



MINUTES
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS
GRANTS TO HIGHER EDUCATION COMMITTEE MEETING
Davy Crockett Tower
Nashville, Tennessee
Thursday, June 2, 2016

CALL TO ORDER

Susan Ballard, Committee Chair, called the Grants to Higher Education Committee meeting to order at 8:12 a.m. on June 2, 2016, in Room 1A of the Davy Crockett Tower at 500 James Robertson Parkway, Nashville, Tennessee.

The following **Board members** were present:

Susan Ballard, R.I.D.
Philip Lim, P.E.
Frank Wagster, R.A.
Susan Maynor, Public Member

A quorum was present.

The following **Board staff** was present:

John Cothron Executive Director
Benjamin Glover Legal Counsel

Visitor present: Chris Gwaltney, P.E., representing the American Society of Civil Engineers (ASCE), Tennessee Section.

UNFINISHED BUSINESS

PROPOSAL FOR USE OF ADDITIONAL GRANT FUNDS

Members of the committee presented the following suggestions for using additional grant funds:

- Collaborative and interdisciplinary projects.

- Projects involving commercial or practical applications that would benefit the public.
- Research projects.

At the invitation of the Chair, Mr. Gwaltney suggested using grant funds for public service projects involving innovative designs (e.g., a mobile shower unit for the homeless).

Mr. Cothron clarified that approximately \$40,000 out of \$350,000 in grant funds will be available for this purpose in fiscal year 2017. A request to increase the total grants appropriation to \$500,000 will be submitted for fiscal year 2018.

Ms. Ballard noted that the committee will need to develop criteria for proposals, and she suggested that the proposals should be presented anonymously for the Board's consideration.

Mr. Cothron was asked to schedule a special meeting of the Grants Committee by teleconference prior to the August Board meeting in order to develop criteria for proposals.

Adjourn. The Chair adjourned the meeting at 8:37 a.m.



MINUTES
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS
ARCHITECT COMMITTEE MEETING
Davy Crockett Tower
Nashville, Tennessee
Thursday, June 2, 2016

CALL TO ORDER

Rick Thompson, Committee Chair, called the Architect Committee meeting to order at 8:38 a.m. on June 2, 2016, in Room 1A of the Davy Crockett Tower at 500 James Robertson Parkway, Nashville, Tennessee.

The following **Board members** were present:

Rick Thompson, R.A., Chair	East TN Architect Member
Frank Wagster, R.A.	West TN Architect Member
Jerry Headley, R.A.	Middle TN Architect Member

A quorum was present.

The following **Board staff** was present:

John Cothron	Executive Director
Benjamin Glover	Legal Counsel

Visitors present: Kathy Hillegas, Director, Council Relations, National Council of Architectural Registration Boards (NCARB); Jared Zurn, Director, Examination, NCARB.

NEW BUSINESS

DISCUSS PROPOSED NCARB RESOLUTIONS

Committee members reviewed the following resolutions to be considered at the 2016 NCARB Annual Meeting:

- Resolution 2016-01—Establishes a Mutual Recognition Arrangement with Australia and New Zealand. At the request of the committee, Kathy Hillegas and Jared Zurn provided clarification on the intent of the resolution.
- Resolution 2016-02—Amends the alternatives to the education and experience requirements in the *Certification Guidelines*.
- Resolution 2016-03—Amends the *Certification Guidelines* to provide exam equivalencies for ARE 5.0 divisions.
- Resolution 2016-04—Updates the five-year rolling clock and rolling clock extension policies in the *Certification Guidelines*.
- Resolution 2016-05—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to allow access to the ARE for students enrolled in an integrated path to architectural licensure option. Ms. Hillegas reported that 14 programs in 11 states are currently participating in the integrated path initiative.
- Resolution 2016-06—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to establish an “Architect Emeritus” status.
- Resolution 2016-07—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to add a new section regarding registration of military personnel.
- Resolution 2016-08—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* and *Certification Guidelines* to update the name of the Intern Development Program (IDP), which will be referred to as the Architectural Experience Program (AXP).

Mr. Cothron noted that Resolution 2016-J, which would have amended the *NCARB Legislative Guidelines and Model Law/Model Regulations* to remove references to the titles “intern architect” and “architectural intern,” has been withdrawn based on feedback received from member boards.

- Resolution 2016-09—Amends the *NCARB Bylaws* to update the name of the Internship Committee, which will be referred to as the Experience Committee.

No objections were expressed to the above resolutions.

- Resolution 2016-10—Proposed by Region 6—Amends the *Certification Guidelines* to require a majority vote of member boards to adopt all “substantive programmatic changes” to AXP (IDP), while the Board of Directors may implement changes to address “administrative application” of the AXP requirements. Ms. Hillegas noted that the NCARB Board of Directors is opposed to this resolution, primarily because it would limit the future agility of the Council. The committee, by consensus, agreed with this assessment.

EXAM APPLICATION PROCESS DISCUSSION

At Mr. Cothron's suggestion, discussion of the exam application process was deferred until the full Board meeting.

Adjourn. The Chair adjourned the meeting at 9:10 a.m.



MINUTES OF A MEETING OF THE
TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS
Davy Crockett Tower
Nashville, Tennessee
Thursday, June 2, 2016

CALL TO ORDER

Robert Campbell, Jr., Chair, called the regular meeting of the Tennessee Board of Architectural and Engineering Examiners to order at 9:30 a.m. on June 2, 2016, at the Davy Crockett Tower, in Nashville, Tennessee. A quorum was declared present.

The following **Board members** were present:

Susan Ballard	Registered Interior Designer
Robert Campbell, Jr.	Professional Engineer
Jerome Headley	Registered Architect
Philip Lim	Professional Engineer
Bill Lockwood	Registered Landscape Architect
Susan Maynor	Public Member
Rick Thompson	Registered Architect
Frank Wagster	Registered Architect

The following **Board member** was absent:

Hal Balthrop	Professional Engineer
--------------	-----------------------

The following **Associate Engineer members** were present:

Stephen King	Professional Engineer
Laura Reinbold	Professional Engineer

The following **Associate Engineer member** was absent:

Ricky Bursi	Professional Engineer
-------------	-----------------------

The following **Board staff** was present:

John Cothron	Executive Director
Benjamin Glover	Legal Counsel
Zack Nitzschke	Paralegal
Wanda Phillips	Office Manager
Wanda Garner	Administrative Assistant

The following **guests** were present for part or all of the meeting:

Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN)

Ashley Cates, American Institute of Architects-Tennessee (AIA-TN)

Chris Gwaltney, P.E., representing the American Society of Civil Engineers (ASCE) Tennessee Section

Kathy Hillegas, Director, Council Relations, National Council of Architectural Registration

Boards (NCARB)

Brian T. McCormack, Assistant Commissioner, Division of Regulatory Boards
Nathan Ridley, American Society of Landscape Architects TN (ASLA-TN)
Kimberly Whaley, Director of Licensing, Division of Regulatory Boards
Jared N. Zurn, Director, Examination, NCARB

CONSENT AGENDA (attached)

Motion was made by Mr. Wagster and seconded to approve the minutes of the April 14, 2016 meeting. The motion passed unanimously.

Motion was made by Mr. Lockwood and seconded to approve the Complaints for Board Decision. The motion carried unanimously.

PROFESSIONAL SOCIETY REPORTS

Kasey Anderson, Ashley Cates and Nathan Ridley reported on the activities of the TSPE/ACEC-TN, AIA-TN and ASLA-TN respectively.

Ms. Anderson announced that the Tennessee Engineers' Conference is scheduled for September 14-16, 2016, and representatives from the Board have been invited to discuss qualifications-based selection. Motion was made by Mr. Lim and seconded to authorize Mr. Campbell and Mr. Cothron to speak at this event. The motion passed unanimously.

EXAM APPLICATION PROCESS DISCUSSION (Brian McCormack, Assistant Commissioner)

Assistant Commissioner McCormack discussed a proposal to remove the requirement for the Board to authorize exam applicants to sit for the professional exams. Under this process, individuals would not apply for registration until they have already passed the professional exam. Mr. McCormack explained that this would greatly shorten the time between application and the issuance of a license. Board members noted that some statutes will need changing to accomplish that goal. The engineer members expressed their desire to keep the review of an applicant's experience under their purview, and noted that they would need more information before moving in this direction.

LEGAL CASE REPORT (presented by Benjamin Glover) (attached)

- *Case No. 2016007171* *Complaint #201600717*
Motion was made by Mr. Lim and seconded to leave the case open until the code interpretation issue between the Respondent and the code official is resolved. The motion passed unanimously.
- *Case No. 2016015011* *Complaint #201601501*
Motion was made by Ms. Ballard and seconded to close the case. The motion passed unanimously.
- *Case No. 2015002041* *Complaint #201500204*
Motion was made by Mr. Thompson and seconded to suspend the Respondent's Tennessee registration for two years, assess a seven hundred dollar (\$700) penalty, composed of a five hundred dollar (\$500) civil penalty and the two hundred dollar (\$200) filing fee incurred from filing formal charges, and continue to require the Respondent's compliance with his previous Consent Order for probation prior to allowing Respondent's registration to be returned to good standing. The Respondent has agreed to accept these terms, if the Board approves. The motion passed unanimously.

Break 10:40 to 10:55 a.m.

DIRECTOR'S REPORT

Mr. Cothron reported his activities and those of his staff and Board members.

Legislative Update

Mr. Cothron reviewed recent legislation of interest to the Board, including the following:

- SB0556/HB0678 —
This bill, as introduced, would have phased out the professional privilege tax on persons engaged in certain occupations by annually decreasing it by 20 percent over the next five years. It passed (Public Chapter 1024) with an amendment directing the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to study and make recommendations relative to the privilege tax by January 1, 2017.
- SB1503/HB1615 —
This bill, which passed (Public Chapter 610), extends the Board of Architectural and Engineering Examiners four years to June 30, 2020, and establishes a minimum attendance requirement for Board members (must attend at least half of the scheduled meetings in a calendar year).
- SB2535/HB1533 —
This bill did not pass. It would have allowed the state fire marshal to require and perform field inspections in lieu of requiring review and approval of plans and specifications for construction and alteration of certain buildings or structures, and to charge a fee of no more than \$200 for inspections that were untimely requested.
- HB1726/SB1672 —
This bill did not pass. As introduced, it would have allowed construction design professionals under contract with certain state agencies to bill and receive payment monthly, and would have specified the services that are included in the basic services fee and the services that would require additional compensation.
- HB2201/SB2469 —
This bill passed as amended (Public Chapter 1053). It enacts the "Right to Earn a Living Act." The legislation requires licensing authorities to submit entry regulations to the House and Senate Government Operations Committees by December 31, 2016. The committees shall issue a joint report containing findings and recommendations by January 1, 2018. It also establishes a review of regulations as part of the sunset review process to ensure that rules are necessary to protect the public and do not unnecessarily inhibit competition or deny entry into a profession. The Government Operations Committees may request the amendment or repeal of a regulation. Agencies failing to comply with such requests may face suspension of their rulemaking authority.
- HB2569/SB2534 —
This bill, which passed (Public Chapter 838), amends *Tennessee Code Annotated* § 62-2-304 relative to comity registration requirements for architects. It allows acceptance of architect comity applicants if they hold a license in another jurisdiction and a NCARB certificate, and takes effect on July 1, 2016.

- Section 7, Item 31 of the appropriations bill (SB2653/HB2629) earmarks \$350,000 for the Board's grants program.

Licensing Data was presented for informational purposes only. (attached)

Complaint Data was presented for informational purposes only. (attached)

Financial Data was presented for informational purposes only. (attached)

ENGINEER COMMITTEE REPORT

The Engineer Committee, through Mr. Campbell, reported on topics discussed. The minutes of the Engineer Committee meeting follow these minutes.

GRANTS COMMITTEE REPORT

The Grants Committee, through Ms. Ballard, reported on topics discussed. The minutes of the Grants Committee meeting follow these minutes.

ARCHITECT COMMITTEE REPORT

The Architect Committee, through Mr. Thompson, reported on topics discussed. The minutes of the Architect Committee meeting follow these minutes.

UNFINISHED BUSINESS

- *Action Items* (attached)
The action items taken from the April meeting were reviewed and the required action had either been taken or is in process.
- *Rules Update*
Mr. Glover reported that the proposed rules are being reviewed for constitutionality before being filed with the Attorney General's Office.

NEW BUSINESS

- *Officer Elections*
The Nominations Committee, through Mr. Lim, moved to elect the following as Board officers to serve from July 1, 2016 – June 30, 2017:

Chair – Susan Ballard
Vice Chair – Frank Wagster
Secretary – Philip Lim

The motion carried unanimously.

- *2017 Legislative Proposals*
Motion was made by Mr. Lockwood and seconded to authorize submission of the following legislative proposals:
 - Amend the law to allow architect and landscape architect exam applicants to apply directly to the National Council of Architectural Registration Boards (NCARB) and the Council of Landscape Architectural Registration Boards (CLARB), respectively, to take exams. After passing the exam the candidates would then apply for registration with the Tennessee Board.

- Amend T.C.A. § 62-2-401(a)(1) to state that applicants for engineer registration must have passed the Fundamentals of Engineering (FE) examination (instead of being certified as an engineer intern).
- Amend the law to state that architect and landscape architect applicants will retain credit for exams passed in accordance with the policies of NCARB and CLARB.

The motion carried unanimously.

- *Authorization of Travel and Speakers*
Motion was made by Mr. Lockwood and seconded to authorize Ms. Reinbold and Mr. Campbell to attend the 2016 NCEES Annual Meeting in Indianapolis as NCEES-funded delegates, and for Messrs. Bursi, Cothron, Glover and Lim to attend as state-funded delegates. The motion carried unanimously.
- *October Meeting Agenda*
Mr. Cothron reviewed the draft agenda for the Board planning session and meeting at Paris Landing State Park on October 5-7, 2016. This meeting will include a meeting with architectural, engineering, landscape architectural, and interior design educators from across the state.

The meeting adjourned at 11:50 a.m.

ATTACHMENTS

Minutes of April 14, 2016 meeting

Complaints for Board Decision

Legal Report

Licensing Data

Complaint Data

Financial Data

Action Items from April 2016 meeting