

AIA North Carolina
Spring 2008



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Wayne Camas, AIA



President's Message

Greetings! This is my first opportunity to address the Membership at Large, so let me begin by thanking you for the privilege of serving as your 2008 President of AIA North Carolina. For this organization, 2008 will prove to be a pivotal year. In fact, your 2008 Board has been given the charge to focus on two goals: Membership Service, and the process for completing the Headquarters Building. In this issue of *Architext* I will highlight some of the work already being accomplished. In future issues, I will expand on the initiatives being taken on by other Board Members.

Membership Services



Our Member Services Director, Roger Leeson, AIA, has taken on multiple challenges this year. Following the completion of our *2007 Survey Quest-The Search for More Answers*, he worked with Heather Vance, our Director of Communications, to summarize and analyze the findings.

These results have been provided to the Board and are to serve as guidelines as we proceed with further projects. One of those findings was the request for more Construction Administration (CA) courses. Acting on this, Roger is working with 2006 AIA NC President, Jim Rains, AIA, to develop a CA program that will go to all the Sections. Currently, Jim's goal is to make this a CA Knowledge Community for AIA National - truly a Grassroots effort.

Another issue of importance to the Membership: Leadership Development. How does leadership relate to our firms, communities and profession? What is it? And how do we learn it? To address this issue, Roger is working with 2001 AIA NC President, Roy Johnson, AIA, to construct a program that will be meaningful to our members. To encourage participation, this program will be brought to the Sections.

From the Survey came questions about Integrated Practice (BIM). Roger is investigating opportunities to inform the membership on available programs and how they may be accessed by members.

To remain a strong organization, we need to continually encourage new members to join. Roger is working on a new-member program that will be available to all the Sections through our online Toolbox.



Jim Rains, AIA, has additionally agreed to take on the task of being the Chair of the PAC Committee for another year. The success of the PAC will require each Section to have representation. Jim took on the challenge last year and brought our War Chest to over twenty thousand dollars. His goal for 2008 is to increase it even

more! For our organization to have a voice, it will require your personal attention to the issues that impact our profession and a commitment to encourage and develop PAC contributions.



Our Board Secretary, Matt Messick, AIA, was given the directive to look into two important AIA NC Programs that the Board felt needed attention and focus: the AIA NC Awards program and the North Carolina Architectural Foundation (NCAF). Under Matt's leadership, we have a newly appointed Awards Committee, composed

of past award recipients; and action has been taken to reinvigorate the Foundation. In the future, the Foundation will act as a vehicle for the funding of programs generated from our new facility.



Our AIA NC Associate Director, Ashley Wood, Assoc. AIA, has the directive to establish an AIA Associate connection with every section and investigate programs that will interest this segment of our membership. Along with Anthony Hersey, Assoc. AIA, and Darrel Williams, FAIA, she is part of a newly-formed committee to investigate K-12 Education

programs that our sections can take to their local schools. This is an example of one of the outreach programs that will be generated from our new facility.



Anthony Hersey, Assoc. AIA, has been appointed to the 2008 Board to serve as our Ex-Oficio YAF Director. His year on the Board will be used to establish the goals and objectives of this position. He serves as a non-voting member until the AIA NC membership can meet in August and vote on adding this position to the Board.

I seek your support for this expansion of the Board. With it, we will be able to have a liaison and advocate for these emerging professionals.

Being Green

August 21-24 is when you need to be in Charlotte for the 2008 AIA NC Design Conference, Being Green: Balance 2030. Aside from the opportunity for continuing education, there will be networking opportunities and exciting events. If you missed New Bern (where we had an appearance by PAC Beard the Pirate!) you will not want to miss being at the 2008 Design Conference in Charlotte. We will make it well worth your while to attend. For more information go to www.aianc.org.

These are just a few of the initiatives your 2008 Board is working on as they relate to Membership Services. Now let's review the progress of our second goal for 2008 - the continued progress towards the completion of our new Headquarters.

New Headquarters Facility



Under the leadership of AIA NC Immediate Past President, Walt Teague, AIA, the ground work has been laid to begin the process of making this facility a reality. To that end, Walt has been appointed Building Chair, not only to acknowledge the work he has done so far, but to benefit from his expertise and passion for this undertaking.

To make the facility a reality, there are two committees that have worked to get us to this point in the building process: the Design and Construction Committee (headed by Alan McGuinn, AIA and Irv Pearce, AIA) and the Finance Committee (headed by Steve Schuster, AIA and Harvey Gantt, FAIA).

As of this report, the Design and Construction Committee has been responsible for: selecting a Competition Advisor, William McMin, FAIA; initiating and completing the process of a juried competition; meeting with and vetting the selected Architect and his team; producing the RFQ for contractors; and the contractor selection. The Finance Committee has selected a consultant to assist in the process of fundraising for the new Facility and future programs. What AIA NC will be able to accomplish with this facility as a teaching tool, both for "green" architecture and programs of outreach to the community is unprecedented.

On the Road...

I have already been traveling with Dave Crawford, our Executive Vice President, and we have visited five of the seven AIA NC sections, with two more visits scheduled. We look forward to visiting all the sections and sharing what the State Chapter is doing both in membership services and providing an update of legislative issues that affect our profession. Please let us know what we can do for you throughout 2008 by sending me an email: camasw@camasassociates.com. Here's to 2008!

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Architext is published quarterly by AIA North Carolina, a Chapter of the American Institute of Architects. Offices are located at 115 West Morgan Street, Raleigh, NC 27601. You may contact AIA North Carolina Staff by telephone: (919) 833-6656, or by electronic mail: info@aianc.org. Fax: (919) 833-2015. Article submissions are welcome. All submitted articles are subject to editorial review. Submissions are accepted by mail, electronic mail, and fax. Please address all inquiries and submissions to the Director of Communications. Please include contact information including name, phone number, and e-mail address for staff follow-up.

On the Cover

Heather Vance, AICP

On January 23, 2008, more than 400 people, including AIA members, public visitors, invited guests, 3 AIA National Presidents and students gathered in the Fletcher Opera Theater in Raleigh to see the results of the unprecedented Design Competition for the New AIA North Carolina Headquarters.

This competition began in November, 2007, and came to a dramatic conclusion when those who were on hand watched the nationally-acclaimed panel of jurors as they announced the following winners for the design of a new landmark building to be constructed at the corner of Peace and Wilmington Streets in downtown Raleigh:

Frank Harmon, Architect: First Place
Pearce Brinkley Cease + Lee, P.A.: Second Place
Kenneth E. Hobgood, Architects: Third Place

Merit citations were also awarded to:

LS3P (Wilmington)
Mathews Architecture, P.A. (Asheville)
Angerio Design, PLLC (Raleigh)

AIA NC, which serves over 2,300 professionals statewide, has been working toward new facilities since 2004, when the leadership recognized that they had outgrown their Water Tower home on Morgan Street in downtown Raleigh. But how would a group of architects choose an architect to design a building for...architects?

"It was the obvious and only solution to conduct a Design Competition for the new Headquarters," says David Crawford, Executive Vice President for the organization, "with all the design talent in this State, we knew we would get stunning results from opening up the creative process."

The creative process was opened indeed. Charles Holden, AIA, of Oxide Architecture and Oxide Structure Company in Raleigh, noted that the firm was genuinely enlivened by their participation in the competition. "We really came together to produce solutions and work them out. This was a great exercise...it taught us a good deal about our strengths and weaknesses, and how we work together."

While somewhat disappointed that Oxide's entry wasn't a winner, he concedes that "Frank will produce a great building." As a former Harmon employee, he knows that Frank will engender

both the spirit of collaboration and thoughtfulness necessary to see the New Headquarters through to completion.

This is a reassuring opinion. With the selection of competition

winners, the new AIA NC Headquarters Facility becomes much more than a dream - it quickly moves into reality. Since the announcement of the winner, the Board of Directors has authorized the land purchase agreement and approved the Architect's contract.

Additionally, the Finance Committee (under the direction of Harvey Gantt, FAIA, and Steve Schuster, AIA) has begun its fundraising efforts. David Winslow, the fundraising consultant, feels confident that goals will not only be met, but exceeded. At the Transitional Board Meeting in December 2007, he noted that companies and firms seem "eager to be a part of this historic process."

The Public Relations Committee has also been hard at work, providing input about programmatic elements crucial to the mission of AIA NC and its new home. The new building will create a space that will inform the public about the value of architects and architecture, enhance service to AIA NC members, promote



L to R: Alison Ewing, Daniel Bennett, Susan Maxman, David Lee and Stanley Collyer.



Daniel Bennett seated takes a moment to contemplate an entry while Allison and Stanley continue their work.

the profession and quality environments for living, become an important community asset and most importantly, educate visitors about good design. Crawford says that they have made it a goal to use their new facilities to teach the public about what it means to design with the environment and the future in mind.

"The new building will be our testament to sustainable architecture, the built environment, and the role of architects in this endeavor," says Walt Teague, the Immediate Past President of AIA North Carolina from Greensboro and the new facilities project director. The building will be designed to meet both LEED® (Leadership in Energy and Environmental Design) standards as well as the AIA's COTE (Committee on the Environment) goals, which include regional connectivity strategies, land use and site ecology, sustainable materials and methods of construction, reduced



2008 President Camas and Past President Teague join the jury on stage.

water usage, and increased energy efficiency. In describing his new design, Harmon explains that the building and landscape are designed as one interlocking, interdependent system, deferring

to the natural topography and reusing every shovelful of earth. The innovative parking garden functions as open green space for Chapter and community events and eliminates storm water runoff. The design strategies employed in the new facility will hopefully represent a new model for development throughout the community.

"AIA North Carolina has just completed an historic event, which could not have been done without the tireless and countless hours of effort given graciously by dedicated members," notes Wayne Camas, AIA, the current AIA NC President from Charlotte. Crawford agrees, noting that Frank Harmon will be designing a building that symbolizes AIA NC's \$4.5M investment in North Carolina - and creating the new home that will represent all that architects contribute to their communities. "We have a lot of work to do... and a lot to be proud of! We want to congratulate all 48 firms that submitted entries and shared their vision for an important new development in the Capital City!"



The crowd of over 400 gathers to view the submissions before the jurors announce winners.

The competition was professionally managed by **William McMinn, FAIA**, Dean Emeritus of Cornell University College of Architecture and former Dean at three other university architecture schools. McMinn was joined by jurors **Daniel Bennett, FAIA**, the Dean of the College of Architecture at Auburn University in Alabama; **Allison Ewing, AIA, LEED® AP**, a partner of Hays + Ewing Design Studio in Charlottesville, Virginia; **M. David Lee, FAIA**, partner at Stull & Lee in Boston, Massachusetts; and Jury Chair, **Susan Maxman, FAIA**, founder and Design Principal of SMP Architects in Philadelphia, Pennsylvania. ■

All photos: ©2008, KC Ramsay Photography. Renderings provided by Frank Harmon, Architect P.A. Images and details are available online: www.aianc.org.



Two In State Elevated to Fellowship

Louis W. Cherry and Kenneth E. Hobgood Join the AIA College of Fellows

On February 1, 2008, The American Institute of Architects elevated 116 architects to its prestigious College of Fellows, an honor awarded to members who have made contributions of national significance to the profession.

Out of a membership of more than 80,000, there are fewer than 2,500 AIA members distinguished with the honor of fellowship. It is conferred on architects with at least 10 years of membership in the AIA who have made significant contributions in the following areas: the aesthetic, scientific, and practical efficiency of the profession; the standards of architectural education, training, and practice; the building industry through leadership in the AIA and other professional organizations; advancement of living standards of people through an improved environment; and to society through significant public service.

Two AIA North Carolina members, **Louis W. Cherry**, of Cherry Huffman Architects, PA and **Kenneth E. Hobgood**, of Kenneth E. Hobgood Architects, have received this honor for their significant contributions to society through public service and for promotion of the aesthetic, scientific, and practical efficiency of the profession, respectively.

Louis Cherry has committed his career to improving the human experience through design. His architectural sensibilities and training have created a more enlightened and sustainable community through grassroots leadership in design, culture and the arts. He envisions sustainability as a holistic lens that connects and enriches human experience. He has expanded the practice of architecture into a diversity of enterprises that have substantially influenced the local environment and received national attention. He has used his unique architectural perspective to strengthen the nexus of built, cultural and social environments to engage the full spectrum of life. The result is a thriving urban center that has been infused with and enriched by creativity and quality design.

Mr. Cherry founded Cherry Huffman Architects with the objective of pursuing commissions that meaningfully contribute to the community. His commitment to environmentally sustainable

design began in the late 1970s, when he was building solar houses. That commitment is continually manifested in multiple award-winning designs for schools, libraries and churches that look to the site, the environment and aesthetics to enhance and further their communities. Mr. Cherry has encouraged this approach through the mentoring of emerging professionals in academia and practice. With a balance of academic rigor, studio collaboration and sustainable design, the firm has achieved artistic and professional success.



Louis W. Cherry, FAIA

New Fellows

Kenneth E. Hobgood, FAIA



Mr. Cherry's view of sustainability extends beyond built form to furthering the viability of the arts and culture in the North Carolina community. Mr. Cherry encouraged an ambitious architectural vision for the city of Raleigh's Contemporary Art Museum that matches the museum's dedication to the highest level of emerging art. He led an architectural selection process that resulted in a Pugh + Scarpa commission and serves as a national model for using architecture as a catalyst for urban development.

Louis Cherry has sought to expand the awareness of design on a broader scale. With the founding of **Cherry Modern**, a gallery of furniture, objects and interior design services, Mr. Cherry has introduced North Carolina's capitol city to the work of significant architects and designers including Le Corbusier, Eero Saarinen, Maya Lin, Jean Nouvel, Rietveld, Breuer, Marcel Wanders and many others.

Louis Cherry has applied the broadest definitions of architecture and design to produce a spectrum of work that has significantly enriched his city and region. Together these works comprise a model for sustainable design through which the entirety of community is served and enlightened.

Kenneth Hobgood has devoted his practice to the creation of meaningful and sensitive buildings. He has sought to instill in his students and buildings a sense of wonder.

Over the past 20 years as an adjunct faculty member at North Carolina State University, Kenneth has taught architectural design to over 400 students. With an understanding that architecture is a lifelong endeavor, he has focused his teaching on the belief that a genuine passion for architecture and a building of confidence in young architecture students are the most important lessons that can be taught. His involvement with these students has extended well beyond the classroom. He has advised and recommended countless students for graduate studies and job opportunities.

Out of a membership of more than 80,000, there are fewer than 2,500 AIA members distinguished with the honor of fellowship.

At the University of Kentucky, Kenneth has established and funded the **Suefan Gooding Foundation**. The purpose of the Foundation is to endow a visiting chair in architectural design for one semester each year. As the fund grows, it is intended to provide scholarships for promising students based on need. In addition his work on the Visiting Committee since 2000 has contributed to the quality of architectural education at the University of Kentucky.

Kenneth has served on countless AIA Design Juries. In 2002 he was the Chairman of the AIA North Carolina Design Jury and he was one of three original founders of the AIA Triangle Design Awards. He has lectured at both Architectural Schools and AIA State Conventions. Kenneth has based his practice upon designs of elegant simplicity. Rather than following recent trends he has instead based his design approach on timeless tenets of architecture and a creative integration of site, material, structure, and program.

Design strategies then follow from a careful understanding of and respect for each particular site, a willingness to respect and respond to each client, and the expression of materials. The final development of each project is predicated upon the input of

architect, client and consultants. At the Gravelly Khachatoorian House, the unique marriage of landscape and house was in large part due to the collaboration with landscape architect Michael van Valkenburg. The Villa Al Bahar in Kuwait City (currently under construction), expresses itself as a glass structure in an extremely difficult environment. Collaboration between Dewhurst Macfarlane Engineers (glass structure and technology) and Atelier 10 Mechanical Engineers (mechanical systems) results in a dazzling glass structure that develops new technologies and addresses energy efficiency concurrently.

His work has been produced in an office ranging from 4-8 people. Kenneth believes that each project is equal in importance to all others. This has resulted in recognition through design awards for a diverse portfolio. In 1997 Kenneth was awarded the Kamphoefner Prize for consistent integrity and devotion to the development of modern architecture in North Carolina. With a \$10,000 cash award, the prize is considered among the most prestigious architectural awards in the state. His projects have received 35 design awards from the American Institute of Architects at the state and local levels, and the work has been exhibited and published in the United States and internationally.

The new Fellows, who are now entitled to use the designation "FAIA" following their names, will be invested in the College of Fellows at the 2008 AIA National Convention in Boston on May 16, 2008. A reception in their honor is planned for May 16 at 6:30 p.m. in the Harvard Room of the Marriott Copley Hotel in Boston. All AIA North Carolina members attending the Convention are invited to come and celebrate Louis and Kenneth's accomplishments. ■



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A CALL FOR FELLOW NOMINEES

AIA North Carolina is once again seeking good candidates for fellowship nomination. Fellowship is the highest membership honor an architect member can receive. A distinguished jury of fellows bestows it on their peers who have displayed the highest standards of excellence in the profession.

Fellowship recognizes an AIA architect member's significant contribution to architecture and society on a national level. Approximately 2,700 AIA members have earned the distinction of using the initials FAIA after their names. Annually, on average, an additional 80 members are added to the College of Fellows roster.

Eligibility

To qualify for nomination for fellowship, you must be an AIA member in good standing for at least 10 cumulative years.

You must be current with dues payments and meet the AIA's Continuing Education System requirements. This also applies to candidates, sponsors, and member references.

Categories of Nomination

Nominations should be based on a member's notable and outstanding contributions to the profession in fulfilling the mission of the Institute.

There are five categories of nomination that correspond to the five Objects of the Institute as stated in the Bylaws.

Candidates must be nominated in one of these following categories:

■ To promote the aesthetic, scientific, and practical efficiency of the profession

Granted to architects who have produced distinguished bodies of work through design, urban design, or preservation.

■ To advance the science and art of planning and building by advancing the standards of architectural education, training, and practice

Granted to architects who have made notable contributions through their work in education, research, literature, or the practice of architecture.

■ To coordinate the building industry and the profession of architecture

Granted to architects who have actively, efficiently, and cooperatively led the Institute or a related professional organization over a sustained period of time and have gained widespread recognition for the results of their work.

■ To ensure the advancement of the living standards of people through their improved environment

Granted to architects who have made notable contributions in public service or work in government or industry organizations through leadership in the development of civic improvements and needed governmental projects, including such elements as conservation, beautification, land-use regulation, transportation, or the removal of blighted areas, or who have clearly raised the standards of professional performance in these areas by advancing the administration of professional affairs in their fields.

■ To make the profession of ever-increasing service to society

Granted to architects who have made notable contributions to the public good through alternative careers or volunteer work with organizations not directly connected to the built environment. Achievements may also be of a kind that transcend the other categories for advancement to serve society or humanity in a unique and important manner.



Achievements in these areas should include those that are national in scope and have made substantial and positive contributions to the AIA as well as to architecture and society. Portfolios and reference letters should concentrate specifically on results, achievements, and outcomes, as opposed to titles, offices, and longevity.

Paths to Fellowship

For North Carolina members, there are four routes to obtain a nomination for fellowship consideration:

Option 1: Recommendation by the Chapter Fellows Committee.

Option 2: Letters of recommendation obtained from two Chapter Fellows and either your AIA North Carolina Section President, or the AIANC President.

Option 3: Recommendations by any 10 individual AIA members in good standing.

Option 4: Recommendation by any 5 Fellows nationwide whose membership is in good standing.

2008 Schedule

The Chapter's Fellows Committee has set the following schedule for its activities this year. Candidates need to make sure they are available for the May 18 meeting and one of the review sessions.

Thursday April 17 - Fellows Committee Chair, Danie Johnson, FAIA, to send letters to all prospective and returning nominees.

Thursday, April 24 - Fellow nomination letters from nominees choosing option 2 above must be sent by this date to AIA North Carolina c/o Fellows Committee Chair, Danie Johnson, FAIA.

Friday, May 30 - Annual Fellows Committee meeting with Robin Lee, Hon. AIA, Director for the AIA Honors and Awards Program. Committee members, nominees and sponsors are invited to hear the "Demystifying the Fellows Process" seminar.

Tuesday, September 16 - Fellows submission review session, Charlotte.

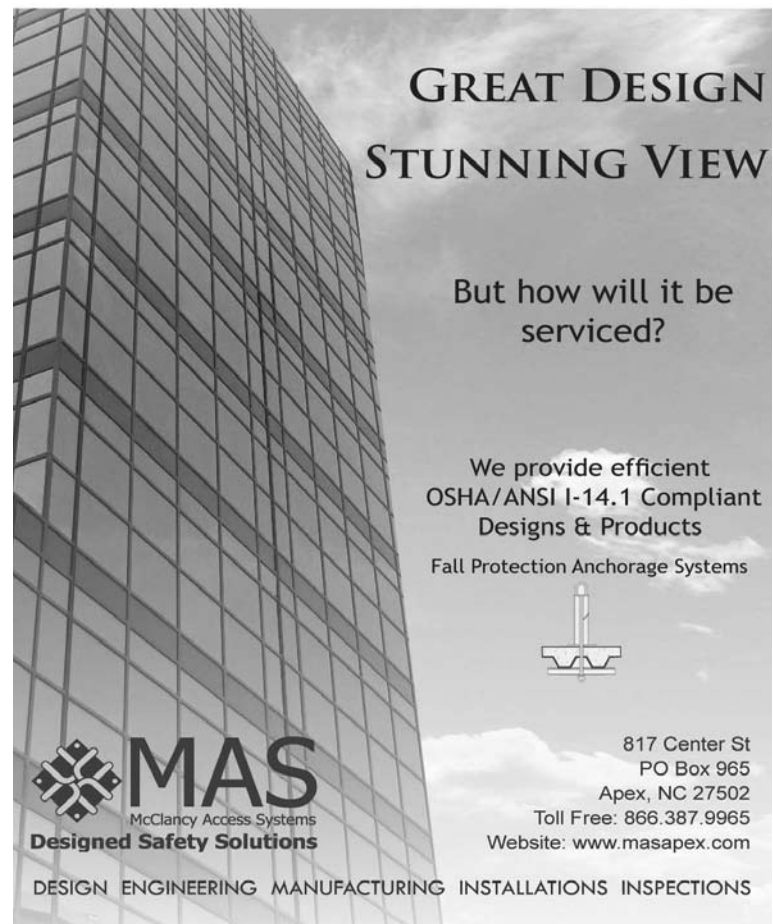
Tuesday, September 23 - Fellows submission review session, Raleigh.

Friday, October 17 - Fellow submissions deadline, binders, and reference letters are due at AIA National by close of business on this day.

Nomination for fellowship is in itself an honor. It means that those who know you best (whether you have been nominated by your chapter or by a group of your peers) feel you are qualified. Once nominated, you must work closely with your sponsor to present a portfolio that will highlight your achievements and demonstrate how they contribute to the profession's body of knowledge.

For additional questions about submitting for AIA Fellowship you can contact AIA North Carolina Executive Vice President, David Crawford, at (919) 833-6656, dcrawford@aianc.org or Chapter Fellows Committee Chair, Danie Johnson, FAIA at (828) 252-9649.

Nomination packages will be available from the AIA Honors and Awards Department after May 1, 2007. They can be reached at (202) 626-7563. ■




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SDA enhances the professional development and personal growth of its members and, as a result, the development and growth of their respective firms. SDA accomplishes this through a host of networking opportunities, both in person and online, and by providing educational resources in the areas of Finance, Human Resources, Information Technology, Marketing, Office Administration, and Project Management.

To learn more about the benefits of SDA and to obtain information on becoming a member, visit us online at: www.sdadmin.org



Legal Eagle

Theresa Joan Rosenberg, AIA, JD

Author's Note: This article is the second part of an article concerning the use of plans bearing the designer's copyright. If you do not have Part One, you may download a copy from the Winter 2007 *Architext* at <http://aianc.org/displaynewsletter.cfm>.

We recently found out that our plans for a condo project in Brunswick County were used to construct three buildings in a project in Ashe County. The contractor/developer took our drawings, cut off our title block and seals, pasted his title block on, but leaving our copyright statement. They were sealed by an Engineer in his office.

Three questions:

- 1. This was done in 1999-2001. Is there a statute of limitations?**
- 2. What can I legally do and collect?**
- 3. Although the copyright statement was on the drawings, they were not registered; however, the project they were originally drawn for is still active. Should I register the drawings before proceeding with any claims?**

Dear Colleague,

I will answer your questions in the order presented. The Copyright Act, 17 U.S.C. § 507, sets a statute of limitations of three (3) years for civil actions and five (5) years for criminal actions.¹ Courts are not consistent in determining whether the critical date is the date of the infringement or when you know or should know about the infringement.² There is a basic principle, "Don't sleep on your rights." If you have reliable information that there may be an infringement, you should investigate promptly.

In response to your second question, if the buildings in Ashe County were constructed within the period of the statute of limitations, you still may be able to file suit against the infringing contractor-developer and the engineer. If the design and infringement took place after the expiration of the statute of limitations, as a matter of principle, you could complain to licensure boards. Each board would evaluate whether to apply the

statute of limitations defense. If a licensing board finds "reasonable cause" to discipline a licensee, their remedy is to take action against the use of the license and possibly fine the licensee.

If the project is "alive" or you want to provide protection of the design from unauthorized use, you still may register the design of the work. "Yours, truly," in the September issue of *ARCHITECT* magazine states, "The benefits of registration typically far exceed the cost." If you do not register the copyright, you may still be able to sue in state court. Your damages would be limited to actual damages, if you can prove them, and an injunction to prohibit further use of the plans.³ You may ask the court to award attorney's fees and costs, but this is within the court's discretion, and more likely to occur if a specific statute provides for attorney's fees, as does North Carolina's lien law.



Although not a matter of copyright protection, there's another issue that should be addressed in conjunction with your scenario. You didn't mention the size of the residential structures. The Architectural Practice Act, N.C.G.S. § 83A-13(c)(1), exempts from the requirement for an architectural license, "A family residence, up to eight units attached with grade level exit, which is not part of or physically connected with any other buildings or residential units." In issuing building permits, the 2006 North Carolina (Building Code) Administrative Code and Policies § 204.3.5 requires inspection departments to check for proper professional seals where required by the General Statutes. The Administrative Code further states, "More than one such set of attached units on a site is determined

to be a complex and will require the seal of a registered design professional." If a project does not require the seal of a licensed architect, the building department may not question the engineer's seal. (Inspection departments may request an engineer's seal on certain structural components of a residential project.) This isn't "Legal Eagle's" first complaint about a building department's issuing a permit on the basis of an engineer's seal. "Legal Eagle" advocates for a revival of an educational program for building inspectors and contractors to help protect integrity and proper use of the architect's seal. ■

Theresa Joan Rosenberg, AIA, JD, consults on building code issues and practices construction law. She teaches and is the author of numerous papers concerning the design, adoption and implementation of the NC State Building Code. She chairs the Industry Liaison Committee of the Construction Section of the NC Bar Association with AIA NC, serves as a member of the NC Bar-AGC Joint Committee, and developed the North Carolina Residential Arbitration Program for the NC Bar Association. She is a certified NC Superior Court Mediator, licensed architect and attorney.

Footnotes:

¹ For specific information on criminal infringement, please see 17 U.S.C. § 506.

² In *TRW, Inc. v. Andrews* (534 U.S. 19, 151 LeD.2d 339, 122 S. Ct.441 (2001)), the Supreme Court adopted the "injury" rule, favoring the time of the infringement, but noted a possible extension of time for cases of fraud or concealment.

³ The previous article indicated that there might be a difference in the court's treatment of nearly completed construction (*Palmetto Builders and Designers, Inc. v. Unireal, Inc.* 342 F. Supp. 2d 468, 2004 U.S. Dist. LEXIS 25689 (D.S.C. 2004))

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**March 25 - LEED® 2.2
Exam Overview
Raleigh - 7 HSW**

**March 26 - LEED® 2.2
Exam Overview
Hickory - 7 HSW**

**March 27 - LEED® 2.2
Exam Overview
Charlotte - 7 HSW**

**April 10 - 2007 AIA
Documents
Greensboro - 4 HSW**

**April 15 - High
Performance Homes
Asheville - 7 HSW**

**April 17 - High
Performance Homes
Charlotte - 7 HSW**

**April 24 - High
Performance Homes
Greensboro - 7 HSW**



**May 7 - Building
Envelope
Raleigh - 5 HSW**

**May 20 - Building
Envelope
Asheville - 5 HSW**

**May 21 - Building
Envelope
Greensboro - 5 HSW**

**June 4 - Accessibility
Code
Charlotte - 7 HSW**

**June 5 - Accessibility
Code
Hickory - 7 HSW**

**June 6 - Accessibility
Code
Wilmington - 7 HSW**



**August 20 - AIA NC
Preconference
Seminar - LEED®
Charlotte - 7 HSW**

**August 21-24 -
AIA NC 2008
Conference
over 12 HSW
credits!**



**Sept. 8 - Building
Code: Chapter Focus
Asheville - 7 HSW**

**Sept. 8 - Building
Code: Chapter Focus
Charlotte - 7 HSW**

**Sept. 8 - Building
Code: Chapter Focus
Greensboro - 7 HSW**

**Oct. 7 - NEW -
Energy Code
Charlotte - 7 HSW**

**Oct. 9 - NEW -
Energy Code
Greensboro - 7 HSW**



**Nov. 11 - (tentative)
Sustainable/
Energy Efficient
Building Envelope
Wilmington - 5 HSW**

**Nov. 12 - (tentative)
Sustainable/
Energy Efficient
Building Envelope
Raleigh - 5 HSW**

**Nov. 13 - (tentative)
Sustainable/
Energy Efficient
Building Envelope
Winston-Salem - 5 HSW**

**December 22-
January 1, 2008
OFFICE CLOSED
FOR HOLIDAYS**

Questions? Call the AIA North Carolina Office for details, (919) 833-6656.

By email: info@aianc.org

or visit the AIA North Carolina website: www.aianc.org!



Legislative Day

June 18, 2008 in Raleigh

Legislative involvement is a key component for the AIA's missions, and it is one of the most important - and worthwhile - commitments you can make this year on behalf of your profession. So mark your calendars, and plan to be in Raleigh, NC on June 18, 2008 for this important event.

Preliminary Schedule of Events:

7:30 - 8:30	Breakfast (TBD)
8:30 - 9:30	Keynote Speaker & Member Briefing
	Visit to AIA NC New HQ Site
10:00 - 2:00	Member visits to Legislators' offices
2:00	Conclude visits, Legislators go into Session

CONTACT YOUR LOCAL AIA SECTION REPRESENTATIVE TO SIGN UP FOR LEGISLATIVE DAY:

Asheville - Michael Derrig, AIA
(828) 225-7400 / mike.derrig@cjmww.com

Charlotte - Jonathan B. Kincheloe, AIA
(704) 333-6686 / johnkincheloe@ls3p.com

Eastern - Benjamin B. Cahoon, AIA
(252) 441-0271 / ben@obxarchitects.com

Piedmont - Shermin Ata, AIA
sherminata@bellsouth.net

Triangle - Mark S. Reyer, AIA
(919) 829-2700 / markreyer@ls3p.com

Wilmington - Scott P. Ogden, AIA
(910) 251-2707 / scott@b-and-o.net

Winston-Salem - Joseph Bircher, AIA
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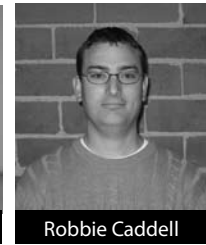
Names & Changes



Sam Cornelius

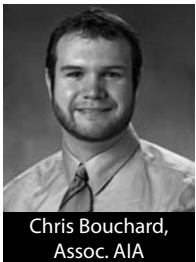


Larry Hubbard



Robbie Caddell

MBAJ welcomes **Sam Cornelius** to their Charlotte office, congratulates **Larry Hubbard** on his newly acquired LEED® status, and recognizes **Robbie Caddell** for earning his North Carolina Board of Architecture Certification. MBAJ offices in Shelby, Charlotte, and Raleigh have a combined staff of 45 professionals.



Chris Bouchard,
Assoc. AIA



Peter Provost,
Assoc. AIA



Bret Horton,
AIA

Christopher Bouchard, Assoc. AIA, has joined **The Freelon Group Architects** as an intern architect. He received his Bachelor of Architecture degree from Roger Williams University in Bristol, Rhode Island. **Peter Provost, Assoc. AIA**, has also joined Freelon as an Associate. He received his Master of Science degree in Advanced Architectural Design from Virginia Polytechnic Institute and State University in Blacksburg. **Bret Horton, AIA** has joined the firm as an architect. He received his Master's degree in Architecture from Columbia University in New York City and his Bachelor of Science degree in Architecture from the University



Wesley Curtis, AIA



Matt Messick, AIA



Tim Lin, AIA

Walter Robbs Callahan and Pierce Architects, PA of Winston-Salem, is pleased to announce that **Mr. Wesley L. Curtis, Jr., AIA, NOMA; Mr. Matthew D. Messick, AIA; and Mr. Tim Lin, AIA** have earned designation as LEED® Accredited Professionals from the USGBC. The firm is also pleased to announce the expansion of their urban design and campus planning capabilities. Mrs. Shayna Thiel, AICP, has joined as Senior Planner and Mr. Steven Barnes, AIA, has earned AICP certification. Barnes is a project architect and principal planner with over 35 years of experience.



Derek Jones, AIA



Kenneth Luker, AIA



Kevin Turner, AIA

of Virginia. **Derek Jones, AIA, LEED® AP, Kenneth Luker, AIA, LEED® AP, and Kevin Turner, AIA, LEED® AP**, have been promoted to Associate Principal with the firm. Mr. Jones, Senior Project Manager, received his Master of Architecture degree from Princeton University and Master of Fine Arts degree from Tama University of Art in Tokyo; Mr. Luker, Senior Designer, received his Master of Architecture degree from Harvard University, and Mr. Turner received his Bachelor of Architecture degree from the University of Miami.



Jim Faulkner



Heather Faulkner

Hennon Group Architects (HGA) welcomes and congratulates **Jim and Heather Faulkner** as Project Architects. Both Mr. and Mrs. Faulkner hold Bachelors and Masters of Architecture degrees from UNC Charlotte.



Tim Fierle, AIA

Timothy Fierle, AIA, has been named Director of Facilities Planning for Buncombe County Schools in Asheville, NC. Fierle replaced long-time director Marshall Roberts, AIA, who retired on January 1, 2008. Fierle joined Buncombe County Schools in 2000 after working in the private sector, and is responsible for long-range planning and the design of new facilities.



Evan Brickman



Catherine Cervantes

Gantt Huberman Architects is pleased to announce that **Evan Brickman** and **Catherine Cervantes** have joined the firm as Intern Architects. **Melanie Anderson** and **Marques Moore** have also joined as interns. **Suzanne Froedje** joined as Interior Designer.



Matt Konar, AIA

SchenkelShultz Architecture welcomes **Matt Konar, AIA, LEED® AP** to the firm. Konar joins the firm with seven years of experience in architectural design. An award-winning designer, he has been published in more than 10 publications. He holds a Master of Architecture degree with distinction from North Carolina State University.



Clark Nexen is pleased to announce that **Alfred J. Ockert, AIA**, has joined the firm as a Project Architect. Mr. Ockert holds a Bachelor of Architecture and a Bachelor of Environmental Design from North Carolina State University/ He is certified with NCARB and licensed in North Carolina.



Frank Harmon Architect is pleased to announce that **Erin Sterling, AIA, LEED® AP**, has successfully completed her registration exams and is a registered architect and an AIA member. Since joining Frank Harmon Architect in 2002, Sterling has become a LEED® accredited professional, and has been appointed by the Raleigh City Council to serve two years on the Historic Districts Commission.

She graduated with honors from the University of Kentucky with a Bachelors of Architecture.



R IV Architecture is pleased to announce that **Bill Zehrung** has joined the firm as Director of Architecture. Bill is in charge of all aspects of the operation if the office relative to architecture. He holds a Bachelors of Science and Masters degree in Architecture from Clemson University. He is currently licensed in South Carolina and NCARB certified.

Little is pleased to make the following staff change announcements: **Daniel Forest, LEED® AP**, has been selected as National Studio Principal for the firm's workplace Practice Area. Mr. Forest is a graduate of UNC Charlotte and serves on the UNC-C College of Architecture Advisory Council. **Bruce Barteldt, AIA, NCARB, LEED® AP** has been asked to join the Association for Retail Environments' (A.R.E) DREAM team. The Designers of Retail Environments and Merchandising, or *DREAM* team, is responsible for developing and executing programs and services to address the needs of retail designers. Bruce is a National Studio Principal and Partner at Little. **Nancy Everhart, LEED® AP**, will now serve on the new Green Task Force, also sponsored buy A.R.E. The taskforce is being formed to help A.R.E. members thrive in a sustainable retail environment. Nancy is the Studio Principal of Little's Retail Banking Studio.

Lord, Aeck & Sargent is pleased to announce that **Lauren Rockart, AIA, LEED® AP**, has been promoted to Associate. Lauren works in the Chapel Hill office.

BBH Design is pleased to announce the addition of **David Liberatore, AIA, LEED® AP, REFP**, to the Research triangle Park staff. As a member of BBH Design, he will continue to pursue his passion for the development of educational environments, as the firm seeks to improve the built environment through design.

Aiton Anderson Architecture - David Aiton, Architect is pleased to announce that he is now joined by his son-in-law, **George August "Tripp" Anderson III** in the practice of Architecture. They are now practicing together under the name **Aiton Anderson Architecture**. Tripp has earned both his Bachelors and Masters degrees in Architecture from Clemson University and is a LEED® Accredited Professional. He is registered in Georgia and North Carolina. The phone number to the office has not changed.



Honors & Awards

Merchants Millpond State Park Breaks Ground on NC Parks & Recreation Department's First "Green" Visitor Center

On Saturday, March 15, the North Carolina Department of Parks & Recreation will held its groundbreaking ceremony to start construction of the LEED® Gold rated Merchants Mill Pond State Park Visitors Center in Gatesville, NC, the department's first LEED®-rated building and a model for responsible development. Designed by **Frank Harmon Architect, PA** the project will include a 6500-square-foot Visitor Center with exhibit space, an auditorium, classrooms, workspace and administrative offices, plus a 600-square-foot outdoor classroom. A trail will lead from to the outdoor classroom at the edge of the pond. According to Frank Harmon, FAIA, the building "touches the site as lightly as possible in an attempt to protect and preserve the many species of plants and wildlife that call Merchants Millpond State Park home."The project respects the environment, he said, by minimizing the impact and footprint of both building and the parking area.

Little, a national architecture and design firm headquartered in Charlotte, is honored to acknowledge special recognition received for the firm's work in restoring the façade of Central High School, located in Charlotte, N.C. Historic Charlotte, a non-profit Historic Preservation Advocacy and History Heritage organization, honored the project with one of four Historic Preservation Awards awarded in 2007. Judges cited the building's extraordinary transformation back to its 1920's roots. Sixties-era changes had covered the structure in brick and metal for almost 50 years. Central High School was Charlotte's first public secondary school and operated from 1923 to 1959. CPCC is the largest community college in North Carolina and current owner of the Central High building which now functions as a part of the college.

Merriman Schmitt Architects (MSA) has won two national design awards for the American LaFrance North American headquarters and manufacturing facility in Jedburg, S.C., outside Charleston. The project earned the FIERO Merit Award for Fire Facilities Design from the Fire Industry Equipment Research Organization (FIERO), and design achievement award from the Tilt-Up Concrete Association (TCA). The FIERO Award was presented at the organization's national conference in Charlotte October 25. The TCA award was presented at that trade group's annual conference in Las Vegas in January.

Ross / Deckard Architects, P.A., is proud to announce the completion of 10 years of successful design service. They would like to extend deep thanks to their clients, consultants, and all who have helped to reach this exciting milestone. They look forward to many more years working on projects throughout the Southeast.

Keeping Pace at the AIA

David Crawford, AIA North Carolina Executive Vice President



This year began with a flurry of activity and promises to keep at a frenetic pace right through December. While the new Headquarters garners a lot of attention, business as usual goes on and critically important issues continue to be addressed by AIA North Carolina. Here's a look at a few of the hot issues we've been engaged with so far in 2008.

BCC Adopts New Building and Accessibility Code

On March 11 the North Carolina Building Code Council (BCC) concluded its triennial adoption of the North Carolina Building Code (NCBC). This was the state's scheduled updating of our codes with the latest version of the model International Building Code (IBC).

One major change for the 2009 edition will be the addition of IBC Chapter 11, accessibility, for use in North Carolina. The action by the Council will eliminate the long-standing NC Volume 1C Accessibility Code in favor of the ANSI referenced IBC Code. With the assistance of the United Spinal Association, AIA North Carolina worked for more than three years on comparing the current NC accessibility provisions with nationally recognized IBC standards to ease the way for our transition to a new code.

If the code is approved by the Rules Review Commission in April, it will go into effect on January 1, 2009, with a phase in period of six months. All projects will have to meet the new code requirements beginning July 1, 2009. The one exception to these dates will be the Electrical Code, which is scheduled for implementation on June 1 of this year with a mandatory date of January 1, 2009.

AIA NC has already planned to hold new accessibility code seminars in June. Check our web site www.aianc.org for more information on dates and locations.

Board of Architecture to Change Rules on Exam

In North Carolina the rules for sitting for the Architect Registration Examination (ARE) have been long established with the requirement of an accredited degree and full completion of the Intern Development Program (IDP).

The Board has not wavered from this position for many years. However, with AIA's shift in its national policy position three years ago and NCARB's easing of its policy on exam sequencing last June, the North Carolina Board of Architecture (NCBA) has begun the process of analyzing the long-standing rules in this state.

In January, the seven-member NCBA passed a motion to begin the process of modifying its rules to allow ARE candidates to start the exam process much earlier than the present standard. While the Board has not reviewed a written proposal as yet, discussions have centered around requiring maintaining the accredited degree requirement and allowing a candidate to begin sitting for the exam with the equivalent of about one year's worth of IDP credit. A license will still not be conveyed until a candidate completely finishes IDP obligations.

The issue of an earlier test exists because of the dramatic changes

in patterns of exam starts and completions over the last decade since the introduction of the computerized ARE. The average time for an intern to complete the exam process has more than doubled and fewer new licensees are entering the profession since the test changes. The AIA began looking at the alarming trends about five years ago and has been tracking the trends ever since.

When NCARB made the move to a computerized exam in mid 1990's its desire to offer a more flexible tool ran head long into new trends in the employment market place and the latent human condition of procrastination. The new exam gave interns all the control over when and where they could take the test. The problem was, with no deadline, came no incentive to even begin. At the same time new graduates were finding they could come right out of school with an architecture degree and make more in emerging industries or evolving collateral professions than they could as interns in traditional architectural firms; again, even less incentive to begin the licensure process.

There is no talk of eliminating the IDP requirement, just the sequence by which candidates can qualify for the start of their exam process. By allowing interns to start the process sooner, it's hoped they will be more vested in their path to licensure and thus more incentivized to complete their process. Time will tell, and the NCBA is now willing to work on the problem.

Beware the Taxman

I wanted to let our membership know about a development in the interior designer community that is raising concerns for some firms in that sector. Seems that the NC Department of Revenue (NCDOR) has ruled against some interiors firms claiming that the design services they provide are taxable. The ASID reports that a number of firms have been affected already and the NCDOR's ruling claims that:

All design services rendered to a client will be charged sales tax if there is any sale of a tangible product to that same client.

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Once you sell a tangible product to a client, you must now charge the client sales tax on all future design services.

At the time of the first tangible product sale to a client, you must now go back through your previous invoices and now charge sales tax to your client based on all previous design services provided to that same client.

The decision by the Department of Revenue appears to hinge on the combination of the sale of tangible products and the provision of design services within the same billing instrument. While architects typically do not charge their clients for tangible products, we wanted to alert you to these developments and let you know that AIA will be following this matter.

The idea of taxing professional services continues to be a topic of discussion among state officials and any movement by the lead taxing authority gives us pause for concern. If any of the architectural firms in the state are approached by the Department of Revenue on this issue, please notify me right away.

Chapter Headquarters – It's the Program Stupid!

As evidenced in this issue of *Architext*, the new Headquarters building is playing a central role in the activity of the Chapter right now. Frank Harmon and his team have been refining their design since their selection in the design competition; we have reached a final agreement with the Blount Street Commons developer LNR on the land purchase and have begun our due diligence on the site; financing options are being explored with our consultants and most importantly the silent phase of the fundraising campaign has begun under the direction of Steve Schuster, AIA and Harvey Gantt, FAIA.

Many of you will be getting phone calls from the Finance Development Committee in the coming months and we will be rolling out the public campaign this fall. It's important for me raise the following point to our members when discussing the new headquarters, especially when fundraising for the project. With apologies to our former U.S. President Bill Clinton, *It's the program stupid!*

Yes, we are all proud of the new design of the headquarters building, heck, we would have loved any one of the 48 submissions if they were selected. But the reason this building is being built is for what will go on inside and around the building. The programs to enhance the architect and architectural profession will be the real stars of this endeavor.

Multiple meeting spaces have been programmed into the building to accommodate the daily activity we envision in the building. K-12 training classes; school children visiting to explore the latest in "green" design; collateral industry professionals meeting with state representatives; and legislators visiting with groups as they begin their legislative days at our facility, are but a few of the visions we have for creating a bustling center of activity. We hope when called upon, you will support this new vision for our Chapter.

A Special Legislative Day

Of the many reasons we are undertaking this headquarters project, enhancing the AIA's visibility and effectiveness with state leaders has to be one of the foremost. To that end, June 18, 2008 presents a special day for AIA North Carolina. It's the day we will hold our annual Legislative Day in Raleigh. In addition to the traditional lobby activities, we will be holding a virtual open house on the grounds of our new building site. We expect construction fencing to go up around the site later this year so June gives us an opportunity to let the community and our new neighbors around the government center know what we have planned for the building when it opens in October 2009 and before the site is sealed off for 10 months.

We will extend an invitation to all our AIA members, workers in the area, Peace College, the new Blount Street Commons residents and the Legislature to tour the site, review plans for the building, experience all the entries from the design competition and give us feedback on what they would like to see in the building. Frank Harmon and the whole design team will be on hand to discuss the evolution of the project, its connection to the landscape and all the sustainability features being planned.

Please plan on joining us on this very important day in the history of AIA North Carolina. You've begun seeing the AIA's new branding campaign of "Walk the Walk" symbolized by the green boot print. This year's Legislative Day is our opportunity to demonstrate our commitment to that brand. ■

Editor's Note

Heather Vance

Lately, it seems, green is all the rage - "green design" and "green building" have rooted themselves firmly in the architectural lexicon as required reference, along with "sustainable" and anything carrying the eco- prefix.

Maybe the language is just reflecting the changing landscape (sorry, couldn't help it) of our modern world. As Al Gore pointed out at the 2007 AIA National Convention, we live in a world with ever-decreasing resources and seemingly unlimited wants. The result is a climate-confused planet and a population faced with a grave decision: change, or die.

Technically, we will all die anyway, and therein, I believe, lies the rub. As green as some of us choose to be, others will stare mortality down, concede premature defeat, and doom the rest of us to the suffering of global-warming because they consider lost luxury too steep a price to pay to save the earth (and ultimately, humankind.)

Often, when I'm thinking about this issue, I consider how many architects believe that "green" - both in title and presentation - is no different than "good" design; or that, when executed properly, it should represent the architect's best efforts to provide a beautiful solution with regard for its natural and human environment.

Good Design is conscious. Good Design takes into account all of the circumstances that can feasibly be solved for, and promotes a balanced, qualitative response to improve how we live in the spaces we inhabit. Good Design is...well...good.

Yet here we go with our two cents worth. "Being Green" - our 2008 conference, will promote all that has been previously stated - good design. It will allow members to come together; share ideas; learn about new tools, materials and methods; and will advance opportunities for design innovations.

An emphasis will be placed on "green" and "sustainable" education as it remains at the forefront of many practitioners' minds. AIA North Carolina, of course, strives to meet the needs of its members and stay current. Sometimes that means adopting some new terms.

It just so happens that the term "green" is the de rigueur announcement of what most architects know to be good, old-fashioned common sense. ■

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WHY GIVE TO THE AIA NORTH CAROLINA PAC?

A MESSAGE TO ALL AIA NORTH CAROLINA MEMBERS...

Jim Rains, AIA, PAC Chair

Your help is needed to give architects a strong voice in the NC General Assembly and Council of State. Gone are the days when architects quietly sat back, allowing others to take the lead. Architects have a vision for America and the AIA NC has a bold, aggressive new issue agenda that reflects our values as well as our practice needs:

- **Sustainable, safe, healthy, livable communities.**
- **New incentives for affordable housing, green buildings, smart growth, and historic preservation.**
- **Better, safer schools and civic spaces.**
- **Qualifications-based selection in public procurement.**
- **Fair liability laws that minimize lawsuit abuse.**
- **Sound licensing regulations.**
- **Reduced permitting delays.**
- **Clear, consistent buildings codes and accessibility guidelines.**

We've talked enough about these priorities. **Now is time to act.** After all, if architects themselves don't who will? Unfortunately, the values architects hold dear are often ignored in the governmental arena. That's because louder, better financed groups control the agenda. But that has to stop. And we have the power to stop it. By contributing to the AIA NC political action committee (AIA NC PAC), you can take a stand to stop it. The AIA NC PAC is the only PAC that represents architects at the State level. The only one! And unfortunately, it's tiny by comparison to those funded by trial lawyers, contractors, realtors, unions, developers, and other groups. Defense may win football games. But it doesn't win political battles. We have to get on the offense if we want to win. In today's politics, PAC participation is how elected officials measure the extent to which members of a professional association care about its issues. To be taken more seriously in the NC Legislature, we need to show we care. A stronger PAC with higher member participation will help do that.

To give our PAC adequate funding for upcoming elections, we must raise enough funds to be taken seriously. Will you help with \$100? Or even \$50? How much do you value your profession? **You have the power to make the difference.** Questions about the AIA NC PAC? Call the PAC Chairman, Jim Rains, AIA, at (336) 824-8990; or send him an email at: jim@rainsstudio.com. **To make your donation, please fill out and return the card below!**



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Matthew M. Konar, AIA
Craig M. Lyman, AIA
Cecile Poh, AIA
Yong Rhee, AIA
John Thomas Waitzman, AIA

Deceased

Norman E. Bartholomew, AIA
Arnold M Beachum, AIA
John C. Brown, AIA
Robert W. Conner, AIA
John W. Cooper, AIA
Arthur McKimmon, AIA
A.P. Stout, AIA
John T. Wood, AIA

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