New Mexico Board of Examiners for Architects

Minutes of Board Meeting
April 27, 2018
Las Cruces, New Mexico

Board Members Present
Raymond Vigil, Chair
Tara Rothwell, Vice Chair
Michael Bodelson, Secretary/Treasurer
Mark Glenn, J.D., Public Member
Jim Oschwald, Architect Member
Robert Calvani, Architect Member

Board Member Absent
Geoffrey Adams, Architect Member

Staff Present
Melanie Gonzales, Executive Director
Jackie Holmes, Compliance Officer/Investigator
Alicia Galvan, Board Administrator

Others Present
Tomás Méndez, Architect
James Vorenberg, Architect
Ken Gutierrez, Intern Architect, Vigil & Associates
Robert Williams, Architect, AIA, President of Southern New Mexico
A. OPENING

1. Mr. Vigil called the meeting to order at 10:18 a.m. Roll call was taken and a quorum was determined to be present. Board member Geoffrey Adams was absent.

2. All present stood for the Pledge of Allegiance.

3. Mr. Vigil asked for approval of the meeting agenda.

Motion: To approve the meeting agenda.

By: Tara Rothwell
Second: Michael Bodelson
Board vote: Passed unanimously

4. Four guests were present, Mr. Robert Williams, AIA president of Southern New Mexico Chapter; Mr. Tomás Méndez, Las Cruces Architect; Mr. Jim Vorenberg, Las Cruces Architect; and Mr. Ken Gutierrez, Project Manager with Vigil & Associates.

5. Mr. Vigil asked for approval of the February 02, 2018 Board meeting minutes. No changes were made to the minutes.

Motion: To approve the February 2, 2018 Board meeting minutes as presented.

By: Jim Oschwald
Second: Mark Glenn
Board vote: Passed unanimously

6. Public Comment
Mr. Méndez thanked the Board for coming to Las Cruces/Mesilla.

B. NEW BUSINESS

1. Consideration and Possible Adoption of Proposed Rule Amendments
Mr. Dworak stated that a bill had been introduced last year, House Bill 58, which had a few additional rule making requirements, such as additional notice requirements in terms of public posting. Once a concise explanatory statement is in place, it is followed by a deadline to file the rules with State Records and a requirement to post any additional public notices within the next fifteen days.

   a. Mr. Vigil asked if there were any comments on the proposed amendment to 16.30.2.13. Mr. Oschwald wanted clarification of whether this was a new rule or if the Board was amending the rule. Mr. Glenn clarified that the change to the rule technically amends the rule, although it is a new provision.
Motion: To approve the Rule Amendment to 16.30.2.13.

By: Jim Oschwald
Second: Michael Bodelson
Board vote: Passed unanimously

b. Mr. Vigil asked if there were any comments on the proposed amendment to 16.30.4.12. Mr. Glenn stated that the change being made was language cleanup. There was an incorrect reference to subsection M and the amendment corrects the reference to subsection N.

Motion: To approve the Rule Amendment to 16.30.4.12.

By: Michael Bodelson
Second: Tara Rothwell
Board vote: Passed unanimously

c. Mr. Vigil asked if there were any comments on the proposed amendment to 16.30.5.8. Mr. Glenn stated that the purpose of the rule change was to make the rule more specific by making clear the disciplinary complaint process, explaining when it is appropriate to have the complaint forms confidential versus placing the form on display for public record. Lastly, Mr. Glenn stated that the Enforcement Subcommittee would be able to initiate investigations when needed.

Motion: To approve the Rule Amendment to 16.30.5.8.

By: Jim Oschwald
Second: Mark Glenn
Board vote: Passed unanimously

2. Certificate of Distinction- T. Méndez

Mr. Vigil presented a certificate of distinction to Mr. Tomás Méndez from the Board. Mr. Méndez is very accomplished, and in his honor Mr. Vigil mentioned a few of his many accomplishments to the Board. Mr. Méndez has been an architect for the past twenty-five years; he had been a secretary/treasurer for the Board from 2010 through 2011; in 1994 he was secretary of the Board, a Board member in 1991 through 1994; during the years from 2009 through 2011 Mr. Méndez was the New Mexico Board of Examiners for Architects (NMBEA) representative for the Joint Practice committee; he has been a member and currently a member of the American Institute of Architects (AIA) since 1984; he is a past president of Southern New Mexico AIA; and a Request For Proposal (RFP) advisor. Mr. Méndez expressed his appreciation to the Board for their kind gesture and words.
3. Proposed FY19 Operating Budget
Ms. Gonzales reported that she had two different amounts, first was for the three hundred dollar increase for the Fiscal Year (FY)19 budget and the second amount was for the budget increase for state employees receiving a two percent salary increase. The original operating budget for FY19 was $387,100 and the FY19 operating budget amount including the two percent increase will be $391,700.

**Motion:** To approve the Proposed FY19 Operating Budget amounts.

**By:** Michael Bodelson  
**Second:** Jim Oschwald  
**Board Vote:** Passed unanimously

4. Proposed NCARB Resolution
Mr. Calvani discussed the letter from Alfred Vidaurri, Secretary of the National Council of Architectural Registration Boards (NCARB). The letter describes the four resolutions that will be voted on. The first resolution is the Legislative Guidelines and Model Law, the alignment of the practice areas used with Architectural Experience Program (AXP) and Architectural Registration Exam (ARE). The second resolution is the revisions to the Education Evaluation Services for Architects (EESA) requirements for the educational alternatives to certifications. Architects with over 64 semester hours are allowed the option to obtain an Education Evaluation Services for Architects (EESA). The third resolution was the restatement of the NCARB model rules of conduct. The document would also be renamed to the Model Rules of Conduct to accentuate that the document contains rules which act as a model for adoption by the member Boards. Lastly the fourth resolution was the proposed changes to the NCARB Bylaws. This resolution will create multiple changes to reorganize, add clarity, language cleanup and rule out any archaic requirements.

**Motion:** To approve the Proposed NCARB Resolutions.

**By:** Robert Calvani  
**Second:** Tara Rothwe1  
**Board Vote:** Passed unanimously

5. Proposed FY19 Open Meetings Resolution
Mr. Vigil stated that the FY19 Open Meetings Resolutions is an end of the year requirement by the Board’s Act. Ms. Gonzales provided the FY19 Open Meetings Resolution. Mr. Dworak explained that the requirement comes from the New Mexico Open Meetings Act, which allows a Board to notify the public about meetings differently than how the public was being notified before, this act is always reviewed yearly. Ms. Gonzales stated that the Board does notify the public about their meetings through the Albuquerque Journal newspaper and NMBEA website.
Motion: To approve the Proposed FY19 Open Meetings Resolution.

By: Michael Bodelson
Second: Jim Oschwald
Board vote: Passed unanimously

6. Approval of CFO Delegation and Compliance Statement
Mr. Vigil stated that the Board approves the Chief Financial Officer (CFO) annually for delegation and authorization for every upcoming FY. A motion was made to delegate the authorize Ms. Mlaric Gonzales as the CFO for FY19.

Motion: To approve the Approval of CFO Delegation and Compliance Statement.

By: Michael Bodelson
Second: Tara Rothwell
Board Vote: Passed unanimously

7. Election of Board Officers for FY19
Mr. Bodelson stated his nomination for the FY19 Board chair, Ms. Rothwell. Mr. Calvani nominated Mr. Bodelson as the FY19 Board vice-chair. Mr. Vigil nominated Mr. Glenn as the FY19 Secretary/Treasurer for the Board. A motion was made to accept the nominations and place the candidates by acclamation.

Motion: To approve the Election of Board Officers for FY19.

By: Jim Oschwald
Second: Mark Glenn
Board Vote: Passed unanimously

8. FY19 Board Calendar
   (a) Meeting Locations
Mr. Vigil stated that the incoming Board chair will decide the locations of the meetings. Ms. Gonzales explained that the final decision of the locations of the Board’s meetings must be submitted before July 1st. Ms. Rothwell stated that all requests must be submitted to her sometime during the first week of May, so that she can email the finalized FY19 Board meeting schedule. The August Board meeting new date is Friday August 24, 2018.

Motion: To approve the FY19 Board Calendar.

By: Tara Rothwell
Second: Michael Bodelson
Board Vote: Passed unanimously
C. Reports

1. Chairman - Mr. Vigil mentioned that the NCARB Regional meeting had taken place after February’s Board meeting and he explained for the upcoming Annual Business meeting there will be resolutions that will be voted on. Mr. Vigil thanked everyone for their efforts and for working on the different committees. Ms. Gonzales informed Mr. Vigil that the Board will submit the FY18 annual report to Governor’s office on September 1, 2018. Mr. Vigil mentioned some upcoming conflicts with the new incoming administration regarding Interior Designers. Mr. Vigil explained that in Nevada there had been some issues reported with Interior Designer’s stamping projects, and a blue book is now being used to specifically state what projects Interior Designers are allowed to stamp. Mr. Vigil suggested having a committee work with Interior Designers to prevent any kind of conflict. Mr. Vigil stated that this was his last Board meeting as Chairman of the Board. Mr. Vigil acknowledged Ms. Gonzales for all her hard work, and presented her with a certificate of appreciation as a token of his appreciation on behalf of NMBEA.

2. Secretary/Treasurer- Mr. Bodelson thanked Mr. Vigil for all his hard work as Chairman.

3. Director -Ms. Gonzales thanked Chairman Vigil for the certificate of appreciation and thanked him for all his hard work, dedication and communication she had working with him as Chairman. Ms. Gonzales reported to the Board that she is looking into becoming a member of the Association of Governmental Accountants (AGA)-New Mexico Chapter. Ms. Gonzales mentioned that this association will benefit the Board and herself as the CFO of the Board. She mentioned she purchased the ABQ Business First subscription to further assist Jackie with investigations.

4. Exam and Reciprocity Committee –
Ms. Rothwell spoke on behalf of Mr. Adams. Ms. Rothwell reported that the Examination and Reciprocity Committee reviewed the qualifications of applicants for New Mexico architectural registration.

Motion: to move for Board approval of the following recommended applicants for New Mexico Architectural Registration by Reciprocity and Reinstatement: The newly licensed architects are: Amelia Clark, Douglas Eichelberger, Gene Klow, Gregory Nespor, Steve Patmon, Michael Payton, Jeffrey Rosati, Zachary Shirk, Jeannette Sutherland, Jeffrey Seres, Diane Ballard, Michael Bryant, Robert Byrnes, Shawn Gillen, Richard Gordon, Jeffrey Jennings, Courtney King, Robert Lara, Louis Martinelli, Joseph Nelson, Joseph Schork, Paul Schwarm, Rebecca Snyder James Williams, Steven Vetter and Victor Yue. The exam candidates approved by the committee are Molly Bell and Dillon Williams.

By: Michael Bodelson
Second: Mark Glenn
Board Vote: Passed unanimously

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C. **Registrant/Application Quarterly Report** -
Ms. Holmes reported that the Board has a total of 2,158 architects, 90 of the architects are Architect Emeritus. Practicing architects total 2,068: there are a total of 691 architects who are in-state and a total of 1,377 architects are out of state. The percentage total of practicing architects in-state is 35% and a total of practicing architects out of state is 65%. Reciprocity applicants pending, there are a total of 13. Since the previous meeting in February, there were a total of 31 new registrants, 6 of the new licensees were exam candidates and 25 of the new licensees were reciprocity. Additionally all six of the exam candidates completed the Architectural Registration Exam (ARE), they were: Robbin Eddy, Jeremy Jerge, Wesley Lansford, Margaret Favour, Julie Kidder and Christopher Whyman.

D. **Audit Committee Report** -
Ms. Holmes reported to the Board that the audit committee meeting took place on February 22, 2018 to review the continuing education of those who were audited. A total of 39 architects were audited, and each was sent a letter advising them that they were being audited and requesting that they send proof of their CE within 30 days. All 39 architects responded by the deadline. A total of 25 architects (65%) met the continuing education requirements. A total of 10 architects (26%) did not meet the continuing education requirement of 12 HSW CE hours per year, but they completed all 24 hours. A letter was sent to the 10 architects who had not met the right amount of continuing education hours per year. The letter stated that 12 hours of continuing education is required per year and also informed them that next renewal season they will be audited. Four registrants did not complete the continuing education requirements. A certified letter was sent to these four registrants alerting them that they had 60 days to complete the amount of hours needed to meet the continuing education requirements. All four registrants met the continuing education requirements on April 16, 2018 and the CE audit for 2018 was closed.

5. **Finance and Operations Committee** –
Ms. Gonzales reported that the Board is in a good financial standing and will not need a Budget Adjust Request (BAR). Mr. Vigil stated that the Board is an enterprise agency. Mr. Bodelson commented that the Board’s funds are rebuilding which positively affects an enterprise agency. Mr. Calvani questioned if any legislators had questioned the Board’s dues. Ms. Gonzales confirmed that Board’s licensing fees had been questioned by legislators at previous budget hearings in the past. Mr. Bodelson mentioned that the Board’s fund balance is being positively impacted by the incoming revenue.

6. **Planning and Development Committee** –
Mr. Bodelson reported that he would like to take action regarding his ideas that would help the income budget. Ms. Rothwell agreed with Mr. Bodelson’s idea of brainstorming new ways to help the architectural profession.

7. **Rules and Regulations Committee** –
Mr. Glenn thanked Mr. Vigil for all his hard work as the Board chair. Mr. Glenn thanked Mr. Dworak for all his help with the Rules and Regulations Committee. Mr. Glenn reported that
there is a slight conflict regarding the Architectural Registration Exam Application, some applicants have mentioned concern with the wording on the application. Some applicants were hesitant to sign the affidavit because it stated that they are qualified to be an architect without having to complete the exam and possibly the AXP. Mr. Glenn stated that he would like to have the language on the application changed so that exam candidates will not have to sign an affidavit stating that they are qualified to practice architecture when they have not completed the ARE. He asked for the Board to consider the language change. Mr. Vigil responded by stating that changing the language on an application is something that could be done administratively. The Board did not need to vote on changing the language. He referred the matter to Ms. Gonzales.

8. **Joint Practice Committee**- Mr. Calvani reported to the Board that nothing much has been going on with the committee. The last couple of meetings have been cancelled. The committee may become viable when the new Board takes over facilitating the meetings and when there are new ideas and members involved. Mr. Calvani talked about the need to strategize ways to make the Joint Practice Committee more useful. Mr. Vigil added that state procurement relies on the joint practice committee, Mr. Vigil also agreed with Mr. Calvani about strategizing ways to make this committee more useful.

D. **BOARD COMMENTS / ANNOUNCEMENTS**— Mr. Vigil announced that his last meeting as the Board’s Chair will be the NCARB Annual Business meeting on June 28-30, 2018. The three Board members attending this meeting are Mr. Vigil, Ms. Rothwell and Mr. Glenn. Ms. Rothwell thanked Mr. Vigil for his leadership, his hard work and the many accomplishments he had as the Board’s Chair. Ms. Rothwell thanked Ms. Gonzales and Ms. Holmes for their hard work and all that they do for the Board. Mr. Vigil announced the next Board meeting will be held on August 24, 2018 at 10:00AM in Santa Fe.

E. **ADJOURNMENT:**

**Motion:** To adjourn the meeting.

**By:** Jim Oshwald  
**Second:** Michael Bodelson  
**Board vote:** Passed unanimously

The regular open meeting of the New Mexico Board of Examiners for Architects was adjourned by Mr. Vigil at 12:07pm.
Respectfully submitted:

Ms. Tara Rothwell, Chair

Mr. Mark Glenn, Secretary/Treasurer

Date

8/24/18

Date

8/24/18