



ARCHITECTS SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
Room 121A, 1400 E. Washington Avenue, Madison
Contact: Brittany Lewin 608-266-2112
April 23, 2014

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.

AGENDA

1:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes-October 9, 2013 (4-5)

C. Administrative Matters

- 1) Staff Updates
- 2) Recognition of New Board Member
- 3) July 18, 2014 Board Member Training
- 4) Election of Officers and Liaison Appointments

D. Credentialing Matters – Discussion and Consideration

- 1) Proposed Changes to the Intern Development Program (6)
- 2) NCARB BEA Program

E. Legislative/Administrative Rule Matters – Discussion and Consideration

- 1) 2013 Wisconsin Act 114 and the Impact on A-E 3.05(2) (7-9)
- 2) Discussion and Recommendation Regarding Retired License Status

F. Speaking Engagements, Travel or Public Relation Requests – Discussion and Consideration

- 1) NCARB Annual Business Meeting, June 18-21, Philadelphia, PA (10)

G. Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Presentations of Petition(s) for Summary Suspension

- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 4) Presentation of Final Decisions
- 5) Disciplinary Matters
- 6) Executive Director Matters
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Class 1 Hearing(s)
- 10) Practice Matters
- 11) Legislation/Administrative Rule Matters
- 12) Liaison Report(s)
- 13) Informational Item(s)
- 14) Speaking Engagement(s), Travel, or Public Relation Request(s)

H. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

I. Presentation and Deliberation of Proposed Administrative Warnings:

- 1) 13 ARC 001 – G.J.E. **(11-12)**
 - o Case Advisor 0 James Gersich

J. Credentialing Matters:

- 1) Application Reviews
 - a. Gary Sundberg – Architect Reinstatement Application **(13-27)**
 - b. Larry Saylor – Architect Reinstatement Application **(28-46)**
 - c. Jonathan Gnorski – Architect Application by Exam **(47-48)**
 - d. Frederick Fisher – Architect Application by Comity **(47-48)**

K. DLSC Matters:

- 1) Case Status Report **(49)**
- 2) Presentation and Deliberation of Case Closing(s)
 - a. 12 ARC 003 – A.D.I. **(50-53)**

L. Deliberation of Items Received After Printing of the Agenda

- 1) Disciplinary Matters
- 2) Education and Examination Matters
- 3) Credentialing Matters
- 4) Class 1 Hearings
- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters

- 7) Petition(s) for Summary Suspensions
- 8) Petition(s) for Extension of Time
- 9) Proposed Stipulations, Final Decisions and Orders
- 10) Administrative Warnings
- 11) Proposed Decisions
- 12) Matters Relating to Costs
- 13) Motions
- 14) Petitions for Rehearing
- 15) Formal Complaints
- 16) Case Closings
- 17) Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

ADJOURNMENT

**ARCHITECT SECTION
EXAMINING BOARD OF ARCHITECTS,
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS AND LAND SURVEYORS
MEETING MINUTES**

OCTOBER 9, 2013

PRESENT: Larry Schnuck, Jim Gersich, Mike Eberle, Julia DeCicco,

ABSENT: Gary Kohlenberg

STAFF: Angela Hellenbrand, Executive Director; Joshua Archiquette, Bureau Assitant; Matt Guidry, Bureau Assitant and other DSPS staff

Larry Schnuck, Section Chair, called the meeting to order at 12:09 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: Jim Gersich moved, seconded by Julia DeCicco, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Mike Eberle moved, seconded by Jim Gersich, to approve the minutes of October 10, 2012, as published. Motion carried unanimously.

CLOSED SESSION

MOTION: Jim Gersich moved, seconded by Mike Eberle to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Michael Eberle - yes; Andrew Gersich - yes; Julia DeCicco – yes; Larry Schnuck - yes. Motion carried unanimously.

The Board convened to Closed Session at 12:30 p.m.

RECONVENE TO OPEN SESSION

MOTION: Julia DeCicco moved, seconded by Mike Eberle, to reconvene in open. Motion carried unanimously.

The Board reconvened to Open Session at 1:24 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: Mike Eberle moved, seconded by Julia DeCicco, to reaffirm the motions made in closed session. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Mike Eberle moved, seconded by Julia DeCicco, to issue an administrative warning in the matter of case number 12 ARC 003 (G.E.). Motion carried unanimously.

APPLICATION

MOTION: Jim Gersich moved, seconded by Mike Eberle, to deny Sonal N. Beri's request to take the ARE Exam. **Reason for Denial:** The applicant does not meet the required experience according to Ch A-E 3.05 (2). Motion carried unanimously.

MOTION: Mike Eberle moved, seconded by Julia DeCicco, to approve Scott Allman's application for reinstatement once all requirements are met. Motion carried unanimously.

MOTION: Jim Gersich moved, seconded by Mike Eberle, to approve Paul Bosman's application for reinstatement once all requirements are met. Motion carried unanimously.

ADJOURNMENT

MOTION: Jim Gersich moved, seconded by Julia DeCicco, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:25 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Shawn Leatherwood		2) Date When Request Submitted: April 10, 2014 <small>Items will be considered late if submitted after 12:00 p.m. and less than: ▪ 8 work days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Architect Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors			
4) Meeting Date: April 23, 2014	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Discussion of 2013 Wisconsin Act 114	
7) Place item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by _____ (name) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: The Architect Section will discuss 2013 Wisconsin Act 114 and its impact on A-E 3.05 (2).			
11) Shawn Leatherwood <small>Signature of person making this request</small>		<small>Authorization</small> April 10, 2014 <small>Date</small>	
<small>Supervisor (if required)</small>		<small>Date</small>	
<small>Bureau Director signature (indicates approval to add post agenda deadline item to agenda)</small> <small>Date</small>			
<small>Directions for including supporting documents:</small> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

State of Wisconsin



2013 Senate Bill 337

Date of enactment: **December 19, 2013**
Date of publication*: **December 20, 2013**

2013 WISCONSIN ACT 114

AN ACT to repeal 449.05 (intro.), 451.06 (2), 452.09 (3) (e), 454.07 (3), 454.24 (3) and 456.04 (intro.); to renumber 442.04 (4) (a), 449.05 (1m), 449.05 (2m), 451.06 (1), 456.04 (1), 456.04 (2), 456.04 (3) and 456.04 (4); to renumber and amend 441.04, 441.06 (1), 441.07 (1), 441.10 (1), 441.10 (3) (a), 442.04 (4) (bm), 442.04 (4) (c), 442.04 (5), 449.04 (1), 450.03 (2), 450.04 (3) (intro.), 450.04 (3) (a), 450.04 (3) (b) and 456.03; to amend 39.393 (1) (c), 253.10 (7), 441.15 (3) (a) (intro.), 441.16 (2), 445.045 (1) (g), 449.04 (title), 449.055 (5) and 459.26 (3); to repeal and recreate 441.07 (title); and to create 440.071, 441.07 (1c), 441.10 (3) (a) 6. and 456.03 (5) of the statutes; relating to: examination requirements for various professional credentials and powers of the Board of Nursing.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 39.393 (1) (c) of the statutes is amended to read:

39.393 (1) (c) A program in this state that confers a 2nd degree that will make the person eligible to sit for examination licensure under s. 441.04 441.06 or 441.10.

SECTION 2. 253.10 (7) of the statutes is amended to read:

253.10 (7) **AFFIRMATIVE DEFENSE.** No person is liable under sub. (5) or (6) or under s. 441.07 (1) (1g) (f), 448.02 (3) (a), or 457.26 (2) (gm) for failure under sub. (3) (c) 2. d. to provide the printed materials described in sub. (3) (d) to a woman or for failure under sub. (3) (c) 2. d., e., f., fm., or g. to describe the contents of the printed materials if the person has made a reasonably diligent effort to obtain the printed materials under sub. (3) (e) and s. 46.245 and the department and the county department under s. 46.215, 46.22, or 46.23 have not made the printed materials available at the time that the person is required to give them to the woman.

SECTION 3. 440.071 of the statutes is created to read:
440.071 No degree completion requirement to sit for examination. (1) Except as provided under sub. (2), the department or a credentialing board or other board in the department may not require a person to complete any postsecondary education or other program before the person is eligible to take an examination for a credential the department or credentialing board or other board in the department grants or issues.

(2) This section does not apply to an examination for a real estate appraiser certification under s. 458.06 or license under s. 458.08.

SECTION 4. 441.04 of the statutes is renumbered 441.06 (1) (a) and amended to read:

441.06 (1) (a) ~~Requisites for examination as a registered nurse. Any person who has graduated~~ The applicant graduates from a high school or its equivalent as determined by the board, ~~does.~~

(b) The applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, holds.

(c) The applicant holds a diploma of graduation from an accredited school of nursing and, if the school is

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

3. Form relationships.
 4. Movement, circulation and parking.
 5. Utility systems.
 6. Surface and subsurface conditions.
 7. Ecological requirements.
 8. Deeds, zoning and construction.
 9. Topography and relations to surrounding.
 10. Architectural management and coordination.
 11. Cost.
- (c) *Building design.* 1. Building sections, elevations and plans.
2. Selections and layout of building systems.
 3. Structural considerations.
 4. Mechanical considerations.
 5. Electrical considerations.
 6. Civil considerations.
 7. Interior considerations.
 8. Design documentation.
- (d) *Building systems.* 1. Structural systems.
2. Lateral forces.
 3. Mechanical, electrical and plumbing.
 4. Miscellaneous systems.
 5. Materials and methods.
 6. Coordination.
 7. Cost consideration.
- (e) *Construction documents and services.* 1. Architectural drawings.
2. Structural drawings.
 3. Interior drawings.
 4. Specifications.
 5. Cost estimates.
 6. Bidding documents.
 7. Organization and handling bids.
 8. Bids evaluation.
 9. Coordination and management.
 10. Construction administration in office.
 11. Construction administration in field.
 12. Field tests.
 13. Quotation requests and change orders.
 14. Construction cost accounting.
 15. Project close-out.

(2) **REQUIREMENTS FOR ENTRANCE TO THE EXAMINATION.** To be eligible to take a scheduled examination, the applicant shall submit documentation certifying he or she has all but one year of academic credit and qualifying architectural experience, as specified in s. 443.03 (1) (b) 1m., Stats., or all but one year of qualifying architectural experience, as specified in s. 443.03 (1) (b) 2., Stats., or graduated from a national architectural accrediting board accredited degree program and obtained a national council of architectural registration boards established intern development program training record.

(3) **APPLICATION FOR EXAMINATION.** An application for examination shall be filed with the board no later than 2 months before the scheduled date for the examination.

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

(4) **GRADING.** The passing scores set by the board represent the minimum competency required to protect public health and safety.

(5) **TIME, DATE AND SITE OF EXAMINATION.** The examination shall be held at a time, date and site specified by the board.

(6) **EXAMINATION AND REFUND FEES.** The fee for an architect examination and requirements for refund of fees are specified in s. 440.05, Stats., and ch. SPS 4.

(7) **RE-EXAMINATION PROCEDURE.** An applicant who began the examination procedure in or after June of 1983 for an architect examination who fails an examination or any part of an examination may retake any part of the examination failed at a regularly-scheduled administration of the examination. The board shall determine which parts of a current examination are equivalent to the examination parts failed by an applicant.

(8) **EXAMINATION REVIEW.** (a) *One-year limitation.* An applicant for an architect examination may review questions on any part of an examination failed by the applicant within one year from the date of the examination, as specified in s. 443.09 (6), Stats. An applicant may review the examination only once.

Note: Subsection (8) was invalidated by the repeal of s. 443.09 (6), Stats., in 2009 Wis. Act 350 and will be removed in future rule-making by the Board.

(b) *Review procedure.* Failing candidates shall be notified of the procedure to schedule a review of the appropriate examination parts. The applicant may take notes on the examination questions reviewed. No notes may be retained by the applicant following the review. The review may not take place within 30 days prior to a scheduled examination. If the section confirms the failing status following its review, the application shall be deemed incomplete, and the applicant may be reexamined under sub. (7).

(9) **CHEATING.** Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (2) and (7), Register, January, 1993, No. 445, eff. 2-1-93; am. (8) (b), Register, March, 1996, No. 483, eff. 4-1-96; am. (8) (a), Register, October, 1996, No. 490, eff. 11-1-96; am. (4), cr. (9), Register, January, 1999, No. 517, eff. 2-1-99; CR 09-079: am. (2) Register June 2010 No. 654, eff. 7-1-10; correction in (6) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671; correction in (2) made under s. 13.92 (4) (b) 7., Stats., Register May 2013 No. 689.

A-E 3.06 Application contents. An application shall include all of the following:

(1) Transcripts or apprenticeship records verifying the applicant's education and training.

(2) References from at least 5 individuals having personal knowledge of the applicant's experience in the practice of architecture, 3 of whom are registered architects.

(3) A chronological history of the applicant's employment.

(4) Any additional data, exhibits or references showing the extent and quality of the applicant's experience that may be required by the architect section.

History: Cr. Register, January, 1993, No. 445, eff. 2-1-93; am. (intro.) to (3), Register, January, 1999, No. 517, eff. 2-1-99.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Brittany Lewin Executive Director		2) Date When Request Submitted: 4/11/14 Items will be considered late if submitted after 12:00 p.m. and less than: ▪ 8 work days before the meeting	
3) Name of Board, Committee, Council, Sections: Architect Section			
4) Meeting Date: 4/23/14	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Speaking Engagement(s), Travel, or Public Relations Request(s) – NCARB Annual Meeting	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by _____ (name) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: 2014 Annual Business Meeting <i>18-21 June 2014</i> <i>Loews Philadelphia Hotel, Philadelphia, PA</i> Full details on the meeting will be distributed electronically in April to all Member Board Executives and Members. NCARB will provide funding for two (2) delegates to attend the Annual Business Meeting. In addition, a limited scholarship fund will be available for Member Board Executives who are unable to obtain funding from their jurisdiction to attend the meeting. Draft resolutions and 2014 candidate bios have been posted in the Registration Board section of My NCARB. Final resolutions that will be considered at the Annual Business Meeting will be available in May.			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Bureau Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			