

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS  
AND LANDSCAPE ARCHITECTS MEETING**

**MINUTES**

The Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on December 17, 2015, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

**Architects**

Robert A. Boynton  
R. Corey Clayborne  
Christine Snetter

**Professional Engineers**

Wiley V. Johnson, III  
Carolyn B. Langelotti

**Land Surveyors**

Doyle B. Allen  
Charles F. Dunlap  
Michael Zmuda

**Interior Designers**

Cameron Stiles

**Landscape Architects**

Andrew M. Scherzer  
A. Cabell Crowther

Board members Chris Stone and Sheila Wilson were not present for the meeting.

Board staff present for all or part of the meeting was:

Kathleen (Kate) R. Nosbisch, Executive Director  
Tonia Harrison, Board Administrator  
Amy Goobic, Administrative Assistant

Agency staff present for all or part of the meeting was:

Jay W. DeBoer, Director  
Mark N. Courtney, Senior Director, Regulatory & Public Affairs

Elizabeth Peay, Assistant Attorney General, was present from the office of the Attorney General.

Mr. Boynton, called the meeting to order at 9:36 a.m.

**Call to Order**

Mr. Boynton advised the Board of the emergency evacuation procedures.

**Emergency  
Evacuation  
Procedures**

Mr. Dunlap moved to approve the agenda. Ms. Snetter seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda.

**Approval of Agenda**

Ms. Snetter moved to approve the minutes of the following meetings as

**Approval of Minutes**

amended:

- September 15, 2015, APELSCIDLA Board Meeting;
- September 15, 2015, Architects, Certified Interior Designers & Landscape Architects Section Meeting;
- September 15, 2015, Land Surveyor Apprenticeship Committee Meeting;
- October 20, 2015, Land Surveyor Apprenticeship Committee Meeting;
- October 20, 2015, Land Surveyor Review Committee
- November 18, 2015, PE and Land Surveyor Section Meeting; and
- November 18, 2015, Land Surveyor Exam Review Session.

Mr. Allen seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda.

There was no public comment.

**Public Comment**  
**Period**

Mr. Paylor was present to address the Board.

**File Number 2016-**  
**00946, Michael**  
**Paylor**

Regarding **File Number 2016-00946, Michael Paylor**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference and the presiding Board member's recommendation. Mr. Scherzer moved to accept the recommendation of the presiding Board member and approve Mr. Paylor's application for a professional engineer license by comity. Mr. Johnson seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Scherzer, Snetter, Stiles, and Zmuda. As the presiding Board member, Ms. Langelotti was not present for the discussion or vote.

After reviewing the application and Agreement for Registration, Mr. Johnson moved to accept the Agreement for Registration as seen and agreed to by Industrial TurnAround Corporation. Ms. Langelotti seconded the motion which was approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda.

**Business Agreement**  
**2016-06, Industrial**  
**TurnAround**  
**Corporation**

After reviewing the application and Agreement for Registration, Mr. Johnson moved to accept the Agreement for Registration as seen and agreed to by Beaudette Consulting Engineers, Inc. Mr. Dunlap seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda.

**Business Agreement**  
**2016-09, Beaudette**  
**Consulting**  
**Engineers, Inc.**

After reviewing the application and Agreement for Registration, Mr. Johnson moved to accept the Agreement for Registration as seen and agreed to by U.S. Wick Drain, Inc. Mr. Cotti, Scherzer, Snetter, Stiles, and Zmuda. Crowther seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langel

**Business Agreement  
2016-10, U.S. Wick  
Drain, Inc.**

After reviewing the application and Agreement for Registration, Mr. Johnson moved to accept the Agreement for Registration as seen and agreed to by Charlotte Engineer, LLP. Mr. Dunlap seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda.

**Business Agreement  
2016-11, Charlotte  
Engineer, LLP**

Mr. Dunlap provided a brief update on the Land Surveyor Apprenticeship Committee. Mr. Dunlap stated that the Committee will meet following the February PE and LS Section meeting to complete the apprenticeship program for presentation to the Board and approval at its March meeting.

**Land Surveyor  
Apprenticeship  
Committee Update**

Ms. Nosbisch informed the Board that no public comments were received regarding the final regulations approved by the Governor October 26, 2015. Ms. Nosbisch reported that Becky Golden, on behalf of VSPE, called regarding a small change in verbiage in 18VAC10-20-220 and the requirement for one reference to be from a licensed PE. The text read "shall submit three references from professional engineers currently licensed in another state, territory, or possession or other jurisdiction of the United States." It should read "shall submit three references from professional engineers currently licensed in a state, territory, or possession or other jurisdiction of the United States." Ms. Nosbisch stated that she contacted the registrar's office and the change could be made, with the Board's approval. Mr. Scherzer moved to approve the change. Mr. Crowther seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda. Ms. Nosbisch stated the Board that the new regulations will be effective January 1, 2016.

**Regulatory Update**

Ms. Nosbisch informed the Board that every four years, the Board is required to conduct a periodic review of the regulations and public participation guidelines. The review is to ensure the regulations are supported by statutory authority; determine that the regulations are necessary for the protection of the health, safety and welfare of the public; are clearly written and easily understood; and ensure the economic impact on small business is minimized as much as possible. The public comment period will be January 11, 2016-February 1, 2016. The Board will review any public comments at its March meeting and must vote to either repeal, retain or amend the regulations.

Ms. Nosbisch stated that due to the Periodic Regulatory Review Regulatory, a Review Committee will need to be selected. The Committee may or may not need to meet, that it will be dependent on the number of public comments received for the Periodic Regulatory Review. Mr. Boynton asked Mr. Johnson, Mr. Scherzer, Ms. Stiles and Mr. Zmuda to serve on the Committee. Mr. Boynton will serve as the Architect member of the committee. Discussion was held on what the committee work would entail.

**Regulatory Review  
Committee**

Ms. Nosbisch provided background information regarding the creation of the PE Advisory Committee, to assist with the volume of applications to review. Ms. Nosbisch asked the Board's consideration to revise the PE Advisory Committee to include all professions of the APELSCIDLA Board and become the APELSCIDLA Advisory Committee. The modification stems from changes to the Administrative Process Act (APA) and the issue of board members possibly being tainted and not able to participate in discussions or votes. MS. Nosbisch indicated that application forms for the committee will be created and that it is a voluntary position. Mr. Allen inquired as to whether the committee members would review disciplinary cases. Ms. Nosbisch confirmed that the committee would be limited to licensing cases at this time. As with the PE Advisory Committee, former board members or interested professionals may apply for this voluntary position. Mr. Scherzer moved to approve the revision to the Advisory Committee. Ms. Stiles seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda.

**APELSCIDLA  
Advisory Committee**

Financial statements were provided to the Board for informational purposes.

**Financial Statements**

Ms. Nosbich reported that the APELSCIDLA Board was the first board to be 100% compliant with the annual financial disclosure statements. She stated that all were complete by December 7.

**Financial Disclosure  
Statements**

Ms. Nosbisch informed the Board that the required Conflict of Interest Act training must be completed by December 31. She further informed Board members that there were technical issues with the assessment feature at the completion of the training, and they would not be responsible for that portion of the training.

Ms. Nosbisch reported that Mr. Zmuda attended the NCEES Engineering award presentation at George Mason University's, Sid and Reva Dewberry Department of Civil, Environmental, and Infrastructure Engineering. Mr. Zmuda provided a brief report on the award presentation informing the Board that the winning submission was a project to develop water supply, distribution, and storage capacity in Sabana Grande, Nicaragua. Mr. Zmuda presented the \$7,500 award to the group on behalf of NCEES, and added that the money will go to further fund the project.

**NCEES, NCARB,  
CLARB & CIDQ  
Updates**

Ms. Nosbisch informed the Board that the April 2016 LS exam will be the last pencil and paper exam, the exam will transition to computer-based for the October 2016 exam.

Ms. Nosbisch stated that the NCARB will be updates will be discussed during the Section meeting following the full Board meeting.

Ms. Nosbisch reported that CLARB is taking nominations for their Board of Directors. Mr. Crowther provided a brief report on the CLARB Annual meeting held in New Orleans, September 19-21.

The Board recessed from 10:05 a.m. until 10:20 a.m.

**Recess**

Ms. Stiles provided a brief report on the CIDQ Annual meeting held in Atlanta, GA, November 11-12. Board members viewed a short video by CIDQ that they created as a marketing tool. Ms. Stiles reported that the interior designer certification exam would be transitioning to computer-based testing in 2017. She further informed that Board that nationally there are 29,000 certificate holders.

**NCEES, NCARB,  
CLARB & CIDQ  
Updates Continued**

Board members reviewed correspondence from a law firm representing the company Express Oil Change & Tire Engineers. The company is expanding into Virginia and pre-emptively contacted the Board to ensure the company name is not in violation of the Board's regulations. Board members also reviewed a response drafted by staff which stated in part that whether or not a title is protected is established by the manner in which it is used. It appears that "Tire Engineers" would fall into this category as they provide tire and automobile repair and maintenance service and do not indicate or imply the practice of engineering as defined in §54.1-400. Mr. Crowther moved to approve the draft letter. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Boynton, Clayborne, Crowther, Dunlap, Johnson, Langelotti, Scherzer, Snetter, Stiles, and Zmuda.

**Other Business**

Conflict of Interest forms were completed by all board members present.

**Conflict of Interest  
Forms**

The meeting was adjourned at 10:35 a.m.

**Adjourn**

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Robert A. Boynton, Chair

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Jay W. DeBoer, Secretary