TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Minutes of October 20, 2014 Board Meeting
William P. Hobby Jr. Building, 333 Guadalupe Street
Tower II, Conference Room 225
Austin, TX 78701
9:00 a.m. until completion of business

1. Preliminary Matters
   A. Call to Order
      Chair called the meeting of the Texas Board of Architectural Examiners to
      order at 9:00 a.m.
   B. Roll Call
      Chuck Anastos called the roll.
   C. Excused and unexcused absences
      None.

Present
Alfred Vidaurre  
Debra Dockery  
Paula Ann Miller  
Charles H. (Chuck) Anastos  
Bert Mijares, Jr.  
Chase Bearden  
Sonya Odell  
Michael (Chad) Davis  
William (Davey) Edwards

Chair
Vice-Chair
Secretary/Treasurer
Member
Member
Public Member (in at 9:25 a.m.)
Member
Member
Public Member

TBAE Staff Present
Glenn Garry  
Scott Gibson  
Glenda Best  
Mary Helmcamp  
Christine Brister  
Kenneth Liles  
Jack Stamps  
Dale Dornfeld  
Katherine Crain  
Julio Martinez

Interim Executive Director and Communications Manager
General Counsel
Director of Operations
Registration Manager
Staff Services Officer
Finance Manager
Managing Investigator
IT Manager
Legal Assistant
Network Specialist

D. Determination of a quorum
   A quorum was present.

E. Recognition of Guests
   There were no guests present to be recognized at the start of the meeting.
   However, Jeri Morey, registered architect of Corpus Christi, Texas arrived
at 9:05 a.m. and David Lancaster, Senior Advocate for Texas Society of Architects arrived at 11:25 a.m.

F. Chair's Opening Remarks
The Chair welcomed everyone to the Board meeting. He said lately he has been considering generally the subject of change. He stated that he celebrates 20 years with his company this year and noted there has been a lot of change within his company over that time. Also, he has completed 10 years on this Board. He said when he started out, before he rose to the level where he is now, he did design work on healthcare facilities. The rule of thumb at that time was that the work you do in healthcare was good for about 7 years because technological advances and developments in health care would make the facility obsolete after roughly 7 years. Now, the shelf life of design work is about half that. Changes are accelerating as time goes by. He noted that the Board has presided over a lot changes and observed it will soon address changing to a new Executive Director, and will continue to address changes in the law with an upcoming legislative session and changes in the evolution of the professions the Board regulates. He stated that when he reflects upon the topic of change he is reminded of a quote from a speech by John F. Kennedy in 1963: "Change is the law of life. And those who look only to the past or the present are certain to miss the future. . . ."

G. Public Comments
None.

2. Approval of the August 24, 2014 Board Meeting Minutes
The Chair put the draft minutes of the last Board meeting before the Board. A MOTION WAS MADE AND SECONDED (Anastos/Edwards) TO APPROVE THE AUGUST 24, 2014 BOARD MEETING MINUTES.

Mr. Mijares moved to correct the following error on page 18: in the last paragraph in a quote attributed to him, change "2 years" to "3 years."

The Chair asked if there were any other corrections to be made. There were none. He put the Motion, as amended, before the Board for a vote. THE MOTION TO APPROVE THE AUGUST 24, 2014 BOARD MEETING MINUTES AS AMENDED PASSED UNANIMOUSLY.

3. Interim Executive Director Opening Remarks
The Interim Executive Director stated that he was deeply honored and humbled by the Board's decision to choose him as Interim Executive Director. He emphasized that he would like to highlight the good work of the staff. In addition, he wants to keep the channels of communication open with the Board as well as staff on a week-to-week or month-to-month basis. He is amenable to doing whatever the Board needs him to do. He stated that he wants to keep the agency
running as usual and hopefully make a little bit of improvement during his time as Interim Executive Director. He expressed his intention to have TBAE in great shape for the permanent Executive Director that the Board chooses.

4. **Interim Executive Director Report**

   A. **Operating Budget/Scholarship:** Presentation on FY2014 year-end expenditures/revenue

   The Interim Executive Director stated the agency had higher reserves and lower expenditures than expected last year. He reminded the Board that it had authorized the agency to expend $105,000 from reserve funds but the agency did not find it necessary to do so and ended the year with a $58,000 surplus. He outlined the items where actual expenditures differed significantly from budgeted items. He reported that the agency had reaped the benefit of a higher number of late fees in 2014 than the previous year while expenditures remained lower. There was a budgeted position of $73,000 for an investigator which was not filled in 2014. Another reason for lower than budgeted expenditures was that the Board held only three meetings last year instead of four, as budgeted. This kept travel expenses down. In addition, training for staff was lower than budgeted for 2014. Expenditures exceeded the budgeted amount for printing due to the mailing of an additional postcard regarding the fingerprinting requirement and a higher than anticipated microfilming cost.

   Mr. Edwards recalled that the Board had decided to discontinue printing board notebooks for everyone. The Interim Executive Director stated that was the decision at the Board meeting but he was told some Board members expressed a desire, outside of the Board meeting, to get a hard copy of the notebook. He indicated he was amenable to discontinuing the hard copy. Mr. Mijares stated that he wanted everything sent to him electronically. The Chair said that the agency will offer a PDF or a Board member could contact staff to get a book printed, but that the agency would no longer provide printed board meeting notebooks.

   The Interim Executive Director described the operations of the Scholarship Fund and stated the agency typically disbursed 55 annually, but the agency awarded only 34 awards in 2014.

   The Board members discussed the continuation of the Scholarship fund. Ms. Dockery stated that she had talked with emerging professionals in San Antonio who were concerned about the possibility that the fund might be eliminated. However, Mr. Anastos noted the program is mandated by statute so the agency could not just discontinue the program without going through the Legislature.

   B. **Pocket card (cost, revenue, actual practice)**
The Interim Executive Director stated that the Board asked about the cost of providing pocket cards at the last meeting. He reported that it costs about $1,900 per year. He noted it is a minimal fiscal impact and it generates some good will for the agency among its registrants. Mr. Edwards asked whether the agency received requests from its registrants for replacement pocket cards. The Interim Executive Director reported the agency receives approximately 50 requests per year.

C. Agency Social Media Plan

The Interim Executive Director outlined the potential benefits and risks of a social media plan for the agency. He stressed what is envisioned in the draft plan is a very conservative and reserved media policy. The intent is a professional and informative media presence, starting on Twitter, Facebook, and LinkedIn. Mr. Edwards inquired whether the agency had the ability to keep people from posting comments on the agency’s Facebook page. The Interim Executive Director stated he believed it is possible to disable comments and he will get a firm answer on whether that would be possible. Mr. Bearden explained that he runs an organizational social media plan for his office. He noted it should not be relied upon as the agency’s main means for distributing information. He also suggested the agency develop a plan for vetting responses to comments to ensure responses are appropriate. The Interim Executive Director stated the agency will exercise full editorial control and minimize comments appearing on the page. Mr. Davis expressed support for the social media plan to adapt to changing demographics. He noted it was stated at the last meeting that younger people in the profession are not very interested in licensure. Social media would provide an opportunity to suggest the value of licensing to younger people. The Chair asked if the State of Texas has a social media policy on state employees using social media. He related an experience at his firm in which an employee made an unflattering comment while identified as an employee of the firm. The Interim Executive Director replied that he was not aware of a statewide policy. He stated that the agency policy does not ban employees from posting on a Facebook page. The Chair stated it would probably serve the agency well to establish clear guidelines on what an employee can or cannot do online with regard to social media. He stated the policy at his office is that employees may not comment at all on work life. The Chair also suggested the agency create a TBAE application for mobile devices. Mr. Mijares suggested that the agency post an outline of its presentations at the Texas Society of Architects Convention on its social media page.

D. Trend Analysis Presentation on Agency Performance and Operations

The Interim Executive Director outlined the Board meeting materials analyzing trends in agency operations. He directed the Board’s attention to a chart titled “Revenues, Expenditures and Fund Balance by Fiscal Year.” He pointed out how closely revenues and expenditures track one
another since Fiscal Year 2012. He also noted that revenues have been declining since Fiscal Year 2009 by roughly $600,000. Mr. Mijares requested that the agency determine the cause for the reduction in revenue over time. Mr. Mijares questioned whether the agency was operating on a cash basis or on an accrual basis. The Finance Manager answered that revenue is not recorded as revenue until it is received. The Interim Executive Director outlined charts relating to the assessment and collection of administrative penalties, the average time to resolve a complaint from Fiscal Year 2009 through Fiscal Year 2014. He also outlined a series of charts on the numbers of examination candidates by profession, new registrants by profession, registrants by registration status (active, inactive or emeritus), and total registrants for the period of Fiscal Year 2009 through 2014. It was noted that the number of examination candidates have increased for all three professions, the number of new registered interior designers has been steady over the past 3 years, the number of new landscape architects has increased over the past 3 years, and the number of new architects through reciprocity has increased but the number of initial registrants from Texas is down. Mr. Anastos asked if there is information on whether the ratio of reciprocal to in-state initial architectural registrations reflects a nationwide trend. The Chair reported that NCARB is doing a record year in issuing certificates which indicates lots of architects are registering through reciprocity nationwide. The Board discussed the demographics of the registrants, the number of new registrants compared to the number of emeritus registrants, the effect of upcoming changes to the ARE on the number of new registrants, and the increasing reluctance of architectural graduates to take the ARE and become registered. The Board discussed obtaining more data comparing the numbers of examinees taking the examination to the number licensed. Ms. Dockery noted it might be impossible to obtain this data because examinees do not direct NCARB to send records to TBAE until after they have passed the examination. The Board also discussed greater Board member involvement in making presentations at the Texas Society of Architects to encourage graduates and interns to sit for the examination.

Mr. Mijares asked why the agency’s business registration numbers went down from 2,664 to 1,557 during 2013. The Interim Executive Director explained that the old business registration database was updated to remove obsolete and redundant listings. The numbers had been inflated. Also, the way the new business registration database is set up differs from the old one. This database only registers one firm name even if it is a multi-disciplined firm.

The Board took a break at 10:15 a.m. and reconvened at 10:30 a.m.

E. Report on Action Items assigned at the August 21, 2014 Board Meeting
The Interim Executive Director directed the Board to the action items listed in the Board notebook and asked if they had any questions. Mr. Anastos asked if the Interim Executive Director was working towards implementing a social media presence. The Interim Executive Director answered affirmatively.

The Board discussed at length the agency's capability to determine the size of businesses it regulates through business registration. The Interim Executive Director stated that he believed a survey would be the best way to poll firms about their size, noting that sole practitioner firms are not registered with the agency. Mr. Anastos stated that he thought all firms including sole practitioners should have to register their business with TBAE. The Chair suggested that agency staff work together to figure out an answer of a rough parameter on the number of large and small firms for the upcoming session. Mr. Davis stated that he was available to help with this task.

F. Update on Past and Upcoming Legislative Hearings and Reports
The Interim Executive Director reported the Sunset Commission staff had issued a report on the SDSI program. The report recommends increased oversight of the program and recommends additional performance measures. He reported there will be a Sunset Commission hearing in November on the Sunset staff recommendations where the Commission would receive public input and may ask for resource testimony from the SDSI agencies. The Commission will make a decision in December on whether to include the recommendations in a Sunset bill. The Interim Executive Director also reported the agency received a compliance check audit to determine if the agency has implemented all the changes mandated in the agency's Sunset bill last session. He reported TBAE is 100 percent compliant with their recommendations. On October 16, 2014, there was a hearing at the Capitol by the House Licensing and Administrative Procedures Committee. The Interim Executive Director was present and prepared to testify but was not requested to do so.

The Interim Executive Director reported on the following dates for the upcoming legislative session: November 10th – bill filing begins; and January 13, 2015 – first day of the legislative session. Mr. Davis opined that the professional societies should monitor the SDSI bill. If the increased reporting and oversight activities raise agency costs, it may be necessary to increase fees to cover those costs which he surmised would be a matter of concern for the professional societies.

Report on Conferences and Meetings
A. 2014 CLARB Annual Meeting – Sep 24-27
   Mr. Davis reported on this meeting which was held in Reston, Virginia. He said that approximately 70-80% of the states
participated. CLARB reported on national trends as part of an effort to help member boards be more strategic and effective and pre-position themselves in advance of legislative sessions. The Chair inquired if there are Texans in leadership positions or were active in committees and in the queue for leadership positions. Mr. Davis replied that former Board members, Cleve Turner and Diane Steinbrueck, had been in leadership positions but are not now, so currently there are no Texans in positions or leadership at CLARB or in line to be.

B. 2014 LRGV-AIA Building Communities Conference – Sep 25-27
The Managing Investigator reported on this conference. He stated that he gave a presentation to approximately 40 or 45 individuals at this conference and included more information on plan stamping in his presentation. He explained that the agency has had an increase in plan stamping enforcement cases during the past year.

C. Texas Association of School Administrators/Texas Association of School Boards Conference 2014-Sep. 25-27
The Interim Executive Director reported that the General Counsel and he attended this event and made a presentation to about 45 people focusing on the PSPA and procurement issues. He reported that it had been suggested to them that the agency should make a similar presentation to Texas Association of School Administrator since administrators had more to do with procurement than school board members. The Chair recommended following up on the recommendation. Ms. Dockery suggested that they target school administrators as well on PSPA matters because school districts still issue RFPs and RFQs requesting fees. Mr. Mijares asked whether it made sense to involve the Texas Education Agency (TEA) in communicating the requirements of the PSPA. Mr. Anastos stated that he thought the agency should be making presentations to three groups: Superintendents; Board Administrators; and personnel of Purchasing Departments in all school districts.

5. Approval of the Revised Executive Director's Job Description and Review of Scheduled Next Steps and Salary Range for Vacancy Announcement
The Chair stated he had received comments from the Board on how to move forward with the job description for filling the vacant Executive Director position. Those comments were arranged and incorporated in the document before the Board. He stated he was open to suggestions and revisions. He stated the plan is to get the job description complete by the end of the day so it can be posted on November 1, 2014.
A MOTION WAS MADE AND SECONDED (Dockery/Anastos) TO APPROVE THE EXECUTIVE DIRECTOR'S JOB DESCRIPTION AS PRESENTED IN THE BOARD NOTEBOOK.

Mr. Mijares requested that a change be made to the qualifications to state that a degree or major focus of study in architecture, landscape architecture or interior design is "desired" and not "preferred." Mr. Davis voiced his concern over the preference or desire for candidates with a design degree or major focus of study in the design professions. He favored striking this qualification or listing it last to de-emphasize it. Mr. Mijares concurred with that opinion in that he did not think the person needed to have a degree or education as a design professional. Ms. Dockery disagreed with striking the preference and suggested that they reverse the minimum qualifications to place them in the order of importance. After extensive discussion, the Board reversed the order of the minimum qualifications, changed the word "preferred" to "desired" as previously discussed, and modified the qualifying education to include a "catch all" category for those holding an equivalent or similar degree. The Board members agreed to other technical, non-substantive changes to the job description. The Chair emphasized the fact that the staff had done a wonderful job in preparing this information for the Board and that the Board should consider the amendments to the motion.

The Chair put the motion, as amended, before the Board.

THE AMENDED MOTION PASSED UNANIMOUSLY.

The Chair directed the Board to the issue of salary for the Executive Director and discussed the options at length. They reviewed the salary history of the Executive Director at TBAE and considered the salaries of executive directors of other agencies comparable to TBAE.

A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO APPROVE A SALARY RANGE FOR THE EXECUTIVE DIRECTOR POSITION FROM $120,000.00 TO $140,000.00 ANNUALLY. THE MOTION PASSED UNANIMOUSLY.

The Chair proposed the following schedule to fill the Executive Director position:

- November 1-30, 2014: Job announcement posting;
- December 15, 2014: Staff forwards screened applications to the Board;
- January 21, 2015: Board determines top candidates for interview, develops and approves interview questions
- February 2015: Board convenes to conduct interviews
- After February 2015: Background checks and an offer is made

Ms. Dockery expressed her concern with the schedule as she believes it is a little ambitious given the holiday schedule. It was decided that the Board would pick a
short list of candidates on January 21st beginning at 1:00 p.m. The Board directed agency staff to screen applications and forward them to Board members by December 15, 2014. Mr. Anastos suggested each Board member send a list of her or his top five applicants to agency staff by January 16, 2015. At its meeting on January 21st, the Board will reduce the list to three to five candidates the Board will interview. The Board tentatively agreed on February 19, 2015, as the date when the Board would conduct interviews. The Chair stated it was his intention to extend an offer, subject to background checks, on that date. It was agreed that the Board would also select an alternate in the event the top candidate’s background check eliminates her or him.

There was discussion as to where the job description would be posted and when it would be posted. Also, there was discussion regarding interview questions and the Chair requested staff to provide a set of interview questions and guidelines for the Board members. The Staff Services Officer stated she would provide a template of interview questions for the Board’s consideration in addition to a list of matters the Board should not ask about during an interview.

The Board took a break for lunch at 12:40 p.m. and reconvened by 1:13 p.m.

6. Report on Rules

A. Proposed Rules for Adoption/Consideration of Public Comments
   I. Amend Rules 1.69, 3.69 and 5.79 relating to continuing education
   The General Counsel explained to the Board that the first set of rules were proposed by the Board at the last meeting and had been published at the Texas Register for the last 30 days without receiving any public comment. He explained the proposed rules provide a grace period in order to implement continuing education requirements upon initial or reinstated registration. A MOTION WAS MADE AND SECONDED (Davis/Edwards) TO ADOPT RULES 1.69, 3.69 AND 5.79 AS PROPOSED. THE MOTION PASSED UNANIMOUSLY.

   II. Amend Rules 1.22, 3.22 and 5.32 to provide an expedited process for reciprocal registration of military spouses
   The proposed amendments General Counsel stated that the amendments to these rules were published for 30 days. The agency did not receive public comment. The proposed amendments require the agency to give priority to the reciprocal registration applications of military spouses. The amendments are required to implement legislative changes adopted in the previous session.

   I. New Rules 1.29, 3.29 and 5.39 relating to the registration of military service members and military veterans.
   The General Counsel stated that the proposed new rules had been published and the agency had not received any public comment. The rules require the agency to count training and experience gained in military
service toward fulfilling the experience and education prerequisites for registration. The rules implement legislation from the previous session.

A MOTION WAS MADE AND SECONDED (Anastos/Davis) TO ADOPT THE AMENDMENTS AS PROPOSED TO RULES 1.22, 3.22 AND 5.32 AND TO APPROVE NEW RULES 1.29, 3.29 AND 5.39. THE MOTION PASSED UNANIMOUSLY.

II. Amend Rules 1.232, 3.232 and 5.242 relating to the penalty matrix for assessing sanctions for specified laws enforced by the Board. The General Counsel reported the proposed amendments were part of the Rules Committee Report. The amendments more accurately describe the violations listed in the matrix and the corresponding sanctions. The amendment also includes technical corrections to cross-references made to other rules. The agency received no public comment regarding the proposed amendments.

A MOTION WAS MADE AND SECONDED (Davis/Mijares) TO ADOPT THE PROPOSED AMENDMENTS TO RULES 1.232, 3.232 AND 5.242. THE MOTION PASSED UNANIMOUSLY.

III. Amend Rule 1.147 clarifying restrictions upon the submission of competitive bids during architectural procurement in violation of the Professional Services Procurement Act (PSPA). The proposed amendment defines the term "competitive bid" for purposes of the PSPA to include information from which an architect's fee may be indirectly determined or extrapolated.

IV. Repeal Rule 3.147 to eliminate the application of certain provisions of the PSPA to the procurement of landscape architectural services. The procurement requirements applicable to architecture do not apply to the procurement of landscape architecture under the PSPA. For this reason, the Rules Committee determined the rule should be repealed.

A MOTION WAS MADE AND SECONDED (Davis/Miller) TO ADOPT THE PROPOSED AMENDMENTS TO RULE 1.147 AND ADOPT THE REPEAL OF RULE 3.147. THE MOTION PASSED UNANIMOUSLY.

V. Amend Rules 1.144, 3.144 and 5.154 relating to dishonest practices to define the term "intent" as used in the prohibition upon making an assertion or otherwise acting to deceive, mislead or create a misleading impression. The amendment also clarifies the terms "knowing" and "knowledge" for purposes of a prohibition upon an architect's knowingly giving false testimony. The amendments clarify prohibitions upon offering an inducement of significant value to a governmental entity to induce or reward being awarded publicly work.

A MOTION WAS MADE AND SECONDED (Davis/Anastos) TO ADOPT THE PROPOSED AMENDMENTS TO RULES 1.144, 3.144 AND 5.154.
VI. Amend Rules 1.43, 3.43 and 5.53 to allow for extensions to the 5-year "rolling clock" deadline on passing all sections of the registration examinations.

The General Counsel explained that this amendment will bring the rule into compliance with NCARB’s rules. The proposed amendments would allow an extension to the 5-year deadline for serious medical conditions and active duty military service and allows for the issuance of more than one extension. A MOTION WAS MADE AND SECONDED (Anastos/Bearden) TO ADOPT THE PROPOSED AMENDMENTS TO RULES 1.43, 3.43 AND 5.53. THE MOTION PASSED UNANIMOUSLY.

B. Draft Rules for Proposal

Amend Rules 1.65, 3.65, and 5.75 to require the Board to send monthly renewal statements to registrants by email instead of U.S. Mail.

The General Counsel outlined the draft rule as eliminating the option of receiving renewal notices via regular mail. The current rules allow registrants to choose to receive notice via email, otherwise renewal notices are sent via U.S. Mail. The draft amendments eliminate U.S. Mail as an option for receiving renewal notices.

At its previous meeting the Board requested the draft amendment in order to save the agency on printing and postal costs. A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO PROPOSE THE DRAFT RULES 1.65, 3.65 AND 5.75. The Board discussed the manner in which notice via email only would be implemented. The Board recommended that the agency provide a lot of notice about the change and that it be implemented very gradually so that all registrants will know to look for email notices of renewal and make sure they are not in a junk mail file. In response to a question from Mr. Davis, the Registration Manager reported that the agency spends roughly $8,000 per year on printing and mailing postcards. In response to an inquiry from Mr. Bearden, the Registration Manager stated there is precedent for a state board to send renewal notices via email only, noting that the Board of Nurse Examiners has done so for years. THE MOTION PASSED WITH ONE OPPOSED (Bearden).

Mr. Bearden suggested during implementation of the proposed rule, if adopted, that the Board track registration trends to determine if there is an increase in late renewals or canceled registrations resulting from missed renewal notification by email compared to U.S. Mail.

The Board discussed further the timing of the implementation of email renewal notification. The Interim Executive Director suggested that the agency spread out the transition of mail to email over a 12 month period. He stated from a communications standpoint, the agency would provide ample notice not just of the new method of renewal notice but to remind registrants to make sure the agency has a correct email address on file.
He stated the agency would save close to $9,000.00 per year as a result of this implementation.

Ms. Dockery reported that NCARB adopted changes to the Intern Development Program requirements to eliminate elective hours to complete the internship. As of March 2015, NCARB will require 3,740 hours while TBAE currently requires 5,600. She said the Board should consider the mandatory requirements under the Board’s rules in light of the change because NCARB may no longer require reporting over 3,740 hours. The Board considered delegating the matter to the Rules Committee. Mr. Davis suggested this topic should appear on the agenda for the Board’s next meeting. The Chair stated he had received a comment raising the question of whether the Board should consider the modification of continuing education requirements to eliminate the required accessibility education. Mr. Bearden suggested checking with TDLR to determine if registrants really understand the accessibility requirements before eliminating the accessibility portion of the continuing education requirements. The Board considered delegating the matter to the Rules Committee or posting it to the agenda for the next Board meeting. The Chair directed the Interim Executive Director to confer with Mr. Davis, Chair of the Rules Committee, to determine how best to proceed regarding the proposed rule change.

7. Enforcement Cases (Action)
Review and possibly adopt Interim ED’s recommendations in the following enforcement cases:
Continuing Education Cases:
The General Counsel outlined the cases on the agenda. For continuing education cases, the Interim Executive Director’s proposed agreed orders include a standard penalty of $700 for misstatements to the Board, $500 for failing to complete continuing education during the reporting period, and $250 for failing to timely respond to an inquiry of the Board. The Chair asked if any Board member should be recused. No Board member stated a conflict of interest requiring recusal. The Chair asked if any case had unusual facts or otherwise required particular discussion. The General Counsel stated that they all fit the same fact patterns and none required specific discussion and all proposed administrative penalties adhere to the standard matrix.
A MOTION WAS MADE AND SECONDED (Edwards/Davis) TO ADOPT THE INTERIM EXECUTIVE DIRECTOR’S RECOMMENDED ADMINISTRATIVE PENALTIES IN THE PROPOSED AGREED SETTLEMENTS OF THE FOLLOWING CASES INVOLVING CONTINUING EDUCATION VIOLATIONS:
Bubis, Barry Ray (#142-14A)
Carson, Virginia (#154-14A)
Douthitt, Thomas (#148-14A)
Hailey, Royce J. (#057-14A)
Kingham, Alva Hill (#153-14A)
Rude, Brian C. (#159-14L)
Sander, Erin L. (#150-14I)
THE MOTION PASSED UNANIMOUSLY.

The Board took a break at 2:15 p.m. and reconvened at 2:30 p.m.

8. Discussion of Specific Duties Delegated to the Board Legislative Committee:
The Chair noted the Board created a Legislative Committee at an earlier meeting. The membership of the Committee includes the following:
   Chuck Anastos
   Sonya Odell
   Chad Davis
   Chase Bearden
   Debra Dockery (Alternate)
Referring to the materials outlining prospective Committee operations, Mr. Davis noted the Committee will meet at public meetings which are posted in accordance with the Open Meetings Act. He observed that matters in the Legislature move quickly and without much notice. The Committee cannot reasonably be expected to meet on every issue that might come up. He suggested the Committee could meet and confer generally to pre-position the Board to address matters during the legislative session.
The Chair asked for nominations for Chair of the Board's Legislative Committee. Ms. Odell nominated Mr. Davis as Chair since he has experience representing the Texas Chapter of the American Society of Landscape Architects before the Legislature. Mr. Bearden stated his belief that it is important for the Chair to be one of the design professionals and he would be the backup since he lives in Austin. A MOTION WAS MADE AND SECONDED (Anastos/Edwards) TO CLOSE NOMINATIONS AND ELECT MR. DAVIS CHAIR BY ACCLAMATION. THE MOTION PASSED UNANIMOUSLY.

9. Board Election
The Chair placed the topic of elections of Board Vice-Chair and Secretary/Treasurer before the Board.
A MOTION WAS MADE AND SECONDED (Mijares/Miller) TO NOMINATE DEBRA DOCKERY TO CONTINUE AS TBAE'S VICE-CHAIR OF THE BOARD.
A MOTION WAS MADE AND SECONDED (Mijares/Miller) TO CLOSE NOMINATIONS AND ELECT MS. DOCKERY VICE-CHAIR BY ACCLAMATION. THE MOTION PASSED UNANIMOUSLY.
A MOTION WAS MADE AND SECONDED (Mijares/Odell) TO NOMINATE PAULA ANN MILLER TO CONTINUE AS TBAE'S SECRETARY/TREASURER.
A MOTION WAS MADE AND SECONDED (Mijares/Odell) TO CLOSE NOMINATIONS AND ELECT MS. MILLER SECRETARY/TREASURER BY ACCLAMATION. THE MOTION PASSED UNANIMOUSLY.

10. 2015 Board Meeting Schedule
The Chair put the Board meeting schedule before the Board. He reported he had asked staff to distribute meeting dates as equally as possible throughout the year, depending upon the availability of meeting rooms in order make the meetings quarterly. The dates outlined by agency staff are:
Thursday, January 22, 2015, Room III-102
Thursday, April 30, 2015, Room II-225
Monday, August 24, 2015, Room III-102
Thursday, October 29, 2015, Room III-102
The Board discussed the prospective meeting dates. Ms. Miller stated a conflict on April 30, 2015. The Chair directed agency staff to determine if a date on April 23, 2015, or May 7, 2015, is available. The Chair directed agency staff to email dates to the Board after looking at room availability. The Director of Operations reported that April 23, 2015, is available. The Chair stated the Board would meet on that day.

11. Chair’s Closing Remarks
The Chair thanked the Interim Executive Director and staff in their communications with the Board. He complimented the Interim Executive Director on his performance in his new role.

12. Adjournment
A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO ADJOURN THE MEETING AT 2:45 P.M. THE MOTION PASSED UNANIMOUSLY.

Approved by the Board:

[Signature]

ALFRED VIDAUERRI, JR., AIA, NCARB, AICP
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS