each
one individually and then take a vote individually per
section, so it will be clear for the record that we're
voting on each item, whether we're voting to approve or
not.

When we get to an item that has comments or
discussion, we'll probably take a proposed change or
modification individually, vote on that modification,
and then adopt -- you know, have it approved, the whole
section, as revised or amended.

With that being said, I'm going to go ahead
and move to Item A, 16.30.1, which is General
Provisions. Seeing we did not have any comments, I'd
like to open it for any discussion from the Board.

MEMBER ADAMS: Mr. Chair, just a point of
clarification. Should someone propose the adoption of
this and make a motion for that?

The Board Chair: Right. We'll make a
motion for each item, and then we'll discuss --

MEMBER ADAMS: So I'm going to go ahead and
make a motion to adopt the rule changes for New Mexico

The Board Chair: Okay, we have a
motion.
MEMBER GLENN: Second.

The Board Chair: A second. Any discussion?

No comments?

None being said, we'll take a vote. All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries for Item 16.30.1.

MEMBER ADAMS: Mr. Chair, I'd like to propose the adoption of the proposed rule changes to New Mexico Architectural Code Section 16.30.2.

The Board Chair: Okay. Do we have a motion?

MEMBER BODELSON: Second.

The Board Chair: Second by Mr. Bodelson.

Any discussion?

MR. DWORAK: Mr. Chair, I would just say if the Board does have any rationale or comments generally about the reasons why the Board is adopting these changes, even if they're noncontroversial, the comments made today, it would be something that might be helpful. Not that you need to spend much time on it, and you don't have to do it for everyone, but if there is
anything, fell free to add during the --

The Board Chair: Especially those of us that were involved in the writing of that. Make sure there's a little bit of background. It would be helpful for people to understand. I think it we tried to clarify it a little bit during the hearing.

But again, if anyone has any comments to those, I believe -- we are now talking about the administration organization, right?

MEMBER ADAMS: My understanding was that those first two areas, most of that was just cleaning the language, pretty much.

The Board Chair: Yes, pretty much. Is there any further discussion? Seeing none, I'd like to take a vote. All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?
The motion carries.

Moving forward, Item C:

MEMBER ADAMS: I move the adoption of the proposed rule changes to New Mexico Architectural Code 16.30.3. I think -- who wants to be the person to --

The Board Chair: With the modifications, right?
MEMBER CALVANI: Yes, with the modifications. But go ahead and adopt them and --
MEMBER ADAMS: Okay.
The Board Chair: So I have a motion to accept the changes to 16.30.3, which is Registration and Renewal. Is that the right section? Yes. 16.30.3, which is Registration and Renewal, Duplicate Certificates, Seal Specifications and Document Identification.
MEMBER OSCHWALD: Second.
The Board Chair: We have a second. Any discussion?
MEMBER CALVANI: I'd like to make an amendment to the rule and for it to read: "And have held such registration with no disciplinary action for at least five years," and to delete, "in a position of responsibility."
And I know what you said about the -- that being already said, but I'd like to put that in. And then I also think we need to have a discussion, Mr. Chair, about sunsetting this provision at some date because, as we all know, the BA will be in place January '17.
It only requires the registered people to be registered for three years, and the fee is much less.
And they would have an NCARB certificate, and yet they
don't have to hold the NCARB certificate after theyecome registered. So did I make my --

The Board Chair: Yeah. So to be clear,
what we're talking about, if you'll look in your
binders, we're talking about eradicating -- is it three
words?

MEMBER CALVANI: "In a position of
responsibility" is replaced with, "no disciplinary
action."

The Board Chair: Is that redundant,
"no disciplinary action," since we have it --

MEMBER CALVANI: Maybe, but I put it in
there.

The Board Chair: Discussion?

MR. DWORAK: Just for a clean record, can
you make a clean -- the comments on the motion can be
separate after it's seconded. But can you just clarify
specifically what your motion is in changing the
language?

MEMBER CALVANI: I would make a motion that
the words, "in a position of responsibility," are
deleted and replaced with, "no disciplinary action."

That's first.

MEMBER GLENN: Just so we're clear, we're
talking about Section 16.30.3.10, Subsection B?

MEMBER CALVANI: Correct.

The Board Chair: Can you read it, Bob, so it says, "another jurisdiction and have held such registration" --

MEMBER CALVANI: "And have held such registration with no disciplinary action for at least five years."

The Board Chair: Okay.

MEMBER BODELSON: That's the motion?

Board Chair: MEMBER That's the motion.

BODELSON: The Board Second.

Chair: We have a motion, and we have a second.

MEMBER ADAMS: Now, are we just approving the amendment?

The Board Chair: This is just the modification.

Any further discussion?

MEMBER ADAMS: Do we want to do the sunset thing as a separate item?

MEMBER CALVANI: Let's do it separate.

Let's get this done.

The Board Chair: Any further discussion?
MEMBER OSCHWALD: I would just want to point out, is this going to cover the language that was proposed by Mr. Satzinger previously?

The Board Chair: Yeah, let's be clear on what that effect is on this change.

MEMBER CALVANI: It deletes what Mr. Satzinger said. His issue was a position of responsibility. So we're not saying they have to have a position of responsibility. They just have to be licensed in their jurisdiction for five years, with no disciplinary action.

So they're working in New Mexico, they're not in a position of responsibility, they have a license in Texas or California. Boom.

MEMBER ADAMS: So it's actually less restrictive than Mr. Satzinger --

The Board Chair: Yes. Much less, because we're not even looking at the tenure.

MR. CALVANI: Let's get rid of this.

MEMBER GLENN: How big of a -- I don't know. How big of a change is this? I mean is there anybody out there who may not have seen this change published? Are they going to have an issue with this?

MEMBER CALVANI: No. They're going to -- I think they're going to like it. Their issue was
responsible charge, they couldn't have a responsible
close. They're licensed in Texas. They're working in
New Mexico without any responsible charge.

They're not doing projects in Texas under
responsible charge. They could or they could not be. I
don't care if they're doing projects in Texas under a
responsible charge. They just have to be licensed.

The Board Chair: In terms of the spirit
of what the request was of the leeway that was granted
and requested, this is to the betterment. In theory, it
should not be an issue. The opposite would be somebody
that's really concerned saying, "Oh, no. We want to
make sure they stamp the drawings and" --

MEMBER ADAMS: My comment to that would be
that this is actually, I believe, more restrictive than
the new NCARB policy.

So our argument would be we are just
bridging a small period of time when they couldn't get
that. And then, in fact, someone could get licensed in
this state or any other state with a less restrictive
path, and that's the thing that we're putting out there.

MEMBER GLENN: I understand that it
addresses the public's -- some of the public comments
that were made today. My concern is: Is this going to
have some effect because it wasn't a published change
that we made? Is somebody else out there going to say, well, if I had known you were going to do this, I would have liked to have had an opportunity to comment?

The Board Chair: In my humble opinion, I don't think it's a substantial change, but I guess we can ask Joseph.

MR. DWORAK: I think my only concern is that you're adding a factor, which is the disciplinary action. Removing the position of responsibility I don't think is a concern. But I think the question is whether or not the inclusion of whether or not the person had any disciplinary action as another factor now would be the only thing to consider in terms of whether or not it's outside the scope of the proposed change.

MEMBER CALVANI: Mr. Chair?

The Board Chair: Which is covered in C2, I believe.

MEMBER CALVANI: It's just a repetition of what's already covered. I just want to make sure it's in there.

MEMBER GLENN: If it's already in there, then why are we doing it again?

MEMBER BODELSON: Mr. Chair.

What's in there is that they're in good standing, which doesn't necessarily mean that they
haven't had disciplinary action against them. So those stiffen it a little bit, but you --

    MEMBER ADAMS: So it's not really redundant?

    MEMBER BODELSON: I don't know if you want to change the language a little bit. Bob?

    MEMBER CALVANI: It mirrors what the BEA national thing talks about. They do talk about no disciplinary action. I just want to make sure it's in there, that's all.

The Board Chair: Myself speaking, I don't think that would be anything, by any means, that we will look at as a bad thing, right? We want to --

    MEMBER CALVANI: It would be disciplinary action in the state that they're licensed?

The Board Chair: Right. motion? So we have a

    MEMBER ADAMS: I just have a few clarifications. Because potentially, someone could have had disciplinary action from this Board, for example, for calling themselves an architect when they weren't an architect in the state. Would that --

    MEMBER BODELSON: That's correct.

    MEMBER CALVANI: Well, it says, "Have held such registration with no disciplinary action." It's
talking about that registration, not New Mexico.

    MEMBER ADAMS: Okay.

The Board Chair: Right, because we can't enforce --

    MEMBER ADAMS: Okay. I'm just trying to foresee.

The Board Chair: Are we good? Any further discussion on this item, this modification?

    Do we need to restate the motion, or is everything clear?

    MR. DWORAK: So to clarify, you're voting on the amendment?

    The Board Chair: Just the amendment, sorry. I have an amendment to the motion.

    All those in favor?

    ALL MEMBERS: Aye.

    The Board Chair: All those opposed?

    The motion carries.

    MEMBER CALVANI: Mr. Chair?

    The Board Chair: I'd like to also make an amendment to this same change that we sunset this in January of 2018. So it gives more than a year and a half for these people to get before the Board.

    And I just want to say that this Board needs to develop a process with dossiers and interviews
that can be defensible, because that's why we didn't
want to do this in the first placement.

The Board Chair: Very good.

MEMBER BODELSON: Second.

The Board Chair: We have a motion and
a second to make another amendment to the motion.

Does anyone have any further discussion in
regards to this?

I have one quick question: When do the --
I mean obviously, we go through - in terms of the
process and going through the rules hearing, when do
they actually become valid? Do you have to wait --

MR. DWORAK: So these rules will become
effective 30 days after being filed with the Records
Center. And before they can really be filed, it just
needs to be -- I mean Jackie, I guess, will be the
person to make sure again they're in the right format,
which I think they are. So they should be ready --

The Board Chair: So we're probably
looking --

MR. DWORAK: -- to go.

The Board Chair: -- at a couple of
months before they're actually effective?

MR. DWORAK: One month, 30 days.

The Board Chair: Thirty days?
MS. HOLMES: September 15th.

MEMBER CALVANI: Mr. Chair?

The Board Chair: Yes, sir?

MEMBER CALVANI: So to address the public, this would be a parallel path for about a year?

The Board Chair: Which is a more stringent parallel path than the current --

MEMBER CALVANI: Well again, I don't know that a process is even in place for this Board to administer what we're saying.

The Board Chair: Well, we're talking about more stringent in terms of time. I understand that that's three years versus five years?

THE COURT REPORTER: And just real quick, I need one person speaking at a time.

The Board Chair: Okay, so we have a motion and second. We voted?

MEMBER BODELSON: No, we haven't voted.

The Board Chair: So all those in favor of the second amendment, which is to add a sunset provision clause to --

MEMBER CALVANI: January of 2018 --

The Board Chair: -- January 2018.

MR. DWORAK: Can we clarify exactly where that's -- are you just going to add a sentence that this
provision -- just because this -- I mean, this is the final draft. You all won't have any -- I mean, this is it.

And then Jackie has to send it in to the Records, or she's going to try, I guess, the beginning of next week. And so --

MS. HOLMES: Monday.

MR. DWORAK: -- she needs to know exactly what language.

MS. HOLMES: That's a great idea.

[Discussion was held off the record.]

MEMBER CALVANI: I think after the Number 4, we just put a sentence in that says, "This provision, 16.30.3.10.B, will be sunsettled in January of 2018."

The Board Chair: But not all of it's going to be sunsettled, just that one provision.

MEMBER CALVANI: B.

The Board Chair: B.

MEMBER GLENN: Instead of "sunsettled," do you want say, "expires"?

MEMBER ADAMS: Expires.

MEMBER CALVANI: Sure.

MR. DWORAK: I think we can have a little editorial discretion. I can check with Jackie for what the appropriate term is. And it'll either say sunset --
I just wanted to clarify exactly where this is going --

The Board Chair: Where it goes? Okay.

MR. DWORAK: -- but I think that it's fine to include it, as it's basically a new paragraph under Number 4 that will be attached to B.

And if I am clear, it would say something like -- and I believe it would be a paragraph, "This paragraph B will" -- and it'll say either "sunset" or "expire on." And the date, you said, was?

MEMBER CALVANI: January 1st.


The Board Chair: One of the issues that I have with the delay altogether is it won't have addressed at all the BEA.

MEMBER CALVANI: Well, the BEA will be in effect. I mean we don't have to address BEA.

The Board Chair: No. What I'm saying, isn't B the only paragraph that addresses BEA?

MEMBER CALVANI: I think so.

The Board Chair: So I'm thinking it needs to be replaced with something. I mean what we're saying, in effect, is after that January date, we want then our process to be the NCARB process, the BEA process.

MEMBER CALVANI: But it will. I don't know
that they necessarily have to say it. The BEA will --

The Board Chair: Because it's covered under A? See, A doesn't reference BEA. It does reference NCARB certificate. I'm just discussing that. I'm just wondering, because I believe even prior to this modification, there is reference to BEA.

MEMBER CALVANI: Well, we could add a sentence that says, "Then it will be sunsetted" --

The Board Chair: A continuation?

MEMBER CALVANI: -- "and it will be" --

The Board Chair: Expired?

MEMBER CALVANI: -- "expired January 1st, 2018, to be replaced by the revisions of the alternatives to the education requirements per certification by NCARB." 

The Board Chair: And tie it to that expiration of what it would be replaced by prior to that. Does that sound okay?

MEMBER BODELSON: It sounds good.

MS. HOLMES: Could you repeat that. "To be replaced by"?

MEMBER CALVANI: It will be replaced by the revisions of the alternatives to the education requirements for certification by NCARB.

MEMBER GLENN: You're almost making a
ruling in the future, though, and that's our concern.

MEMBER BODELSON: Could we just say, "as they're approved currently"?

MEMBER GLENN: Realistically, you're going to have to replace Subsection B at some point before January 1st, 2018.

MEMBER CALVANI: Right. I thought that's what we said, it'll be deleted and replaced by that.

MEMBER GLENN: No. What I mean, as matter of course, if you take it out -- I mean if that's the provision that you're going to sunset as of that date, realistically you're going to have to change it anyway before that date, right?

The Board Chair: That applies to putting an expiration date or a sunset. If we're going to sunset, why don't we just wait and delete it when we rewrite it? Do you see what I'm saying?

I mean I'm saying we're giving this window that expires then. What I'm saying is once that's expired, what gives? What is the option? What's the alternative?

MEMBER CALVANI: Mr. Chair?

You also have to remember that the process from these revisions of the alternatives has got to be available to anyone in January 2017, so they can go
through that process in 2017. But we're running a parallel process for another year.

The Board Chair: See, that's a good point. Maybe we need to have this option or the other option. So it's either, right, and then that piece would stay?

MEMBER CALVANI: Okay, somebody word that.

The Board Chair: Okay.

MR. DWORAK: Mr. Chair?

The Board Chair: Yes?

MR. DWORAK: I would just advise the Board to -- I would caution the Board not to go too far into getting into a lot of hypotheticals in addition to changing the language, but also reaching out to try to plan ahead with what's going to happen when these new national requirements come into play.

I really think that the Board is going to have to revisit this at some point in the next year and a half. Whether it be a year or six months or even six months after that January 1st, 2018, period, I think it's going to be necessary for the Board to clean up these rules to accommodate those new requirements.

So I think there's only so much you can do. I think giving notice that this is going to expire is helpful, but I would caution the Board about trying
to -- it's going to get a little messy, and I think the reality is you're going to have to change it anyway.

MEMBER ADAMS: I think -- well, the important part about saying it's going to expire on a certain day is to give warning to folks who might be interested in doing this that there's a limited time period to do it.

And then coming back and changing it to what we want to change it to, we can do that at the appropriate time.

MEMBER CALVANI: I'll amend it. I'll just say that it expires January 2018, to be replaced by an NCARB process.

The Board Chair: That's fine. I like that. That's simple. Okay?

MS. HOLMES: Repeat that, please. I'm sorry.

MEMBER CALVANI: It will expire January 2018, to be replaced by an NCARB national process.

MS. HOLMES: Thank you.

The Board Chair: Great.

MR. DWORAK: I haven't -- just personally for the language of this, I personally haven't seen references that are so nondescript. Just because it's saying oh, this is going to be a process, that's not
defined, and it isn't set right here in the rules. I
mean I understand it's trying to give notice, but at the
same time, I think someone that reads this is going to
know that something else will apply.

And ultimately, if the Board says they want
to change something after this expires, then it would be
conflicting with prior rules. I think it's just easier
to say -- unless there's an easier way to clean it up,
but I think that it might be easier saying for it to
just expire.

And if anyone has some inclination of,
well, what's going to happen, I think that can be
explained to them through the Board office, that the
national rules are changing, and so are the
requirements.

The Board Chair: Okay. So I have a
proposition: We go to just leave it as it will be
expired on that date, just as you amended originally. I
have a consideration to move up to A and just say, "An
individual who holds a current NCARB certificate and/or
NCARB BEA."

MEMBER ADAMS: Once they do the BEA,
they've got an NCARB certificate. They've got it.
That's the only reason for that process.

The Board Chair: That covers it?
MEMBER ADAMS: Yeah, you're covered.

The Board Chair: So don't even reference BEA?

MEMBER ADAMS: Right.

The Board Chair: Okay. So the original motion -- do you want to restate that, Bob? We're just going to add -- one more time?

I can tell you what it was.

MEMBER CALVANI: Go ahead.

The Board Chair: You're going to add a sentence after 4 that reads, "The provisions of 10.16.30.3.10(B) shall expire on"?

MEMBER CALVANI: January 2018.

The Board Chair: January what?

MEMBER CALVANI: January 1, 2018.

The Board Chair: January 1, 2018. Is that good?

MEMBER ADAMS: Second.

The Board Chair: We have a motion and a second. All those in favor?

ALL MEMBERS: Aye.

The Board Chair: Those opposed?

The motion carries.

MEMBER ADAMS: So we have a -- there's a motion on the floor for the whole thing.
The Board Chair: Now we have a motion to --

MEMBER ADAMS: I started out by doing the motion for the whole thing.

The Board Chair: The whole thing as amended, right, or not?

MR. DWORAK: So the current motion on the table for the Board is to adopt Part 3, and that would include the two amendments that the Board has voted on.

So at this point, the Chair can ask for any further discussion or amendments to the original motion. Otherwise, if there are no comments or additional amendments, then we can move on to a vote to adopt Part 3 as amended.

The Board Chair: Thank you.

Is there a motion?

MEMBER OSCHWALD: There was, and a second.

MR. DWORAK: It's already been moved and seconded, so now it's just a vote.

The Board Chair: But the motion wasn't including the amendments. We --

MR. DWORAK: But that's an amendment to the original motion. Both had passed, so it's now -- it includes those amendments.

So the current motion is still to adopt the
entire part as a whole, and both of those amendments have been incorporated.

The Board Chair: Okay, so the motion is in.

Any further discussion?

MEMBER CALVANI: I'd like to ask staff: How soon do you think we could have a process in place for the public or the architects that are going to notify your office wanting to go through this process, how soon can we set this up?

MS. GONZALES: So Mr. Chair, Board Member Calvani, that's what Jackie and I have been discussing. Because if she's going to start putting these in publication on Monday, they'll be published September 15th, you said?

MS. HOLMES: It will be logged September 15th.

MS. GONZALES: So we have to come up with a new process as far as applications go and everything else that we're going to be getting concerns about from the public.

MS. HOLMES: So it's hard to -- I think it's hard to figure out how long it's going to take.

MS. GONZALES: It's hard to say like it's going to be a month, because we have to go back through
all the applications and just create a brand new one for
specifically this BEA process.

    MEMBER ADAMS: I mean I'm assuming that the
Education Committee will have to -- will be the
committee charged with coming up with that process?

    MS. HOLMES: Examiner Reciprocity
Committee?

    MEMBER ADAMS: Yeah. So I'm thinking that
we -- I mean I would say the earliest we would be ready
to do it would be January 1st, 2017.

    MS. HOLMES: That sounds like a good target
date to shoot for.

    MS. GONZALES: I agree.

    The Board Chair: If I could just
mention, that's the earliest date that you would have
the process in place. However, that's not a deadline
for submissions that could be turned in, correct?

Because they --

    MEMBER ADAMS: Well, they need to know what
the process is to turn in whenever they're going to turn
in. It would be hard to put together your dossier if
you don't know what's supposed to be in the dossier.

    MEMBER OSCHWALD: If a dossier is required.

    MEMBER ADAMS: I'm just saying --

    MEMBER OSCHWALD: Discussion and a vote?
The Board Chair: Any further discussion?

Okay, all those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries.

MEMBER ADAMS: I move adoption of the proposed rule changes to the New Mexico Architectural Code, Section 16.30.4.

MEMBER BODELSON: Second.

The Board Chair: We have a motion, and a second by Michael.

Any further discussion?

MEMBER ADAMS: And Mr. Chair, just to go with the attorney's suggestion, these are mostly cleaning up of the language and removal of redundancies.

The Board Chair: Thank you.

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries.

MEMBER ADAMS: I move adoption of the proposed rule changes to New Mexico Architectural Code 16.30.5. Again, the same set of cleanup and redundancy removal.
MEMBER GLENN: Second.

The Board Chair: A motion by Geoff, a
second by Mark.

Any further discussion?

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries.

MR. DWORAK: Mr. Chair, Members of the
Board, I would just ask that the Board entertain one
last motion on this just to clean up the final record,
to go ahead and adopt all of the parts, Parts 1 through
5, as approved by the Board, and to direct the staff to
file these changes with the Records Center.

And then with that motion, if there are any
other final comments or anything else with the final
adoption, you can have that then. But it seems like
everything is pretty good to go.

But just to clarify, that they are being
adopted by the Board, and to file with the Records
Center.

MEMBER BODELSON: Yeah. Mr. Chair, I'd
like to move that we direct staff to compile Sections
16.30.1 through 16.30.5, compile those together and
direct staff to file those with the Records Center.
The Board Chair: And adopt, also

adopt.

MEMBER BODELSON: And adopt.

The Board Chair: As approved by the Board.

MEMBER BODELSON: As approved by the Board.

The Board Chair: Any further discussion?

There's a motion, actually. Is anybody going to second that?

MEMBER GLENN: I'll second.

The Board Chair: I have a motion and a second. Any further discussion?

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries.

New Business. Item Number 2, Updates on NCARB Business Meeting.

Mr. Calvani, would you like to --

MEMBER CALVANI: Sure, Mr. Chair.

So the business meeting was June 16th. It was in Seattle. The biggest thing that happened there were there were 10 resolutions, and we need to discuss probably three of those resolutions today.
The first resolution was an amendment or an agreement between Australia and New Zealand and the United States. And today we have a Letter of Undertaking that this Board needs to either sign or not sign.

All of the requirements for education, experience, continuing ed, were all met by Australia and New Zealand, so basically it means anyone with an NCARB certificate. They think it's actually going to be a one-way street, so it will be more Americans going to Australia and New Zealand to do work, rather than the other way around.

So you could in fact go down and do a kangaroo shoe factory now, if you want, so that's the first thing. And we do need to look at signing this letter if New Mexico wants to be a jurisdiction that wants to have reciprocity with Australia and New Zealand.

Of course, the second resolution was the BEA resolution, which really talked about that people had to be licensed for three years. They have to have experience, and they have to have an architectural-related degree. There's a lot of architectural-related degrees, so it would be up to NCARB to look at those architectural-related degrees.
But if you do have an architectural-related degree, you just have to document two times the AXP, which is the new term now for the IEP.

And if you didn't have an architectural-related degree -- again, there are people that have degrees in anything, bowling or whatever, or just a high school diploma -- they would have to do a dossier and build for incoming.

What this does is it takes the defensibility away from any jurisdiction like New Mexico, and puts it on NCARB to do the vetting of these individuals, rather than us, which is what we would like to do, and we apparently are going to do that in a year. So that passed, finally, and it makes it a lot easier for people to go through. It's not time-consuming, it's not as much money, et cetera, so that was a good thing.

Then the other ones were just housekeeping about the exam equivalency of the ARE 5.0, et cetera, and the rolling clock.

But then there was a resolution that came out of Region 10, which is our region, and chaired by Mr. Oschwald about approval for changes to the program requirements for the Intern Development Program, or the IDP.
There was a lot of discussion about jurisdictions not having enough say about changes to the IDP. And the IDP recently was overhauled as well as streamlined, so now there's less hours in the IDP. Rather than the 5,000-so-money hours, it's now 3,700 hours, et cetera. And it's streamlined to coincide with the new practice analysis and the way architecture is practiced, rather than the old 17 -- there were 17 deals; now there's only 6. So there was a lot of discussion, but that was not approved.

The Board will continue to make changes to the program requirements, given the fact that we still give jurisdictions 90 days to do comments to any kind of change that we're doing. So that happened.

The only other thing that happened, there were a couple of workshops that we all went to. One was certainly launching the new ARE 5.0.

The technology in the Board meeting I thought was interesting, and certainly we can talk to staff about technology and how people vote in and so forth.

And then of course the North Carolina Dental Examiners, and that problem that's just -- it's going to continue to be a problem with regulation and regulating any kind of profession.
The only other thing was the AIAS Freedom by Design. I'm sure they have a chapter here, and they do Freedom by Design. You would know about that. And yet NCARB did fund $100,000 to Freedom by Design. So we'll make sure that maybe UNM knows about it, that there's 100 grand out there for their projects.

Besides that, Mr. Oschwald was elected to be the Director from Region 6.

MEMBER BODELSON: Congratulations.

MEMBER GLENN: And Mr. Calvani was selected Secretary of NCARB.

The Board Chair: Congratulations to both of you serving. I know the State of New Mexico values and benefits greatly from having you guys' involvement at a national level and actually moving up the ranks at that national level. To have two of you from the same Board on a national level, that's very impressive. Good job, guys.

I know you're well known and liked by all the other members around the other jurisdictions, so congratulations.

MEMBER OSCHWALD: Thank you.

The Board Chair: Bob, with that, I would like you to give a recommendation for Item A so we can go ahead and take a vote, because I believe we need
to sign a letter, and I'd like to get a motion.

MEMBER CALVANI: Again, this was an agreement between the United States jurisdictions and Australia and New Zealand. Again, it's been vetted by the Education Committee, continuing education people, the examination people, that their processes in Australia and New Zealand are equal or even above our processes in the United States. So it's a reciprocity agreement, and that's basically what it is.

A lot of jurisdictions have already signed off, and New Mexico can or cannot. I would recommend that we do. And I don't know if there's any other --

The Board Chair: I believe we voted as -- that was one of the items that we voted for --

MEMBER CALVANI: We did vote on the resolution. Now it's up to this Board to vote on if we want to have reciprocity with those two nations.

The Board Chair: Would you like to present a motion?

MEMBER ADAMS: Is this something similar to what we have with Canada.

The Board Chair: Yes.

Your motion is?

MEMBER CALVANI: I would make a motion that we do sign the Letter of Undertaking.
MEMBER BODELSON: Second.

MEMBER ADAMS: Second.

The Board Chair: I have a motion and second by Michael. I think you were the first one.

Any further discussion?

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries.

MEMBER BODELSON: Mr. Chair, can I insert one item before we go to the next one?

The Board Chair: Absolutely.

MEMBER BODELSON: This is just a discussion item.

The Board Chair: Are we talking about still under Item 2, the NCARB Business Meeting, or is this something new?

MEMBER BODELSON: It's something new.

The Board Chair: Before you do that, Jim, would you like to add anything? I put you down for discussions on the BEA process. Is there anything you would you like to add to that, especially for some of the audience members that we have, to give them --

MEMBER OSCHWALD: Bob did a good job of covering it, but I'll just run through this real quick.
And I'll also point out for the public members that this information is available directly on the NCARB website.

Frankly, I think you should get an NCARB Certificate if you can navigate the website successfully because it's very complicated. But this information is on there, and it says, "An individual must have at least three years of continuous licensure in a US jurisdiction without disciplinary action.

"Architects with a Bachelor's degree in an architectural-related program must document two times the AXP, which is 7,480 hours.

"Architects with other postsecondary education who have obtained more than 64 semester credit hours are required to obtain an EESA evaluation and then submit an education portfolio to address the deficiencies.

"Architects with less than 64 semester credit hours and postsecondary education are not required to obtain an EESA evaluation, but must address all education requirements through an education portfolio."

The program will go into effect in 2017.

I'm not sure if that means January of 2017. It may be is further into 2017.

The cost -- this is the great thing. It's
only going to be $1,100, compared to the current $5,000 price tag for the BEA program. So wonderful changes to the BEA program.

The Board Chair: Okay. Thank you very much. Do you have a copy?

MEMBER OSCHWALD: Absolutely.

The Board Chair: Any questions or further discussion on that?

Seeing none, we'll go to -- before we move into -- we're probably going to break before Item 3, since we're going to go into executive session. So before that, why don't I go --

MEMBER BODELSON: Yeah, just for discussion. Because we've done the rule change, this is kind of reflecting the fact that we've got the Sunset Act coming up for this next legislative session. And this is a good time for us, I think, being in conversations with AIA so we can begin to coordinate our efforts on the legislative front. Just because this is a reflection of the fact that we're updating our rule, it's going to have to flow, I think, into the statute. We have the AIA here, so this is a good time to talk about it.

The Board Chair: Yes, that's a good point. Good to mention, especially if you're not
going to be here for this afternoon's finish.

MEMBER BODELSON: So what I would suggest is at a future date, we either designate a group or, through the rules, are recommending that we reach out to liaisons that the AIA has available to us. We'll begin that coordination.

The Board Chair: Melarie?

MS. GONZALES: Mr. Chair, Board Member Bodelson?

MEMBER BODELSON: Yes, ma'am?

MS. GONZALES: You are the Chair of the Legislative Subcommittee --

MEMBER BODELSON: Correct.

MS. GONZALES: -- so if you would like to coordinate that with AIA, that will be great.

MEMBER BODELSON: I'd be glad to do that. As long as Mr. Calvani authorizes it.

MS. GONZALES: As long as he gets your blessing, Member Calvani.

The Board Chair: As a reminder, because I did have a question, maybe Joseph could help us with this.

The sunset provision, what's the official
sunset date? Have any of you been to a sunset meeting?

You've been to one, Member Bodelson?

MEMBER BODELSON: It was a long time ago.

AUDIENCE SPEAKER: July 31st.

MS. GONZALES: Mr. Chair, Board members, the actual sunset is July 31st, 2018. I've already submitted the Sunset Report, which I have a copy of here, that you guys could all view.

MS. HOLMES: '17.

MS. GONZALES: Oh, '17, excuse me. July 31st, 2017. Correction. However, the Sunset hearing is in September. My legislative finance analyst has not given me the exact date. I think it's going to be mid-September, but I don't have any more information other than that.

The Board Chair: Okay.

MEMBER BODELSON: That hearing is Legislative Finance?

MS. GONZALES: Correct.

The Board Chair: Any further comments you've got?

MEMBER BODELSON: I just wanted to make the Board members aware.

The Board Chair: With that, I would
like to go ahead and ask for a recess. What we're going
to do is reconvene -- or we're going to break for lunch.
And then we'll probably enter into -- we'll jump right
in, but we will probably go into a closed session.
So I would say we try to return here at 15
after. It's currently about 12:00. We'll plan on
reconvening about 1:15.
With that being said, we'll go ahead and
break for lunch. Thank you for attending today.
If you're not going to be returning, we
appreciate you guys showing an interest.

[Recess taken from 11:59 a.m. to 1:45
p.m.]
The Board Chair: It's now 1:45. We'll
come back into our meeting. I'd like to go ahead and
move to Item Number 3, Discussion of Disciplinary
Matters.
I will entertain a motion to enter into
closed executive session.

MEMBER ADAMS: I move the Board enter into
closed session as authorized by the licensing exception
of the New Mexico Open Meetings Act to discuss the next
item listed on the agenda. That's NMBEA 2014-06 and
NMBEA 2014-07.

MEMBER BODELSON: Second.
The Board Chair: A motion to enter into closed session has been made and seconded. May we have a roll call vote?

[Whereupon, Chairman Vigil and Members Calvani, Adams, Glenn, Oschwald and Bodelson were present. Excused, Tara Rothwell-Clark.]

The Board Chair: The motion to enter into closed session carries.

Let the record show that the Board entered into closed session at 1:46. The recorder will now be turned off.

[Whereupon, the court reporter was excused during the closed session meeting.]

The Board Chair: The Board is back in open session and on the record. The current time is 1:54.

Let the record show that the matters discussed during the closed session were limited only to those specified in the motion for closure and that no votes or official action was taken.

We will proceed into Item Number 4, Mr. Bodelson.

MEMBER BODELSON: Yeah. Mr. Chair, regarding disciplinary matters, I vote that the Board
approve NMBEA 2014-06, Proposed Settlement Agreement,
and NMBEA 2014-07, Proposed Settlement Agreement
collectively.

MEMBER ADAMS: Second.

The Board Chair: We have a motion and
a second.

Any further discussion?

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries.

MS. HOLMES: Who seconded that? I didn't
hear a second.

MS. GONZALES: Geoff.

The Board Chair: A second by Geoff,
motion by Michael.

MS. HOLMES: Thank you.

The Board Chair: The next item on the
agenda, Update on Legislative Statutory Changes.

As you all know, part of our strategy, is
we're working and trying to make sure we get all the
rules updated and modified in order to really move
forward, especially in light of the sunset year that
we're going to be having.

I was trying to get all of our ducks lined
up. And we need to be looking at the provisions to our statutes, whereas we're going to have to make sure we align ourselves with the representative or somebody that's going to carry our needs forward.

I have been informed by some parties that we should already be doing this. There should be somebody that's having conversations, and it's not -- you know, we really need to be in tune for this next legislative session. We want to be prepared.

Part of that is there have been some conversations with Trevor at the Governor's office. He wants stuff obviously run through them first. We've gone through them in the past to where they made some recommendations and added some changes, and that's where we've reflected on our proposed changes.

Michael, do you want to go ahead and talk about where we're at and what we need to do? And what I'd like to do is, as a result of the conversation today, make a plan forward, maybe a plan of action on dates and times where we can accomplish this.

We're only going to have maybe another meeting or so before the -- we have two, right, two more meetings?

MEMBER BODELSON: Yeah, Mr. Chair, I would agree. Like I say, we probably should have been -- I
probably should have been on top of this a little bit earlier. With the legislative hearing coming up in September, I say we need to pull together the committee and have probably a couple of phone meetings, conference calls, you know, probably a sit-down, too, and get you in as the Chair to essentially make sure we have the right organization on the statutory changes we're proposing. That includes legal, so we've got quite a bit to do.

The good news is that we've plowed this field a couple of times before, so I think we should have our major items nailed down for review with the Governor's office. And like I say, kind of consider those a little bit differently.

I know we have a lot of cleanup. But you know, present that just as a cleanup, and just try to focus with the Governor's office on the substantive changes.

The Board Chair: Correct me if I'm wrong, but we had put something together. We presented that, unfortunately, when we had the issue about the guy that dropped out, or whatever you want to call it.

We had a draft version, correct?

MEMBER BODELSON: Right.

The Board Chair: Who was the keeper of
that draft? Because I believe we approved that draft in that Board meeting, and I believe it was in Ruidoso.

MEMBER BODELSON: Yeah.

The Board Chair: When we were in Ruidoso, we approved those changes that moved forward in that last session section --

MEMBER BODELSON: We did.

The Board Chair: So I'd like to pick up that draft. And maybe that's the basis to just make sure there's not anything else we're missing, especially in light of the real changes we did. I don't think there's anything that ties to that.

MEMBER BODELSON: I can't think of anything, you know, significant. Like I say, I think we just need to read it and check it. I know that there were a couple of items that we went back and forth on in terms of, "Oh, yeah, let's keep track of that."

But I think if we just do a re-reading and confirm what was approved.

The Board Chair: Would that be in our meeting minutes? Do we have to date back to those? I don't know if you've got access to that, Melarie. Do you recall?

MS. GONZALES: Mr. Chair, I'll have to look at the date binder that we usually keep of all the
minutes that you guys sign. But I think Joe had sent me
one of the drafts of --

The Board Chair: Yeah. Because what was
going to happen is you were going to take it after that
meeting, and you wanted to get together with someone
else. At that point, you wanted to get together and go
over some legal stuff, make sure you had the language
correct; do you remember?

That's after you gave us kind of our
training. And you said, "Well, I'm going to go and take
a look at this." I think that rings a bell, that you --
it kind of went to your court, and you were going to do
a review of it.

MR. DWORAK: Sir, just to clarify, I think
that was the resolution, correct, that included what
language the Board was in favor of changing in the
statute?

The Board Chair: Yes.

MR. DWORAK: My understanding also is that
two years ago, there was one version. And then I
believe the Board, the following year, voted on it
again.

The Board Chair: Yes.

MR. DWORAK: I don't think that there were
any changes at that time --
The Board Chair: No.

MR. DWORAK: -- but I think that there was discussion.

I don't think I know exactly what changes needed to be made, other than I would volunteer to help work with anyone in terms of the wordsmithing if there were changes. So I would need to speak to at least Malarie or someone -- the committee members or someone on the Board.

The Board Chair: Yeah. If we could just look at the records, the version you have, if you could just look at the last one where you were saying that, maybe we'll compare those. Forward those to Michael so that Michael can then initiate that with the committee. What I would like to do is by the next meeting, have at least the proposed items that we can vote upon.

You know, as part of the discussion today, I don't want to make sure that we align ourselves with some idea of who we want to approach on assisting us with this -- through the legislative track. I have a couple of ideas myself.

I know that before the last year, I had spoken to Mary Kay Papen. She was one -- she had offered -- I think we were in a Las Cruces meeting, some
of you that went down.

MEMBER BODELSON: Right, I remember that.

The Board Chair: She offered to help us if we needed her to, as well as -- the other person I'm thinking about is someone that is really involved with the AIA, and that would be -- he's an engineer.

MS. GONZALES: Larry --

MR. BODELSON: Larry Larranaga.

The Board Chair: Do you know him well, Michael?

MR. BODELSON: He may not remember me, but I remember him from State stuff. If I reminded him, he might say, "Oh, yeah, I remember you."

The Board Chair: I think part of that is when I started talking about that's what we need to be doing, that's when I was reminded, no, you've got to go to the Governor's office first.

MEMBER BODELSON:

Yeah, we had that lesson. Did you want to speak to Mary Kay Papen?

The Board Chair:

I want to wait until
we say that we've spoken to the Governor's office.

MEMBER BODELSON: Okay.

The Board Chair: What I'd like to do is
if we can get that language in the document figured out,
then maybe we can schedule a meeting for the two of us
or anyone that's interested in meeting with Trevor.

MEMBER BODELSON: Okay, second.

The Board Chair: The three of us.

We'll get Melarie and Trevor.

What we'll try to do, we'll explain to
them -- because I think some of it -- the last time,
unfortunately, I think it was probably the conversation
with Wren, that we didn't have one of us there to defend
an intent or reasoning why we're doing what we're doing.

MEMBER BODELSON: This is why I brought it
up earlier, too, is that it won't hurt us. It will help
us if we had the AIA basically, you know, in step with
us.

The Board Chair: I know Larraga is very,
very helpful to the AIA in their lobbying efforts, so I
think he's a good option if we don't want to ask Mary
Kay. And right now, just so you know -- obviously,
probably everybody knows -- Mary Kay and the Governor's
office, they're probably not on the same sheet notes. I
mean we may want to strategically figure it out or maybe
do both.

MEMBER BODELSON: Well, yeah, let's sort that out. Like I said, I like the idea of using Larry.

MR. OSCHWALD: It might be an issue for us if Larry is that closely tied with the AIA. It might be a double-edged sword. It might be seen as us trying to lobby inappropriately.

MEMBER BODELSON: If we're lobbying -- I mean maybe I'm drawing on --

MEMBER OSCHWALD: Well, we maintain a separation from the AIA because they can lobby the legislature. And if Larry is that tied in with the AIA, it might be seen as too close of a connection with the AIA, and us trying to --

The Board Chair: Now, he has in the past, Jim. I don't know if maybe with this legislature he's pulling back or not and would be willing to do this for us. So I just need to --

MEMBER BODELSON: Like I say, mainly for the legislative side, pick up the piece that we have, which is, you know, pretty much 99 percent of the ball of wax. You know, let's wordsmith it, pick up any loose ends we've got. But I would just go forward with what we have because it's been --

The Board Chair: And that was approved
by the Board already?

MEMBER BODELSON: Right.

The Board Chair: So unless there's any major change, then we have to wait for the next Board meeting to approve it?

MEMBER BODELSON: Right. Like I said, we'll have another shot, you know, another bite at the apple, so to speak, before we get to the special. We'll actually have two. So I think at that time, we just need to jump on it, and I'll stay in touch with you.

Did you want to set that meeting with the Governor's office?

The Board Chair: Yeah. Once I know we have the document in hand, then I'll schedule it.

MEMBER BODELSON: So would you have them pull the document?

MS. GONZALES: Didn't I send you what I found?

MEMBER BODELSON: I think you did.

MS. GONZALES: Because there's like two separate documents that I found going through everything, and I don't know --

MEMBER BODELSON: I think there are, yeah.

But I'm not --

MS. GONZALES: -- which one you guys
The Board Chair: Were they --

MS. GONZALES: -- voted on.

The Board Chair: -- electronic, like Word documents?

MS. GONZALES: I believe so.

The Board Chair: We can just check the dates.

MR. DWORAK: Just for the court reporter's benefit, all of this is being recorded. So just try to speak one at a time.

MEMBER BODELSON: Sorry.

MR. DWORAK: I think you all received -- and you don't have to put this on the record.

[Discussion was held off the record.]

MEMBER BODELSON: I'll check my records, and you and Joe check yours. We'll decide which one is the most current and the correct one, and we'll take that one forward.

MS. GONZALES: Yes. And I'll look through the approved minutes for the last two years, if I have to, to see which is which.

MEMBER BODELSON: Okay.

The Board Chair: Okay.

MEMBER BODELSON: Thank you.
The Board Chair: Any further discussion? There's nothing to really vote on, other than our planning.

The next item I have on the agenda is the date -- I'm sorry, proposed FY18 Appropriation Request.

MS. GONZALES: Mr. Chair, Board members, in your books I put a little narrative because as you see, our FY17 budget got approved for $387,700. The reason why it's increased to $403 is because I had to increase the old Director's salary by 5 percent.

And usually what the Governor's directive and the Department of Finance State Budget's authority is, they want all vacancies at midpoint. However, vacancy of the directors is extremely higher at midpoint than what the last -- the previous director was making.

So that's why you see a difference in the 200 Personnel Services category. That's why that's increased, because of that 5 percent increase that I had to do for that vacancy.

What I also put in this little narrative is if we could approve this amount for now, until I actually go into the Budget Reporting System for Budgetary Reasons, which is called the BRSBPS, I will be able to look at the numbers more closely and then deal
with the Department of Finance, the State Budget Division, and see if they're fine with this amount. If not, I might have to go back to flat, which is the 387.7.

So if that's the case, I would have to meet up with the Finance Committee to have them approve it before September 1st, because that's when the FY18 appropriation is due.

Are you guys okay with the amount that you see for each category? I left the 300 category, the contractual services, flat, as well as the 400 other costs.

I have a strategic plan for the actual budget hearing that will take place in September, but I wanted to just reference why it's higher, the 200. It's due to that vacancy, and I had to increase it by 5 percent versus midpoint.

Do you have any questions?

MEMBER BODELSON: No.

MS. GONZALES: Okay. We just need you to vote on that.

The Board Chair: We need a vote?

MS. GONZALES: Yes.

The Board Chair: So the vote is that we're going to authorize -- if I understand, just to clarify and summarize it, we're going to authorize
Melanie to proceed with the FY18 Appropriation Request of $403.2, with the caveat that upon her finalization of numbers that she gets information with DFA in September, we may end up having to fall back to a flat line of 387.7, which the 403.2. If it's successful, that just gives us more flexibility for this next coming year.

As we decide to fill in positions and get where -- we've got two positions empty right now that I'm sure Melanie will speak about. One of them, she's filled.

So I need a motion.

MEMBER BODELSON: Mr. Chair, I move that the Board approve the FY18 Appropriation Request as proposed without changes.

MEMBER ADAMS: Second.

The Board Chair: Further discussion? I'm just curious. Without changes, what if she finds the need to change those? So --

MEMBER BODELSON: Unless --

The Board Chair: You said you were going to go to the Finance Committee if you have to change it?

MS. GONZALES: Correct.

The Board Chair: It'll be the Finance Committee that will review it.
MEMBER BODELSON: Unless directed by the Finance Committee.

MS. GONZALES: Before September 1.

The Board Chair: Okay, sounds good. Any further discussion?

I had a motion.

MS. HOLMES: We had a second, right?

The Board Chair: Second by Geoff.

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed? The motion carries.

The next item on the agenda is the Chairman's report.

First off, I wanted to just recognize and mention how pleased I am and how thankful I am to both Melarie and Jackie for the tremendous job they've been doing filling in two positions on a four-man team, having it be 50 percent, and still be able to manage what we're doing.

I just wanted to give you guys a round of applause. Thank you for all the work that you guys are doing. I think you guys are doing so awesome.

As you know, we're officially -- we've moved. We've got new digs. I'm getting positive
feedback from both Mclarie and Jackie that we're going
to be very pleased. The environment is nice.

    So hopefully, everyone will get a chance,
when you go to our next meeting in Santa Fe, we'll have
an opportunity for you to judge it yourself. It is an
open-office concept. There's a lot of natural daylight
there. It's a much more vibrant, I would say a little
more loud environment there. So we're glad. There are
so many things that have actually been done.

    So again, I just want to recognize you guys
and tell you thank you both individually.

    The other thing I wanted to see recognized,
both Bob and Jim, I wanted to say thank you to you guys
and give you guys a round of applause.

    There was a press release. If you're all
interested, maybe we can get those, and you can read
more information. I'll pass these around, and you can
look at them.

    It really talks a little bit about what
these two fine gentlemen have done and all the great
things they're doing at a national level in bringing
more recognition to our State Board. So thank you guys
for your hard work and your volunteering efforts,
because I know it takes a lot of time, a lot of
volunteering. Thank you again.
The next item, I have my report. There is a -- I wanted to mention that there is going to be -- I'll have to ask Melarie. There is a minor modification and a change to my subcommittee appointments that just came about in terms of discussion within the Board. It will be a minor change.

There will be a new revised appointment that will be submitted to you all, revised. Basically, somebody was willing to switch and let somebody else sit in for one of the subcommittees.

I'll be sure to have Melarie send that out so everybody has a final, a more updated copy of the Committee lists. Okay?

I think that's all I have as far as the Chairman's Committee Report.

From that, I'll move it on to our Secretary/Treasurer and see if he has anything to report.

MEMBER ADAMS: I spoke with or emailed a little bit earlier Melarie, and she graciously said she would do this report for me this time. Thank you.

MS. GONZALES: You're welcome.

Mr. Chair, Board members, I'm going to combine C2 with C5(A) for the CAFR Report just to let you guys know where the expenses are as of today, since
it is the beginning of Fiscal Year 17. We have approved for the 200 category

$272,000 --

MR. BODELSON: 6.

MS. GONZALES: 600, excuse me.

We've spent so far, since July 1st, 2016, $14,431.37. We have remaining $258,168.63.

In the 300 category, the contractuals, we have approved 13,100. We haven't spent any money. However, I've encumbered $5,992 because that is what our audit is going to be for FY17. They audited my FY16 financials. So after that, remaining for the 300 category is $7,108.

And the other category, 400, we have approved $102,000. We have spent 13,318.69.

I have encumbered, as far as like POs for DOIT and for the wall certificates of just monthly expenses, $23,192.94. So aside from the encumbrance, remaining would be $65,488.37.

Any questions?

The Board Chair: Any questions?

Okay. Thank you, Melarie.

MS. GONZALES: Thank you.

The Board Chair: With that, we'll move into Item Number 3, Director Report.
Melanie?

MS. GONZALES: So Mr. Chair, Board members, we did move into the new location. Aside from Jackie being sick, and she's hopefully 90 percent better now, we do like it. It's different from our last location, but there is construction on Cerrillos, so we try to avoid that.

I have all the art with me in the vacant office. So if you guys want to go and stop by whenever you're in Santa Fe to see the new place or to go look at the art, you can. If not, for the next Board meeting, we're going to kind of try to put it all out there because it's in boxes right now. The packers did tell me that there was, I believe, 38 pieces of artwork, so not all of that will fit in our current location.

Aside from that, I actually sent an offer letter to a lady named Patricia Wolf. She will start August 29th. She has a lot of experience with compliance, so I think she'll be a good fit for the Board and for our office.

One of her tasks will be to look at the art and at least take inventory and be able to label what's in each box and see if, unfortunately, if we have to donate any of --

The Board Chair: What is the position
she filled, Melarie?

MS. GONZALES: For the Compliance Clerk.

She's taking over --

The Board Chair: She's a Compliance Clerk?

MS. GONZALES: Yes. She's taking over Michelle Barela's position. So she'll start August 29th.

I have an auditor. His name is Steve Archibeque. Like I had mentioned in the Financial Report, his accounting firm is Accounting & Auditing Services, and he'll start to audit my FY16 financials in October of this year. And that's about it.

The Board Chair: Any questions or comments?

Again, thanks for the good work you're doing.

MS. GONZALES: You're welcome.

The Board Chair: Moving forward to the Exam and Reciprocity Committee, Geoff?

MEMBER ADAMS: Thank you. I move Board approval. The Examination and Reciprocity Committee has met to review the qualifications of applicants for New Mexico architectural registration by reciprocity, reinstatement and examination.
I move Board approval of the recommended applicants for New Mexico architectural registration by reciprocity as listed in the following report.

Committee Review June 3rd, 2016: Joseph Belluccia, Karl Kilgore, David Richter, John Davidson, Mario Martinez, Mark Walsh, Steven Harrop, Richard Rearick.


I need a second.

MEMBER CALVANI: I'll second that.

The Board Chair: Second by Bob Calvani.

Any further discussion on that item?

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: All those opposed?

The motion carries.

MEMBER ADAMS: I recommend the following applicants -- I move Board approval of the qualifications for registration of the recommended
reinstatement applicants for New Mexico architectural registration as listed in the following report:


Committee Review July 26, 2016: James Crost, Jr., and Brian Van Winkle.

MEMBER CALVANI: Second.

The Board Chair: Any further discussion?

All those in favor?

ALL MEMBERS: Aye.

The Board Chair: Those opposed?

The motion carries.

MEMBER ADAMS: I move Board approval of the qualifications for registration of the recommended examination applicants for New Mexico architectural registration as listed in the following report:

Committee Review June 3rd, 2016; Brian Barnes.


MEMBER CALVANI: Second.

The Board Chair: Any further discussion?

All those in favor?

ALL MEMBERS: Aye.
The Board Chair: All those opposed?

The motion

Mr. Adams: Thank you. Here's my report, Mr. Chair.

The Board Chair: Thank you, Geoff.

The next item on the agenda is the Finance and Operations Committee. Actually -- sorry. Let's go to Item 4(b), Registrant/Application Quarterly Report.

Ms. Holmes?

Ms. Holmes: Mr. Chair, Board members, since our last quarterly report, the number of active registrants licensed with the Board is 2,067. Of that number, 673 are in state, and 1,394 are out of state.

There are currently four reciprocity applications pending.

Since the last period, which ended August -- I'm sorry, April 28th, there have been 38 new licensees registered with our Board. Four of those resulted from exam candidates, and 34 were reciprocity applicants. Three people passed all Divisions of the ARE since April 28th, and they are: Paul Michael Crespo, of Albuquerque; Jennifer Cramer, of Albuquerque; and Lee Andrew Fisher, of Albuquerque. That's it.

The Board Chair: That concludes your report? Thank you.
Any questions?

The next item on the agenda is the Finance and Operations Committee. Mr. Adams?

MEMBER ADAMS: I'm going to punt to Melarie.

The Board Chair: Punt to Melarie.

MS. GONZALES: Mr. Chair, that was part of the report that I had mentioned in the Secretary/Treasurer.

The Board Chair: So that's been reported in the above Secretary/Treasury Report.

Moving forward to the Planning and Development Committee, Ms. Rothwell-Clark is unavailable. Do you have something to add to that?

MS. GONZALES: Mr. Chair, Board members, I just emailed Tara, and she said that we would get a communication next week when she comes back from vacation.

The Board Chair: Is there anything you guys are working on currently just to mention?

MS. GONZALES: Nothing yet.

The Board Chair: Okay. What are the odds that when we read and we settle on a budget and where we're at, is we kind of left some things that we had talked about, long-range spending, some needs?
And now that we're in a new office, you may want to reevaluate what we’re looking at, having some video conferencing abilities, things like that, screens and stuff like that. So we need to evaluate that.

The next item on the agenda, the Rules and Regulations Committee. Mr. Calvani?

MEMBER CALVANI: Mr. Chair, I really don't have a report. I mean we did our rules and regs changes. I don't have any more, unless anybody from the Committee does.

The Board Chair: I think we all got ruled out this morning.

Any other comments, questions?

Then we'll move forward to the Joint Practice Committee, which is very short and sweet. We don't really have anything to report. We haven't had a meeting.

They have been unable to collect a quorum because they did transition from our agency being the host to the landscape, I believe now. And so needless to say, they have been unavailable to schedule a time that members are willing to come together.

It seems like only a few people will respond to a request for meeting dates. With that being said, there's really not anything of major issues.
Michael, did you want to --

MEMBER BODELSON: I just have one thing.

When it gets to me, it's come up through Jackie, a question; it wasn't really a complaint. This is Eric Enfield, the retaining walls. Like the City of Santa Fe is, you know, is basically requiring an engineer's seal on retaining walls over 2 feet.

The Board Chair: Over 2 feet?

MS. HOLMES: Three feet.

MEMBER BODELSON: This is something, a joint practice issue. It would be helpful if they had some kind of directive out of there.

The Board Chair: That's good to know.

MEMBER BODELSON: Because there's -- Rio Rancho has a rule, I think Albuquerque has a rule.

Santa Fe has a different one. You know, if there was a little uniformity for that.

The Board Chair: How is it different; do you know? Do you know how it's different in Rio Ranch or Albuquerque?

MEMBER BODELSON: I mean I think they have different heights. Some allow an architect's or engineer's seal, some require just engineer.

The Board Chair: Okay.

MEMBER CALVANI: So I'm on that committee
with you, Ray. We'll --

The Board Chair: Okay. The next item on the agenda, Board Comments and/or Announcements. I don't have any, other than thank you for hearing us today on the hearing that we had today. It was a long day.

Thank you again to the staff for putting everything together. That's a lot of work, especially with the move and everything else going on.

MEMBER CALVANI: Mr. Chair?

The Board Chair: Yes?

MEMBER CALVANI: I have a couple of comments. One is the student observer. Do we have a student observer? Are we going to have a student observer? We always have had a student observer.

MEMBER ADAMS: We haven't had one since --

MEMBER CALVANI: Maybe you could do that.

MEMBER ADAMS: I could work on it.

MEMBER CALVANI: Yeah, because you know students.

MEMBER ADAMS: Yeah.

MEMBER CALVANI: It would be nice to have a student observer.

One thing I brought up last time is they're talking about -- you know, all these people talk about
the idea of the NCARB Certificate being only for
reciprocity, or certainly NCARB was looking at ways to
increase the value of the certificate. And one thing
that we should keep in the back of our minds is: Would
New Mexico allow fishing with an NCARB Certificate
without a license? Just a thought.

Data sharing, we keep talking about that
with you guys.

MEMBER ADAMS: Looking for work without
having a license in the state --

MEMBER CALVANI: In other words, the guys
that we did this matter on, they were fishing without a
license. But if they had an NCARB Certificate, would
they be allowed to fish without a license? It's just a
thought.

Data sharing, we talked about -- go ahead.

MS. GONZALES: Mr. Chair, Member Calvani,
we actually -- I send -- I don't recall his name from
the NCARB business meetings, but I send, on the 1st of
every month, a roster to them. I think it might be just
like a generic email, like data NCARB or something that
he requested from me.

MEMBER CALVANI: I think what they're
looking for is four digits or something to -- what
they're concerned about is a Ray Vigil in Arkansas and a
Ray Vigil in New Mexico, and how do we know that their
disciplinary actions aren't the same guy?

So they can't tell if there's a Ray Vigil
in Arkansas and a Ray Vigil in New Mexico unless they
have something like the last four digits of their Social
Security number. That's the issue. That, and then
certainly I think on Tab 2, somebody needs to sign that
Letter of Understanding about --

MS. GONZALES: I have it here.

MEMBER CALVANI: Okay. Then, Joseph, you
and I, we're going to meet with Trevor one of these days
about the issue with national meetings. I'll contact
you about it. We didn't because of the session that I'm
going to drop. And then also there's --

MEMBER OSCHWALD: Me, I was going to go
with you guys.

MEMBER CALVANI: Oh, okay.

And then MBE and the Board Chair trip is
coming up, and I don't know if we need to talk about
that. And that's all I have.

MEMBER ADAMS: I have one thing. I just
want to alert the Education Committee that since we
voted on that thing today, the MB -- you know --

MEMBER OSCHWALD: The BEA?

MEMBER ADAMS: -- that thing, we need to
develop a process that's not difficult for us to do, but
is fair and defensible. Is that the word?

MEMBER CALVANI: That's a big word.

MEMBER ADAMS: So I'll be calling you guys
to see about setting up a meeting.

MEMBER CALVANI: And go back to the old --
there is a process in place somewhere from the old days,
kind of.

MS. GONZALES: So Mr. Chair, Board Member
Adams, Jackie actually found a BEA process from years
ago. So we were going to actually look at that as a
template when we meet with the Committee --

MS. HOLMES: Application.

MS. GONZALES: The application, and take it
from there.

MEMBER CALVANI: Do we need to talk about
the MBE meeting that's coming up in October, or whatever
that date is, for the Chair and the Member Board
Executive to go to?

MS. GONZALES: I don't have any other
information, other than it is in Ohio in October. If
you guys want me to attend, I just have to get approval
from the Governor's office before anything and just make
sure that NCARB is covering the expenses.

I'm more than happy to attend. It's just
hopefully the Governor's office will approve the travel.

The Board Chair: I'm not sure as far as the Board. I think what we've done is only voted when it was -- who's to go. In this case, it's not really a choice.

MEMBER CALVANI: I just want to make sure you guys go.

The Board Chair: We've got it on the calendar. I've expressed to Melarie I think it's a good idea if she goes. Definitely plan on --

MEMBER CALVANI: You have to go, too.

MEMBER BODELSON: Would it help getting approval if the Board just moves to approve --

The Board Chair: Do you guys want to recommend --

MEMBER BODELSON: I would like to move that the Board approve the travel, contingent upon the Governor's approval, for the Chair and a member of the Executive Board to attend the Ohio meeting.

MEMBER OSCHWALD: Second.

The Board Chair: Okay. I have a motion and a second.

Any further discussion?

All those in favor?

ALL MEMBERS: Aye.
The Board Chair: Those opposed?

MEMBER BODELSON: It's unanimous.

The Board Chair: The motion carries.

Thank you. That's very good. Good information, Bob.
Thanks for bringing those items up.

In terms of a student observer, you know, like you said, I don't know. We really don't have a formal process for that, but we do need to get that person in there. And I know that maybe you can get somebody at our next meeting.

Can we confirm our next meeting? Do you have access to our calendar? Can you tell me, when is the Las Cruces or Southern meeting?

MEMBER BODELSON: That's what I was wondering. So the next one is in Las Cruces? I thought it was in --

The Board Chair: So what do we advertise?

MEMBER CALVANI: October 21st.

MEMBER BODELSON: In Cruces?

MEMBER CALVANI: Las Cruces. That's what I have.

The Board Chair: So the next meeting is in Las Cruces.

So if you guys can swing by any time you're
in Santa Fe to take a look at that art, it will be a
while, or else you'll have to wait until Christmastime.

    MS. HOLMES: Until December 2nd.

    The Board Chair: How would you
coordinate with the trip, the --

    MEMBER CALVANI: I think it's -- no, it's
on the 27th. I said 28th and 29th is the --

    The Board Chair: Okay. So it's clear,
it's the following weekend.

    Do we need to discuss anything about
Las Cruces? Are we good? You guys have been kind of a
traveling show anyway up to this point, so we'll just
travel one more time.

    MS. GONZALES: Mr. Chair, Board members, do
you guys have a specific location in Las Cruces you
want, or should I coordinate with Tara? Because I know
that she had some ideas, too. Do you guys want it at
NMSU or --

    The Board Chair: I can set something
up. I can work with you on finding space for us.

    MS. GONZALES: Okay.

    The Board Chair: I'll send something
out. I'll work something out.

    MS. GONZALES: Just one more thing. I
think just keep in mind that NCARB might want to attend
that meeting or our December 2nd meeting in Santa Fe, 
because -- 

The Board Chair: Who is that? 

MS. GONZALES: NCARB. They did ask for a 
copy of our calendar, and I did send it. So they said 
they would let me know. 

The Board Chair: If you'll remember, the 
last time they did it in Las Cruces, it was because it 
was convenient to their travel schedule, going to 
Arizona. So if it's convenient for them -- 

MS. GONZALES: Well, I sent them the 
calendar that is on the website, so I think they'll just 
give me a heads up on which board meeting they want to 
attend. But just an FYI for the Board members. 

The Board Chair: With that, I'd like to go 
ahead and make a motion to adjourn. 

MEMBER CALVANI: 
I move that we adjourn. 

MEMBER OSCHWALD: 
The Board Chair: 
Second. 
All in favor? 

ALL MEMBERS: Aye. 
The Board Chair: Good night. 

[The meeting adjourned at 2:34 p.m.]
STATE OF NEW MEXICO.
COUNTY OF BERNALILLO

REPORTER'S CERTIFICATE

I, DEBRA ANN FRIETZE, New Mexico Certified Court Reporter No. 251, do hereby certify that I reported the foregoing proceeding in stenographic shorthand and that the foregoing pages are a true and correct transcript of those proceedings and was reduced to printed form under my direct supervision.

I FURTHER CERTIFY that I am neither employed by nor related to any of the parties or attorneys in this case and that I have no interest in the final disposition of this case.

DEBRA ANN FRIETZE
Certified Court Reporter No. 251
License Expires: 12/31/16
Respectfully submitted,

Mr. Raymond Vigil, Chair

Mr. Geoffrey Adams, Secretary/Treasurer

10/21/16
Date

10/21/16
Date