



**TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615.741.2241**

Board Meeting Minutes for October 5, 2023
First Floor Conference Room 1-A
Davy Crockett Tower

Tennessee Board of Architectural and Engineering Examiners met on October 5, 2023, and the following business was transacted:

BOARD MEMBERS PRESENT: Alton Hethcoat, Blair Parker, Frank Wagster, Brian Tibbs, Rob Barrick, Melanie Doss, Rick Thompson, Jason Carder, Ashraf Elsayed, Jeff Nalley, James Collins, Eddie Jett

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Glenn Kopchak, Stuart Huffman, Heidi Overstreet, Alexandria Griffey, Tammy Roehrich, Ashley Trobaugh

GRANTS TO HIGHER EDUCATION COMMITTEE

CALL TO ORDER/ROLL CALL

Alton Hethcoat called the meeting to order at 10:37am and Director Glenn Kopchak took roll call.

GRANTS PROPOSAL REVIEWS

Alton Hethcoat stated that the board has successfully award \$400,000 in grants to the 17 applications received. Melanie Doss made a motion to accept the grant distribution as presented. This was seconded by Frank Wagster. The motion passed by unanimous voice vote.

NEW BUSINESS

No new business was presented.

ARCHITECTS COMMITTEE

CALL TO ORDER/ROLL CALL

Brian Tibbs called the meeting to order at 10:48am and Director Glenn Kopchak took roll call.

Application Review

The committee members reviewed Tyler William Scott's application (Application 71798) and decided that his education was sufficient per TCA 62-2-502(b). The consensus from the committee members was that if a candidate graduated from a non-accredited architect program but passed the entrance exam and has the 5 years required experience, they would be in favor of granting licensure.

NEW BUSINESS

No new business was presented.

BOARD MEETING

CALL TO ORDER / ROLL CALL / NOTICE OF MEETING

Rick Thompson called the meeting to order at 11:03 am and Director Glenn Kopchak took roll call.

AGENDA

Brian Tibbs made a motion to approve the agenda. This was seconded by Blair Parker. The motion passed by unanimous voice vote.

AUGUST MINUTES

Brian Tibbs made a motion to adopt the August minutes. This was seconded by Frank Wagster. The motion passed by unanimous voice vote.

PROFESSIONAL SOCIETY REPORTS

Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN) reported updates for her organization to include providing a summary of the recently held Tennessee Engineers' Conference at Franklin, TN which allowed attendees to receive 13 PDH hours.

Ashley Cates, Executive Director of the American Institute of Architects (AIA-TN), provided updates regarding the recent annual meeting and announced that there will be an upcoming Leadership Retreat for current and new members of the board in November.

Hannah Durham, President Elect at American Society of Interior Designers (ASID) reported updates for her organization to include providing a summary of recently held Annual State Conference on September 28-29, 2023, which was a sold-out event.

GRANT PRESENTATIONS

The universities that submitted grant proposals for FY24 presented their proposals and answered questions from the board.

Application Review

William H. Dawson's conviction was reviewed by the board with the Fresh Start Act criteria in view. Brian Tibbs made a motion to allow application for licensure. This was seconded by Blair Parker. The motion passed by unanimous voice vote.

DIRECTOR'S REPORT

Budget Report

Director Kopchak summarized the financial report for this fiscal year. Since meeting in August, there was only one additional month of financials to review. When compared year to year for the same period, it all appeared to be trending normally.

NCARB 2023 Regional Summit

The meeting will be held in Savannah, GA on March 1-2, 2024. Frank Wagster made a motion to approve travel for the architect members. This was seconded by Blair Parker. The motion passed by unanimous voice vote.

CONFERENCE UPDATES

NCEES Conference

Dr. Ashraf Elsayed provided comments regarding the NCEES Annual Mtg that took place on August 15-18, 2023, highlighting the practice of engineering, licensure, electronic signature, and PDH's.

Engineers Conference

Alton Hethcoat, Jason Carder, Dr. Ashraf Elsayed, and Eddie Jett provided comments regarding the Engineers Conference Luncheon roundtable that took place in Franklin, TN on September 19, 2023, with nearly 700 participants in attendance. Alton Hethcoat highlighted some of the topics discussed: decoupling, alternative pathways, and the disciplinary process when complaints are received.

CLARB Conference

Blair Parker provided comments regarding the CLARB conference that took place in Henderson, NV on September 20-22, 2023, with over 200 participants in attendance, representing 56 different jurisdictions. Blair Parker highlighted some of the topics discussed: strategic planning, regulatory jurisdictional differences, and collaboration with other professional associations.

COMMITTEE REPORTS

Please see summary provided above.

The full board also voted to approved grant awards as recommended by the Grants to Higher Education Committee. Committee Chair Alton Hethcoat reported that the committee reviewed the grant proposals and recommendations for allocation and approved accordingly. Alton Hethcoat made a motion to approve and authorize the grant awards to the subsequent universities. This was seconded by Dr. Ashraf Elsayed. The motion passed by unanimous voice vote.

PUBLIC COMMENT PERIOD RELATED TO ITEMS ON THE AGENDA

There were no presentations from the public.

Lunch Break (1:00-1:40)

LEGAL

Legal Report (presented by Stuart Huffman)

1. 2023034161

First Licensed: 01/01/1993

Expiration: 07/31/2025

Type of License: Professional Architect

History (5 yrs.): None.

Respondent self-reported that he had been practicing on an expired license since March 31, 2021. Respondent discovered there was a problem with the registration while making application for a project with the Tennessee State Fire Marshal's Office. Respondent stamped plans on 31 projects from April 1, 2021 through July 11, 2023. Respondent has since renewed his license.

Reviewed by Board member: Brian Tibbs

Mitigating Factors: Self-reported

Aggravating Factors: Practicing on an expired license.

Recommendation: Authorize a civil penalty of \$3,100.00 by Consent Order and formal charges for practicing on an expired license and pass the Laws and Rules Exam.

Board Decision: Review stamped projects and re-present at the next Board meeting.

2. 2023035241

First Licensed: 01/01/1993

Expiration: 07/31/2025

Type of License: Professional Architect

History (5 yrs.): 2020 – One complaint closed with a letter of warning for discipline by another state's licensing board.

Respondent self-reported that he inadvertently let his license lapse when renewing the NCARB Certificate. Respondent stated he worked on projects however he did not seal any plans. After review, it was determined these projects did not require a seal. Respondent also stated he usually works as an expert for trials dealing with construction. Respondent checked his records and stated he did not testify during the expiration period. Respondent has since renewed his license.

Reviewed by Board member: Frank Wagster

Mitigating Factors: No use of seal on projects and did not testify as an expert during expiration period.

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

3. 2023046751

First Licensed: 12/19/2016

Expiration: 09/30/2025

Type of License: Professional Architect

History (5 yrs.): None.

Respondent self-reported that he had been practicing on an expired license since December 31, 2022. Respondent stamped plans on one project in May 2023. Respondent has since renewed his license.

Reviewed by Board member: Rick Thompson

Mitigating Factors: Self-reported

Aggravating Factors: Practicing on an expired license.

Recommendation: Authorize a civil penalty of \$500.00 by Consent Order and formal charges for practicing on an expired license and pass the Laws and Rules Exam.

Board Decision: Concur.

4. 2023042581

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Architect

History (5 yrs.): None.

Respondent is not registered as an Architect yet is making public use of the appellation of Architecture in the business name and on the business website. Respondent states they were given advice that using Architecture was legal and proper. Respondent also states they do not offer architecture services or represent himself as one. From a review of the website, it appears that the Respondent is claiming to be an architect, ie: "launched his architecture career." Respondent claims to offer design services.

Reviewed by Board member: Frank Wagster

Mitigating Factors:

Aggravating Factors: Using the appellation of "architecture" without registration.

Recommendation: Authorize a civil penalty of \$1,500.00 by Consent Order and formal charges for making public use of the appellation of "architecture" and offering the practice of architecture while not registered.

Board Decision: Concur.

5. 2023040341

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Engineer

History (5 yrs.): None.

Complainant alleges Respondent is making public use of the appellation of "engineer" and not registered. Respondent states they previously worked as a mechanical engineer under supervision but due to COVID he decided to become a home improvement contractor. In the biography for the HIC business Respondent states he is a mechanical engineer or a degreed mechanical engineer. Respondent is not currently offering engineering services and was exempt while employed under a licensed engineer.

Reviewed by Board member: Rob Barrick

Mitigating Factors: Not currently offering engineering services; Complaint seems to be retaliation.

Aggravating Factors: Using the appellation without registration.

Recommendation: Authorize a civil penalty of \$250.00 by Consent Order and formal charges for making public use of the appellation of "engineering".

Board Decision: Issue a Letter of Caution.

6. 2023041541

First Licensed: 10/22/2019

Expiration: 08/31/2025

Type of License: Professional Architect

History (5 yrs.): None.

Respondent stated "Yes" that he had practiced on an expired license on his reapplication. Respondent states he misunderstood the question and has been working under responsible charge since he was first licensed. Respondent has not stamped any plans while expired.

Reviewed by Board member: Rick Thompson

Mitigating Factors: No violations found.

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

ADJOURNMENT

There being no additional business, Rick Thompson adjourned the meeting at 2:16 p.m.