

# STATE BOARD OF ARCHITECTURAL EXAMINERS

## BOARD MEETING MINUTES

May 7, 2008

Suite 111, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened May 7, 2008, in Columbia, South Carolina. Chairman Stephen Russell called the meeting to order at 9:15 a.m. The following persons attended the meeting:

Stephen Russell	Chairman
W. Barry Jenkins	Vice-Chair
Stokes Browning	Secretary
Dennis Ward	Member
Jose Caban	Member
Thomas Johnson	Public Member
Sharon Dantzler	Advice Counsel
Jan B. Simpson	Administrator
Alice Richardson	Administrative Assistant
Melissa Jones	Program Assistant
Todd Bond	Investigator

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.

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

**Minutes:** Motion by Ward, Second by Jenkins: To accept the **Minutes** of the March 18, 2008, meeting. Motion carried.

**Election of Officers:** The following persons were unanimously elected to serve as officers of the Board, effective July 1, 2008, through July 1, 2009.

Stephen Russell, Chair  
W. Barry Jenkins, Vice-Chair  
Stokes Browning, Secretary

Stephen Russell encouraged the members of the Board to submit letters to the Governor if they have an interest in continuing to serve on the Board.

The meeting recessed for an Application **Hearing** in the matter concerning **Christopher Schlechte**.

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Motion by Jenkins, Second by Ward: To approve **Mr. Schlechte's** application to reinstate his license. Motion carried.

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

- **Matthew King, Edward Emerson, Kelley Hubbard, Joellen Pahs, Seth Cantley, Jeremy Tate, Donald Butler, Jr., Thomas Croft, Jr., David Sickinger and Whitney Alcott**

#### **Violations Report:**

The Board accepted as information the IRC recommendation on the following cases.

<b>Case No.</b>	<b>Action</b>
2008-4	Dismiss
2008-3	Dismiss; issue Cease & Desist Order
2007-5	Formal Complaint
2007-12	Formal Complaint
2008-1	Formal Complaint
2008-2	Formal Complaint

**Memorandum of Understanding – Tennessee Board of Architects:** In January 2006 the Board approved 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 provided for mutual acceptance of each state's registrants' continuing education activities. After further review of the memorandum, it came to light that it states the Board would not audit continuing education credits for Tennessee registrants. Since the Board does in fact audit credits for those selected, the Board was asked to rescind the memorandum of understanding. Motion by Jenkins, Second by Ward: To rescind the Memorandum of Understanding with the Tennessee Board of Architects. Motion Carried

**IRC Process Review:** At the November meeting, 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. At the January meeting, the Board asked Sharon Dantzler to review the Arizona training guide to determine if there are conflicts with LLR's present IRC procedures and to report back to the Board the steps necessary to adopt a similar guide for IRC training. Dantzler reported to the Board that she has been discussing the Arizona process with individuals in her department and will be attending a meeting next month regarding this issue. Motion by Russell, Second by Jenkins: To ask Sharon Dantzler to get further input and report her findings to the Board and to invite Lynn Rogers, LLR Chief Counsel, to attend the September meeting to discuss same. Motion Carried. Administrator Simpson noted she did not initiate this review due to the possibility that it would conflict with current LLR policy.

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The meeting recessed for two Application **Hearings** in the matters concerning **William McElroy** and **Addison Gottshalk**.

Motion by Jenkins, Second by Ward: To approve **Mr. McElroy's** application to reinstate his license and issue a non-disciplinary letter of caution in the matter. Motion carried.

Motion by Ward, Second by Jenkins: To approve **Mr. Gottshalk's** application to reinstate his license and issue a non disciplinary letter of caution in the matter. Motion carried.

**2008 NCARB Resolutions:** The final NCARB Resolutions were not received in time for discussion at the meeting. The Board agreed that if the Resolutions are received prior to the Annual Meeting in Pittsburgh, PA, the Board will discuss any concerns by e-mail. The Board unanimously agreed that Dennis Ward will be the voting delegate at the Annual Meeting in Pittsburgh, PA in June. Administrator Simpson will also attend the meeting.

**Interior Design Legislation, H.3918:** No action taken since 3/6/08.

**Architectural Board Statute Revisions H.4783** – House read 3<sup>rd</sup> time; sent to Senate. Senate referred to LCI Committee.

**Expert Witness S.470:** Senate introduced and read 1<sup>st</sup> time. Referred to Committee on Labor, Commerce, and Industry. No action taken.

**H. 4999** to amend section 40-3-290 of the 1976 code, relating to architecture, to add an exemption providing that certain buildings are exempt from the provision requiring that an architect design the building - House introduced and read 1<sup>st</sup> time. Referred to Committee on Labor, Commerce, and Industry. No action taken.

The Board recessed for a **Hearing** in the matters concerning **Thomas E. Mullinax, Jr. and Hospice Design Resources, PLLC**.

Motion by Browning, Second by Caban: That the Respondent pay a fine of Fifteen Hundred Dollars (\$1,500.00) within thirty (30) days from the date of the order. This fine shall not be deemed paid until received by the Board. Failure to pay the fine may prevent the Respondent from being re-licensed. (Attached to the minutes is a signed copy of the Order)

**SC Supreme Court Rules Change Proposed:** The Supreme Court of South Carolina is considering an amendment to Rule 16 & 26 of the South Carolina Rules of Civil and Criminal Procedures to set out criteria for expert witnesses. Motion by Jenkins, Second by Browning: To respond to the call for comments and ask that licensure be added as a qualification for expert witnesses. Administrator Simpson was asked to approach other Boards within LLR for their comments and send as a packet to the Supreme Court. Motion carried.

**Offshore Design Construction Document Services:** Member Jenkins received an e-mail soliciting business by a discount construction document service provider and he questioned the

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legality of these services. A statement will be placed in the October Newsletter regarding outsourced or outsourcing works from remote offices, reminding licensees that the burden of proof would be on the individual or firm to show the work was directly supervised by a licensed architect.

**HSW Definition – Revise policy adopted 2003:** This item will be carried over to the September meeting.

**Direct Registration:** This item will be carried over to the September meeting.

**Budget Report:** The Board accepted as information the budget report for the period ending March 31, 2008.

**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 Active Credentials by Prefix and Subcategory**  
**Board: Board of Architectural Examiners**  
**as of 4/25/2008**  
**Query Report: 517**

credential	description	count
AR .EI	Emeritus In-State Architect	32
AR .EO	Emeritus Out-of-State Architect	10
AR .I	In-State Architect	1017
AR .O	Out-of-State Architect	2649
ARA.	Partnership Firm	18
ARB.	Business Corporation Firm	214
ARC.	Professional Association Firm	95
ARD.	Sole Proprietor Firm	30
ARF.	Firms	857
	<b>subtotal</b>	<b>4922</b>

9 items

Steve Russell and I met with Clemson Architecture students on April 2, 2008, at the invitation of Professor Rob Silance. We talked about the importance of licensure, IDP, the Board, and NCARB. After the program, approximately 90 students signed up for IDP with the fees being paid by this Board.

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Dennis Ward and I were presenters for a workshop on ARE 4.0 at the AIA/SC state convention on April 24, 2008. Twelve interns attended and many had good questions regarding strategies for taking ARE 3.1 versus ARE 4.0. NCARB provided an informative Power Point about the transition.

We need one Board member to assist us when we conduct the Continuing Education audit in August. Submittals that are not clearly defined as HSW may need to be reviewed, and non-standard activities may need to be evaluated. Having one person to help audit will ensure a quorum if the issue eventually goes to a Hearing. Member Jenkins will serve as the CE evaluator if needed.

*{End of Administrator's Report}*

The Board accepted as information the **ARE Score Results Summary for 2007**.

The Board accepted as information the following **report on Consent Agreements and Cease & Desist Orders** as they relate to applications.

Name	CA #	Signed Consent Agreement or Application Withdrawn
April Murray Fisher	CA 001-08	Withdrawn
Crozier Architecture, LLC	CA 002-08	Signed
William E. Wiedower	CA 003-08	Signed
Earl A. Applegate	CA 004-08	Signed

Architects Letters of Caution	
Name	Date Sent
Howard S. Ellman	5/12/2008

**2008 Spring Enrollment IDP – Clemson University:** The Board accepted as information the list of 90 Clemson students in the School of Architecture who enrolled in the Intern Development Program (IDP) following the meeting with Steve Russell and Jan Simpson on April 2. The amount paid by the Board for enrollment fees for fourth-year students and the full IDP fee for graduate students was \$9740.00.

**Non-Agenda Item**

Administrator Simpson received the following inquiry from a SC architecture firm and asked the Board for a response.

*We have a new opportunity with a local municipality to perform a study and possibly assist in preparing an RFP. While we have been hired to perform "feasibility studies" in the past with state agencies, we have never been part of the RFP assembly process. We are concerned that if our firm is a part of the RFP*

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*assembly, we will not be able to interview for the forthcoming job. To your knowledge is there any threshold that we should not cross in being a part of this RFP process?*

The Board unanimously agreed that there are statutes or rules for guidance in these types of circumstances. The Board advised that they look closely at Regulation 11-12 (A) Conflict of Interest to determine if they are crossing the line on the issue and to determine if their participation might even be perceived as a conflict of interest.

**2008 Board Meeting Dates:** The Board set the following dates: September 16, 2008, and November 13, 2008

There being no further business, the meeting adjourned at 6:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alice Richardson". A thin horizontal line is drawn under the signature. A long arrow points from the right side of the signature towards the right margin of the page.

Alice Richardson  
Administrative Assistant