



FEBRUARY 2011

IN THIS ISSUE:

New Board Members
New Employees
Practice as a "Firm Entity"
Did You Know???
Disciplinary Actions
New Registrants
ARE® Pass Rates
Where the Money Goes
Registration Statistics
Quotable Quote

BOARD MEETINGS:

May 11, 2011
August 10, 2011
October 12, 2011
All meetings in Montgomery

BOARD MEMBERS:

Chuck E. Penuel, Chair
Daniel D. Bennett, V-Chair
Marzette Fisher, Member
Kristine A. Harding, Member
Jim H. Seay, Jr., Member
Mac Walcott, Member

STAFF:

Cindy McKim
Executive Director

Bonnie Singleton
Executive Secretary

Debbie Whitman
Legal Research Assistant

GOVERNOR RILEY APPOINTS BOARD MEMBERS

Recently, Alabama Governor Bob Riley appointed Marzette Fisher, as a Board member representing the North Central District of Alabama. Marzette replaces Joseph L. Bynum, who served two four-year terms and opted not to pursue a third term. Fisher works with ArchitectureWorks, LLP, in Birmingham. Marzette is no stranger to the Board, as he served a previous four-year term on the board.

Jim Seay, Jr., was reappointed to his third four-year term. Jimmy is Principal of Seay, Seay and Litchfield Architects in Montgomery and has served as IDP Coordinator for the State of Alabama. In that role, he has been a tireless advocate for emerging professionals as they work toward fulfillment of the Intern Development Program requirements.

NEW EMPLOYEES IN THE BOARD OFFICE

Debbie Whitman joined the Board office staff on September 1, 2010. Her primary responsibilities include managing the newly enacted Certificates of Authorization process and the complaint adjudication process. Debbie brings extensive experience in the legal field and state government, and we are pleased that she is on board.

Ken Hallford is the Board's investigator, working on an "as-needed" basis at the discretion of the Executive Director and the Board. Ken brings considerable experience in law enforcement, logging 40+ years with the Department of Public Safety. His duties include conducting interviews and attaining documents and plans related to reported violations of the Board's statutes.

PRACTICING ARCHITECTURE AS A FIRM ENTITY

In the 2010 Legislative Session, a new provision was enacted that requires any corporation, professional corporation, professional association, partnership or limited liability company that wishes to practice architecture in Alabama to be issued a Certificate of Authorization (COA) by the Board. It is important to note that a sole practitioner is exempt from this provision unless he/she practices as a corporation or limited liability company.

A firm wishing to offer architectural services must meet the following requirements:

- (1) Two-thirds (2/3) of those individuals responsible for controlling the activities of the entity (officers, partners, directors or members) must be voting stockholders who are architects and/or professional engineers registered in any U.S. jurisdiction. One of those individuals must also be an architect registered in Alabama.
- (2) Any agreement for the entity to perform architectural services in Alabama must be executed by a stockholding officer, partner, director, or member with authority to contractually bind the entity and is a registered architect in Alabama.
- (3) A stockholding officer, partner, director or member who is an architect registered in Alabama shall exercise responsible control over the services contracted for by the entity and his/her name shall appear on all documents prepared by the entity in its practice of architecture.
- (4) Other individuals within the firm entity shall not direct the professional judgment of the architect in responsible control of the practice of architecture in Alabama.
- (5) The firm must apply for a Certificate of Authorization to Practice Architecture. This is a two-part process. First, the entity must be qualified to do business in Alabama through the Secretary of State's Office (except partnerships). Once this is accomplished, the firm must complete the COA application found on the Board's web site, attach the \$25 fee, and submit it directly to the Board Office for processing.

Forms and instructions are found on the Board's web site in the Architects Section. For answers to your questions about this new provision, contact Debbie Whitman by e-mail at Debbie.Whitman@boa.alabama.gov or by phone at (334) 242-4179.

DID YOU KNOW???

Significant changes to the Alabama Ethics Law were passed during the recent Special Session of the Alabama Legislature. Because of architects' interactions with public officials, it is important that all Alabama registrants become familiar with these new provisions. A summary of the changes can be found on the Ethics Commission's web site at the following link:

<http://ethics.alabama.gov/forms/2010AmendmentsAlabamaEthicsLaw.pdf>



DISCIPLINARY ACTIONS

MICHAEL R. SPENCER (#2920), Fort Walton Beach, Florida, practiced architecture in Alabama during a period when his registration was lapsed. Spencer signed a settlement agreement and paid a \$500 fine on January 5, 2010. Spencer's registration has been reinstated to active status.

WILLIAM P. SHEPPARD (#4018), Birmingham, Alabama, appeared before the Board at an administrative hearing on May 12, 2010. After presentation of evidence and deliberation by the Board members, Sheppard was found guilty of gross negligence, incompetency, or misconduct in the practice of architecture and failure to act with reasonable care and competence in applying technical knowledge and skill necessary for various projects. Sheppard's registration was revoked by order of the Board on July 15, 2010.

CONGRATULATIONS!

The following individuals passed the Architects Registration Exam[®] from July 18, 2009 through January 31, 2011:

John J. Bailey – Tuscaloosa, AL
Tiffany M. Boyd – Tusculmbia, AL
B. Heath Clement – Birmingham, AL
Todd M. Dees – Huntsville, AL
David C. Donovan – Montgomery, AL
James D. Evans, Jr. – Birmingham, AL
Michael R. Goswick – Birmingham, AL
Catherine Hall Kiser – Fairhope, AL
Joel M. Hallisey, II – Birmingham, AL
Jelani A. Ingram – Harvest, AL
Andrew P. Kulp – Towson, MD
Philip Luse – New York, NY
Michael Mann – Birmingham, AL
Melissa K. Middleton – Atlanta, GA
Amanda S. Morris – Birmingham, AL

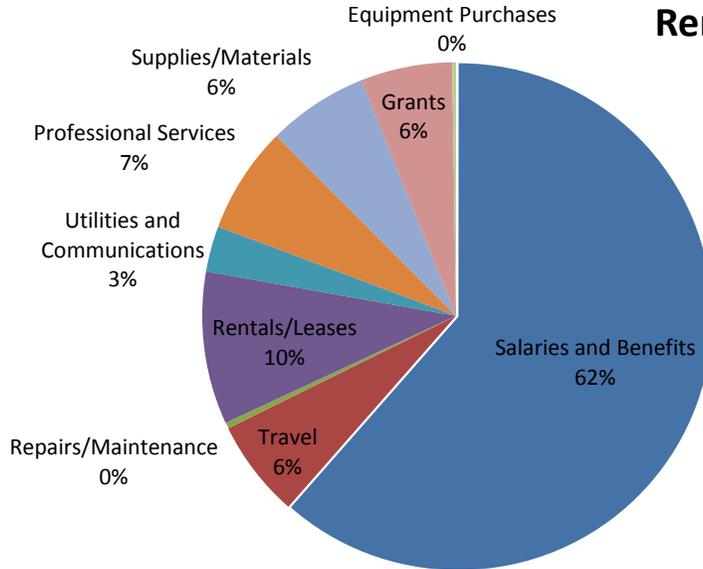
James J. Mracek, Jr. – Montgomery, AL
Juan R. Pace, Sr. – Madison, AL
Scott P. Phillips – Birmingham, AL
William B. Ponko – Mishawaka, IN
Raleigh J. Price – Montgomery, AL
Tyler G. Price – Homewood, AL
Ryan J. Puett - Birmingham, AL
Christopher B. Reebals – Birmingham, AL
Jason B. Robb – Birmingham, AL
Jeffrey M. Slaton – Birmingham, AL
D. Brandon Smith – Birmingham, AL
Nekia B. Strong – Atlanta, GA
Emily S. Wang – San Francisco, CA
Steven A. Ward – Charlotte, NC
David Zegley – Nashville, TN

2010 ARCHITECT REGISTRATION EXAMINATION[®] STATISTICS

Test Name	Total Candidates	Total Passed	Alabama Pass Rate	National Pass Rate
Building Design & Construction Systems	25	19	76%	63%
Building Systems	22	12	55%	66%
Construction Documents & Services	28	19	68%	60%
Programming/Planning/Practice	31	17	55%	62%
Schematic Design	30	18	60%	74%
Site Planning & Design	29	16	55%	76%
Structural Systems	47	28	60%	66%

EVER WONDER WHERE YOUR REGISTRATION FEES GO???

**FY 2011 Budget: \$514,500
Renewal Fee: \$135**



REGISTRATION STATISTICS (as of 1/31/11)

Alabama Resident Architects

Active: 815
Emeritus: 49
864

Non-Resident Architects

Active: 1,698
Emeritus: 17
1,715

Certificates of Authorization Issued

Alabama Firms: 24
Non-Alabama Firms: 92
116



QUOTABLE QUOTE

Let our advance worrying become advance thinking and planning.

--Winston Churchill