

STATE BOARD OF ARCHITECTURAL EXAMINERS

BOARD MEETING MINUTES

May 12, 2004

Suite 111, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened May 12, 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
Jane Frederick	Member
Stokes Browning	Member
Jan B. Simpson	Administrator
Todd Bond	Investigator
Alice D. Richardson	Administrative Assistant
Richard Wilson, Esq.	LLR Advice Counsel

Members Johnson and Caban notified the Administrator in advance that they would be unable to attend the meeting.

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.

Minutes: Motion by Browning, Second by Ward: To accept the **Minutes** of the January 14, 2004, meeting with the following modifications:

?? Page 2, paragraph 7 to read as follows: Motion by Frederick, Second by Caban - To notify The State and Respondent's local newspapers of any public reprimands issued by the Board. This notice will be included in the May 2004 Newsletter. This policy will go into effect June 1, 2004. Motion carried.

Motion carried.

Election of Officers: The following persons were unanimously elected to serve as officers of the Board, effective July 1, 2004, through July 1, 2005.

Dennis Ward, Chair
Gene Matthews, Vice-Chair
Jose Caban, Secretary

Scheduling of Hearings: Lynn Rogers, General Counsel, met with the Board to discuss Hearing schedules and procedures. The Office of General Counsel has been working on a system to schedule cases in a more timely organized manner. She noted that the Board has eight cases to be

Board of Architectural Examiners
Meeting Minutes
May 12, 2004

scheduled for a Hearing. She offered the following regarding the scheduling process: (1) Cases could be scheduled on a monthly basis to be heard by the full board; (2) delegate some of the cases to be heard by a hearing officer; (3) or schedule hearings the day before and/or after a regularly scheduled meeting. The Board unanimously agreed that a hearing officer could hear those cases with which they may have a conflict. The Board would like to have former members of the Board serve as Hearing Officers; they suggested Marshall Clarke, Peter McKellar and Steve Usry. The Board tentatively agreed on the following hearing dates:

- ?? June 29, 2004 (hearing officer)
- ?? July 20, 2004
- ?? July 29, 2004
- ?? August 3, 2004 (backup date)
- ?? September 16, 2004 (after Board meeting)

Rogers also reminded the Board that the newly formed Investigations Unit will be made up of the Building and Business division and the Health and Medical division, both of which will be under her direction. Investigator Bond will still be responsible for investigations of this Board but may also work on investigations for other Boards. The target date for this move is July 1, 2004. Mrs. Rogers left the meeting.

Application Hearing: Due to medical problems, of the application Hearing for Ansley Manual was carried over to the September 2004 meeting.

Reinstatement Application: The Board reviewed a reinstatement application submitted by Harold O. Warner, Virginia Beach, VA. Mr. Warner's NCARB certificate was revoked November 11, 1998, as a result of disciplinary action taken by the Tennessee Board. Mr. Warner signed a Consent Order with the South Carolina Architectural Board on April 6, 1999, voluntarily surrendering his South Carolina license. One of the provisions of the Consent Order was that the Board would consider his application for licensure upon proper notification that his NCARB certificate has been reinstated. His NCARB Certificate was reinstated on February 3, 2004.

Motion by Frederick, Second by Ward: To offer a Consent Order to approve Mr. Warner's reinstatement application in a probationary status for a period of not less than one year. The Order will require that Mr. Warner notify the Board in writing in advance of any and all projects in this state for which he may be engaged and the scope of service provided for each project. At the end of one year Mr. Warner may petition the Board to have the probation terminated. Motion carried.

Budget Report: The Board accepted as information the Budget Report as prepared by LLR's Finance division for the period ending March 31, 2004.

Administrator's Report

Clemson Funding: Administrator Simpson reminded the Board that they agreed to transfer \$19,850 to Clemson University School of Architecture during FY 04 to fund student enrollment in NCARB's IDP Program and to transfer \$25,000 to Clemson University during FY 04 for continuing professional development to be administered through the Gunnin Architecture Library. The expenditures report given at the March meeting did not reflect a \$5000 payment already sent to Clemson for IDP enrollment. However, the Board approved transfer of \$19,850 to be transferred now. When the account has been replenished due to renewals, \$25,000 will be transferred to Clemson in mid-June. The Board accepted this as information.

Licensure statistics – Will distribute in September for quarter/fiscal year ending June 30. As of April 30, the department has 3308 licensed architects and 1028 licensed firms. Renewal forms for individual licenses will be mailed in early May.

Revising Statutes

It is time to consider revising some of the statutes and regulations to clarify language, incorporate Board policy when applicable, and delete outdated references. Due to the time it takes to revise, then to get LLR and Legal Office approvals, the process needs to start now with a target date of submitting to the Legislature in 2006. It was suggested to create a Task Force or Advisory Committee to include a diverse group of architects in South Carolina to work on specific issues, particularly the Code of Ethics. Other issues include incidental practice, exemptions, electronic seals and signatures, and firm registration.

The Board agreed that a total of 5 individuals should serve on the Advisory Committee on a voluntary basis and should be currently licensed architects residing in South Carolina. The Board suggested the following individuals to participate on the Advisory Committee: James Neal, Clay Wine, Mary Beth Branham, Scott Garvin, Doug Quackenbush and Michael Watson in addition to Board Members Jane Frederick, Dennis Ward and James Matthews. Administrator Simpson will write the individuals indicating sections of the law/regulations being considered for revision and asking if they wish to serve on this Committee.

Proposed Resolutions: The Board reviewed the proposed resolutions that will be voted on at the Regional Meeting in Portland, Oregon in June.

NCARB Strategic Plan Questionnaire: The Board reviewed NCARB Strategic Plan Issues and made the following recommendations:

- ?? **What are the issues related to the services provided by the Council office?** Phone service needs improvement. Problems with communication.
- ?? **What is needed to remove barriers to achieving unimpeded reciprocity?** One national license. Have continuing education tied to NCARB Certification (renewal) so that CE is done on a national level rather than a state level where there are varying CE requirements among states.
- ?? **How best can new leadership be developed?** Less interference from Executive Staff and Executive Board and more support of Grass Roots candidates from the Region.

Reducing time requirements for participating on NCARB Committees and serving as a National Officer.

?? **What are the issues related to our international initiatives?** Agreements should be drafted in language that is clear and easy to interpret. BEFA program is beneficial. The cost of international travel should be paid by the nation seeking assistance.

?? **What are major challenges facing NCARB?** Regarding International issues, NCARB should negotiate with blocs of countries. Identifying problems associated with outsourcing architectural services to foreign countries.

Request from Tennessee Board on Continuing Education Issues: The Board reviewed and considered a request submitted by e-mail from the Tennessee Board regarding a formal agreement on the equivalency of the two states' continuing education requirements. The Board did not believe it would be beneficial at this time to enter into a formal agreement with the Tennessee Board regarding this issue. Administrator Simpson will draft a letter of response for review by the Board and Rick Wilson, LLR Advice Counsel. The Board accepted this as information.

Update on Southern Region Issues:

?? Jane Frederick was elected Chair of the Region. Her term begins July 1.

?? Revisions to the By-Laws in an effort to be consistent with NCARB By-laws.

?? 2005 Regional Meeting will be held in Memphis, TN

Building Official's Manual Draft: The Board reviewed the draft of the Building Official's Manual prepared by Member Browning and suggested minor revisions. Browning will update the draft to reflect the changes and submit a new draft for review at the September meeting.

The Board recessed for a brief lunch.

2005 Board Meeting Dates: The following Board Meeting dates were set for 2005: January 26th, March 2nd, May 4th, September 7th and November 15th.

Hearing Officer Recommendation: The Board accepted the recommendation of the Hearing Officer in Case No. 02/03-26. The Respondent will receive a non-disciplinary letter of caution.

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

EXECUTIVE SESSION

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

Cases closed upon recommendation of IRC:

Case No.	IRC Action
03/04-42	Letter of Caution
03/04-43	Letter of Caution
03/04-46	Dismissal

Board of Architectural Examiners
Meeting Minutes
May 12, 2004

Motion by Frederick, second by Stokes: To accept the Investigative Review Committee's recommendation in the following cases:

Case No.	Board Action
03/04-29	Formal Complaint and Notice of Hearing
03/04-33	Formal Complaint and Notice of Hearing
03/04-38	Formal Complaint and Notice of Hearing
03/04-39	Formal Complaint and Notice of Hearing
03/04-40	Formal Complaint and Notice of Hearing
03/04-41	Formal Complaint and Notice of Hearing

There being no further business, the Board Meeting adjourned at 2:15 p.m.

Respectfully Submitted,

Gene Matthews
Chair