

STATE BOARD OF ARCHITECTURAL EXAMINERS

BOARD MEETING MINUTES

January 24, 2006

Suite 202-02, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened January 24, 2005, in Columbia, South Carolina. Chairman Ward called the meeting to order at 9:30 a.m. The following attended the meeting:

Dennis S. Ward	Chairman
Jose Caban	Vice-Chair
Stokes Browning	Secretary
W. Barry Jenkins	Member
Stephen Russell	Member
Tom Johnson	Public Member
Jan B. Simpson	Administrator
Todd Bond	Investigator
Alice D. Richardson	Administrative Assistant

Member Johnson joined the meeting at 10:20 a.m.

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 Jenkins, Second by Caban: To accept the **Minutes** of the November 15, 2005 meeting. Motion carried.

Violations Report:

Motion by Stokes, Second by Russell: To accept the IRC recommendations on the following cases. Motion carried.

Case No. 2004-23 Dismiss
Case No. 2005-30 Dismiss

Motion by Stokes, Second by Russell to send Case No. 2005-28 back to the IRC for further review/consideration for the use of the word "Architecture" on the letterhead of the firm practicing urban planning.

The following cases were reviewed by the IRC and will go forward with issuance of a Formal Complaint.

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Case No. 2004-12
Case No. 2005-34

Exam Candidate – Motion by Russell, Second by Browning: To approve the following person to begin taking the Architect Registration Examination. Motion carried.

Laura Altman

Motion by Russell, Second by Browning: To approve Charles Stone to begin taking the Architect Registration by Examination after July 7, 2006. Mr. Stone enrolled in IDP on July 7, 2005. Per Board Regulation 11-16 (2), an NCARB Council Record must be initiated by the applicant in writing at least one (1) year prior to application to take the examination.

CE Event with Rutland Center for Ethics – In June 2000, April 2002 and April 2003, the Board co-sponsored with Clemson University an Ethics Workshop for continuing education credits. Based on the evaluations, these Workshops were a huge success. At the November 2005 Board Meeting the Board reviewed and approved the proposal submitted by Dan Wueste, Ph.D., to hold another “Professional Ethics in Architecture” Workshop in 2006 and also agreed to financially support the workshops.

Motion by Jenkins, Second by Russell: To providing funding in the amount of \$7800 to cover the “shortfall” of funding for the Workshop. Dr. Wueste will be informed that if he sees that the “shortfall” will be greater than \$7800, he must provide a written request for additional funding to be included on the March 21, 2006, meeting agenda. The Board will be responsible for securing eight panelists and providing an electronic database of architects licensed in South Carolina. The Board will forward their panelist suggestions to the Administrator. The Workshops will be held in Charleston on Friday, March 24th and in Greenville on Friday, April 12th. Motion Carried

Prototypical Policy Revision - Members Jenkins and Russell reviewed sister states’ law/regulations and policies as they relate to Prototypical Plans. Based on concerns expressed about life safety issues and conditions unique to SC, they will propose revisions to the current Board policy. They will also review NCARB’s Model Law Policy. This item will be carried over to the March Meeting.

Memorandum of Understanding: The Board reviewed a request submitted by Sandra Moore, Executive Director of the Tennessee Board of Architectural and Engineering Examiners, regarding a formal agreement on the equivalency of the two states’ continuing education requirements. The agreement provides for mutual acceptance of each state’s registrants’ continuing education activities. Motion by Jenkins, Second by Browning: To authorize Jan Simpson to sign the agreement with Tennessee. Motion Carried.

Angie Taylor, Executive Director of AIA/SC, joined the meeting at 11:20 a.m.

Clemson Funding: At the November 2005 Meeting, the Board requested a list of materials the Gunnin Architecture Library intends to purchase, as well as the program for which they are intended so that the Board could determine the amount of funding needed. Gypsey Teague,

Branch Head, Gunnin Architecture Library at Clemson University, submitted to the Board a list of journal subscriptions to be purchased with Board funds in 2006. After review of the items, it appears that items on the list provided are more directly related to construction sciences than to architectural resources. The Board would like the majority of the money to be used in purchasing material directly related to architecture.

Motion by Jenkins, Second by Johnson: To authorize Administrator Simpson to send a letter to Ms. Teague asking that a committee be set up to include architecture faculty members to oversee purchases relating to architecture and submit a new list of materials needed back to the Board. Once the report is received, the Board will then review the list of materials needed to determine the amount of funding needed.

Budget Report: The Board accepted as information the Budget Report as prepared by LLR's Finance division for the period ending November 30, 2005.

Design Build: - Member Browning expressed concerns that architects should take the lead in design build, not construction companies. Owners seek to have projects completed on time with fast results for less money. Browning feels that the construction companies should not be allowed to take the lead since there are no checks and balances. He suggested that the Board work toward requiring architects to provide Construction Administration services on all projects. Browning will investigate Construction Administration and the Administrator will check to see which states require construction administration and forward her finding to him. This item will be carried over to the March meeting.

Electronic Plan Submittals –Administrator Simpson distributed the draft of proposed changes to Regulation 11-11 Seals. The Board proposes to amend regulations interpreting the provisions of South Carolina Code Section 40-3-280 to recognize the impact of the Uniform Electronic Transactions Act (2004 Act No. 279) on the transfer of professional documents in this state and to clarify the professional responsibility of licensed architects to take appropriate security measures to prevent the misuse of sealed documents when transferred to the control of another person. Member Jenkins asked to include the following amendment to the regulation: “(2) Design documents may be encrypted or transmitted as an image file in such a manner that the seal cannot be separated or removed therefrom.” The Board approved the proposed revisions.

After the appropriate publications in the State Register and LLR review, the bill will be submitted to the Legislature for action during the 2006 session, or for approval by no action after 120 calendar days, which will be sometime in 2007.

Below are the proposed changes to Regulation 11-11 Seals.

Regulation 11-11. Seals.

(A) The ~~personal~~ seal and signature of the architect in responsible charge and the architectural firm's seal shall appear on all architectural documents to be filed for public record and shall be construed to obligate the architect and the firm. A firm seal alone is insufficient; documents shall be signed ~~personally~~ and sealed by the responsible architect. Record documents used for obtaining

building permits (not tracings, etc.) shall be so signed. The signing and sealing of the index sheet(s) or the title page of specifications or the electronic equivalent shall be considered adequate. The seal and signature of the architect in responsible charge may be in electronic format.

- (1) The term "signature," as used herein shall mean a handwritten identification containing the name of the person who applied it; or for electronic or digital documents shall mean an electronic authentication process attached to or logically associated with the document. The digital signature must be unique to, and under the sole control of the person using it; it must also be capable of verification and be linked to a document in such manner that the digital signature is invalidated if any data on the document are altered.
- (2) Design documents may be encrypted or transmitted as an image file in such a manner that the seal cannot be separated or removed there from.
- (3) Documents without an electronic signature or authentication process that are transmitted electronically shall have the seal removed and the following inserted in its place: "This media should not be considered a certified document."

B. An architect shall not affix, or permit to be affixed, the architect's seal or name to any plans, specifications, drawings, or other related documents which were not prepared by the architect or under the architect's direct responsible charge. Architects shall not use their seal or perform any other service as an architect unless holding at the time a current Certificate of Registration.

C. Description of Registrant's Seal. The seal shall be circular in shape and 1 3/4 inches in diameter. Concentric with the outside of the seal there shall be a circle 1 3/16 inches in diameter; in the annular space between the circle and the outside of the seal shall be the words "State of South Carolina" at the top and "Registered Architect" at the bottom. The name of only one (1) architect, business location, and registration number shall be placed within the inner circle.

D. Description of Firm Seals. The seal shall be circular in shape and 1 3/4 inches in diameter. Concentric with the outside of the seal there shall be a circle 1 3/16 inches in diameter; in the annular space between the circle and the outside of the seal shall be the words "State of South Carolina" at the top and "Registered Architects" at the bottom. The name, business location, and license number of the firm shall be placed within the inner circle.

Administrator's Report:

License Statistics as of January 19, 2005.

Number of Active Credentials by Prefix and Subcategory Board: Board of Architectural Examiners as of 1/19/2006 Query Report: 517		
credential	description	count
AR .EI	Emeritus In-State Individual	37
AR .EO	Emeritus Out-of-State Individual	19
AR .I	In-State Individual	982

Number of Active Credentials by Prefix and Subcategory Board: Board of Architectural Examiners as of 1/19/2006 Query Report: 517		
credential	description	count
AR .O	Out-of-State Individual	2559
ARA.	Partnership Firm	22
ARB.	Business Corporation Firm	225
ARC.	Professional Association Firm	94
ARD.	Sole Proprietor Firm	36
ARF.	Firms	721
subtotal		4695

{End of Administrator's Report}

Region 3 Meeting Update: The Board will host the 2006 SC/NCARB Regional Meeting on March 1-5, 2006, in Charleston, SC. Administrator Simpson discussed with the Board items that may be included in the gift bags for delegates. Chairman Ward requested that a special gift be presented to the Regional Chairs and Regional Directors. Administrator Simpson reminded the Board of the January 30th deadline to make hotel reservations and the February 6th registration deadline. The Board was also reminded that they are responsible for making their own reservations.

Good Samaritan Law: With the massive destruction caused by Hurricane Katrina in 2005 on the coasts of Alabama, Louisiana and Mississippi, development of a Good Samaritan Law to help safeguard the welfare and safety of the public will be discussed at the 2006 Region 3 Meeting in Charleston, SC. This Board unanimously agreed to wait until after the regional meeting to discuss adoption of a Good Samaritan Law. The Board accepted this as information.

NCARB Committee Activities:

- ?? Member Jenkins will attend the IDP Committee Meeting in Arizona and the IDP Coordinators Meeting in Washington, DC in February.
- ?? The new "rolling clock" standard for the Architect Registration Examination (ARE) became effective January 1, 2006. Candidates for the ARE must pass the nine-division exam within five years.
- ?? An updated version of the computer-based ARE will begin **February 27, 2006**.

NCARB Committee Assignments: Administrator Simpson reminded the Board of the February 3rd deadline for submitting committee assignment requests.

AIA Continuing Education Provider: Administrator Simpson reported that IRC Member Stephen Usry asked if the Board would look into the possibility of becoming an AIA approved CE provider. Since the Board gives IRC members CE credit for attending IRC Meetings, Mr. Usry

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was concerned that the credit would not be recognized out-of-state if the CE was not AIA approved. The Board asked Administrator Simpson to look into the possibility of becoming an AIA CE provider and report back to the Board in March.

The Board was reminded of the **Board Member Forum** sponsored by LLR on Friday, February 17, 2006, at the Fire Academy- Denny Auditorium, from 9 a.m. - 1 p.m.

The Board was reminded to submit annual reports to the SC Ethics Commission by April 15, 2006.

There being no further business, the Board Meeting adjourned at 1:30 p.m.

Respectfully Submitted,

Victor Stokes Browning, Secretary