

STATE BOARD OF ARCHITECTURAL EXAMINERS

BOARD MEETING MINUTES

September 19, 2006

Suite 111, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened September 19, 2006, in Columbia, South Carolina. Vice-Chair Jose Caban called the meeting to order at 9:45 a.m. The following attended the meeting:

Jose Caban	Vice-Chair
Stokes Browning	Secretary
Dennis S. Ward	Member
Stephen Russell	Member
Tom Johnson	Member
Jan B. Simpson	Administrator
Todd Bond	Investigator
Alice D. Richardson	Administrative Assistant
Sharon Dantzler, Esq.	LLR Advice Counsel

Chairman W. Barry Jenkins notified the Administrator in advance that he 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 Caban, Second by Ward: To accept the **Minutes** of the May 23, 2006, meeting. Motion carried.

Vice-Chair Caban welcomed Thom Penney, AIA, to the meeting.

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

Sabrina Cochran, Adam Rohaly, Julie Nelson, Tammy Thompson, Jehan Yassin and Roberta Marty Patterson

Ethics-Related Inquiry: Thom Penney, AIA, asked for guidance from the Board regarding Regulation 11-12(D)(2) as it relates to the prohibition of gifts made with the intent to influence the judgment of an existing or prospective client. There was discussion regarding ethical considerations and the appearance of such gifts made by architects or architectural firms. Mr.

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Penney asked for guidance in determining when gifts are made with no intent to influence anyone's judgment, such as gifts made by alumni to schools or to worthy community activities or fundraisers. Vice-Chair Caban suggested hold an Ethics Workshop focusing entirely on ethical issues as they relate to community service, donations, pro bono work, etc. Member Russell volunteered to work with staff on this issue. This item will be carried over to the November meeting for further discussion. Mr. Penney was invited to attend the November meeting and/or send a representative from his firm.

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

AIA/SC and OFS CE Workshop: The South Carolina American Institute of Architects (AIA/SC) and the Office of School Facilities (OFS) will offer a one-time Workshop November 14, 2006 in Columbia on the 2006 IBC/IEBC Update which will award 6 hours of HSW credits for architects and .6 CEU's for engineering. AIA/SC and OSF requested the Board consider funding the cost of the materials and the ICC speaker for this Workshop. Motion by Ward, Second by Stokes, to provide funding, not to exceed \$5000 for this seminar. Motion carried.

Violations Report:

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

Case Number	Action
2006-4	Dismiss
2006-22	Dismiss
2006-25	Dismiss
2005-16	Dismiss – Cease and Desist
2005-36	Dismiss – Cease and Desist
2006-8	Dismiss – Cease and Desist
2006-9	Dismiss – Cease and Desist
2006-10	Dismiss – Cease and Desist
2006-11	Dismiss – Cease and Desist
2006-12	Letter of Caution
2006-13	Letter of Caution
2006-14	Letter of Caution
2006-15	Letter of Caution
2006-16	Letter of Caution
2006-17	Letter of Caution
2006-18	Letter of Caution
2006-19	Letter of Caution
2006-23	Letter of Caution
2006-24	Letter of Caution
2006-26	Letter of Caution
2006-27	Letter of Caution
2006-28	Letter of Caution

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2006-29	Letter of Caution
2006-30	Letter of Caution
2006-31	Letter of Caution
2006-33	Letter of Caution

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

Case No. 2005-17

Case No. 2006-6

Members of the Board again expressed concern regarding limited information and resources when making formal decisions regarding IRC recommendations. Sharon Dantzler noted that once a case is closed by the board, members of the Board may review anything within that file. Administrator Simpson suggested that if the Board would like to review closed cases, she could set up an Executive Session meeting with various types of cases the Board could review. The IRC members could be present in order to give reasoning on why decisions were made. The Board agreed to think about that option.

NCARB Annual Meeting Update: Member Ward stated it was an informative meeting. Resolutions carried over to 2007 included adding a Member Board Executive (MBE) to the NCARB Board of Directors and ARE/IDP sequencing. The Board accepted this as information.

Budget Report: The Board accepted as information the budget report for the period ending July 31, 2006:

Administrator's Report:

License Statistics as of 9/8/06

Architects	In-state	977
	Emeritus	48
	Out of State	2412

Total: 3437

Firms 1138

Cease & Desist Orders

LLR's Office of Investigations and Enforcement has asked that Administrators issue Cease and Desist Orders when they believe an unlicensed person is practicing engineering or surveying. C&Ds will not be issued by OIE.

Emerging Professionals Committee and Board – Seminar

The Board partnered with the AIA/SC's Emerging Professionals Committee to co-host a seminar in the LLR office building on August 18, 2006. Simpson presented for one hour on the topic of "implications of licensure" which focused on Regulation 11-12, Professional Code of Ethics.

Copies of the law/regulations were distributed to each participant along with AIA's Code of Ethics. The importance of licensure was discussed along with making ethical decisions. Mike Hallasy of O'Neal, Inc in Greenville led a training session on 2003 IBC Fundamentals. Approximately 40 interns and a few licensed architects and engineers attended. The Board provided the meeting space; members of the EP Committee did an excellent job of marketing the event, completely rearranging the room, providing lunch and break food, and distributing attendance Certificates. It was a good event and everyone expressed appreciation for the free meeting space which allowed the registration fee to be \$30 for AIA members and \$40 for non-members.

{End of Administrator's Report}

EESA Evaluation of Transcripts: Administrator Simpson informed the Board that the cost for evaluations of foreign degree transcripts by Education Evaluation Services for Architects (EESA) may increase from \$800 to \$1400. She also noted that since EESA has no computer database, processing of these evaluations takes approximately 9-12 months to process. The Board accepted this as information.

Continuing Education Audits: Staff member Richardson reported the following:

- Approximately 60 individuals were audited for compliance with CE requirements for individual renewal.
- Two individual have not responded and were issued Cease and Desist Orders and proposed Consent Agreements
- Partial credits were disallowed for one individual. He has 180 days to make up the disallowed credit.
- All other individuals who were audited submitted acceptable documentation.

The Board recessed for lunch.

Education and Research Fund: Administrator Simpson asked the Board to draft guidelines for the use of the money in this account. The Board agreed to think about options and report back at the November meeting.

Changes to the Statutes: Administrator Simpson asked the Board to review the Laws and Regulations of the Board and to identify items that need updating and/or clarification. The Board will report their findings at the November meeting.

Construction Administration: There was extended discussion regarding the hazards and potential negative impact of not requiring Construction Administration services to be provided by licensed architects. A chart compiled in January 2006 of other states' requirements was reviewed again. Administrator Simpson will contact all states that currently mandate Construction Administration services by architects (or engineers) to obtain statutory language and ask about strategies for passing such a law. Members Russell and Browning will use this information to draft language for mandating that Contract Administration services be provided by licensed South Carolina Architects. This item will be carried over to the November meeting.

Special Inspections Legislation: Leslie Hope, Director, SC Building Division, Carolinas AGC, joined the meeting to discuss legislation regarding special inspections. Mrs. Hope informed the Board that this legislation will have no impact on the current requirements of Chapter 17 of the International Building Code (IBC). It will establish a statewide registry of individuals qualified to provide special inspections the registry will be maintained by the SC Building Codes Council. Licensed South Carolina Architects and Engineers are exempt from registering as Special Inspectors since the Building Codes Council has no authority to discipline them. The Board will send a statement of support regarding this legislation. This item will be carried over to the November meeting.

Expert Witnesses: The Board accepted as information the South Carolina Supreme Court's August 2006 opinion that expert witnesses testifying in South Carolina courts are not required to obtain a South Carolina license to testify. The opinion was issued as part of the justices' ruling in the matter of J.T. Baggerly v. CSX Transportation, Inc., and others.

There being no further business, the Board Meeting adjourned at 2:45 p.m.

Respectfully Submitted,

Victor Stokes Browning, Secretary