

MINUTES
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL

July 8, 2020
9:00 a.m. Eastern Time

Toll Free (888) 585-9008 - conference pass code 491089625

Call to Order

Mr. Jernigan, Chair, called the meeting to order at 9:02 a.m. and a quorum was established.

Board Members Present:

John Ehrig
Miguel Rodriguez
Jonathan Toppe
G. Steven Jernigan, Chair
Aida Bao-Garciga
Holly Dennis, Vice-Chair
Dylan Rivers
Timothy Nolen

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Board Members Absent:

Ivette O'Doski, unexcused
Francisco Costoya, unexcused

Others Present:

Robert Milne, Board Counsel
David Minacci, Prosecuting Attorney
Amanda "Mandie" Ackermann, Executive Director
Terri McEwen, Government Analyst
Vicki Long, AIA Florida
Becky Magdaleno, AIA Florida
Wendy Johnson, AIA Florida
David Roberts, ASID and IIDA
Steve Oliver
Lance Malley
Wanda Gozdz
Cassandra Fullove
Other interested parties

Court Reporter: For the Record Reporting, 1500 Mahan Drive #140, Tallahassee, Florida
32308. Telephone 850-222-5491

Application Review

OPA Design Studio, Inc. – Business Organization

Mr. Oliver, the qualifier, was present. The application was before the board for action based on affirmative answers to background questions. After board discussion the following motion was made.

Motion: Mr. Rodriguez moved that the board approve the application as presented for business organization licensure and certificate of authorization application refund.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Lance Malley – NCARB Endorsement

Mr. Malley was present. The application was before the board for action based on an affirmative answer to a background question. After board discussion the following motion was made.

Motion: Mr. Rodriguez moved that the board approve the application as presented.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Disciplinary Cases

Settlement Stipulations

Unlicensed

DBPR vs. Frank Cunningham and Abney Building & Consulting

Case Numbers 2018-048641 and 2018-048654

PCP: Rodriguez, Shore, and Rivers

PCP Recommendation: \$4,500.00 fine plus \$2,155.00 costs

Settlement Stipulation: \$2,000.00 fine plus \$2,155.00 costs

The respondent's attorney requested that the board review and approve the settlement stipulation as presented.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.

Second: Mr. Toppe seconded them motion and it passed unanimously.

Licensed

DBPR vs. Stanley Hoelle **(pulled for in-person meeting in October)**

Case Numbers 2017-057170 and 2018-022044

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$6,000.00 fine plus \$1,987.50 costs, one year suspension, and probation for two years

Settlement Stipulation: Reprimand, probation for five years with conditions, \$6,000.00 fine plus \$1,987.50 costs

DBPR vs. Ruben J. Pujol (**pulled for in-person meeting in October**)

Case Numbers 2019-027707, 2019-059477, and 2020-022604

PCP: Rodriguez, Shore, and Rivers

PCP Recommendation: \$5,000.00 fine plus \$960.00 costs

Settlement Stipulation: \$5,000.00 fine plus \$2,155.00 cost, suspension for six-months, and probation for two-years

Review and approval of Meeting Minutes

April 16, 2020 – Probable Cause Panel

Motion: Mr. Rodriguez moved that the board accept the minutes as presented.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

April 17, 2020 – General Business

Motion: Mr. Rodriguez moved that the board approve the minutes as presented with a spelling correction to Mr. Ehrig's name.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Rules Report – Robert Milne

Mr. Milne reported that the rules were being submitted and would provide an updated list as the rules move through the process. He advised that the Annual Regulatory Plan was required submittal by the end of July 2020. He requested that the board handle the emergency rules separate from the rules report.

Discussion

NCARB Annual Conference

Mr. Rodriguez provided a brief update.

Reports

Board Chair – G. Steven Jernigan

Mr. Jernigan reported that he was presenting an AIA Florida Webinar regarding the updates to HB 1193 and rule changes.

Executive Director's Report – Amanda "Mandie" Ackermann

Ms. Ackermann thanked the board for their hard work on the rules and attending the multiple telephone conference calls.

AIA Florida – Vicki Long

Ms. Long reported that they have been working with NCARB regarding Architecture Registration Examination Outreach.

ASID/IIDA – David Roberts

Mr. Roberts reported that he was working with the associations regarding outreach and informing the public of the interior design changes from HB 1193 and the rules.

Prosecuting Attorney – David K. Minacci
Prosecutor’s Case List Licensed/Unlicensed Cases **(will provide in October)**
Investigator’s Case List Licensed/Unlicensed Cases
Billables – March 2020
Billables - April 2020
Billables – May 2020
Results of April 2020 Board Meeting
No discussion

Future Board Meeting Dates and Locations

October 22-23, 2020 – St. Petersburg
October 22, 2020, 9:00 a.m. – Probable Cause Panel Meeting
October 23, 2020, 9:00 a.m. – General Business
Hampton Inn & Suites St. Petersburg Downtown
(727) 892-9900

The board requested at least 30 days notification if the October meeting was cancelled for in person and rescheduled as a telephone conference call.

New Business

No new business.

Old Business

No old business.

Adjourn

Motion: Mr. Toppe moved that the meeting adjourn.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

The meeting adjourned at 9:41 a.m.

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Emergency Rule Workshop

Mr. Jernigan, Chair, called the meeting to order at 9:41 a.m. and a quorum was established.

Board Members Present:

John Ehrig
Miguel Rodriguez
Jonathan Toppe
G. Steven Jernigan
Aida Bao-Garciga
Holly Dennis
Dylan Rivers
Timothy Nolen

Board Members Absent:

Ivette O'Doski, unexcused
Francisco Costoya, unexcused

Others Present:

Robert Milne, Board Counsel
David Minacci, Prosecuting Attorney
Amanda "Mandie" Ackermann, Executive Director
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Mr. Milne reported that he updated the draft language for typographical errors and corrected Ms. Ackermann's board name. After board discussion, the following motions were made.

Continuing Education for Interior Designers

Rule 61G1-23.003 – Instructions, Applications and General Information for Interior Design Continuing Education

THE FULL TEXT OF THE EMERGENCY RULE IS:

Emergency Rule (ER*****) Approval of Continuing Education Courses

(1) Notwithstanding the in-person attendance requirement specified in Rule 61G1-21.003 F.A.C., providers of qualified courses in a classroom setting may now provide these same courses by electronic means of study without separately applying to do so and shall comply with all applicable statutes and Board rules in doing so.

(2) Rule 61G1-21.003 F.A.C. is hereby superseded by the present rule Emergency Rule

(ER*****)

Rulemaking Authority 455.2179, 481.215(4) FS. Law Implemented 481.215(4)

THIS RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

Motion: Mr. Ehrig moved that the board approve the emergency rule language as presented with edits.

Second: Mr. Toppe seconded the motion and it passed unanimously.

Continuing Education for Architects

Rule 61G1-24.002 – Instructions, Applications and General Information for Architecture Continuing Education

THE FULL TEXT OF THE EMERGENCY RULE IS:

Emergency Rule (ER*****) Approval of Continuing Education Courses

(1) Notwithstanding the in-person attendance requirement specified in Rule 61G1-24.002 F.A.C., providers of qualified courses in a classroom setting may now provide these same courses by electronic means of study without separately applying to do so and shall comply with all applicable statutes and Board rules in doing so.

(2) Rule 61G1-24.002 F.A.C. is hereby superseded by the present rule Emergency Rule

(ER*****)

Rulemaking Authority 455.2179, 481.215(4) FS. Law Implemented 481.215(4)

THIS RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

Motion: Ms. Bao-Garciga moved that the board approve the emergency rule language as presented with edits.

Second: Mr. Rodriguez seconded the motion and it passed unanimously.

Motion: Mr. Rodriguez moved the proposed rules, 61G1-21.003 and 24.002, would not have an adverse impact on small business or likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Motion: Mr. Toppe moved that the proposed rules, 61G1-21.003 and 24.002, would not constitute a minor violation.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Mr. Jernigan, Chair, delegated signature authority to Mr. Rivers to sign the emergency rules for filing.

Adjourn

Motion: Mr. Ehrig moved that the meeting adjourn.

Second: Mr. Toppe seconded the motion and it passed unanimously.

The meeting adjourned at 9:58 a.m.