

APELSCIDLA Board
TENTATIVE Agenda

September 8, 2021, 10:00 a.m.

Department of Professional & Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233
804-367-8506

1. Call to Order
2. Emergency Evacuation
3. Announcements
 - Welcome April Drake
 - Reappointments
 - i. Vickie Anglin
 - ii. Jim Kelly
 - iii. Ann Stokes
4. Approval of Agenda
5. Approval of Minutes
 - APELSCIDLA Board Meeting, June 22, 2021
 - Land Surveyor Exam Committee Meeting
 - i. July 29, 2021
 - ii. August 3, 2021
 - iii. August 10, 2021
 - iv. August 24, 2021
6. Public Comment
7. File Review
 - File Number 2021-00835 William Channing Blackwell
CO (Kelly) – Disciplinary
 - File Number 2021-01216 Ellen Rose Vallerie
IFF (Kelly) – Licensing
 - File Number 2021-02009 Serghei Malcov
IFF (Stone) – Licensing
 - File Number 2021-02011 Oneil Richard Clarke
IFF (Stone) – Licensing
 - File Number 2021-02012 Pedram Foushanji
IFF (Stone) – Licensing

- File Number 2021-01642 Abdulrazak Adamo Ogun
IFF (Snetter) – Licensing
8. Resolution Christine Snetter
9. Virginia Department of Small Business and Supplier Diversity Update
10. Landscape Architects
- CLARB Update
 - i. Public Member Meeting, July 14 and 21
 - ii. Regional Meeting, August 12
 - iii. Universal Application
 - iv. Annual Meeting, September 22-24
11. Professional Engineers
- NCEES Update
 - i. Board Administrators Meeting July 29
 - ii. Annual Meeting, August 19-20 – cancelled
 - iii. Virtual State of the Council September 8, 2-4pm
 - iv. Annual Virtual Business Session September 15, 12-5pm
12. Land Surveyors
- State Specific Exam Update
 - NCEES Update
 - Virginia Association of Surveyors Convention, September 14-18
 - i. Land Surveyors and Executive Director Presentation September 17, 1-3pm
13. Architects
- NCARB Update
 - i. Annual Meeting June 24-26 (Hybrid In Person and Virtual)
 - ii. Diversity and Futures Collaboratives August 12
 - iii. Region 2 Student Educator Practitioner October 14-15
14. Certified Interior Designers
- CIDQ Update
 - i. Application
 - ii. Annual Meeting November 12-13
15. Regulatory Update – New Regulations effective September 2, 2021
16. Business Agreement Updates
17. CE Waiver Updates
18. Licensed and Certified Population

19. Financial Statements

20. Other Business

- DPOR Board Member Training tentatively October 13-14, 2022

21. Conflict of Interests Act Training

22. Conflict of Interest and Travel Vouchers

23. Adjourn

NEXT MEETING SCHEDULED FOR December 16, 2021

Agenda materials available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

**Five minute public comment, per person, with the exception of any open disciplinary or application files.*

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8514 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

DRAFT AGENDA
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And are not to be construed as regulation or official board position
DRAFT AGENDA

- **Call to Order**
- **Emergency Evacuation**
- **Announcements**
 - **Welcome April Drake**
 - **Reappointments**
 - **Vickie Anglin**
 - **Jim Kelly**
 - **Ann Stokes**

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

MINUTES OF VIRTUAL MEETING

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met virtually via Google Meet on June 22, 2021, at 10:00 a.m. Board staff was present at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia 23233.

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

Architects

Tim Colley
Mel Price
Christine Snetter

Professional Engineers

James Kelly
Christopher Stone

Land Surveyors

Doyle Allen
Vickie Anglin
Mike Zmuda

Interior Designers

Cameron Stiles

Landscape Architects

Ann Stokes
Frank Hancock

Citizen Members

Karen Reynes

Caroline Alexander, Hypatia Alexandria, and Vinay Nair were not present at the meeting.

DPOR staff present for all or part of the meeting included

Mary Broz-Vaughan, Director
Kathleen R. Nobsch, Executive Director
Bonnie Davis, Administrative Assistant

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

Finding a quorum of the Board present, Ms. Snetter, Chair, called the meeting to order at 10:07 a.m.

Call to Order

Ms. Nobsch advised the Board of the emergency evacuation procedures for staff on site.

**Emergency
Evacuation**

Ms. Nosbisch stated Ms. Alexander, Ms. Alexandria, and Mr. Nair send their regrets.

Announcements and Virtual Meeting Procedures

Ms. Nosbisch advised the Board the meeting was being held virtually in order to mitigate the spread of COVID-19, and that per statutory requirements for virtual meetings, the meeting would be recorded and posted to the DPOR website.

Because the meeting was held virtually, Ms. Nosbisch took roll of Board members in attendance.

Roll Call

Mr. Kelly moved to approve the agenda as presented. Ms. Stiles seconded the motion which was unanimously approved by: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, Stone, and Zmuda.

Approval of Agenda

Ms. Stiles moved to approve the amended March 10, 2021, Board meeting minutes. Mr. Zmuda seconded the motion which was approved by: Allen, Anglin, Colley, Hancock, Kelly, Price, Snetter, Stiles, Stokes, Stone, and Zmuda. Ms. Reynes abstained because she was not present at the March 10, 2021 meeting.

Approval of Minutes

There was no public comment.

Public Comment Period

Mr. Kelly and Mr. Zmuda recused themselves from the meeting for discussion and deliberation of the file.

Recusal of Board Member

Mr. Jaboory was present to address the Board.

File Number 2020-01577, Kayvan Jaboory

Regarding **File Number 2020-01577, Kayvan Jaboory**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation. Mr. Stone moved to accept the recommendation which cites the following violation of the Board's regulations: 18VAC10-20-790.8. (Count 1). Ms. Stiles seconded the motion which was unanimously approved by members: Allen, Anglin, Colley, Hancock, Price, Reynes, Snetter, Stiles, Stokes, and Stone.

After Ms. Nosbisch indicated that there have been no prior disciplinary actions against Mr. Jaboory, Mr. Stone moved to accept the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following: \$1,000.00 for the violation contained in Count 1, for a total monetary penalty of \$1,000.00. Ms. Anglin

seconded the motion which was approved by members: Allen, Anglin, Colley, Hancock, Price, Reynes, Snetter, Stiles, Stokes, and Stone. As the presiding Board member, Mr. Zmuda, and as the technical review board member, Mr. Kelly were not present for the discussion or vote.

Mr. Kelly returned to the meeting.

**Return of
Board Member**

Regarding **File Number 2020-01730, Logan Derek Yates**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation. Mr. Stone moved to accept the recommendation which cites the following violation of the Board's regulations: 18VAC10-20-790.1. (Count 1) and 18VAC10-20-790.A.2. (Count 2). Ms. Anglin seconded the motion which was unanimously approved by members: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, and Stone.

**File Number
2020-01730,
Logan Derek
Yates**

After Ms. Nobsch indicated that there have been no prior disciplinary actions against Mr. Yates, Mr. Stone moved to accept the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following: \$2,500.00 for the violation contained in Count 1, for a total monetary penalty of \$2,500.00. In addition, Mr. Yates will be on probation for three (3) months and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Ethics and provide proof of attendance and successful completion within three (3) months of the effective date of the Final Order. Mr. Allen seconded the motion which was approved by members: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, and Stone. Mr. Kelly moved to accept the sanction and impose no penalty for the violation contained in Count 2. Ms. Stokes seconded the motion which was approved by members: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, and Stone. As the presiding Board member, Mr. Zmuda was not present for the discussion or vote. Robert Boynton, presiding Board member, was not present for the meeting.

Mr. Zmuda returned to the meeting.

**Return of
Board Member**

Ms. Nobsch introduced Matt Miller, Chief Executive Officer, and Chuck Smith, President-elect, both of CLARB. Mr. Smith discussed Interprofessional Council on Registration (ICOR), Alliance for Responsible Professional Licensing (ARPL), threats to licensure, strategic planning 2.0, rethinking licensure, and defensible and equitable licensure. Projects include policy changes – uniform standards for

**Landscape
Architect
Section Update**

licensure; process – eliminate duplication of documents; procedural – improve time to licensure; and service enhancements – help applicants move through the process. Mr. Miller discussed the Landscape Architect Registration Exam (LARE). He stated that Sections 1 and 2 have online proctoring, and CLARB plans to continue to move all four sections online. This move will solve capacity and access issues.

The Board discussed the NCEES Resolution of Cooperation. Mr. Stone moved to accept the Resolution. Mr. Kelly seconded the motion which was unanimously approved by: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, Stone, and Zmuda. **Professional Engineer Section Update**

The Board reviewed the Washington Accord Brief. It was noted that the item will be discussed at the NCEES annual meeting. An update will be provided at the Board's September 8, 2021 meeting. Ms. Nosbisch provided an update on the exam changes and congratulated George Mason who won \$10,000 along with six other schools. She stated that Zone meetings will be this spring and the Annual meeting is August 19-20th. Travel requests for Ms. Anglin, Mr. Allen, and Mr. Stone have been submitted.

Ms. Nosbisch presented Governor Northam's Proclamation for Surveyors Week. Ms. Anglin stated she attended a NCEES meeting where changes were proposed to eliminate the field experience requirement from model law. She stated she is uncomfortable with this proposed change. Ms. Nosbisch stated the resolutions had not been received yet. **Land Surveyor Section Update**

Ms. Nosbisch stated the NCARB Annual meeting will be a hybrid meeting and will be held June 24-26, 2021, and Ms. Snetter is the voting delegate. Ms. Snetter has been assigned as Chair for the ARE 5.0 Forms Assembly Committee, and Ms. Nosbisch has been asked to serve on the Diversity Task Force. The ARE is transitioning to Prometric to PSI next year. All valid exam scores from March 1, 2020 will have received a total rolling clock extension of 18 months. The Regional Summit was March 23, 2021. Top Blog Posts – Women in Architecture Share Their Challenges and Inspirations – Ms. Snetter was one of the featured women. NCARB offered its first event entirely in Spanish in April. **Architect Section Update**

Ms. Nosbisch stated the Educator and the NCIDQ Exam Partnering for Professionalism Webinar was April 30, 2021. **Certified Interior Designer Section Update**

Ms. Nosbisch presented the 2022 meetings dates. Mr. Stone moved to adopt the **Draft 2022**

following meeting dates for 2022:

February 9, 2022

May 11, 2022

August 10, 2022

November 15, 2022

Mr. Kelly seconded the motion which was unanimously approved by members: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, Stone, and Zmuda.

**Meeting
Schedule**

Ms. Nobsch informed the Board that according to the rotation policy, the Vice-Chair assumes the position of Chair and then a board member from the next profession is elected Vice-Chair. Ms. Nobsch opened the floor for nominations for Board Chair. Mr. Stone nominated Ms. Stokes, current Vice-Chair, as Chair. Ms. Reynes seconded the motion. Ms. Stokes accepted the nomination. Ms. Nobsch asked if there were any additional nominations for Board Chair. There being none, Ms. Nobsch closed the floor for nominations. The motion was unanimously approved by: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, Stone, and Zmuda. By acclamation, Ms. Stokes was name Board Chair.

**Election of
Chair and Vice
Chair**

As the Professional Engineers are the next profession in the rotation, Ms. Nobsch opened the floor for nominations for Board Vice Chair. Mr. Kelly moved to nominate Mr. Stone as Vice Chair. Ms. Stokes seconded the motion. Mr. Stone accepted the nomination. Ms. Nobsch asked if there were any additional nominations for Board Vice Chair. There being none, Ms. Nobsch closed the floor for nominations. The motion was unanimously approved by members: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, Stone, and Zmuda. By acclamation, Mr. Stone was named Board Vice Chair.

Ms. Nobsch reported that the revised regulations are in the final stage at the Governor's Office.

**Regulatory
Update**

The comment period for the petition to amend 18VAC10-20-260.A.2 ended on May 11, 2021 with no comments. The Board discussed the proposed petition. Mr. Stone moved to take no action on the petition. Ms. Stokes seconded the motion which was unanimously approved by members: Allen, Anglin, Colley, Hancock, Kelly, Price, Reynes, Snetter, Stiles, Stokes, Stone, and Zmuda.

**Petition for
Rulemaking
18VAC10-20-
260-A.2**

Ms. Nobsch reported there were no business entities issued a Business Agreement for Registration.

**Business
Agreement**

Updates

There were no requests for waiver of continuing education.

**CE Waiver
Updates**

The licensee counts as of June 1, 2021:

APELSCIDLA Businesses	4,793
Architects	7,609
Professional Engineers	29,861
Land Surveyors	1,237
Land Surveyors B	69
Land Surveyor Photogrammetrists	107
Certified Interior Designe	473
Landscape Architec	936

**Licensed and
Certified
Population**

Ms. Nobsich stated the financial statements were provided for informational purposes.

**Financial
Statements**

Mr. Stone stated that the many businesses listed on the Virginia Department of Small Business and Supplier Diversity are not registered with the Board which is a violation of the regulations. Ms. Nobsich stated she will contact the Director. This item will be placed on the agenda of the September 8, 2021 Board meeting.

Other Business

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

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 11:48 a.m.

Adjourn

Christine Snetter, Chair

Mary Broz-Vaughan, Secretary

DRAFT AGENDA
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LAND SURVEYORS EXAM COMMITTEE

MINUTES

The Land Surveyors Exam Committee of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects met on July 29, 2021, at the Department of Professional and Occupational Regulation, 9960 Mayland Dr., Richmond, Virginia, to discuss exam issues, with the following members present:

Board members present for the meeting were:

Doyle Allen (LS)
Vickie Anglin (LS)
Mike Zmuda (LS)

Agency staff present for the meeting was:

Bradley Thompson, Test Development Specialist for PSI Services

Ms. Anglin called the meeting to order at 1:00 p.m.

Call to Order

Public Comment Period – No comments were made to the Section members.

Public Comment Period

At 1:08 p.m., Ms. Anglin moved that the meeting be recessed and that the Committee immediately reconvene in closed meeting for the purpose of consultation pertaining to examination issues within the jurisdiction of the Board as permitted by §2.2-3711.A.11 of the *Code of Virginia*. This motion was made with respect to the matters identified as exam review. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Closed Meeting

At 4:30 p.m., Ms. Anglin moved to adjourn the closed meeting and to immediately reconvene in open meeting. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Open Meeting

CERTIFICATION OF CLOSED MEETING

Certification of Closed Meeting

WHEREAS, the Land Surveyors Exam Committee of the APELSCIDLA Board has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Land Surveyors Exam Committee of the APELSCIDLA Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Land Surveyors exam Committee of the APELSCIDLA Board hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in the closed meeting to which the certification applies, and (II) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Land Surveyors Exam Committee of the APELSCIDLA Board.

VOTE: 3-0
AYES: Allen, Anglin, and Zmuda

NAYS: 0
ABSENT FROM MEETING: 0

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 4:32 p.m.

Adjourn

Vickie Anglin, Section Chair

Mary Broz-Vaughan, Secretary

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LAND SURVEYORS EXAM COMMITTEE

MINUTES

The Land Surveyors Exam Committee of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects met on August 3, 2021, at the Department of Professional and Occupational Regulation, 9960 Mayland Dr., Richmond, Virginia, to discuss exam issues, with the following members present:

Board members present for the meeting were:

Doyle Allen (LS)
Vickie Anglin (LS)
Mike Zmuda (LS)

Agency staff present for the meeting was:

Bradley Thompson, Test Development Specialist for PSI Services

Mr. Zmuda called the meeting to order at 1:00 p.m.

Call to Order

Public Comment Period – No comments were made to the Section members.

Public Comment Period

At 1:21 p.m., Ms. Anglin moved that the meeting be recessed and that the Committee immediately reconvene in closed meeting for the purpose of consultation pertaining to examination issues within the jurisdiction of the Board as permitted by §2.2-3711.A.11 of the *Code of Virginia*. This motion was made with respect to the matters identified as exam review. Mr. Allen seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Closed Meeting

At 3:57 p.m., Mr. Zmuda moved to adjourn the closed meeting and to immediately reconvene in open meeting. Mr. Allen seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Open Meeting

CERTIFICATION OF CLOSED MEETING

Certification of Closed Meeting

WHEREAS, the Land Surveyors Exam Committee of the APELSCIDLA Board has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Land Surveyors Exam Committee of the APELSCIDLA Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Land Surveyors exam Committee of the APELSCIDLA Board hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in the closed meeting to which the certification applies, and (II) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Land Surveyors Exam Committee of the APELSCIDLA Board.

VOTE: 3-0
AYES: Allen, Anglin, and Zmuda

NAYS: 0
ABSENT FROM MEETING: 0

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 4:01 p.m.

Adjourn

Mike Zmuda, Section Chair

Mary Broz-Vaughan, Secretary

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LAND SURVEYORS EXAM COMMITTEE

MINUTES

The Land Surveyors Exam Committee of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects met on August 10, 2021, at the Department of Professional and Occupational Regulation, 9960 Mayland Dr., Richmond, Virginia, to discuss exam issues, with the following members present:

Board members present for the meeting were:

Doyle Allen (LS)
Vickie Anglin (LS)
Mike Zmuda (LS)

Agency staff present for the meeting was:

Bradley Thompson, Test Development Specialist for PSI Services

Mr. Zmuda called the meeting to order at 1:00 p.m.

Call to Order

Public Comment Period – No comments were made to the Section members.

Public Comment Period

At 1:08 p.m., Ms. Anglin moved that the meeting be recessed and that the Committee immediately reconvene in closed meeting for the purpose of consultation pertaining to examination issues within the jurisdiction of the Board as permitted by §2.2-3711.A.41 of the *Code of Virginia*. This motion was made with respect to the matters identified as exam review. Mr. Allen seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Closed Meeting

At 5:10 p.m., Ms. Anglin moved to adjourn the closed meeting and to immediately reconvene in open meeting. Mr. Allen seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Open Meeting

CERTIFICATION OF CLOSED MEETING

Certification of Closed Meeting

WHEREAS, the Land Surveyors Exam Committee of the APELSCIDLA Board has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Land Surveyors Exam Committee of the APELSCIDLA Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Land Surveyors exam Committee of the APELSCIDLA Board hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in the closed meeting to which the certification applies, and (II) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Land Surveyors Exam Committee of the APELSCIDLA Board.

VOTE: 3-0
AYES: Allen, Anglin, and Zmuda

NAYS: 0
ABSENT FROM MEETING: 0

Conflict of Interest forms were completed by all members present.

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 5:13 p.m.

Adjourn

Mike Zmuda, Section Chair

Mary Broz-Vaughan, Secretary

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LAND SURVEYORS EXAM COMMITTEE

MINUTES

The Land Surveyors Exam Committee of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects met on August 24, 2021, at the Department of Professional and Occupational Regulation, 9960 Mayland Dr., Richmond, Virginia, to discuss exam issues, with the following members present:

Board members present for the meeting were:

Doyle Allen (LS)
Vickie Anglin (LS)
Mike Zmuda (LS)

Agency staff present for the meeting was:

Bradley Thompson, Test Development Specialist for PSI Services

Ms. Anglin called the meeting to order at 1:00 p.m.

Call to Order

Public Comment Period – No comments were made to the Section members.

Public Comment Period

At 1:10 p.m., Mr. Allen moved that the meeting be recessed and that the Committee immediately reconvene in closed meeting for the purpose of consultation pertaining to examination issues within the jurisdiction of the Board as permitted by §2.2-3711.A.41 of the *Code of Virginia*. This motion was made with respect to the matters identified as exam review. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Closed Meeting

At 3:40 p.m., Mr. Allen moved to adjourn the closed meeting and to immediately reconvene in open meeting. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Open Meeting

CERTIFICATION OF CLOSED MEETING

Certification of Closed Meeting

WHEREAS, the Land Surveyors Exam Committee of the APELSCIDLA Board has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by the Land Surveyors Exam Committee of the APELSCIDLA Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Land Surveyors exam Committee of the APELSCIDLA Board hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in the closed meeting to which the certification applies, and (II) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Land Surveyors Exam Committee of the APELSCIDLA Board.

VOTE: 3-0
AYES: Allen, Anglin, and Zmuda

NAYS: 0
ABSENT FROM MEETING: 0

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 3:43 p.m.

Adjourn

Vickie Anglin, Section Chair

Mary Broz-Vaughan, Secretary

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➤ **Public Comment**

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Commonwealth of Virginia



Department of Professional and Occupational Regulation Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

Resolution for **Christine Snetter**

WHEREAS, **Christine Snetter**, did faithfully and diligently serve the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects from 2013 to 2021;

WHEREAS, **Christine Snetter**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Christine Snetter**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects this eighth day of September 2021, that **Christine Snetter** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Ann Stokes, Chair

Mary Broz-Vaughan, Secretary

➤ **Virginia Department of Small
Business and Supplier Diversity
Update**

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➤ **Landscape Architects**

○ **CLARB Update**

- **Public Member Meeting**

July 14-21

- **Regional Meeting**

August 12

- **Universal Application**

- **Annual Meeting**

September 22-24

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➤ Professional Engineers

○ NCEES Update

- **Board Administrators Meeting July 29**
- **Annual Meeting, August 19-20 - cancelled**
- **Virtual State of the Council September 8, 2-4pm**
- **Annual Virtual Business Session, September 15, 12-5pm**

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➤ **Land Surveyors**

- **State Specific Exam Update**
- **NCEES Update**
- **Virginia Association of Surveyors Convention, September 14-18**

➤ **LS and ED Presentation September 17**

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➤ **Architects**

○ **NCARB Update**

- **Annual Meeting June 24-26
(Hybrid in Person and Virtual)**
- **Diversity and Future
Collaboratives August 12**
- **Region 2 Student Educator
Practitioner October 14-15**

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➤ **Certified Interior Designers**

○ **CIDQ Update**

- **Application**

- **Annual Meeting,**

- November 12-13**

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- **Regulatory Update**
 - **New Regs effective Sept 2, 2021**
- **Business Agreements Update**
- **CE Waiver Update**
- **Licensed and Certified Population**

As of August 1, 2021

APELSCIDLA Businesses	4,845
Architects	7,612
Professional Engineers	29,913
Land Surveyors	1,227
Land Surveyors B	69
Land Surveyor Photogrammetrists	106
Certified Interior Designers	474
Landscape Architects	937

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**Department of Professional and Occupational Regulation
Statement of Financial Activity
Board for APELSCIDLA
954160**

2020-2022 Biennium

July 2021

	July 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - July 2019	July 2020 - July 2021
Cash/Revenue Balance Brought Forward			122,298
Revenues	142,660	1,896,120	1,847,002
Cumulative Revenues			1,969,300
Cost Categories:			
Board Expenditures	10,320	145,436	157,442
Board Administration	83,652	747,499	710,597
Administration of Exams	5,139	43,327	41,683
Enforcement	7,684	83,252	63,743
Legal Services		3,436	4,220
Information Systems	24,043	578,661	488,672
Facilities and Support Services	18,731	197,714	192,282
Agency Administration	36,156	331,543	323,720
Other / Transfers	-	(34)	-
Total Expenses	185,724	2,130,834	1,982,359
Transfer To/(From) Cash Reserves	(4,265)	0	(118,932)
Ending Cash/Revenue Balance			105,873

Cash Reserve Beginning Balance	1,538,093	0	1,652,759
Change in Cash Reserve	(4,265)	0	(118,932)
Ending Cash Reserve Balance	1,533,828	0	1,533,828

Number of Regulants	
Current Month	45,183
Previous Biennium-to-Date	44,271

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for APELSCIDLA - 954160
Fiscal Year 2022

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	10,320	0	0	0	0	0	0	0	0	0	0	0	10,320	191,920	181,600	87,431	104,488	54.4%
Board Administration	83,652	0	0	0	0	0	0	0	0	0	0	0	83,652	717,159	633,507	573,419	143,740	20.0%
Administration of Exams	5,139	0	0	0	0	0	0	0	0	0	0	0	5,139	47,560	42,421	38,716	8,844	18.6%
Enforcement	7,684	0	0	0	0	0	0	0	0	0	0	0	7,684	83,869	76,185	53,870	29,999	35.8%
Legal Services	0	0	0	0	0	0	0	0	0	0	0	0	0	7,684	7,684	0	7,684	100.0%
Information Systems	24,043	0	0	0	0	0	0	0	0	0	0	0	24,043	527,878	503,835	186,326	341,553	64.7%
Facilities / Support Svcs	18,731	0	0	0	0	0	0	0	0	0	0	0	18,731	214,779	196,049	194,508	20,272	9.4%
Agency Administration	36,156	0	0	0	0	0	0	0	0	0	0	0	36,156	435,714	399,558	254,883	180,831	41.5%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total Charges	185,724	0	0	0	0	0	0	0	0	0	0	0	185,724	2,226,562	2,040,839	1,389,152	837,410	37.6%

➤ **Other Business**

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MATTHEW ARNOLD, ARCHITECT

PO Box 91 60 Cross Street Urbanna Virginia 23175

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30 Aug 2021

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Virginia DPOR

Members of the Board:

Ann P. Stokes, Board Chair
Christopher M. Stone
Tim Colley
Mel Price
April Drake
James L. Kelly
Vinay Nair
Doyle B. Allen
Mike Zmuda
Vickie McEntire Anglin
Frank W. Hancock, III
Cameron Stiles
Caroline Alexander
Hypatia L. R. Alexandria
Karen Reynes

Re: 18VAC10-20-760. Use of seal.

Members of the Board:

I am writing to express my concerns about the changing conditions surrounding the use of professional seals.

In the late 1980s I submitted a report to the Board regarding seal forgery, occasioned by two infractions of the use of seal regulations: in one case John Chenault's seal and signature was photocopied from one of his drawings and applied to a set of plans for a car wash in Richmond. During construction there was a wall collapse that killed a worker, and the forgery came to light in the ensuing investigation.

My experience of late with changes to permit submission requirements leads me to fear that we are creating circumstances that may facilitate similar infractions, if they have not already.

The purpose of a wet-stamped seal and original signature are to establish unambiguous authorship of, and responsibility for, a document and its contents on the part of the licensee.

Current permit procedures vary by jurisdiction in Virginia, however:

- many are requiring digital submission of pdf files for permits, and prohibiting the submission of paper filings.
- some require these pdfs to contain the electronic image of a seal and signature, but not all do.
- some will allow the submission of a "cover sheet" with the electronic image of a seal of signature, which includes the project identification and an index of drawings and date.
- some require that the pdfs be "digitally certified" by a third party service in lieu of a seal and signature.

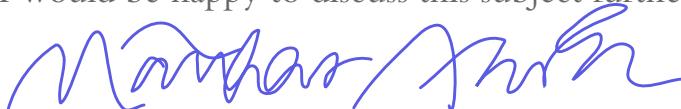
I would be happy to provide specifics of my recent experiences upon request.

My concerns are as follows:

1. It is not clear to me that a digital image of a seal and signature even meets the requirements of 18VAC10-20-760. Can the Board provide guidance on this question? What protection does the public or a regulant have against the undetectable theft of this digital data?
2. Once a pdf file has been distributed, any copy is indistinguishable from the original. Software to alter pdfs is easily obtained. Software to extract vector and bitmap data from pdfs is also easy to get. These software products have the ability to circumvent Adobe's modest security measures. Digital data can not establish unambiguous authorship. Building permit submissions are government records producible under FOIA and their distribution is beyond the control of their authors.
3. Digital "certification" (such as DocuSign) is similar to professional certification in name only. It does not establish authorship of the individual, only the identity of the email account. Weekly I read about enormous breaches of data from Facebook, Microsoft, Bank of America, the US Government, and others. It is delusional to think that ANY digital data is secure; on the most basic level, a moonlighting employee would have very little trouble navigating the current system to make it appear the seals on their documents are authentic.

It is my view that the transition to digital filing of sealed documents appears to have been incremental, but in fact we have lost the single essential element of the certainty of authorship that the signet ring and seal have provided for thousands of years. It seems to me that it would be wise for the Board to evaluate this situation and assess the need for publishing guidance on this issue to regulants and building officials, and/or changes to 18VAC10-20-760 if deemed necessary.

I would be happy to discuss this subject further if requested.



Matthew Arnold, Architect
Urbanna Virginia

- **Conflict of Interest Forms /
Travel Vouchers**
- **Conflict of Interests Act
Training**
- **Adjourn**

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