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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE ARCHITECTS LICENSURE BOARD

TIME: 9:03 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

September 13, 2018

1 ***

2 State Architects Licensure Board

3 September 13, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Architects Licensure Board was held on Thursday,
7 September 13, 2018. John R. Hill, RA, President,
8 called the meeting to order at 9:03 a.m. Katelin
9 Lambert, Deputy Commissioner, was not present at the
10 commencement of the meeting.

11 ***

12 Roll Call

13 [Roll call was taken. A quorum was noted to be
14 present.]

15 ***

16 [President Hill stated Ms. McClenaghan would not be in
17 attendance due to a family emergency.]

18 ***

19 Pledge of Allegiance

20 [The Pledge of Allegiance was recited.]

21 ***

22 Introduction of Audience Members

23 [President Hill requested the introduction of audience
24 members.]

25 ***

1 [President Hill noted two hearings scheduled for later
2 in the meeting.]

3 ***

4 Approval of Minutes of the May 10, 2018 meeting

5 PRESIDENT HILL:

6 We can get started with a review and
7 discussion on the minutes of the May 10
8 meeting. Does anybody have any
9 comments, corrections, additions, or
10 deletions to the minutes that were
11 posted?

12 [The Board discussed corrections to the minutes.]

13 PRESIDENT HILL:

14 Any other comments, corrections,
15 additions, or deletions? If not, can I
16 hear a motion to approve the minutes as
17 amended?

18 MR. CARNEY:

19 So moved.

20 MR. ROLLER:

21 Second.

22 PRESIDENT HILL:

23 All those in favor? Any opposed? All
24 right, the minutes, as amended, are
25 approved.

1 [The motion carried unanimously.]

2 ***

3 Report of Prosecutorial Division

4 [Robert B. Armour, Esquire, Board Prosecution Liaison,
5 presented the Consent Agreement for File No. 15-41-
6 12464.]

7 ***

8 Report of Board Counsel

9 [Ariel E. O'Malley, Esquire, Board Counsel, noted two
10 Adjudications and Orders, as well as two hearings
11 scheduled for later in the meeting. She also referred
12 to the Draft License Requirements Revision and Digital
13 Signature rulemaking (16A-4111) for discussion later
14 in the meeting.

15 Mr. Roller expressed his concern as to the length
16 of time to resolve cases, noting a lack of inattention
17 or a lack of diligence by the prosecution. Ms.
18 O'Malley discussed the Department's and prosecution's
19 awareness of the issue. She explained the process for
20 resolving cases. Mr. Armour will report Mr. Roller's
21 concern to his division, and Ms. O'Malley will discuss
22 this issue also with her superiors.

23 President Hill also noted the Draft License
24 Requirements Revision.

25 Mr. Carney discussed President Hill's comments

1 regarding the language that the candidate demonstrates
2 successfully completing a minimum of six semesters in
3 a National Architectural Accrediting Board (NAAB) and
4 the National Council of Architectural Registration
5 Boards (NCARB) approved Integrated Path to
6 Architectural Licensure (IPAL) program may apply to
7 take the Architect Registration Examination (ARE).
8 Mr. Carney noted the requirement for 90 credit hours,
9 negating the need for individuals to take semesters or
10 summer programs.

11 Mr. Roller suggested that an applicant must
12 submit a letter from the program noting the completion
13 of 50 percent of the requirements. President Hill
14 questioned whether the Board was comfortable with
15 deferring to NCARB's administration about IPAL and
16 their determination for the exam process, which would
17 eliminate No. 1, the candidate's demonstration of
18 successfully completing the program.

19 The Board discussed relying on the National
20 Council of Architectural Registration Boards (NCARB)
21 to manage the requirements with the National
22 Architectural Accrediting Board (NAAB) NAAB.

23 Ms. O'Malley suggested adding language that
24 reserves the Board's ability to set up a standard,
25 noting that regulations take a minimum of two years.

1 Mr. Carney questioned the reference on page
2 eight, where Section 9.61(a)(1) refers to Section
3 9.41(a), (b), or (c).

4 The Board discussed deleting the Canadian
5 Architectural Certification Board (CACB) because the
6 generics part of the Mutual Recognition Agreements
7 (MRA).

8 Sections 9.41(b), regarding a bachelor's degree,
9 and 9.41(d), regarding the broadly experienced
10 architect, were also discussed. The Board noted the
11 three years practical experience in addition to the
12 Architectural Experience Program (AXP). Mr. Leinbach
13 suggested an addition in No. 5 for (b) and (c), where
14 architects outside the jurisdiction of NCARB must also
15 comply with (d).

16 Duplications in Section 9.88 verification of IDP
17 or (AXP completion) and Section 9.49(b) diversified
18 training requirements (adoption of AXP) were noted.
19 There was identical language as to the recordkeeping
20 requirement.

21 Ms. O'Malley discussed next submitting the
22 exposure draft to stakeholders for comments and
23 alterations. President Hill commented that there
24 would be future opportunities to make additional
25 comments and revisions.]

1 ***

2 PRESIDENT HILL:

3 As far as a consensus vote to move this
4 ahead as the way it stands currently.

5 MR. CARNEY:

6 So moved.

7 MR. LEINBACH:

8 Second.

9 PRESIDENT HILL:

10 All those in favor? Any opposed?

11 [The motion carried unanimously.]

12 ***

13 [Douglas E. Carney, RA, exited the meeting at
14 9:45 a.m. and reentered the meeting at 9:54 a.m.]

15 ***

16 [The Board recessed from 10:07 a.m. until 10:13 a.m.]

17 ***

18 [A Formal Hearing was held from 10:13 a.m. until
19 10:46 a.m. in the matter of the Provisional Denial of
20 the Architect Registration Examination Approval
21 Application of Joshua James Schneider, File No. 18-41-
22 005169.]

23 ***

24 [A Formal Hearing was held from 10:48 a.m. until
25 11:12 a.m. in the matter of the Provisional Denial of

1 the Architect Registration Examination Approval
2 Application of Jonathan David Kuntz, File No. 18-41-
3 005796.]

4 ***
5 Regulations/Statute
6 [Ariel E. O'Malley, Esquire, Board Counsel, addressed
7 the Digital Signature Rulemaking Annex and Preamble
8 that Mr. Blackburn drafted. Ms. O'Malley noted that
9 the exposure draft was sent to the stakeholders, and
10 there was not a single comment. She stated Mr.
11 Blackburn requested a motion from the Board to proceed
12 with the proposed rulemaking.

13 President Hill referred to correspondence from
14 Mr. Shusterman regarding legal comments. The Board
15 discussed the controls and verifications of an
16 electronic seal, as well as defining a secure
17 electronic seal as the individual's stamp or
18 imprints.]

19 PRESIDENT HILL:

20 The motion request is to promulgate as
21 proposed.

22 MR. CARNEY:

23 So moved.

24 MR. LEINBACH:

25 Second.

1 PRESIDENT HILL:

2 I hear a motion and a second. Any
3 further discussion on it? Hearing none.
4 All those in favor, say aye. Any
5 opposed?

6 [The motion carried unanimously.]

7 ***

8 Applications

9 [John R. Hill, RA, President, noted applications for
10 reciprocal licensing.]

11 President Hill also noted matters for discussion
12 in Executive Session.]

13 ***

14 Report of Commissioner - No Report

15 ***

16 Report of Board President

17 [John R. Hill, President, noted Governor Wolf's job
18 licensing reform proposal related to the elimination
19 of unnecessary hardships towards licensing, leading to
20 job creation in the Commonwealth.]

21 President Hill had no additional information
22 regarding the Education Evaluation Services for
23 Architects (EESA) evaluations for the National
24 Architectural Accrediting Board (NAAB) equivalency and
25 was deferring to NCARB for coverage on that.

1 President Hill noted NCARB's Commitment to the
2 Diversity Policy.

3 Mr. Hamm stated the National Board recognizes
4 diversity shortfall and encourages states to address
5 that in their configuration of Board members.

6 An outreach program called Architecture/
7 Construction/Engineering (ACE), which introduces high
8 school students to the field, was noted.

9 President Hill noted the Region 2 Architects,
10 Educators, and Practitioners Symposium October 4-5,
11 2018, at Drexel University. He noted the goal to
12 connect individuals in architectural education
13 programs with the idea of what to expect to gain
14 experience and obtain licensure in the profession.

15 President Hill discussed the NCARB Member Board
16 Chairs/Member Board Executives Summit on October 12
17 and 13, 2018, in St. Louis, MO. He stated the
18 conference will focus on agendas that Boards are
19 sharing across all of the jurisdictions.

20 President Hill noted the NCARB FY18 Annual Report
21 and correspondence for review.]

22

23 Report of Board Administrator - No Report

24

25 Miscellaneous

1 [President Hill discussed the draft newsletter, noting
2 the letter that was approved but could not be posted.

3 Ms. O'Malley edited the letter as it offered an
4 advisory opinion and was meant for general
5 communication to the leaders of the organization to
6 explain the issue. She explained that disseminating
7 information to the general public, including licensing
8 population, would be an advisory opinion.

9 President Hill addressed a letter regarding the
10 listing of partners on letterhead, noting it to be
11 part of a regulation requirement, requesting the
12 Board's thoughts on maintaining that regulation.

13 Ms. O'Malley stated the Board has the authority
14 to waive a regulation.]

15 MS. O'MALLEY:

16 If everyone is in agreement, when I make
17 all of the other adjustments to the
18 Annex that you talked about earlier, I
19 will add that section and remove it from
20 your regulations. In the interim,
21 understanding that the majority of the
22 Board seems to be on the same page, you
23 could have a motion to waive the Board
24 Regulation Section 9.163(2).

25 MR. ROLLER:

1 So moved.

2 MR. HAMM:

3 Second.

4 PRESIDENT HILL:

5 We have a motion and a second. Anymore
6 discussion on 9.163(2), removing the
7 letterhead requirement? Hearing none.

8 All those in favor, say aye. Opposed?

9 [The motion carried unanimously.]

10 ***

11 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
12 11:50 a.m. the Board entered into Executive Session
13 with Ariel E. O'Malley, Esquire, Board Counsel, for
14 the purpose of conducting quasi-judicial deliberations
15 on matters that are currently pending before the Board
16 and receiving the advice of Counsel. The Board
17 returned to Open Session at 1:07 p.m.]

18 ***

19 MOTIONS

20 MS. O'MALLEY:

21 The Board was just in Executive Session
22 conducting quasi-judicial deliberations
23 on matters that are currently pending
24 before the Board as well as receiving
25 advice of Counsel.

1 Board would entertain a motion for
2 Counsel to draft an Order granting
3 licensure to Joshua James Schneider at
4 File No. 18-41-005169.

5 CHAIRPERSON HILL:

6 Do I hear a motion?

7 MR. CARNEY:

8 So moved.

9 MR. LEINBACH:

10 Second.

11 PRESIDENT HILL:

12 I have a motion and a second. Any
13 further discussion on this matter?

14 Hearing none. All those in favor, say
15 aye. Opposed?

16 [The motion carried unanimously.]

17 ***

18 MS. O'MALLEY:

19 Moving on to Item No. 6, I believe the
20 Board would entertain a motion for
21 Counsel to draft an Adjudication and
22 Order in accordance with discussions in
23 Executive Session in the matter of
24 Jonathan David Kuntz at File No. 18-41-
25 005796.

1 CHAIRPERSON HILL:

2 Do I hear a motion?

3 MR. ROLLER:

4 So moved.

5 MR. LEINBACH:

6 Second.

7 PRESIDENT HILL:

8 I have a motion and a second. Any
9 further discussion on the matter?

10 Hearing none. All those in favor, say
11 aye. Opposed?

12 [The motion carried unanimously.]

13 ***

14 MS. O'MALLEY:

15 In regards to items 9 and 10, the
16 applications of Troy Vernon Bankert and
17 Thomas Lopez, those two items will be
18 scheduled for an informal conference at
19 the next Board meeting.

20 Moving on to Item No. 11, I believe
21 the Board would entertain a motion to
22 provisionally deny the application of
23 Andrew Richard Roehl.

24 MR. CARNEY:

25 So moved.

1 MR. HAMM:

2 Second.

3 PRESIDENT HILL:

4 I hear a motion and a second. Any
5 further discussion? Hearing none. All
6 those in favor, say aye. Opposed?

7 [The motion carried. Mr. Roller opposed the motion.]

8 ***

9 MS. O'MALLEY:

10 I believe the Board would entertain a
11 motion to approve the applications of
12 Don Ritchie Smith II at Item No. 12,
13 William Merrick Merriman at Item No. 13
14 as well as Lori Ann Casino at Item No.
15 14.

16 MR. CARNEY:

17 So moved.

18 MR. HAMM:

19 Second.

20 PRESIDENT HILL:

21 We have a motion and a second. Any
22 further discussion on those items?
23 Hearing none. All those in favor, say
24 aye. Opposed?

25 [The motion carried unanimously.]

1 ***

2 [Katelin Lambert, Deputy Commissioner, entered the
3 meeting at 1:04 p.m.]

4 ***

5 MS. O'MALLEY:

6 I believe the Board would entertain a
7 motion to accept the Consent Agreement
8 as the final disposition of File No. 15-
9 41-12464, and I would further note the
10 recusals of Doug Carney as well as Jerry
11 Roller.

12 PRESIDENT HILL:

13 Do I hear a motion?

14 MR. HAMM:

15 So moved.

16 MR. LEINBACH:

17 Second.

18 PRESIDENT HILL:

19 I have a motion and a second. Any
20 further discussion on it? Hearing none.

21 All those in favor, say aye. Opposed?

22 [The motion carried. Mr. Carney and Mr. Roller
23 recused themselves from deliberations and voting on
24 the motion. The Respondent's name in that file is
25 Janice M. Woodcock, RA.]

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Miscellaneous

[President Hill noted 2019 Board meeting dates. He noted a change in the September date to Thursday, September 5, 2019.]

Adjournment

PRESIDENT HILL:

Do I hear a motion to adjourn?

MR. CARNEY:

So moved.

MR. HAMM:

Second.

PRESIDENT HILL:

All those in favor?

[The motion carried unanimously.]

[There being no further business, the State Architects Licensure Board Meeting adjourned at 1:08 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Architects Licensure Board meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Architects Licensure Board meeting.



Adam Beck,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX
September 13, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	9:03	Official Call to Order
9		
10	9:05	Roll Call
11		
12	9:05	Pledge of Allegiance
13		
14	9:06	Approval of Minutes
15		
16	9:08	Report of Prosecutorial Division
17		
18	9:18	Report of Board Counsel
19		
20	10:07	Recess
21	10:13	Return to Open Session
22		
23	10:13	Formal Hearing - Joshua James Schneider
24	10:46	
25		
26	10:48	Formal Hearing - Jonathan David Kuntz
27	11:12	
28		
29	11:12	Regulations/Statute
30		
31	11:21	Report of Board President
32		
33	11:33	Miscellaneous
34		
35	11:50	Executive Session
36	1:07	Return to Open Session
37		
38	1:07	Motions
39		
40	1:08	Adjournment
41		
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