

**MINUTES**  
**SC Board of Architectural Examiners**  
**Board Meeting/Application Hearing**  
**9:30 a.m. May 19, 2015**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Room 105**  
**Columbia, SC**

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**Meeting Called to Order**

Anthony Lawrence, Chairman, called the meeting to order at 9:26 a.m. Other members present were Stephen Russell, Brad Smith, Charles Muldrow, Katherine Schwennsen and Amanda Green.

Staff members participating in this meeting included Lenora Addison-Miles, Administrator; Alice DeBorde, Administrative Assistant; and Donnell Jennings, Advice Counsel.

Chairman Lawrence welcomed new member Amanda Green to the Board.

**Statement of Public Notice**

Mr. Lawrence announced that public notice of this meeting was properly posted at the S. C. Board of Architectural Examiners office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

**Approval of the January 14, 2015, Meeting Minutes**

**Motion:** To approve the minutes as submitted. Schwennsen/Russell/Approved.

Member Muldrow indicated that he was unable to attend the March 2015 NCARB Regional Meeting held in Long Beach, California as indicated in the January 2015 Minutes.

**Approval of Agenda**

**Motion:** To add item 9-F Kiawah Town Center Request for Proposal; add item 9-G Clemson Integrated Practice Proposal and to add item 11-D Request for use of IDP funds. Muldrow/Smith/Approved.

**Reports**

**Office of Investigations and Enforcement Report**

Sharon Wolfe, Chief Investigator, presented the Office of Investigations and Enforcement Report. A total of one case was received from January 1, 2015 thru May 14, 2015; one was designated as "do not open." Four cases were closed from January 1, 2015 through May 14, 2015. One case was designated as "do not open."

### IRC Recommendations

Sharon Wolfe, Chief Investigator, presented the following IRC Recommendations dated May 7, 2015:

| <b>Case No.</b> | <b>Action</b>    |
|-----------------|------------------|
| 2014-11         | Cease & Desist   |
| 2015-1          | Cease & Desist   |
| 2014-12         | Formal Complaint |
| 2013-21         | Dismiss          |

**Motion:** To approve IRC Report. Schwennsen/Russell/Approved.

### Office of Disciplinary Counsel Report

Tracey Pearlman, General Counsel, reported the Board had no open cases.

### Administrator's and Board Reports

Administrator Miles welcomed Amanda Green to the Board.

### Number of Active Credentials by Prefix and Subcategory Board: ARCHITECT as of 4/27/2015

| <b>Credential</b> | <b>Description</b>            | <b>Count</b> |
|-------------------|-------------------------------|--------------|
| AR                | Architect                     | 3980         |
| ARA               | Partnership Firm              | 12           |
| ARB               | Business Corporation Firm     | 163          |
| ARC               | Professional Association Firm | 86           |
| ARD               | Sole Proprietor Firm          | 23           |
| ARF               | Firms                         | 1114         |
|                   | <b>Sub Total</b>              | <b>5378</b>  |

**LICENSE STATISTICS – Active licenses as of April 30, 2014**

**Number of Active Credentials by Prefix and Subcategory  
Board: Board of Architectural Examiners  
as of 4/30/2014  
Query Report: 517**

| Credential     | Description                   | Count       |
|----------------|-------------------------------|-------------|
| AR             | Architect                     | 3782        |
| ARA            | Partnership Firm              | 12          |
| ARB            | Business Corporation Firm     | 165         |
| ARC            | Professional Association Firm | 86          |
| ARD            | Sole Proprietor Firm          | 23          |
| ARF            | Firms                         | 1008        |
|                | <b>subtotal</b>               | <b>5076</b> |
| <b>6 items</b> |                               |             |

AR = Architects  
ARA, ARB, ARC, ARD and ARF = Architectural Firms

Administrator Miles reported to the Board that as of April 2015 the current balance in the Education and Research Fund was \$30,463.21. She also indicated that the history of the education funding, and the March 2015 Cash Balance and Education and Research balances were in their handouts.

### Board Member Reports

No reports were provided at this meeting.

### Consent Agreement – John Pittman

Tracey Pearlman, General Counsel, presented to the board for approval a Consent Agreement issued to John Pittman.

In the future, Consent Agreements will be forwarded directly to the Board Chair for review and approval. The Board indicated that they would like the amount per violation be included in all future agreements.

### Election of Officers

**Motion:** The following persons were elected to serve as officers of the Board, effective July 1, 2015, through July 1, 2016. Russell/Schwensen/Approved

Anthony Lawrence, Chair  
Charles Muldrow, Vice-Chair  
Brad Smith, Secretary

### 2015 NCARB Annual Meeting June 17-20, 2015, New Orleans, LA

Members Lawrence and Schwensen will attend the meeting as NCARB Funded Delegates. Costs associated with the meeting will be covered by NCARB for those two members. Administrator Miles will attend and her costs will also be covered by NCARB as the Member Board Executive.

**Motion:** To approve Members Lawrence, Schwensen as well as Administrator Miles to attend the 2015 NCARB National Meeting. Russell/Muldrow/Approved.

### **Formal Certificates**

An inquiry was received from Benjamin, Ward, AIA, regarding his concerns about the formal certificates which are included in the approval packet for newly licensed architects. His greatest complaint about the new certificate is the rewording. Mr. Ward stated, "The old certificates conveyed the title of 'Architect' upon the individual and authorized them to practice the profession in the state. The new certificates, in a less poetic and more governmental tone, authorize the individual to practice architecture but no longer convey the title of Architect."

Advice Counsel Jennings informed the Board that after discussing this issue with Administrator Miles, the language was changed to be in compliance with the LLR Engine Act. A discussion ensued.

**Motion:** Advice Counsel Jennings and Administrator Miles will work on language to submit to the Chair for review as well as formatting the wording in a different font style. A letter will be sent to Benjamin Ward informing him that the Board has taken his concerns into consideration. Smith/Russell/Approved.

### **Development Company Sealing Drawings For a Project on Their Behalf**

An inquiry was received from Amanda L. Mole, AIA, regarding sealing and signing documents for a project on behalf of a development company (which she is an employee) where her role is mostly advisory to other architects and their firms. Ms. Mole's employer is not an architectural firm. Ms. Mole asked if she needed to seal drawings on their behalf, could this be done as a sole proprietorship, or would she need the seal of her own firm?

**Motion:** To get further clarification on what drawings she is being asked to seal. Did she prepare the drawings or were they done by someone else? Russell/Smith/Approve.

### **NCARB Resolutions**

The Board discussed draft NCARB resolutions.

**Motion:** To support Resolution 2015-1 Revision of the Alternatives to the Education and Experience Requirements for Certification. Russell/Muldrow/Approved.

**Motion:** To support Resolution 2015-2 Revision of the Requirements for Certification of Foreign Architects. Russell/Muldrow/Approved.

**Motion:** To support Resolution 2015-3 Bylaws Amendment – Modification to the Qualifications of Public Director on Council Board of Directors. Smith/Russell/Approved

### **Town of Kiawah Island – Request for Proposals for Kiawah Island Municipal Complex**

The Board reviewed a Request for Proposal for Architectural services for the Kiawah Island Municipal Complex RFP No. 15-0225. The Board has issues with Phase 2 and Phase 3 of the

proposal. Phase 2 will select the top three firms which will be asked to complete a full set of conceptual drawings, then the selected firm will enter into contract negotiations with the town on pricing in Phase 3. The Board was concerned that they are asking for schematic designs for free. Member Smith indicated that his firm was one of the three that had been short listed. Member Smith recused himself from further discussion. Since there are three firms involved, asking to give a fee proposal, that fee proposal becomes a basis for a comparison of the selection process which is in violation of Section 40-3-300. The Board agreed that the proposal should eliminate the request for fee proposals.

**Motion:** To take a brief recess. Muldrow/Schwennsen/Approved.

**Motion:** To resume the meeting. Russell/Schwennsen/Approved.

The Board will move forward with the scheduled Hearing for William John Poss, then come back to finish the discussion regarding the Request for Proposal for Architectural services for the Kiawah Island Municipal Complex

### **Application Hearing – William John Poss**

The proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

William John Poss submitted an application for Certificate of Registration on October 8, 2014. According to information provided by Mr. Poss, he answered "No" to the questions "Have you had a license to practice a regulated profession or occupation in another state or jurisdiction canceled, denied, revoked or suspended or have you been otherwise disciplined either publicly or privately by a court or body regulating a profession or occupation?" and "Have you negotiated a settlement of any claim for professional negligence or malpractice?" It was noted in his NCARB Council Record that on August 13, 2008, Mr. Poss was issued a Settlement Agreement and Order with the Nevada State Board of Architecture, Interior Design and Residential Design when he allegedly held himself out as being qualified to practice architecture by performing a site visit, meeting with the client and agreeing to provide services that fall under the practice of architecture including pre-design, site analysis, and schematic design and by engaging in the practice of architecture by preparing preliminary plans and renderings without having a certificate of registration with the Nevada Board. Staff could not approve the application.

**Motion:** To go into Executive Session for legal advice. Russell/Schwennsen/Approved.

**Motion:** To come out of Executive Session. Russell/Smith/Approved.

**Motion:** To approve the application with a Letter of Caution, reminding him to check applications for accuracy and remind Mr. Poss that his firm would need to be licensed as well if providing services in South Carolina. Schwennsen/Russell/Approved.

### **Town of Kiawah Island – Request for Proposals for Kiawah Island Municipal Complex**

Member Smith wanted to provide the Board with current information regarding this RFP. Three firms have been short listed. The three firms met together with the owner, received a program

and discussed questions on the program. The interview for those three firms is this Thursday. This is Phase 2 and no fees are being prepared. The Board received this as information.

Member Smith recused himself from further discussion.

**Motion:** To go into Executive Session for legal advice. Schwennsen/Muldrow/Approved.

**Motion:** To come out of Executive Session. Schwennsen/Russell/Approved.

**Motion:** Staff was directed to write the Town of Kiawah Island today and copy the three firms in question stating that the Board has received questions regarding the Request for Proposal, Kiawah Island Municipal Complex RFP No. 15-0225. We understand that the cost proposal, Exhibit G, will be included as part of Phase 3 and negotiated with the awarded firm, and will not be requested as part of Phase 2. If that is the process they follow this would keep the process within the intent of Section 40-3-300. Schwennsen/Muldrow/Approved.

### **NCARB Integrated Path to Licensure**

Member Schwennsen reminded the Board that NCARB announced a release of a Request for Interest and Information (RFI&I) regarding its continued exploration of a model framework facilitating an integrated path to licensure. With this RFI&I, NCARB is exploring the opportunity to develop an additional path to licensure that integrates the three NCARB components of licensure, education, experience and examination into an enhanced academic setting that will allow for licensure at the point of graduation. The second proposal is due in June. Clemson is still considering it, but they may not make the June deadline.

**Motion:** The Board will provide a "Statement of Support" signed by the Chair. Russell/Smith/Approved.

The Board recessed for lunch.

### **Joint Meeting with Board of Engineers and Surveyors and Building Code Council**

Out of the Joint Committee there is a Subcommittee that is comprised of Darbis Briggman, who represents the Building Codes Council, Jim Justus, who represents the Professional Engineers and Surveyors Board, and Chairman Lawrence. The committee has been researching policies and practices from other states, as it relates to incidental practice, to see how they can incorporate language on the issue to re-format the South Carolina Building Official Manual. Adrienne Montaire, AIA, asked to be copied on the recommendation which will be submitted to the Joint Committee. Once the draft is finalized, the Joint Committee will meet for discussion and closure.

### **Continuing Education Clarification**

Staff requested clarification from the Board regarding the current continuing education requirement.

**Motion:** To go into Executive Session for legal advice. Administrator Miles and Staff Member DeBorde were asked to be present during this discussion. Russell/Smith/Approved.

**Motion:** To come out of Executive Session. Muldrow/Russell/Approved.

**Motion:** Board's Advice Counsel, Donnell Jennings will provide a draft for revisions to the continuing education portion of our Regulations 11-8-1 for consideration at the next meeting. Russell/Schwennsen/Approved.

### **Application Hearing – Godwin & Associates**

The proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Godwin & Associates submitted an application for Certificate of Authorization on March 31, 2015. According to information provided by Godwin & Associates the firm provided architectural services on one project in South Carolina without a Certificate of Authorization to practice. Staff could not approve the application.

**Motion:** To go into Executive Session for legal advice. Schwennsen/Smith/Approved.

**Motion:** To come out of Executive Session. Russell/Schwennsen/Approved.

**Motion:** Approve the application with a Public Reprimand and a fine of \$500, due within 30 days of the effective date of the order. . Schwennsen/Russell/Approved.

### **Funding Requests**

**AIA Greenville:** ARCHiLAMP submitted a request for funding in the amount of \$10,000. Member Schwennsen stated that this is a group of young professionals that want to stay involved; they come back to Clemson to mentor students and help sponsor firm crawls.

**Motion:** To request additional information to show that their educational programs for architects and interns garners them HSW credits which are necessary for licensure in the State. Muldrow/Schwennsen/Approved.

### **IDP Registration Program Funding Request**

**Motion:** To approve a funding request from Clemson University's School of Architecture for \$15,000 to pay for student enrollment and membership costs in the Intern Development Program (IDP). Muldrow/Schwennsen/Approved.

### **Clemson Gunnin Architecture Library Funding**

**Library Funding** - The Board considered a request from Clemson Gunnin Architecture Library for \$25,000 from the Board's Education and Research Fund for the purchase of materials for the Architecture Library.

**Motion:** To approve funding of \$25,000 to Clemson Gunnin Architecture Library. Muldrow/Schwennsen/Approved.

**Motion:** To take a brief recess. Russell/Schwennsen/Approved.

**Motion:** To resume the meeting. Russell/Schwennsen/Approved.

Member Schwennsen informed the Board the NCARB now has a position called **IDP Student Licensing Advisors** which enrolls a student at every accredited school in an effort to get IDP from the grassroots as well as from the faculty and architect positions. Grayson Perkins serves as the IDP Student Licensing Advisor at Clemson. He is a junior at the University and has asked if his IDP fees could be paid through the IDP Funding Program. Schwennsen noted that the fees are normally used for Senior and Grad-Students. Member Schwennsen asked if Mr. Perkins fees could be paid out of these funds since he is serving in this position for Clemson. The Board took this under advisement that Mr. Perkins fees would be paid out of the IDP funds.

**Motion:** To take a brief recess. Russell/Schwennsen/Approved.

**Motion:** To resume the meeting. Russell/Schwennsen/Approved.

**Motion:** To amend the motion that the funding request fees be distributed in Fiscal Year 2015-2016 when the funds are available. Muldrow/Russell/Approved.

#### **Application Hearing – G3S Architecture & Design**

The proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

G3S Architecture & Design submitted an application for Certificate of Authorization on April 20, 2015. According to information provided by G3S Architecture & Design, the firm had not provided architectural services in South Carolina without a Certificate of Authorization. The firm's website, ([www.g3sarch.com](http://www.g3sarch.com)), which was established in 2014, indicated that the company is "a design-oriented architecture and interior design firm." The website also indicates that the company provides "architecture", "master planning", "feasibility studies", "site analysis selection", etc. The company has projects listed from December 2013 to the present date.

**Motion:** To go into Executive Session for legal advice. Russell/Schwennsen/Approved.

**Motion:** To come out of Executive Session. Russell/Schwennsen/Approved.

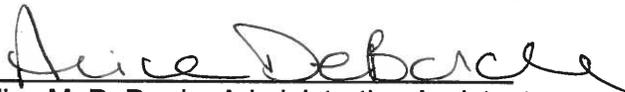
**Motion:** Issue a Public Reprimand and be fined \$500 for two violations; representing the architectural firm licensed in this state on his website, and the false representation that he had not provided architectural services as a firm without being licensed, for a total of \$1000 in fines. The application for the firm is approved upon payment of the fine. The website shall be deactivated within 72 hours. Staff is asked to expedite the order and issue it by tomorrow. If the effective date of the order is before the expiration of 72 hours, the website may remain. If the website is still active in 72 hours and the fine has not been paid, there will be another \$1000 fine imposed. Muldrow/Schwennsen/Approved.

Board of Architectural Examiners  
Board Meeting Minutes  
May 19, 2015

The next meeting of the SC Board of Architectural Examiners will be held September 23, 2015.

**Motion:** To adjourn the meeting. Russell/Schwensen/Approved. The meeting adjourned at 2:38 p.m..

Respectfully submitted,

  
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Alice M. DeBorde, Administrative Assistant