

MINUTES
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL
September 13, 2006
8:00 a.m. Eastern Time
Toll Free 888.808.6959 conference code 9218690

I. Call to Order

Members Present:

Rick Gonzalez, Chair
Sharon Del Bianco
Joyce Shore
Garrick Gustafson
Ken Horstmyer
Rosanna Dolan
Lourdes Solera (arrived late)

Members Absent:

Neil Hall (unexcused)
Roymi Membiela (excused)
Mary Jane Grigsby (excused)

Others Present:

Juanita Chastain
Terri Estes
Mary Ellen Clark
David Minacci
Les Smith
Emory Johnson
Jerry Hicks
Other Interested Parties

II. Application Review

Ms. Chastain asked Mr. Gonzalez if the agenda could be taken out of order as Mr. Pascal Aughtry may be able to attend the meeting at a later time. Mr. Gonzalez agreed.

CES Consulting Group, Inc.

Mr. Steve Ellias and Mr. Karl Soby were on the line. Mr. Hicks reviewed the application and indicated it appears they started offering services in 2005. Ms. Clark asked Mr. Minacci if there was an open disciplinary case. Mr. Smith indicated there was not an open disciplinary case but would issue a citation if that was the board's desire.

Ms. Clark indicated that only through the issuance of a citation does it show up as discipline and for record keeping purposes they should all be treated the same.

Mr. Gonzalez asked if it could be approved and a case opened. Ms. Clark stated they cannot both be done at the same time. Ms. Estes commented that the board had in the past approved the application with a \$500 fine and she would request that Mr. Smith issue the citation. Ms. Clark stated it would have to be approved subject to the payment of the \$500 fine. Ms. Clark went on to state she believes it should happen when a case is already open.

Ms. Del Bianco asked about the 90 days timeframe. Ms. Estes stated it needs to be acted upon on the conference call. Ms. Clark stated since the applicant is on the line the board could ask if he would be willing to have approval of the application with the payment of the \$500 fine.

Mr. Karl Soby stated the reason they did not file in time was because Steve did not join CES in time. Mr. Gonzalez asked Mr. Soby about having two offices. Mr. Soby stated they have two offices; one which is Mr. Ellias' office and the other is for the firm. Mr. Gonzalez stated they cannot have two offices unless they have a licensed architect at both offices. Mr. Soby commented they would consolidate the offices to one location in Pompano Beach.

Mr. Soby stated the engineering company started offering services in 2005 but the architectural services were through Steve Ellias.

Mr. Gonzalez pointed out that it was unclear on the application that each office must have a licensed architect. He asked that the application be discussed at a future meeting.

MOTION: Mr. Gustafson moved to approve the application subject to a \$500 citation and consolidation of one office.

SECOND: Ms. Shore seconded the motion and it passed unanimously.

HCP Architects, LLP

Mr. Jim Coleman was on the line. Ms. Estes advised the board that the citation had been paid.

MOTION: Mr. Gustafson moved to approve the application.

SECOND: Ms. Shore seconded the motion and it passed unanimously.

JCJ Architecture, Inc.

Mr. Bryan Davis was on the line. Mr. Jerry Hicks reviewed the application and stated it indicates prior work.

Mr. Davis indicated the work was done for a long term client that they do work for across the country. Immediately upon the request to do work they applied for the license. Mr. Davis indicated that the work was pre-construction work and the project will probably not go forward.

MOTION: Ms. Del Bianco move to approve with the \$500 citation.

SECOND: Mr. Gustafson seconded the motion.

Ms. Davis asked if the citation was an official sanction. Ms. Clark stated that if Mr. Davis agreed with the \$500 fine there would be a citation.

Mr. Davis asked if his record would be clean. Ms. Clark advised it would be public record that he paid the \$500 fine. He asked if there was an appeal process. Ms. Clark advised that the normal procedure is just to open a disciplinary process that gets investigated and he has time to respond while the matter is confidential. She further explained that his application was placed on the agenda in advance of that as a courtesy to Mr. Davis to have the application approved more quickly. Ms. Clark commented it appeared Mr. Davis would rather have the regular procedure. Mr. Gonzalez commented the board could not approve the application at this time. Ms. Clark stated the application could be heard in a couple of months. Mr. Davis indicated he would like to table the matter for discussion with his attorney. After a brief table Mr. Davis indicated he did want registration in Florida and agreed to pay the fine.

Florida Deison Interior Designer, Inc.

Ms. Deison was on the line. Mr. Johnson indicated he reviewed the file for a certificate of authorization and recommended that it be sent to Smith Thompson for the review of a fine or citation for services prior to licensure. Mr. Minacci informed the board the citation had been referred.

Ms. Del Bianco commented they do not have the same requirement that the name of the company contain the name of a licensed individual. Mr. Minacci commented that there was not a specific requirement for interior design companies that there be licensed individuals like architects.

Ms. Del Bianco asked the board office to agenda that item for the next meeting.

MOTION: Ms. Del Bianco moved to approve with a \$500 citation.

SECOND: Ms. Shore seconded the motion.

Ms. Clark stated Ms. Deison would need to agree with the citation. Ms. Deison stated she was not challenging the board but that everything was fine because she paid her individual license and her corporate fee. Ms. Deison asked how often the corporate license was renewed. Ms. Chastain stated the certificate of authorization is renewed at the same time as the individual license. Ms. Del Bianco asked how long the license was null and void.

Ms. Solera called in late and asked if the board could fine even though the file had not gone through Mr. Minacci's office. Ms. Clark stated since there is no open disciplinary matter the applicant could agree to pay the fine. If they do not agree to pay the fine the file is sent over for a disciplinary case to be opened.

Ms. Chastain informed the board the license had been null and void since 2001. Ms. Deison agreed to the fine.

The board voted on the motion and it passed unanimously.

Galvin Design Group, Inc.

Mr. Tom Galvin was on the line. Mr. Johnson indicated he reviewed the file for certificate of authorization and recommended that it be sent to Smith Thompson for the review of a fine or citation for services prior to licensure. Mr. Galvin stated he had never practiced interiors. He stated he did obtain licensure because he is educated in interiors. Mr. Galvin informed the board he is a food service consultant and provides kitchen drawings.

Ms. Del Bianco asked Mr. Galvin if he also provided furniture for the dining room. Mr. Galvin stated they do not get involved in the sale of furniture or equipment. He indicated he thought that was a conflict of interest when selling equipment because they would push what they make the most money on instead of what is the proper application for the client.

Mr. Gonzalez commented he works with Kitchen Consultants in South Florida and he agreed that most deal with the kitchen. Mr. Galvin asked why the profession was not regulated. He stated that they deal with a life safety issue. Mr. Johnson commented that on Mr. Galvin's website is a list of awards and some are for public school cafeterias. Mr. Galvin stated that they do the equipment layout. Mr. Johnson asked if he did the space planning for the kitchen equipment. Mr. Galvin commented yes.

MOTION: Ms. Del Bianco moved to approve with a \$500 fine.

SECOND: Ms. Solera seconded the motion.

Mr. Galvin stated that what he was doing was not interior design and asked why was he being fined. Ms. Dolan made the statement that if what he was doing was not interior design or regulated then how could he be fined.

Mr. Gustafson recommended denying the motion and approving the application.

The question was called and all opposed.

MOTION: Mr. Gustafson moved to approve as submitted.

SECOND: Ms. Solera seconded the motion and it passed unanimously.

Mr. Galvin commented he would like to come to the October board meeting and present to the board what he does and show the life safety issues. Ms. Del Bianco stated that it is the Legislature and not the board who decides what groups should be regulated.

Hilary Biolzi Interior Design

Ms. Biolzi was on the line. Mr. Johnson indicated he reviewed the file for a certificate of authorization and recommended that it be sent to Smith Thompson for the review of a fine or citation for services prior to licensure. Mr. Minacci stated the citation had been paid.

Ms. Biolzi thanked Ms. Estes for her assistance and Mr. Minacci for his informative presentation.

MOTION: Mr. Gustafson moved to approve.

SECOND: Ms. Solera seconded the motion and it passed unanimously.

Christine Rossi

Ms. Rossi was not on the line. Ms. Rossi has requested that the application be tabled.

MOTION: Ms. Shore moved to table the application.

SECOND: Ms. Solera seconded the motion and it passed unanimously.

Mr. Pascal Aughtry

NCARB Endorsement

Mr. Aughtry was on line. Mr. Hicks stated he reviewed the application and the applicant does not have a NAAB accredited degree. He had a degree in architectural studies issued in 1979 with initial licensure in 1988 which is after the rule cut-off.

Mr. Aughtry stated he received the fax about the meeting and talked with Ms. Estes who had been very helpful with the Florida process. Mr. Aughtry indicated he had been working with this client for approximately 20 years for a chain of travel stop centers that are looking at building some additional facilities in Florida. He indicated he was employed by a firm for 25 years. The principle of that firm retired so he started up his own firm and continued with the client. He indicated he had built a couple of the facilities in Florida but under the supervision of the licensed architect, Blackledge and Associates, where he was employed. Mr. Aughtry indicated he is very familiar with Florida law. He had not practice architecture in Florida but was the project manager. He stated he is currently licensed in 20 states.

Mr. Aughtry stated that he graduated with a bachelor's degree from Oklahoma and was allowed to take his licensure test. Mr. Gonzalez stated that there really was not anything the board can do since the statutes stated a NAAB accredited degree is required.

Mr. Aughtry commented he understood the board's position but does not feel the statute is doing service due to the fact that he had built over 120 of the stores through the country. He indicated he wants to get licensed because they are looking at additional facilities and right now he can even draw preliminaries for them. Mr. Gonzalez commented he could associate with someone that had a license.

Mr. Aughtry asked if there was an appeal procedure. Ms. Clark stated that if the board votes for denial Mr. Aughtry would receive a notice of intent to deny and he could appeal. If he does not want a denial on his record he could withdraw the application. Mr. Aughtry withdrew the application.

JCH Architecture (returned to call)

Mr. Davis was back on the line and commented he wants to continue to seek registration in Florida. Mr. Davis requested if the board had discretion in lieu of the citation he would like to not have a citation on his record. Ms. Clark explained that the citation is much like a traffic ticket. Mr. Minacci informed Mr. Davis that there was a provision in statute that allows a minor violation be removed after two years if there had been no further disciplinary action. Mr. Davis thanked Mr. Minacci for that information. Mr. Gonzalez commented it would be Mr. Davis' responsibility to pursue that removal.

MOTION: Ms. Del Bianco moved to approve with a \$500 citation.

SECOND: Ms. Gustafson seconded the motion and it passed unanimously.

Mr. Davis agreed to pay the \$500 fine.

III. Ratification List

A ratification list was not provided.

IV. Discussion/For Information

Ms. Del Bianco asked if the department had received any questions regarding the ITN. Ms. Chastain commented there were no questions. Ms. Del Bianco asked how many had responded to the ITN. Ms. Chastain stated she does not know how many responded but Ms. Harms would be in touch with the committee members.

V. New Business

None

VI. Old Business

None

VII. Adjourn

MOTION: Mr. Gustafson moved to adjourn.

SECOND: Ms. Solera seconded the motion and it passed unanimously.

The meeting adjourned at 9:00 a.m.