

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

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on February 13, 2024, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

Members present for all or part of the meeting:

Architects

Erik Bootsma
Tim Colley
Helene Dreiling

Professional Engineers

James Kelly
Vinay Nair
Rick Townsend

Land Surveyors

Vickie Anglin
John Claytor
Kevin Shreiner

Interior Designers

Caroline Alexander
Catherine Christian Stanley

Landscape Architects

Susan Dibble
Ann Stokes

Citizens

Troy Arnold III

Members absent from the meeting with regrets:

Citizen

Justina Vasquez

Staff present for all or part of the meeting were:

Kishore S. Thota, Director
Brian Wolford, Deputy Director
Steve Kirschner, LRPD Deputy Director
Kate Nosbisch, Executive Director
Bonnie Davis, Regulatory Operations Administrator
Ecila Williams, Administrative Coordinator
Bonnie Adams, Director- Complaint Analysis & Resolution
Adam Cocker, Legal Analyst, Complaint Analysis & Resolution
Free Williams, Director- Adjudication
Elizabeth Frye, Adjudication Specialist
Skylar Edwards, Post Adjudication and Licensing Specialist
Greg Emerson, Executive Director- Examinations

Nil Eguz, BPOR Liaison, was not present at the meeting with regrets.

Elizabeth Peay, Assistant Attorney General with the Office of the Attorney General, was present.

Members of the audience:

Georg Dahl, Virginia Society of Professional Engineers (VSPE) STEM and Educational Outreach Lead for Tidewater/Hampton Roads Chapter

Chris Newton, Tyler Technologies

Paul Battaglia, AIA Virginia

Tom Witt, Virginia Transit Construction Alliance

Gordon Dixon, Virginia Transit Construction Alliance

Kevin Adams, Professional Engineer, Adams & Associates

Mr. Kelly, Chair, finding a quorum present, called the meeting to order at 10:06 a.m. **Call to Order**

Mr. Kelly advised the Board of the emergency evacuation procedures. **Emergency Evacuation**

Ms. Stokes moved to approve the agenda. Ms. Anglin seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Kelly, Nair, Shreiner, Stanley, Stokes, and Townsend. **Approval of Agenda**

Ms. Anglin moved to approve all the minutes in block for the following dates: **Approval of Minutes**

- i. APELSCIDLA Statutory/Regulatory Review Committee, August 4, 2023
- ii. APELSCIDLA Certified Interior Designer Section Statutory/Regulatory Review Committee, August 4, 2023
- iii. APELSCIDLA Board Meeting, November 1, 2023
- iv. APELSCIDLA Statutory/Regulatory Review Committee, January 9, 2024

Ms. Alexander seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Kelly, Nair, Shreiner, Stanley, Stokes, and Townsend.

Mr. Battaglia, Executive Vice President of AIA Virginia, introduced himself to the Board. **Public Comment Period**

Mr. Dixon addressed the board regarding an issue with the Virginia Department of Transportation (VDOT) and an Entrusted Engineer in Charge (EIC) interpretation.

Mr. Colley recused himself from the meeting for discussion and deliberation of the file.

Recusal of Board Member

Regarding **File Number 2023-01602, Raymond Lee Craighead**, the Board members reviewed the Consent Order as seen and agreed by Mr. Craighead

File Number 2023-01602 Raymond Lee Craighead

Ms. Anglin moved to accept the consent order which cites the following violation of the Board's Regulations: 18 VAC 10-20-760.D (Count 1). For this violation, it was recommended that Mr. Craighead pay the following monetary penalties: \$250.00 for the violation contained in Count 1 and \$150.00 in Board costs, for a total monetary penalty of \$400.00. Ms. Stokes seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Dreiling, Dibble, Kelly, Nair, Shreiner, Stanley, Stokes, and Townsend.

Mr. Colley returned to the meeting.

Return of Board Member

Mr. Kelly recused himself from the meeting for discussion and deliberation of the files.

Recusal of Board Member

Regarding **File Number 2024-00263, Reyad Babikir Elnafe**, 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.

File Number 2024-00263 Reyad Babikir Elnafe

Mr. Nair moved to accept the recommendation of the presiding officer and deny Mr. Elnafe's application for a professional engineer license by examination. Mr. Shreiner seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Nair, Shreiner, Stanley, Stokes, and Townsend.

Regarding **File Number 2023-02729, Kevin Adams**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the case file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference.

File Number 2023-02729 Kevin Adams

Mr. Adams was present at the meeting to address the Board and asked to take into consideration the reinstatement of his professional engineer license.

After a long discussion, Mr. Nair moved to accept the presiding officer's recommendation for no monetary penalty and for Mr. Adams to be placed on probation upon any reinstatement of his license until he provides proof satisfactory to the Board that his North Carolina professional engineer license

has been reinstated. Mr. Colley seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Nair, Shreiner, Stanley, Stokes, and Townsend.

Regarding **File Number 2023-02696, Francesco Lauret**

File Number 2023-02696 Francesco Lauret

ti, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the case file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference.

Ms. Nosbisch read a statement that was emailed to the Board from Mr. Lauret

ti supporting the presiding officer's recommendation and apologizing for not being able to be present at the meeting.

Ms. Anglin, Vice-Chair, disclosed to the Board and that she is an employee of Fairfax County, as is Mr. Lauret

Closed Meeting

ti, however she declared that she can be fair and impartial of the deliberation of the file.

At 10:50 a.m., Mr. Shreiner moved that the meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of deliberation on disciplinary cases resulting from an Informal or Formal Hearings in order to reach a decision, as permitted by § 2.2-3711.A.27 of the Code of Virginia. Ms. Stokes seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Nair, Shreiner, Stanley, Stokes, and Townsend.

Open Meeting

At 11:23 a.m., Mr. Shreiner moved to adjourn the closed meeting and to immediately reconvene in open meeting. Ms. Stokes seconded the motion which was unanimously approved by role call vote: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Nair, Shreiner, Stanley, Stokes, and Townsend.

After a brief discussion, Ms. Stokes moved to accept the violation in the Informal Fact-Finding Conference. Mr. Nair seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Nair, Shreiner, Stanley, Stokes, and Townsend.

File Number 2023-02696 Francesco Lauret
ti continued

After a brief discussion, Mr. Bootsma moved to amend the sanction for Count 1: 18 VAC 10-20-790.9 to suspend Lauret

The Board took a recess from 11:30 a.m. to 11:54 a.m.

Recess

It was noted that the violations for this case were not voted on initially and so the case was called back before the Board to discuss the violations.

File Number 2023-02729 Kevin Adams continued

Mr. Nair moved to accept the violation in the Informal Fact-Finding Conference. Mr. Colley seconded the motion which was unanimously approved by: Alexander, Anglin, Arnold, Bootsma, Claytor, Colley, Dreiling, Dibble, Nair, Shreiner, Stanley, Stokes, and Townsend.

Mr. Kelly returned to the meeting.

Return of Board Member

Ms. Peay informed the Board that the appeal for Mr. Tehrani's case was dismissed, and the decision of the Board was upheld.

File Number 2022-01137 Hamid Moghavemi Tehrani Update

Mr. Emerson presented to the APELS Exam Statistics from January 2024 for informational purposes. Mr. Emerson stated that Tom Banks, Chief Executive Officer of CIDQ is working on hiring a systems analyst to get additional testing demographics for CIDQ.

Examination Director Report

Ms. Nosbisch stated the Executive Director Report was provided for informational purposes only.

Executive Director Report

Ms. Davis reviewed the Stages in the Standard Process handout for informational purposes.

Regulatory Update

Ms. Davis informed the Board that there has been no movement at this time regarding fee adjustments.

Ms. Davis informed the Board for general regulatory review, the NOIRA is in preparation to be file as well as the fast-track items.

Ms. Nosbisch informed the Board that HB 350 has been introduced to the General Assembly, which will lower the quorum requirements for the Board. Ms. Nosbisch will update the Board of the outcome once the General Assembly session is complete.

General Assembly Update

Mr. Dixon shared with the Board HB661 was stricken from the docket, however the patrons of the bill would like to see contractors not be required to employ the Entrusted Engineer in Charge as a full-time employee. VDOT, working under a policy position from the 2018 APELSCIDLA board meeting, is still requiring

Entrusted Engineer in Charge with VDOT

the Entrusted Engineer in Charge to be a full-time employee of the contractor. Ms. Nosbisch stated that she will reach out to VODT for further clarification and to request proposed language which will be presented to the Board at the May 8, 2024 meeting.

Director Thota and Chief Deputy Director Wolford exited the meeting at 12:26 p.m.

Departure of DPOR Staff

The Board was presented with information from an anonymous licensed professional engineer expressing concerns regarding offshore engineering and Computer Aided Drafting (CAD) and how it is now a trend in the industry and would like the Board to address this concern. The Board took no action.

Correspondence from Public Works Engineer

Ms. Nosbisch stated the CLARB update items was provided for informational purposes.

Landscape Architect Update

Ms. Nosbisch stated the NCEES update items were provided for informational purposes.

Professional Engineer Update

Mr. Kelly and Ms. Nosbisch informed the Board about the UK/NCEES Mutual Recognition Agreement meeting in London, UK. NCEES is in agreeance with the agreement and will be presented at the Annual Meeting.

Ms. Nosbisch indicated that in addition to the NCEES update, the Virginia Association of Surveyors items were provided for informational purposes.

Land Surveyor Section Update

Ms. Nosbisch stated the NCARB and AIA information was provided for informational purposes.

Architect Section Update

Ms. Dibble exited the meeting at 1:19 p.m.

Departure of Board Member

Ms. Nosbisch stated the certified interior designer update items were provided for informational purposes.

Certified Interior Designer Section Update

The licensee counts as of January 1, 2024:

APELSCIDLA Businesses	5,331
Architects	7,695
Professional Engineers	30,938
Land Surveyors	1,230
Land Surveyors B	56
Land Surveyor Photogrammetrists	98

Licensed and Certified Population

Certified Interior Designers	464
Landscape Architects	974

Ms. Nosbisch stated the financial statements were provided for informational purposes only.

Financial Statements

Ms. Nosbisch informed the Board that the New Board Member Training Conference will be scheduled for October 10-11, 2024. More information will be provided in the future.

Other Business

Conflict of Interest forms and Travel Vouchers were completed by all Board members present.

Conflict of Interest Forms / Travel Vouchers

There being no further business, the meeting was adjourned at 1:27 p.m.

Adjourn

James Kelly, Chair

Kishore S. Thota, Secretary