



VIRTUAL/TELECONFERENCE
ARCHITECT SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND
PROFESSIONAL LAND SURVEYORS
Virtual, 4822 Madison Yards Way, Madison
Contact: Adam Barr (608) 266-2112
June 29, 2021

The following agenda describes the issues that the Section 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 record of the actions of the Section.

AGENDA

1:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of April 14, 2021 (4-10)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) Board Member – Term Expiration Dates
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Discussion and Consideration of Items Added After Preparation of Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Alternates
 - 5) Delegation of Authorities
 - 6) Education and Examination Matters
 - 7) Credentialing Matters
 - 8) Practice Matters
 - 9) Legislative and Policy Matters
 - 10) Administrative Rule Matters
 - 11) Liaison Reports
 - 12) Board Liaison Training and Appointment of Mentors

- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

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. Credentialing Matters

- 1) **Application Review**
 - a. Novus Architects, Inc. **(11-45)**

J. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

K. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- L. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate
- M. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: OCTOBER 6, 2021

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreter services for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

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ARCHITECT SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS
PROFESSIONAL ENGINEERS, DESIGNERS AND
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MEETING MINUTES
APRIL 14, 2021**

PRESENT: Gregory Douglas, James Gersich, Steven Wagner

STAFF: Adam Barr, Executive Director; Jon Derenne, Legal Counsel; Kevyn Radcliffe, Administrative Rules Coordinator; Megan Glaeser, Bureau Assistant; and other Department Staff

CALL TO ORDER

Steven Wagner, Chairperson, called the meeting to order at 9:16 a.m. A quorum was confirmed with three (3) members present.

ADOPTION OF AGENDA

MOTION: James Gersich moved, seconded by Gregory Douglas, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 30, 2020

MOTION: James Gersich moved, seconded by Gregory Douglas, to approve the Minutes from November 30, 2020 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Department, Staff, and Board Updates

MOTION: James Gersich moved, seconded by Steven Wagner, to express the support and encouragement of the Section for its licensees to receive a COVID-19 vaccine as soon as they are eligible to do so and the vaccine is available to them. Motion carried unanimously.

Election of Officers

Slate of Officers

NOMINATION: James Gersich nominated the 2020 slate of officers to continue in 2021.

Adam Barr, Executive Director, called for nominations three (3) times.

The Slate of Officers were elected by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Steven Wagner
Vice Chairperson	Gregory Douglas
Secretary	James Gersich

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing and Continuing Education Liaison	Steven Wagner
Monitoring Liaison	Gregory Douglas
DLSC Liaison	Gregory Douglas
Legislative Liaison	Steven Wagner
Travel Liaison	Steven Wagner
Renewal Notice Liaison	James Gersich
A-E Joint Board Rules Committee	Steven Wagner
Screening Panel	Gregory Douglas, James Gersich <i>Alternate: Steven Wagner</i>

Delegation of Authorities

DLSC Screening Delegation

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the DLSC attorney to screen complaints when Section members are conflicted out. Motion carried unanimously.

Document Signature Delegations

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to sign documents on behalf of the Section in order to carry out its duties. Motion carried unanimously.

MOTION: James Gersich moved, seconded by Gregory Douglas, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The

members of the Section hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: James Gersich moved, seconded by Gregory Douglas, that in order to facilitate the completion of urgent matters between meetings, the Section delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Lack/Loss of Quorum

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: James Gersich moved, seconded by Gregory Douglas, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the April 7, 2021 agenda materials on pages 12-13. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate to Board Legal Counsel the authority to sign Monitoring orders that result from Section meetings on behalf of the Section Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison (Denial Decisions)

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them, including the signing of documents related to applications, except that potential denial decisions shall be referred to the full Section for final determination. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate

credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Section or Section liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of architecture. Motion carried unanimously.

Delegation to DSPS When Applicant's History Has Been Previously Reviewed

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous architecture credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority for Reciprocity Reviews

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements are of a standard not lower than required by the Section. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: James Gersich moved, seconded by Gregory Douglas, that the Department's Attorney Supervisors are authorized to serve as the Section's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Pre-Screening Delegation to Open Cases

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.

4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
 5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).
- Motion carried unanimously.

Pre-Screening Delegation to Close Cases

- MOTION:** James Gersich moved, seconded by Gregory Douglas, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:
1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
 2. Complaints that even if allegations are true, do not amount to a violation of law or rules.
- Motion carried unanimously.

Voluntary Surrenders

- MOTION:** James Gersich moved, seconded by Gregory Douglas, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Continuing Education Liaison(s) Delegation

- MOTION:** James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Continuing Education Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Section Member Contact Information to National Regulatory Related Bodies

- MOTION:** James Gersich moved, seconded by Gregory Douglas, to authorize the Department staff to provide national regulatory related bodies with all section member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

- MOTION:** James Gersich moved, seconded by Gregory Douglas to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to provide a brief statement or link relating to section-related business within the license renewal notice at the Section's or Section designee's request. Motion carried unanimously.

Legislative Liaison(s) Delegation

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Legislative Liaison(s) to speak on behalf of the Section regarding legislative matters. Motion carried unanimously.

Travel Liaison(s) Delegation

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Travel Liaison(s) to approve any section member travel. Motion carried unanimously.

CLOSED SESSION

MOTION: James Gersich moved, seconded by Gregory Douglas, to 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.). Steven Wagner, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Gregory Douglas-yes; James Gersich-yes; and Steven Wagner-yes. Motion carried unanimously.

The Section convened into Closed Session at 10:36 a.m.

CREDENTIALING MATTERS

Application Review

Jonathan Sandvick

MOTION: James Gersich moved, seconded by Gregory Douglas, to approve the Architect application of Jonathan Sandvick, once all requirements are met. Motion carried unanimously.

DELIBERATION ON DLSC MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: James Gersich moved, seconded by Gregory Douglas, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 18 ARC 014 – Chet A. Wesenberg
2. 18 ARC 021 – Hamidreza Houghani Moghaddam

Motion carried unanimously.

18 ARC 002 – Phillip C. Pecord

MOTION: James Gersich moved, seconded by Gregory Douglas, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Phillip C. Pecord, DLSC Case Number 18 ARC 002.

Motion carried unanimously.

Administrative Warnings

MOTION: James Gersich moved, seconded by Gregory Douglas, to issue an Administrative Warning in the matter of the following cases:

1. 19 ARC 001 – C.E.W., D.C.J., A.G.L.
2. 20 ARC 004 – P.P.L.

Motion carried unanimously.

Case Closings

19 ARC 010 – W.C.I.

MOTION: James Gersich moved, seconded by Gregory Douglas, to close DLSC Case Number 19 ARC 010, against W.C.I., for Prosecutorial Discretion (P2).

Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: James Gersich moved, seconded by Gregory Douglas, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 11:08 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED IN CLOSED SESSION

MOTION: James Gersich moved, seconded by Gregory Douglas, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: James Gersich moved, seconded by Gregory Douglas, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:09 a.m.