

STATE BOARD OF ARCHITECTURAL EXAMINERS

BOARD MEETING MINUTES

September 16, 2004

Suite 111, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened September 16, 2004, in Columbia, South Carolina. Chairman Ward called the meeting to order at 9:50 a.m. The following attended the meeting:

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

Member Jane Frederick notified the Administrator in advance that she would be unable to attend the meeting.

Don Hayden, Operations Manager for the Office of Investigations and Inspections; Edwin Farnell, Chief Investigator for Building and Business Programs; and Charles Ido, Deputy Chief of Investigations, joined 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.

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

Eugene M. Bell
William D. Drennan
Aaron M. Jeffers
Kathleen E. Webber

Joint Continuing Education Events with AIA and Design Professional: The Design Professionals Group is tentatively planning three jointly sponsored continuing education events in June 2005. Alex James is spearheading the initiative and has asked several members of the Design Professionals Group to prepare a one-hour presentation. The identical workshops are tentatively planned for Greenville, Charleston, and Columbia, on June 7, 14 and 21, 2005.

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AIA/South Carolina has agreed to be a sponsor and will provide and report CE hours for attendees. The Board's responsibility would be to provide funding from the Architecture Education and Research fund. AIA will design and print the brochures, nametags, and agenda; the Board would provide the database for distribution. The aim is to keep the registration to a maximum of \$50/person.

Motion by Browning, Second by Johnson: To participate in funding and sponsoring a joint CE event with the American Institute of Architects (AIA) and the Design Professionals Group with the amount of funding to be determined later. Member Matthews will serve as the Board liaison. Motion Carried.

CE Audit Procedures: The Board reviewed proposed Continuing Education Audit Procedures which were drafted with assistance of LLR's Legal office. Motion by Matthews, Second by Browning: To accept the Continuing Education Audit Procedures as written. Motion Carried. (See attached copy of procedures.)

Consent Orders:

Motion by Browning, Second by Johnson: To accept the Consent Order signed by **Alvah Breitweiser**, Case No. 03/04 - 39. Motion carried.

Motion by Browning, Second by Johnson: To accept the Consent Order signed by **Milton Grenfell**, Case No. 03/04 - 40. Motion carried.

Motion by Browning, Second by Johnson: To accept the Agreement to Relinquish License to Practice Architecture signed by **Harold I. Place**, License No. 4534. Motion carried.

Motion by Browning, Second by Johnson: To accept the Consent Order signed by **Joseph Vislay**, Case No. 03/04 - 38. Motion carried.

Formal Complaints: Motion by Johnson, Second by Matthews: To authorize the Administrator to initiate Formal Complaints after recommendation from the IRC. Motion carried.

Consent Orders: Motion by Johnson, Second by Matthews: To adopt a policy that allows the Board Chair to review Consent Orders and either sign them or place them on the agenda for action by the full Board at the next meeting. All Consent Orders signed by the Chairman without review of the full Board will be presented to the Board at the next meeting for their review. Motion carried.

Review of Recent Hearings: Lynn Rogers, General Counsel, was to meet and discuss with the Board the Board's concerns with the legal representation recently experienced during a Hearing. This item will be carried over to the November Board Meeting since Mrs. Rogers had not completed her research into the matter.

Angie Taylor, Executive Vice-President of AIA/SC, joined the meeting at 11:00 a.m.

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Investigator Bond informed the Board that effective July 1, 2004, the number system for cases was changed to reflect a calendar year rather than a fiscal year. The Board accepted this as information.

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

Case No.	IRC Action
03/04-36	Letter of Caution
03/04-37	Letter of Caution
03/04-49	Letter of Caution
03/04-51	Dismissal
03/04-53	Letter of Caution
03/04-55	Letter of Caution
03/04-58	Letter of Caution
03/04-61	Letter of Caution
03/04-62	Letter of Caution
03/04-63	Letter of Caution
03/04-64	Letter of Caution
2004-1	Letter of Caution
2004-5	Dismissal
2004-7	Letter of Caution
2004-8	Dismissal
2004-9	Letter of Caution
2004-10	Letter of Caution

Motion by Caban, Second by Matthews: To change the IRC recommendation from Letter of Caution to Dismissal in Case No. 03/04 – 56. Motion carried.

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

Case No.	Board Action
03/04-47	Formal Complaint and Notice of Hearing
03/04-57	Formal Complaint and Notice of Hearing
03/04-59	Formal Complaint and Notice of Hearing
2004-3	Formal Complaint and Notice of Hearing
2004-6	Formal Complaint and Notice of Hearing

Minutes: Motion by Caban, Second by Browning: To accept the **Minutes** of the May 12, 2004. Motion carried.

Building Official Manual Draft. Member Browning will send the Board an updated draft of the Building Official Manual by e-mail for review and comments. Browning asks that any changes to the manual be sent to him by e-mail. Browning will have a copy of the final draft ready for review at the November meeting. Administrator Simpson noted there might be restrictions on printing

publications such as the building official manual in the future. LLR wants these types of publications to be available for download on the Internet. The Board strongly opposed the possibility of not printing Board Law/Regulations for distribution to the Architects and Building Officials.

Architects sealing Consultants Plans: Chair Ward was contacted by the Office of School Facilities (OSF) regarding their policy on drawings submitted to their office with consultants drawings attached (i.e., kitchen equipment and roof systems drawings) which were signed/sealed by an architect. If the plans show the system's layout, plumbing, electrical, HVAC or roofing and an architect signs those drawings, OSF will submit a complaint against the architect for practicing without an Engineering license. OSF asked if the Board would caution Architects that if their seals/signatures are on any drawings that show plumbing, electrical, HVAC or roofing details that were supplied by a consultant, they would turn the plans into the Board. Administrator Simpson will contact Alex James, Director, Office of School Facilities, for clarification on this matter. Member Browning will write an article for the May 2005 Newsletter regarding architects sealing consultant's plans.

Pro Bono Work: The Board received an inquiry asking if CE credit is acceptable for "pro bono" work? It was unanimously agreed that the Board would not give continuing education credit for "pro bono" work.

Electronic Transmission Act: Rick Wilson informed the Board that the Governor signed into law the Uniform Electronic Transmission Act in July 2004. Since current Board Laws/Regulations do not require electronic seals/signatures, the Board is at liberty to accept or reject electronic transmission. In an effort to obtain more information regarding electronic transmissions (i.e., encrypted signatures/seals), the Board asked Administrator Simpson to add that item to the next Advisory Committee for discussion at their meeting in September. Administrator Simpson will survey the Member Boards to see which Boards allow electronic seals/signatures and how their Laws/Regulations address electronic transmissions. This item will be carried over to the November meeting.

The Board recessed for lunch.

Contractors' Licensing Board – Foreign Language Exams: The Board received a request for comments from the Contractors' Licensing Board regarding administering technical examinations in a language other than English. Member Ward stated that the Architectural Board strongly urges that all U.S.-based licensing exams be restricted to English only. (To the best of his knowledge, English is the only recognized language in the United States and is the only language utilized on U.S. construction projects.) Responsibilities of the architect are to protect the health, welfare and safety of the public. The highly technical aspects of the design and construction industries make it imperative that communication between all parties be clear, concise and understood. A mixture of spoken primary languages will make it difficult to maintain the standards expected of the respective professions. Furthermore, anyone who designates English as their SECOND language should demonstrate proficiency and thorough communications skills in English prior to licensure.

Application Hearing: Ansley Manuel appeared before the Board with Counsel, Timothy G. Quinn, Esq., regarding her Application for a License by Examination. A court reporter was present during this appearance.

Motion by Caban, Second by Matthews: To approve Ansley Manuel's application for licensure. Motion carried. Mrs. Manuel was strongly urged to become familiar with the S.C. Architectural Registration Law.

NCARB Rolling Window: At NCARB's 2004 Annual Meeting, a majority of Council Member Boards passed a resolution officially creating a "rolling clock" standard for the Architect Registration Examination (ARE). Under the terms of the rolling clock, which will be officially implemented on January 1, 2006, candidates for the ARE must pass the nine-division exam within five years. The Chauncey Group International, the Council's test development and operations consultant for the ARE, also supports the rolling clock, suggesting that it is psychometrically appropriate especially as the exam continues to evolve. The Board will work toward updating the S.C. Architectural Laws/Regulations as they relate to the rolling clock.

Examination on State Law: On January 7, 2003, Administrator Simpson signed a Memorandum of Understanding with Professional Development Partners (Jeff Kinney, President) for creation of a test on South Carolina Architecture statutes and regulations. This test was offered by PDP on its website to all S.C. registrants for continuing education credit. Administrator Simpson informed the Board that this test is no longer available since PDP dissolved. Administrator Simpson will contact Mr. Kinney to ask if the Board may obtain the rights for this test and if so, will check with AIA/SC about their interest, if any, in using this test for continuing education credits.

Advisory Committee Meeting: At the May 2004 Board meeting, 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 Advisory Committee met on August 11, 2004, in the Board office. Chairman Ward reviewed the items that were discussed and stated that he believed the first meeting was a success. Additional issues will be discussed in further detail at the September 28th Advisory Committee Meeting.

NCARB Annual Meeting:

- ?? Jane Frederick was elected Chair of the Region.
- ?? Attendance was down due to various travel restrictions.
- ?? Resolutions, which were voted on, were distributed to the Board.
- ?? 2005 Regional meeting will be held in Memphis, Tennessee.
- ?? 2005 Annual meeting will be held in Miami, Florida.
- ?? 2005 Educator's conference will be held in Atlanta, Georgia.

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

Administrator's Report

Licensure statistics – As of September 7, 2004:

- ?? 923 in-state architects
- ?? 2186 out-of-state architects
- ?? 38 Emeritus in-state architects
- ?? 16 Emeritus out-of-state architects
- ?? 1064 firms

Renewal Process

This renewal period ending June 30, 2004, was the first time the Board offered the option of renewing individual licenses online with a credit card. Approximately 500 architects took advantage of the option; the process generally went smoothly and the board received positive comments. There were technical glitches that were corrected on a case-by-case basis. Everyone was patient and seemed appreciative of the relative ease of online renewals. LLR plans on discontinuing use of the state's OIS system as a clearinghouse for credit card payments, a move that could alleviate some of the problems we had this year.

Newly Formed Investigative Unit

The transition to the new Investigative Unit is proceeding. Todd Bond moved to the Unit on July 1 and has assumed some investigative duties for the Board of Engineers and Land Surveyors in addition to Board of Architecture investigations. Charles Ido is mentoring him in this cross training. The Administrator and support staff are assuming new administrative and tracking responsibilities as a result of this reorganization.

Board of Engineers and Land Surveyors

Administrator Simpson will assume additional responsibilities as Administrator of the Board of Engineers and Land Surveyors on September 17, 2004.

{end of Administrator's Report}

Opening on Investigative Review Committee: Louis P. Batson has relinquished his position on the Investigative Review Committee, effective immediately. Mr. Batson thanked the Board for the opportunity to serve in this capacity. The Board asked Administrator Simpson to look into the possibility of creating a plaque for Mr. Batson for his service to the Board as an IRC member. Administrator Simpson spoke with Steve Usry, former member of the Board, who stated that he would be willing to serve as a member of the IRC.

Motion by Matthews, Second by Caban: To appoint Steve Usry, Architect, to serve on the IRC.
Motion Carried.

There being no further business, the Board Meeting adjourned at 3:30 p.m.
Respectfully Submitted,

Jose R. Caban, Secretary