

MINUTES
SC Board of Architectural Examiners
Board Meeting/Application Hearings
9:30 a.m. September 23, 2015
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 105
Columbia, SC

Meeting Called to Order

Anthony Lawrence, Chairman, called the meeting to order at 9:34 a.m. Other members present were Brad Smith, Charles Muldrow, Amanda Green and J. Sanders Tate.

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

Chairman Lawrence welcomed new member J. Sanders Tate to the Board.

Motion: To accept the excused absence of Member Schwennsen who was unable to participate in the meeting due to a prior commitment. Muldrow/Green/Approved.

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 May 19, 2015, Meeting Minutes

Motion: To approve the minutes as submitted. Muldrow/Smith/Approved.

Approval of Agenda

Motion: To approve the agenda as submitted. Muldrow/Smith/Approved.

Application Hearing – Pearce Scott Architects

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

Pearce Scott Architects, Inc. submitted an application for Certificate of Authorization on August 25, 2015. According to information provided by Pearce Scott Architects, Inc., the firm provided architectural services on approximately 85 projects in South Carolina without a Certificate of Authorization to practice. Staff could not approve the application.

Motion: To go into Executive Session to discuss the application, possible sanctions and to receive legal advice. Muldrow/Smith/Approved.

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

Motion: To issue a Public Reprimand and fine of \$1000. Certificate of Authorization will be issued upon payment of fine. Muldrow/Smith/Approved. One opposition.

Application Hearing – LFA Architecture LLC

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

Member Muldrow recused himself from the Hearing.

LFA Architecture, LLC submitted an application for a Certificate of Authorization on June 24, 2015. According to information provided by LFA Architecture LLC, the firm provided architectural services on 19 projects in South Carolina without a Certificate of Authorization to practice from July 24, 2013 to June 21, 2015, total fees received for all these projects was \$207,229.13. Staff could not approve the application.

Motion: To go into Executive Session to discuss the application, possible sanctions and to receive legal advice. Green/Smith/Approved.

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

Motion: To issue a Private Reprimand and fine of \$500. Certificate of Authorization will be issued upon payment of fine. Smith/Green/Approved.

Office of Disciplinary Counsel – Hearings

No Hearings were scheduled at this time.

REPORTS

Office of Investigations and Enforcement Report

A total of ten cases were received from January 1, 2015 thru September 15, 2015; four active cases, one closed, three do not open and two pending board action. Ten cases were closed from January 1, 2015 thru September 15, 2015. Three cases were designated as “do not open.”

Office of Disciplinary Counsel Report

No report was available; this item will be carried over to the November Meeting.

IRC Recommendations

The following IRC Recommendations were submitted to the Board as a result of the September 2, 2015, IRC meeting:

| Case No. | Action |
|-----------------|------------------------------------|
| 2015-5 | Cease and Desist |
| 2015-3 | Statute Violation/Formal Complaint |

Motion: To approve IRC Report. Muldrow/Smith/Approved.

Administrators and Board Reports

The Board was reminded of the 2016 Education Conference which will be held February 13, 2016. One Member of the Board will attend, it was noted that Member Schwensen normally attends this conference.

Administrator Miles asked the Board for approval to attend the NCARB MBE Committee Conference October 9-10, 2015, in Washington, DC. NCARB will pay for all expenses.

Motion: To allow Administrator Miles to attend the NCARB MBE Committee Conference. Green/Tate/Approved.

Number of Active Credentials by Prefix and Subcategory Board: ARCHITECT
 as of 9/3/2014

| Credential | Description | Count |
|-------------------|-------------------------------|--------------|
| AR | Architect | 3869 |
| ARA | Partnership Firm | 12 |
| ARB | Business Corporation Firm | 164 |
| ARC | Professional Association Firm | 86 |
| ARD | Sole Proprietor Firm | 23 |
| ARF | Firms | 1043 |
| | Subt Total | 5197 |

LICENSE STATISTICS – Active licenses as of August 24, 2015

Number of Active Credentials by Prefix and Subcategory
 Board: ARCHITECT as of 8/24/2015

| Credential | Description | Count |
|-------------------|---------------------------|--------------|
| AR | Architect | 3951 |
| ARA | Partnership Firm | 12 |
| ARB | Business Corporation Firm | 162 |

Board of Architectural Examiners
Board Meeting Minutes
September 23, 2015

| | | |
|-----|-------------------------------|-------------|
| ARC | Professional Association Firm | 81 |
| ARD | Sole Proprietor Firm | 23 |
| ARF | Firms | 1141 |
| | Subt Total | 5370 |

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

Administrator Miles reported to the Board that as of August 2015 the current balance in the Education and Research Fund was \$100,123.21. She also indicated that the history of the education funding, and the Cash Balance and Education and Research balances were in their handouts.

Board Member Reports

No reports were provided at this meeting.

2016 Meeting Dates

The following meeting dates were scheduled:

- January 13, 2016
- May 11, 2016
- September 14, 2016
- November 2, 2016

NCARB Discarding "Intern" Title

An inquiry was received from David A. Quick, regarding the recent decision by NCARB to remove the "intern" title for those pursuing architecture licensure. Mr. Quick noted that Section 40-3-20 (11) of the South Carolina Board of Architectural Examiners Laws and Regulations has a clear definition for "intern Architect". Mr. Quick would like to know the following: "Is there any intention to remove this definition" Have any alternative titles been discussed?" The Board unanimously agreed that the answer to both these questions would be "no".

NCARB IDP Experience Portfolio Documentation

This item will be carried over to the November Meeting.

Application Hearing – DWWArchitects

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

DWWArchitects submitted an application for a Certificate of Authorization on August 6, 2015. According to information provided by DWWArchitects, the firm provided architectural services

on 21 projects in South Carolina without a Certificate of Authorization to practice from February 2011 to current date, total fees received for all these projects was \$968,913.00. Staff could not approve the application.

Motion: To go into Executive Session to discuss the application, possible sanctions and to receive legal advice. Muldrow/Smith/Approved.

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

Motion: To issue the Certificate of Authorization, and issue a Letter of Caution for using a D/B/A name. Smith/Green/Approved.

Joint Task Force Subcommittee Update

This item will be carried over to the November Meeting

Inquiry Amanda Mole, AIA Development Company Sealing Drawings for a project on their behalf

This item will be carried over to the November Meeting.

Continuing Education Clarification

At the May meeting, staff requested clarification from the Board regarding the current continuing education requirement. Advice Counsel Donnell Jennings provided revisions to 11-8.1 (C)(1) & (2) for the Board to review.

Motion: To revise 11-8.1 (C) (1) & (2) as follows: Muldrow/Green/Approved

C. Requirements.

(1) Each South Carolina Registered architect shall complete a minimum of ~~twelve (12)~~ **twenty-four (24)** continuing education hours each calendar **biennial licensure period** year in topics related to health, safety and welfare. No carry-over of continuing education hours into the next biennial licensure period is permitted. ~~However, carry-over within the licensing period is allowed~~

(2) Each registrant shall submit, on a form provided by the board, a signed affidavit attesting to the fulfillment of continuing education requirements for the ~~two calendar years preceding the calendar year in which the license is set to expire.~~ **biennial licensure period.**

Motion: To develop talking points as to why the changes to this section are being made so they can be reviewed at the November Meeting. Tate/Green/Approved.

Formal Certificates

At the May meeting, the Board discussed an inquiry 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."

Per the request from the Board at the last meeting, Advice Counsel Jennings and Administrator Miles reviewed the laws and regulations and informed the Board that after discussing this issue it was noted that the language was changed to be in compliance with the LLR Engine Act. The smaller certificates were also developed to cut down on mailing costs. It was also noted that the Board currently has a large volume of certificates currently in stock. These certificates were ordered in bulk to reduce costs.

Motion: To acknowledge the inquiry and after careful and thorough consideration the Board is in agreement that the quality of certificates has regressed over time and due to the stock of certificates currently on hand and the fiscal constraints the Board currently has, this item will be tabled for a couple of years. Muldrow/Green/Approved.

2015 Ethic Seminars

This item was carried over to the November Meeting.

Funding Requests

No requests were presented to the board at this meeting.

The next meeting of the SC Board of Architectural Examiners will be held November 18, 2015.

Motion: To adjourn the meeting. Muldrow/Tate/Approved. The meeting adjourned at 12:36 p.m.

Respectfully submitted,



Alice M. DeBorde, Program Coordinator