

MINUTES
SC Board of Architectural Examiners
Board Meeting
9:30 a.m., November 7, 2018
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 107
Columbia, SC

Meeting Called to Order

J. Sanders Tate, Chairman, called the meeting to order at 9:29 a.m. Other members participating were Charles Muldrow, Amanda Green, Brad Smith, Katherine Schwennsen and Anthony Lawrence.

Staff members participating in this meeting included Lenora Addison-Miles, Administrator; Alice DeBorde, Program Coordinator; Sharon Wolfe and Rodney Pigford, LLR Office of Investigations and Enforcement; and Stacey Hewson, Advice Counsel.

Statement of Public Notice

Mr. Tate announced that public notice of this meeting was properly posted at the S. C. Board of Architectural Examiners office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Approval of the October 24, 2018 Conference Call, Meeting Minutes

Motion: To approve the minutes as submitted. Lawrence/Muldrow/Approved.

Approval of Agenda

Motion: To approve the agenda as submitted. Schwennsen/Muldrow/Approved.

Approval of Excused Absences

No excused absences.

Reports

Office of Investigations and Enforcement Report

From January 1, 2018, to November 2, 2018, a total of 33 cases have been closed and one (1) was a do not open. The Board accepted this as information.

Investigative Review Committee Report

The following IRC Recommendations were submitted to the Board as a result of the October 29, 2018, IRC meeting:

Case No.	Action
2018-7	Formal Complaint
2018-15	Formal Complaint

Motion: To approve IRC recommendations. Schwennsen/Lawrence/Approved.

Office of Disciplinary Counsel Report

As of January 1, 2018, 22 cases have been closed. Seven (7) cases have been opened, five (5) are pending Consent Agreement or Memorandum of Agreement and two (2) are pending board action. The board accepted this as information.

Administrative Report

The director has approved \$10,000 for board travel for FY19. The board accepted this as information.

Financial Reports

The board accepted as information the September **Financial Reports**.

Number of Active Credentials by Prefix and
Subcategory
Board: ARCHITECT
as of 11/6/2018

Credential	Description	Count
AR	Architect	4301
ARA	Partnership Firm	10
ARB	Business Corporation Firm	137
ARC	Professional Association Firm	70
ARD	Sole Proprietor Firm	21
ARF	Firms	1290
	Subt Total	5829

Licensure Statistics – Active licenses as of October 23, 2017

Number of Active Credentials by Prefix and
Subcategory
Board: ARCHITECT
as of 10/23/2017

Credential	Description	Count
AR	Architect	4005
ARA	Partnership Firm	10
ARB	Business Corporation Firm	141
ARC	Professional Association Firm	72
ARD	Sole Proprietor Firm	21
ARF	Firms	1252
	Subt Total	5501

Board Reports

Member Schwennsen reported that out of 39 M/Arch's, all but one enrolled in the AXP. Some are already taking the exam and many have completed the AXP.

Member Lawrence presented the Incidental/Overlapping Practice draft document to the SC Board of Professional Engineers and Surveyors for review and has not heard back from them to date. Administrator Miles informed the board that the SC Board of Professional Engineers and Surveyors rejected the document without further comment. The board suggested that the Joint Task Force get together again for a meeting to discuss this matter formally. Administrator Miles will look into setting up the meeting. Member Lawrence will revise the draft document, to remove any references to engineering duties, and present it for review at the January meeting.

Member Lawrence reported that since H3649 was approved which gives the board jurisdiction over practice undertaken by unlicensed individuals and firms, the board's disciplinary parameters should be updated to include unlicensed practice and investigative costs. The board parameters will be presented at the January meeting.

Disciplinary Hearings

Office of Disciplinary Counsel – Hearings Case No. 2017-10 – Housing Studio

The proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To go into Executive Session to receive legal advice: Schwennsen/Lawrence/Approved.

Motion: To come out of Executive Session: Muldrow/Schwennsen/Approved.

Motion: To accept the MOA and issue a Public Reprimand and \$2000 fine per violation for a total of \$6,000. Smith/Schwennsen/Approved.

Office of Disciplinary Counsel – Hearings Case No. 2018-11 – Clark Glidewell Architect

The proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To go into Executive Session to receive legal advice: Smith/Lawrence/Approved.

Motion: To come out of Executive Session: Schwennsen/Muldrow/Approved.

Motion: Issue a Letter of Caution. Lawrence/Muldrow/Approved.

Application Hearings

No application hearings this meeting.

New Business

No new business.

Unfinished Business

Compliance with Section 40-10-250(C) of the Fire Protection Sprinkler Systems Act. Member Lawrence met with David Blackwell, Office of State Fire Marshall, on October 30, 2018 to discuss his concerns regarding licenses to comply with the requirement for the properly completed Fire Protection Sprinkler System Specification Sheet to be included with the Bid Documents. Member Lawrence will draft a FAQ to be added to the webpage. This item will be carried over to the January meeting.

Chapter 11 Revisions

Chair Sanders will review Section 11-11 Seals in order to clarify the language as it relates to electronic seals, he will review other Boards' language as it relates to electronic seals and report back to the board at the January meeting. Member Muldrow was asked to review NCARB's changes in Model Law relative to Code of Ethics to see if the board wanted to incorporate any of that language in the other proposed changes to our Practice Act that will be submitted to the Legislature next year.

Section 40-3-290 (Townhomes)

An inquiry was received from Michael J. Nugent, Building Official, in Rock Hill, SC, asking if the board has a position on requiring sealed plans for townhomes that have three or more units. The board agreed that an architect must seal plans for townhomes that have three or more units. Members Lawrence and Muldrow were asked to review Section 40-3-290 at it relates to townhomes.

Member Muldrow presented the following: Background: Prior opinion of the Board has held that Townhouses with more than two units requires an architect. The confusion comes in that the IBC sends one to the Residential Building Code for Townhouses and all enforcement thereof. However, the exemption in 40-3-290 reads, "(3) a detached single-family or two-family dwelling, as defined 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;" It is the committee's opinion that Townhouse units are usually more than two units connected, i.e. it is a single family "attached" to another, and another, and so on. The separation of these units is a life safety issue.

The board agreed that an architect's seal should be required for townhouses that are three or more units, and over 5,000 square feet. The corollary to consider is whether an architect would be required if undertaking a single infill townhouse between two existing townhouses. The board also agreed that an architect would be required in that instance as well.

RFP for Conditions Assessment

The Board discussed a previous inquiry regarding an RFP for a conditions assessment and whether a license would be required to respond to the RFP. No action was taken on this issue.

Funding Request

AIS SC – Luncheon/Recognition of Newly Licensed Architects

AIA SC sponsored a luncheon for newly licensed architects, licensed October 2017 thru October 2018. The attendees that were invited were asked to invite their AXP mentors. Some members of the Board, FAIA members and about 100 additional individuals attended this luncheon. During the October 24, 2018 conference call meeting this item was tabled. Chairman Tate again suggested, to inform Executive Director, AIA SC, Adrienne Montare, that the 2019 request be specific as to how the money will be spent, and what portion the board is funding to go towards the speaker (i.e., speaker, travel for speaker, etc.). She will also be informed to indicate what CE would be granted for this luncheon. It was also suggested that invitations should be sent to all current licensees in South Carolina

The board will review/revise the current parameters for initial and reinstatement applications as well as for renewals at the January meeting.

The next meeting of the SC Board of Architectural Examiners will be held January 23, 2019.

Motion: To adjourn the meeting. Muldrow/Lawrence/Approved. The meeting adjourned at 12:19 p.m.

Respectfully submitted,



Alice M. DeBorde, Program Coordinator