

MINUTES
South Carolina Board of Architectural Examiners
Conference Call
11:00 a.m., October 17, 2011
Synergy Business Park
Kingtree Building
110 Centerview Drive, Conference Room 201-31
Columbia, South Carolina

Meeting Called to Order

Brad Smith, chairman, called the meeting to order at 11:05 a.m. by telephone conference call. Other members present were Tyson Nettles, Stephen Russell, W. Barry Jenkins, Anthony Lawrence and Kate Schwennsen.

Staff members participating included Jan Simpson, Board Administrator; Charlie Ido, Assistant Deputy Director for Boards and Commissions; Holly Gillespie, Chief Advice Counsel; James Saxon, Advice Counsel; Melina Mann, LLR General Counsel; Rion Alvey, LLR Deputy Director. Catherine Templeton, LLR Director, joined the meeting by phone.

Statement of Public Notice

Public notice of this meeting was properly posted at the S. C. Board of Architectural Examiners office, Synergy Business Park, Kingtree 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.

NOTE: These minutes are a record of the motions and official actions taken by the Board and a brief summary of the meeting.

The Board convened upon request of Director Templeton to consider issues that arose after hearings in September 2011 regarding responses by licensed architects and firms to an RFP by the City of Georgetown. Licensees submitted a fee in response to the RFP, an alleged violation of Section 40-3-300. However, it came to light after the hearings that a procedural issue might give the appearance of impropriety in that the Board Administrator asked the board for direction on proceeding with this matter at a meeting in May 2010.

Director Templeton explained that the situation was handled in a manner that was supported at that time by the LLR administration but procedures subsequently changed. In the future, the Board will not be consulted prior to filing a complaint. However, to address the procedural issue and to avoid even the appearance of impropriety, Director Templeton asked the Board to consider offering all architects who were cited with violations of Section 40-3-300 an opportunity to come before a Hearing Officer for another hearing.

Director Templeton left the call at 11:25 a.m.

The Board discussed whether to continue in open session or go into executive session. Motion: Nettles/Jenkins to go into Executive Session. Approved

Motion: Nettles/Lawrence, to come out of Executive Session. Motion carried.

Motion to go into Executive Session to receive legal advice: Nettles/Jenkins/Approved

Motion to come out of Executive Session: Nettles/Lawrence/Approved. No votes were taken in Executive Session.

Motion: Nettles/Russell: That all licensees involved in cases regarding responses to the City of Georgetown's RFP be offered another hearing before a Hearing Officer who is a SC-licensed architect. Licensees have 30 days after receipt of the notice to accept or decline the offer.

Amendment by Jenkins: That the Hearing Officer be a former board member who is licensed.

Amendment accepted by Mr. Nettles and Mr. Russell.

Amended Motion: That all licensees involved in cases regarding responses to the City of Georgetown's RFP be offered another hearing before a Hearing Officer who is a former Board member and a SC-licensed architect. Licensees have 30 days after receipt of the notice to accept or decline the offer. Approved.

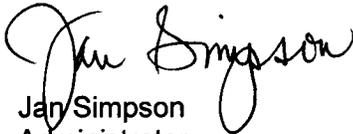
Ms. Gillespie suggested the Board accept the Hearing Officer's ruling so that the decision would not return to them for final approval as set forth in Section 40-1-90.

Motion: Russell/Lawrence - That the Board will be bound by the Hearing Officer's Order. Approved.

Motion to adjourn: Russell/Lawrence. Approved

The meeting adjourned and the call ended at 12:02 pm.

Respectfully submitted,


Jan Simpson
Administrator