New Mexico Board of Examiners for Architects

DRAFT Minutes of Board Meeting
February 07, 2020
Santa Fe, New Mexico

Board Members Present
Michael Bodelson, Chair
Jim Oschwald, Vice-Chair
Mark Glenn, J.D., Secretary/ Treasurer
Robert Calvani, Architect Member
(Attended Telephonically)
Ray Vigil, Architect Member
Tara Rothwell, Architect Member

Board Member Absent
Geoffrey Adams, Architect Member/ Educator

Staff Present
Melarie Gonzales, Executive Director/CFO
Lawrence Moquino, State Investigator
Vanessa B. Roybal, Business Operations Specialist
Maureen Drexel, Board Administrator
Miguel Lozano, Board Counsel, Attorney General’s Office

Guests Present
Erick Robinson, CPA, Integrity Accounting
Vince Martinez, NM DoIT – Cabinet Secretary
A. OPENING
1. Chair Bodelson called the meeting to order at 10:04 a.m. Roll call was taken, and a quorum was determined to be present.
2. All present stood for the Pledge of Allegiance.
3. Chair Bodelson asked for approval of the meeting agenda.
   Melarie Gonzales requested amendment of C.5.a – Income Statement date updated to 02/06/2020.

Motion: To approve the meeting agenda as amended

By: Tara Rothwell
Second: Mark Glenn
Board vote: Passed unanimously

4. Introduction of Guests
   i. Erick Robinson, CPA with Integrity Accounting
   ii. Vince Martinez, Cabinet Secretary for New Mexico Department of Information Technology (NM DoIT)

5. Chair Bodelson asked for approval of December 13, 2019 Board meeting minutes.

Motion: To approve December 13, 2019 board meeting minutes as presented

By: Mark Glenn
Second: Ray Vigil
Board vote: Passed unanimously

6. Public Comment – No public was present

B. NEW BUSINESS
1. Update of On-line Payments Proposal
   Update given by NM DoIT Cabinet Secretary Vince Martinez and Director Melarie Gonzales – Estimated live date is May 2020. NM DoIT would immediately procure licenses through Sales Force and Advanced Network Management (ANM) then at some point charge $21,000 for user licensing and annual subscription. NM DoIT is working on enterprise licensing. February 5, 2020 House of Representatives approved $80,000 for BEA’s current fiscal year. Fiscal year budget would include annual subscription charge of $21,000 under 400 category. Tara Rothwell proposed comparing cost of processing physical checks versus on-line payments once on-line payment system is up and running. BEA will continue to accept physical checks in addition to on-line payments.

2. Audit Committee
   Renewal 2019 Continuing Education Hours – Ms. Gonzales asked if any Board members wanted to give their Continuing Education certificates of hours and be on the committee to audit files –
Tara Rothwell, Ray Vigil and Jim Oschwald volunteered their CE certificates of hours. Bob Calvani, Ray Vigil and Jim Oschwald will be the audit committee – and will meet at Bob Calvani’s office in Albuquerque.

3. **WCARB Regional Summit/Annual Business Meeting Attendees**

   WCARB Regional Summit attendees will Bob Calvani and Tara Rothwell on behalf of both WCARB and NCARB. Melarie Gonzales, Mark Glenn, Ray Vigil and Michael Bodelson are representing the Board at the WCARB Summit.

   NCARB Annual Business Meeting paid attendees will be Melarie Gonzales, Mark Glenn, Jim Oschwald, Michael Bodelson and Miguel Lozano. With approval from Governor’s office the Board will reimburse Ray Vigil and Geoffrey Adams to attend the NCARB Annual Business Meeting.

   **Motion: To approve WCARB Summit & NCARB Annual Business attendees**

   By: Ray Vigil
   Second: Tara Rothwell
   Board vote: Passed unanimously

4. **Discussion and Possible action for Hardship Requests Regarding Continuing Education**

   Mr. Oschwald discussed case of person misusing of grace the BEA is providing and weaning person from taking advantage of hardship system for years and querying if she is a practicing architect. Proposed sending inquiry letter to her regarding health, safety and welfare of not taking CE hours and keeping up with current practices and suggest she may take Emeritus path as an alternative. Concern for ADA (American Disabilities Act) coming into play concerning her case was proposed by Tara Rothwell. Ms. Gonzales asked Mr. Moquino to take note on rules concerning this kind of situation and limiting requests. Mr. Moquino will draft a letter of interest and then Chair Bodelson will draft a letter on behalf of E and R regarding health, safety and welfare regarding continuing education.

5. **Discussion of Disciplinary Matters**

   a. **NMBEA 2020_01 Issuance of a Notice of Alleged Violation**
   b. **NMBEA 2020_02 Issuance of a Notice of Contemplated Action**
   c. **NMBEA B-6753 BEA Application**

   Chair Bodelson entertained a motion to move into a closed Executive Session pursuant to NMSA 1978, Section 10-15-1 (H)(1) and (3) to discuss the next item on the agenda.

   **Motion: To move into a closed session to discuss disciplinary matters**

   By: Jim Oschwald
   Second: Tara Rothwell
   Board vote by Roll Call: Passed unanimously
Michael Bodelson: Yes
Jim Oschwald: Yes
Robert Calvani: Yes
Ray Vigil: Yes
Tara Rothwell: Yes
Mark Glenn: Yes

Executive Session began at 10:58 a.m. Recorder was turned off.

Chair Bodelson announced that the Board is back in open session. The time is 11:42 a.m. The matters discussed during the Executive Session were limited only to those specified in the motion for closure and that no votes or official action was taken during the closed session.

6. Possible Action on Matters Discussed in Closed Session

Motion: To approve NMBEA 2020_01 Issuance of a Notice of Alleged Violation with Settlement Agreement

By: Ray Vigil
Second: Tara Rothwell
Board vote: Passed unanimously

Motion: To approve NMBEA 2020_02 Issuance of a Notice of Contemplated Action
Amended Motion: To approve NMBEA 2020_02 Issuance of Notice of Alleged Violation with Settlement Agreement

By: Ray Vigil
Second: Tara Rothwell
Board vote: Passed unanimously

Motion: To request Education Evaluation Service for Architects (EESA) from Applicant – NMBEA B-6753

By: Jim Oschwald
Second: Tara Rothwell
Board vote: Passed unanimously
C. REPORTS

1. **Chair** – No items to bring up – except suggesting everyone get ready for Regional Meeting.

   **Motion:** To allow Mr. Erick Robinson, Integrity Accounting, to present FY19 Audit Report

   **By:** Ray Vigil  
   **Second:** Jim Oschwald  
   **Board vote:** Passed unanimously

   **Audit Report** – Erick Robinson, CPA with Integrity Accounting, reported no findings or issues found during audit. The only challenge was how addition of CID partition was handled from an accounting standpoint, but it was resolved with DFA to work it out.

2. **Secretary/Treasurer** – Nothing to report.

3. **Director** – Director Gonzales introduced Maureen Drexel to the Board. She thanked her staff, Vanessa and Lawrence, for their hard work during the renewal season. House 2 bill passed. Meeting planned on February 14, 2020 to determine when PCI audit can take place before we can determine when BEA can go live with new website and database to accept on-line payments. Thanked Ms. Tara Rothwell for help with design of webpage. Director Gonzales met with Albuquerque AIA Executive Director Jennifer Fenstermacher and was invited to attend an AIA meeting to discuss and clarify details regarding the NCARB licensing process versus how the process works internally with NMBEA staff. 1067 architects’ renewals were processed. Revenue gleaned from renewals from November 8th through February 6, 2020 was $269,332.50. WebEx was purchased for all committee meetings and video conferencing. Director Gonzales spoke with Jim Bullington, NM AIA Lobbyist did not believe the interior bill would be heard this 30-day session and they did not renew the contract with the lobbyist representing them the last three sessions. New Prosecuting Attorney, Mark Swanson – he will be reviewing the disciplinary referrals moving forward. Director Gonzales attended Architects Day at the Capitol. The Memorial was not read out loud, but a lot of the senators commented positively on architects. Also, Ms. Gonzales attended their first AIA function. She gave out photo release forms for the new website showing local Architecture work. Two architects have sent photos for website. Mr. Oschwald will work with Evan Berger, Exam Licensing Advisor, to possibly take photos for website.

   Jim Oschwald read thank you note from Ms. Cynthia Figuro-McInteer, AIA, for the resolution recognizing her as the first licensed Native American architect.

   Jim Oschwald suggested using Evan Berger is and aspiring architect sitting for the exam and an accomplished photographer for the Board website.
4. **Exam and Reciprocity Committee**
   Mr. Oschwald reported the Examination and Reciprocity Committee reviewed the qualifications and approval 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, Reinstatement, and Examination:

From Committee Review December 13, 2019:

- **Report & Approval on licenses issued through Reciprocity** - license number: 6030-Arola; 6031-Asfour; 6032-Clear; 6033-De Grasse; 6034-DeRoo; 6035-Donat; 6036-Fox; 6037-Giddens; 6038-Hallas; 6039-Hoopingarner; 6040-Keys; 6041-Krolicki; 6042-Miller; 6043-Prager; 6044-Repucci; 6045-Schiffer; 6046-Scott; 6047-Teefey; 6048-Vrana; 6049-Wagner; 6050-Wright; 6054-Allen; 6055-Barnes; 6056-Bruce; 6057-Cady; 6058-Hasbrouck; 6059-Lutsch; 6060-Nebhut; 6061-Olson; 6062-Paluch; 6063-Pathangay; 6064-Robinson; 6065-Smith; 6066-Vasher; 6067-Williams; 6068-Wilson

- **Reinstatement** – 5875- Macik; 5255- O’Neil; 3709- Booze; 3341-Swalley; 1231-Hundley

- **Examination** – license number: 6029-Reichert; 6051- Bryan; 6052-Morris; 6053-Cowdrey

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

- **Registrant/ Application Quarterly Report**
  Mr. Moquino reported between December 13 and February 7, 2020 the number of active registrants we have is 2198 – this includes 86 architects emeritus (45 in-state and 41 out-of-state); total number of active in-state registrants 731 (33%), number of out-of-state registrants 1467 (67%); number of pending reciprocity applicants is 7; number of new registrations is 39, examinations is 3 and reciprocity is 36. The following exam candidate completed the Architectural Registration Exam (ARE) from December 13 and February 7, 2020 – Fletcher Dean Paul Cowdrey.

5. **Finance and Operations Committee**

- **Current Budget Status Report**
  Ms. Roybal reported to the Board the income statement as of February 6, 2020. Category 200 “Personal Services/Benefits” – budgeted $297,400.00; spent $144595.58, remaining $152,884.44; Category 300 “Contractual” – Original budget was $11,000.00, spent $5,158.29, remaining $4841.71; Category 400 “Other” – Original budget $83,300.00, spent $40,613.15 remaining $42,686.85.
6. **Planning and Development Committee** – Ms. Rothwell reported on website development regarding ease of use and will provide an update at the next Board meeting. Anticipating final approval. Photos should include profession-wide architecture. Continuing Education as part of Planning and Development such as speaking to students and outreach need to meet as a committee and come up with a plan. Regarding Bob Calvani’s election as president perhaps do something fun such as bow-ties with chili print for incoming Board members.

7. **Rules and Regulations Committee** – Mr. Glenn stated that it would be good to get together with Lawrence Moquino and Melarie Gonzales to address some issues that may have come up regarding rules and regulations.

8. **Joint Practice Committee** – Mr. Vigil had nothing to report.

9. **NCARB Updates** – Mr. Calvani went over resolutions 2020-A and 2020-B processes and requirements for NCARB certification and explained the process and requirements. 2020-B deals with licensing Interior Designers regarding protecting health, safety and welfare and what Interior Designers can and cannot do. Resolution 2020-C, guidelines for the Model Law are currently being worked on. Mr. Calvani encouraged Board members to get involved and join NCARB committees and/or apply to run for a board seat.

**D. BOARD COMMENTS / ANNOUNCEMENTS**

Chair Bodelson stated the next Board meeting date is Monday, April 27, 2020 at 10:00 AM in Las Cruces, NM at Hilton Garden Inn.

**E. ADJOURNMENT:**

**Motion:** To adjourn the meeting

**By:** Michael Bodelson  
**Second:** Ray Vigil  
**Board vote:** Passed unanimously

The regular open meeting of the New Mexico Board of Examiners for Architects was adjourned by Mr. Bodelson at 12:29 pm.

Respectfully submitted:

_________________________________________  ______________________
Mr. Michael Bodelson, Chair                        Date

_________________________________________  ______________________
Mr. Mark Glenn, Secretary/Treasurer                Date

02.07.2020 Draft Board Meeting Minutes