

# STATE BOARD OF ARCHITECTURAL EXAMINERS

## BOARD MEETING MINUTES

January 14, 2004

Suite 111, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened January 14, 2004, in Columbia, South Carolina. Chairman Matthews called the meeting to order at 9:30 a.m. The following attended the meeting:

J. Eugene Matthews	Chairman
Dennis S. Ward	Vice-Chairman
Jose Caban	Secretary
Stokes Browning	Member
Tom Johnson	Member
Jan B. Simpson	Administrator
Todd Bond	Investigator
Alice D. Richardson	Administrative Assistant
Richard Wilson, Esq.	LLR Advice Counsel

Member Frederick notified the Administrator in advance that she would not be able to attend the meeting. Her absence was excused.

Administrator Simpson stated the **public notice** of the meeting was properly posted at the Board office and provided to organizations and news media in compliance with Section 30-4-80 of the S.C. Freedom of Information Act. A quorum was present at all times.

Motion by Ward, Second by Browning: To accept the **Minutes** of the November 18, 2003, meeting as distributed. Motion carried.

**Exam Candidates** – Motion by Ward, Second by Browning: To approve the following persons to begin taking the Architect Registration Examination. Motion carried.

Lynden Garland, Jr.  
Michael Cantrel

**Continuing Education:** Motion by Browning, Second by Ward: To accept the two hours of continuing education submitted by Domenic DiGiorgio for teaching at Boston Architectural Center. The Board previously denied these hours because they were under the impression that Mr. DiGiorgio was employed as a faculty member. Mr. DiGiorgio clarified that he is a volunteer member of the Boston Architectural Center faculty. Motion Carried.

**Budget Report:** The Board accepted as information the Budget Report as prepared by LLR's Finance division for the period ending November 30, 2003.

**Clemson Funding:** Motion by Browning; second by Ward: To transfer \$25,000 to Clemson University during FY 04 for continuing professional development. Member Caban abstained from the vote. Motion carried.

**Travel Policies/Budget Cuts:** Bob Selman, Assistant Deputy Director, met with the Board to announce current travel policies. Selman stated that one board member would be reimbursed for travel to regional and national meetings. This is slightly different from previous policies and reflects recent budget cuts and anticipated future cuts. There is no restriction on the number of board members who may attend a meeting; there is restriction on the reimbursement. One of the criteria for approval is term expiration dates. Selman also informed the Board that the money deposited into the Architecture Education and Research Fund as well as the fine account may be used to help offset budget problems.

### **Administrator's Report**

**Licensure statistics:** See attached chart.

**Online renewals** – We anticipate being able to renew individual licenses online this year. We are still working on the logistics and procedures, fine-tuning the system for our use, and trying to foresee the impact of implementation. An article will be printed about it in the March newsletter.

**2004 Legislation** – The Board has not sponsored legislation this session, but there are some bills from last session with potential impact to the architecture profession that will need to be monitored. When the Administrator contacts Board Members for input, a prompt reply is needed. There often is not much notice of upcoming meetings, but the information will be relayed to the Board as soon as it is received.

**H-3744:** Administrator attended the House Judiciary full committee regarding H-3744. This Legislation will change the statute of limitations for architects from 13 years to 8 or 10 years. The Board will be kept up-to-date regarding this bill.

**Travel** – Vice-Chair Ward was approved to attend the Regional meeting in South Dakota in March. Member Frederick was approved to attend but expenses were not approved for reimbursement.

**Joint Board Meeting with Engineers in March** – Jay Pitts, Administrator, Professional Engineers and Land Surveyors Board, has been contacted about this meeting. He indicated he would coordinate with Chairman Jim McCarter about topics. Incidental practice will be one of the main issues to discuss.

**Building Official Manual:** Members Browning and Ward are working on updating the Manual in an effort to bring the code references up-to-date and make the language more informal. Browning hopes to have a draft of the Manual available for review at the March meeting.

Member Browning has a series of issues he would like to bring to the Board's attention for discussion in the future. His concerns are as follows:

- Definitions of “Design Professional” and “responsible charge”. Current International Building Code uses the same terminology but defines the terms differently from Architecture Law..
- Requirements for Construction Administration.
- Roles of Construction Managers.
- Board’s relationship with the Code Council.

**Statements of Economic Interest** were distributed. These are due by April 15. Member Frederick will be reminded of the April 15<sup>th</sup> deadline by e-mail since she was unable to attend the meeting.

**Regional Meeting Elections:** This item will be carried over to the March meeting for discussion.

**Michael Ebanks – McDonald’s Corporation:** The Board reviewed a letter from Michael Ebanks regarding practicing as a sole proprietor in South Carolina while working for McDonald’s Corporation as their in-house architect providing professional services to McDonalds for its own use and purposes. Administrator Simpson asked if the company would need to obtain firm registration in South Carolina. It seems that Mr. Ebanks works for McDonald’s on a contractual basis since the letter states, “McDonald’s relies on Mr. Ebanks as an individual licensed architect to provide it with independent professional services as that of a sole proprietor”. The Board accepted this as information.

**Impediments to Reciprocity:** The Board reviewed the spreadsheet compiled by the NCARB Impediments to Reciprocity Task Force. They reviewed the Board’s responses to the ten questions and agreed they were correct. The only impediment to reciprocity was that the Administrator did not have the authority to issue a license to a reciprocity applicant who holds an NCARB Certificate without Board review. Even though the Board’s current review procedures are only a two-week process, the members did not want it to be perceived as an impediment to reciprocity. Motion by Ward, Second by Caban: To delegate authority to the Administrator for approval of routine reciprocity applications. The Board will still review non-routine applications. Motion Carried.

**Response to Florence County Building Department:** At the November 2003 meeting, the Board reviewed an inquiry from B. J. Pebworth, Building Official Florence County, regarding the requirement for architectural services to design and construct townhouses. This request for clarification was forwarded to the Building Codes Council for a response. On January 7, a meeting was held with staff members of the Board of Architects, Board of Engineers and Land Surveyors, Building Codes Council, Contractors, Residential Builders, and LLR Attorney Rick Wilson. The group agreed Architecture Law requires an architect to design townhouses. Attorney Wilson drafted a letter to Ms. Pebworth stating LLR’s position. The Board reviewed Attorney Wilson’s response and accepted it as information.

**Alabama Board Report on Incidental Practice:** The Board accepted this report as information.

**Incidental Practice:** The Board will discuss Incidental Practice at the March Joint Meeting with

the Engineering Board and work towards developing a task force to review this issue and formulate recommendations for the boards' consideration. The task force ideally should consist of approximately 6 individuals who are architects, engineers and building officials.

The Board recessed for a brief catered lunch, dutch treat.

**Building Codes:** Member Browning spoke to the Board concerning a Code Footprint. Mr. Browning proposed that plans include a comprehensive checklist or information sheet outlining every code provision that applies to the building as well as compliance information. Browning would like to encourage the IBC to originate the form and adopt it as part of the Administrative Chapter of the Code. Browning stated that the Code Footprint would be beneficial to building officials. The Board was in favor of development of the form but believes they could not mandate its use. Rick Wilson, LLR Advice Counsel, will talk with Gary Wiggins, Administrator, Building Codes Council, regarding this issue and will report back to the Board at the March meeting.

Motion by Browning, Second by Ward: To go into Executive Session to discuss legal matters. Motion carried.

#### **EXECUTIVE SESSION**

Motion by Ward, Second by Browning: To return to Open Session. Motion carried.

Motion by Caban, Second by Browning: To accept the Investigative Review Committee's recommendation in the following cases:

<b>Case No.</b>	<b>IRC Action</b>
03/04-07	Letter of Caution
03/04-17	Letter of Caution
03/04-20	Dismiss
03/04-22	Dismiss
03/04-23	Dismiss
03/04-25	Dismiss
03/04-26	Letter of Caution
03/04-24	Cease and Desist

Motion by Caban, Second by Browning: To issue a Formal Complaint in Case No. 03/04-14. Motion Carried.

There being no further business, the Board Meeting adjourned at 1:45 p.m. The next meeting will be held on Wednesday, March 10, 2004.

Respectfully Submitted,

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Jose R. Caban, Secretary