

+STATE BOARD OF ARCHITECTURAL EXAMINERS

BOARD MEETING MINUTES

November 13, 2007

Suite 111, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened November 13, 2007, in Columbia, South Carolina. Chairman Stephen Russell called the meeting to order at 11:00 a.m. The following persons attended the meeting:

Stephen Russell	Chairman
W. Barry Jenkins	Vice-Chair
Dennis Ward	Member
Thomas Johnson	Member
Jose Caban	Member
Jan B. Simpson	Administrator
Alice Richardson	Administrative Assistant
Todd Bond	Investigator
Melissa Jones	Program Assistant

Angie Taylor, Executive Director, AIA/SC, attended the meeting.

Member Stokes Browning notified the Administrator in advance that he would be unable to attend the meeting.

Sharon Dantzler, Esq., Advice Counsel, joined the meeting after lunch.

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 Ward, Second by Caban: To accept the **Minutes** of the September 11, 2007, meeting. Motion carried.

Violations Report:

Motion by Jenkins, Second by Caban: To accept the IRC recommendations on the following cases. Motion carried.

Case No.	Action
2007-10	Formal Complaint
2006-45	Letter of Caution

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

Paige McCord, Jonathan Garvin, Jennifer Hurst, William Connell, Anthony Paiano, Joseph Manganelli & Mathew Reed

Proposed Changes to Regulation 40-3-290 – The Board deferred action until after lunch in order to get advice from Sharon Dantzler, Esq., Advice Counsel.

IRC Committee Review – Non-agenda item. Member Russell brought up the State of Arizona concept for a pool of approved architects to serve on IRC in lieu of or in addition to sitting Board member participation. Executive Simpson noted that the Arizona IRC is recognized nationally and has been used as a model in various presentations about IRC structure. It was recommended that some of this information on Arizona’s IRC be reviewed as this Board addresses possible IRC restructuring. Member Jenkins will draft a proposal regarding the IRC Composition to be discussed at the January meeting.

Incidental Practice Policy – The Board agreed that they did not want to revisit this policy. The policy will remain as written.

Parameters for Initial Applications and Reinstatements - Administrator Simpson discussed with the Board parameters for handling initial applications and reinstatements of architectural licenses that have indicated disciplinary action taken by another board. Motion by Jenkins, Second by Ward: To approve the attached “Parameters for Initial Applications and Reinstatements”. Motion carried.

The Board recessed for a brief catered lunch.

Proposed Changes to the Regulation 40-3-290 – The Board discussed changes to Section 40-3-290. Motion by Jenkins, Second by Ward: To keep the language as written but to amend the reference to the Standard Building Code. Motion carried. Sharon Dantzler and Jan Simpson will work on rewording the amendment. Attached is a copy of the amended section.

Inquiry from Sheila McMillan – Jan Simpson received an e-mail from Sheila McMillan regarding interpretation of Section 40-3-290. Motion by Jenkins, Second by Ward: To decline to address this issue since it is outside of the Board’s authority. Motion carried.

Professional Community Services – Angie Taylor, Executive Director of AIA/SC, informed the Board that AIA members are now permitted to request by self reporting 2 hours of CE per calendar year for Professional Community Services. This service is not eligible for health, safety and welfare (HSW) credit. The Board unanimously agreed to accept these credits since the Board accepts the AIA transcript for CE compliance. The Board reminded Mrs. Taylor that Regulations are currently in the process to be amended to require all CE credits to be in topics related to HSW.

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Member Jenkins voiced concerns regarding how AIA and other sponsors of CE events determine which courses are designated as HSW and asked the staff to research this issue. Mrs. Taylor stated that AIA has a form that sponsors must complete for courses to be designated as HSW. Jenkins also asked staff to research which states require "special courses" in addition to the required CE needed for renewal of licenses. This item will be carried over to the January meeting.

Budget Report: The Board accepted as information the budget report for the period ending September 30, 2007.

Administrator's Report:

Key to chart below:

- AR.I-- licensed individual, resident of SC
- AR.O -- licensed individual, out-of-state resident
- EI -- Emeritus, in-state resident
- EO -- Emeritus, out-of-state resident

Number of Credentials by Prefix (Subcategory, status, Exp Date)
 Board: Board of Architectural Examiners
 Period: 06/30/2008 to 06/30/2008
 as of 11/8/2007
 Query Report: 1712

Prefix / Subcategory	Status	Count
AR.EI	ACTIVE	31
AR.EO	ACTIVE	10
AR.I	ACTIVE	992
AR.O	ACTIVE	2515
subtotal		3548

4 items

Number of Credentials by Prefix (Subcategory, status, Exp Date)
 Board: Board of Architectural Examiners
 Period: 12/31/2007 to 12/31/2007
 as of 11/8/2007
 Query Report: 1712

Prefix / Subcategory	Status	Count
ARA.	ACTIVE IN RENEWAL	20
ARB.	ACTIVE IN RENEWAL	216
ARC.	ACTIVE IN RENEWAL	95
ARD.	ACTIVE IN RENEWAL	32
ARF.	ACTIVE IN RENEWAL	841
subtotal		1204

5 items

MBE Meeting

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Simpson attended the annual Member Board Executives (MBE) meeting hosted by NCARB in Pentagon City, VA, Nov. 2-3. At that meeting, Cindy McKim, Executive Director of the Alabama Board of Architects, was elected to serve on the NCARB Board. Her election will be ratified at the NCARB Annual Meeting in June 2008, and her service will begin at that time. This year, she serves as a guest member of the Board.

Simpson presented on "Outreach" at the meeting, highlighting activities of the SC Board as well as outreach ideas from other state boards. Outreach efforts are increasingly being focused on the public, particularly with brochures placed in permitting offices and Consumer Affairs offices.

When NCARB asked for a show of hands of states planning to allow concurrent IDP and ARE, the majority of the 38 states represented indicated they are taking steps to allow it.

National Passport

Vice-President Gordy Mills is proposing a National Passport for ease of licensure across jurisdictions, but the proposal has not received support from the MBE's. Several issues are unclear: how it differs from the NCARB Certificate, how NCARB would pay for the service without charging a fee (which he proposes), how states would NOT see a reduction in fees as he proposes, and how it would affect the sovereignty of boards in each state. Mr. Mills will clarify the issues and provide additional information.

NCARB Services

New personnel, new procedures, and different staff alignment have resulted in better customer service by NCARB. Interns have expanded access to their files, the application is only available online (reducing data entry errors and time), and free exam study guides will be downloadable in January 2008. A consultant's mapping of paperflow resulted in realignment of duties and flow, speeding the Record evaluation and Certification process. While Board member Russell might disagree that the process is faster, they claim it is!

Direct Connection

The recent edition contains an article about Luke Jarrett, 1999 graduate of Clemson, about "Taking Control of your Internship." He interns under the supervision of Sandy Byers at Byers Design Group in Charleston.

The same edition of DC contains a mini-monograph, "The Hidden Risks of Green Buildings: Avoiding Moisture and Mold Problems," which offers Record Holders one CE credit in health, safety and welfare after successful completion of the online quiz and payment of \$35.00. Each edition of DC will contain a mini-monograph offering one or two CE hours of credit.

{End of Administrator's Report}

Board Chair's Conference – Member Russell attended the Board Chairs' Conference in Memphis, TN, in October. Based on his personal experience, Member Russell disputed NCARB's claim that the turn-around time for NCARB Certification was 118 days; his own Certificate application took 357 days. He also noted that his observation to the group was that NCARB should consider focusing on customer service and issues related to their current constituent group

rather than attempting to expand their services through additional goals or expanded mission. The Board accepted this as information.

Report on ARE – Member Ward informed the Board that the release date for the 4.0 examination is July 2008. The number of divisions has been reduced from 9 to 7 with all divisions having graphic vignettes. The examination is more “practice based”. The current ARE 3.1 will be extended for an additional year so that examinees currently taking 3.1 will have an additional year to finish. The board accepted this as information.

Funding Request – AIA Legal Seminar: Angie Taylor, Executive Director of AIA/SC, asked the Board if they would serve as co-sponsors for a seminar on Contract Documents. She stated that AIA will be holding a number of seminars in the future and may ask for some funding at a later date. The Board unanimously agreed to serve as a co-sponsor. The Board will provide a mailing list to AIA for the seminar.

Non-Agenda item - Simpson will work with staff to draft Parameters for Reinstatements for Examination applications to be approved at the January meeting. Occasionally staff will receive reinstatement applications from licensees where initial license was obtained by passing the ARE in South Carolina and never received licensure in any other jurisdictions.

There being no further business, the meeting adjourned at 2:55 p.m.

Respectfully submitted,

W. Barry Jenkins
Vice Chair

Parameters for Initial Applications and Reinstatements for the Board of Architects

ID	Categories	Sanction - 1st offense	Sanction - 2nd offense
1	Unlicensed Practice	Consent Agreement, Public reprimand, and possible fine. (<i>Consider duration of unlicensed period and number of projects.</i>)	Hearing
2	Firm sanctioned but employee was not a part of the sanction	No action	No action
3	Firm sanctioned and principal was part of the sanction	Letter of Caution	Consent Agreement, Public reprimand, and possible fine
4	Consent Agreement or Order issued by another state	Letter of Caution or possible Consent Agreement	Consent Agreement, Public reprimand, and possible fine
5	License "suspended" by another state for non compliance with CE requirements	Letter of Caution	Consent Agreement, Public reprimand, possible fine and proof of CE for SC or add name to audit list
6	Misrepresenting information on application	Consent Agreement, Public reprimand, and possible fine	Hearing

Tuesday, November 13, 2007 - Adopted

SECTION 40-3-290. Exceptions from coverage of chapter.

(A) Nothing in this chapter prohibits a general contractor or a home builder from the preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions used to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirements of this chapter.

(B) Nothing in this chapter prevents or affects the practice of any other legally recognized profession provided the licensee is practicing within the scope of the license. Nothing in this chapter prevents or affects the practice of engineering, as defined by the South Carolina Code of Laws, or architectural work incidental to the practice of engineering.

(C) ~~If the drawings and specifications are signed by the authors with the true title of their occupations, this chapter does not apply to the preparations of plans and specifications for;~~ Buildings that do not require the services of an architect include, but are not limited to, the following:

(1) a building which is to be used for farm purposes only, including barns, silos, sheds, or housing for farm equipment and machinery, livestock, poultry or storage, if such structures are designed to be occupied by no more than 10 persons;

(2) a building less than three stories high and containing less ~~fewer~~ than five thousand square feet of total floor area. However, if such building is classified as an assembly, institutional, education, or hazardous occupancy as defined by the state-adopted building code, it will require the services of an architect regardless of size; ~~except buildings of assembly, institutional, educational, and hazardous occupancies as defined by the Standard Building Code, regardless of area;~~

(3) a detached single-family or two-family dwelling, as defined by the state-adopted building code, and any accessory buildings incidental thereto, regardless of size, unless an architect is otherwise required by law or by the building authority having jurisdiction over the project. ~~in Group R3 of the Standard Building Code, regardless of size, with each unit having a grade level exit and sheds, storage buildings, and garages incidental to the dwelling;~~

(4) ~~alterations to a building to which this chapter does not apply, if the alterations do not increase the areas and capacities beyond the limits of this chapter or affect the structural safety of the building.~~

(D) Alterations and renovations to buildings not named above do not require the services of an architect, unless the alterations increase the areas and capacities beyond the exempt limits of this chapter, affect the structural safety of the building, or change the building's access or exit pattern. If the use of the building changes to become one not covered by an exemption, services of an architect are required. If a previously non-exempt building is converted to an exempt use, the services of an architect are not required. ~~Nothing in this chapter prevents or affects the practice of engineering, as defined in Chapter 22 of Title 40, or architectural work incidental to the practice of engineering.~~