

MINUTES
SC Board of Architectural Examiners
Board Meeting
9:30 a.m., January 14, 2014
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 204
Columbia, SC

Meeting Called to Order

Stephen Russell, Chairman, called the meeting to order at 9:30 a.m. Other members present were Brad Smith, Anthony Lawrence, Kate Schwensen, and Charles Muldrow and Tyson Nettles.

Staff members participating in this meeting included Lenora Addison-Miles, Administrator; Alice DeBorde, Administrative Assistant; and Sara McCartha, Advice Counsel.

Statement of Public Notice

Mr. Russell 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 November 12, 2013, Meeting Minutes

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

Approval of Agenda

The agenda was accepted as submitted.

Office of General Counsel - Hearings.

No hearings were scheduled for this meeting

Application Hearings

No application hearings were scheduled for this meeting.

Statement of Economic Interest

The Board was reminded to file their Statement of Economic Interest no later than noon on March 30, 2014. Administrator Addison-Miles emailed the Board their financial reimbursements as provided by LLR's Finance Department which will be needed when filing their reports. The Board was informed that failure to file within the deadline would result in penalties starting at \$100 and no exceptions will be made to late filings.

Fee Adjustments

At the September Board meeting, Director Pisarik informed the Board that LLR had conducted a financial analysis of all boards and commissions to determine whether fees charged are sufficient, but not excessive, to cover expenses; including the total of the direct and indirect costs to the State for the operation of each respective board or commission. LLR's review of the Architectural Board's fees currently charged as set forth in Regulation 11-5 revealed these fees are excessive to cover the Board's expenses. At the September meeting the Board accepted to restructure the fees as presented by Director Pisarik.

Because many of the affected Board and Commission's fees are set forth in regulation, a revised regulation must be promulgated to effectuate these fee adjustments. The Agency and Representative Sandifer, who is helping the Agency accomplish the fee adjustments, wanted a mechanism to ensure that the proposed regulations effectuating the fee adjustments appear in one document so that the General Assembly considers them as a package deal, rather than piecemeal fee increases and decreases. Thus, Legislative Council created Chapter 10 in S.C. Regulations to set forth the proposed fee adjustments. The Board was asked to vote on the following options: (a) board fees will appear in Chapter 10 only, OR (b) board fees will appear in Chapter 10 in addition to board regulation, OR (c) board fees will appear in Chapter 10 with a reference in board regulation to Chapter 10 and LLR's website for board fees.

Motion: To accept (c) that board fees will appear in Chapter 10 with a reference in board regulation to Chapter 10 and LLR's website for board fees. Muldrow/Lawrence/Approved

Continuing Education Inquiry

Clay Wine, Architect, sent in a request to the Board inquiring if continuing education credit would be given for writing books or articles about architecture or the profession. Staff member DeBorde informed the Board that she had discussed the issue with Chairman Russell and determined that the Board has not allowed HSW credit for, as AIA describes, "self-reported" activities, but if AIA would give him HSW credit for the work, then the Board would accept those credits. After a brief discussion, the board unanimously agreed that no credit would be allowed unless accepted by AIA as HSW.

2014 NCARB Regional Meeting – The 2014 SC/NCARB Regional Meeting will be held on March 7-8, in San Antonio, Texas. Information regarding this meeting was forwarded to the Board. NCARB will cover expenses for the Administrator and two Board Members.

Motion: To approve Administrator, Lenora Addison-Miles and Members Brad Smith and Anthony Lawrence to attend the 2014 NCARB Regional Meeting as NCARB funded delegates. Schwensen/Smith/Approved

Motion: To approve Member Stephen Russell and Charles Muldrow to attend the 2014 NCARB Regional Meeting funded by LLR. Schwensen/Muldrow/Approved.

The **2014 Board Member/Educators Conference** will be held on March 22-23, 2014, in Raleigh, NC. Member Schwensen indicated that she would not be able to attend this

Conference but would have a representative from Clemson University attend in her place. The Board accepted this as information.

Review of Board Policies

The Board collectively reviewed/revise each policy and added frequently asked questions (FAQ) as they relate to each policy. These revised interpretations were again presented to the Board for review. It was noted that all the FAQ's will need to be numbered for easier reference. Once approved by the board, these interpretations will be forwarded to Sara McCartha, Advice Counsel, for final review before posting to the Board website.

Motion: To accept the **Successor Architect policy** as presented. Schwensen/Muldrow/Approved.

Bidding for Services Policy – The Board agreed that another FAQ would need to be added regarding what information can be given in response to an RFP requesting fees. Chairman Russell will make the appropriate revisions. This item will be carried over to the next meeting.

Motion: To accept the **Gifts policy** as presented. Smith/Schwensen/Approved.

Exemptions Interpretation Section 40-3-290 – The Board agreed to remove all references to the Engineers Law and references to “design professional” would be changed to “architect.” The statement “Incidental Practice: Not addressed in current Commentary” will remain. Member Muldrow will make the appropriate revisions. This item will be carried over to the next meeting.

Offering/Providing Free Services – The first FAQ will be revised to add “for free” and will read “Can an architect prepare sketches for free as part of a presentation to depict his concept of a proposed project?” The sixth FAQ will be revised to add “for free” and will read: “Does the law prohibit an Architect from providing Feasibility Studies or Pre-Design services as stand-alone services for free?”

Motion: To accept **Offering/Providing Free Services policy** as revised. Lawrence/Schwensen/Approved.

Past Experience – The first and second FAQ will be removed and replaced by the first and second FAQ on the Successor Architect policy. The third FAQ answer will be revised to read as “Yes, but you must clearly state that the work as performed while employed with the previous firm.”

Motion: To accept **Past Experience policy** as revised. Schwensen/Lawrence/Approved.

Motion: To accept **Sealing and Direct Supervision policy** as presented. Lawrence/Schwensen/Approved.

Ethics Seminar

Clemson University's Rutland Institute of Ethics is interested in holding an Ethics workshop in 2014. Since the last series of workshops were successful, Member Smith met with Dr. Dan Wueste, Director of the Rutland Institute, Clemson University to discuss workshops to be held in 2014. Smith stated that they discussed the following:

- Reformatting the conference to be more interactive
- Holding 3 Seminars (Upstate, Midlands and Lowcountry) (May/August/September)
- Keep attendance to less than 50 people per seminar
- Keep cost down to attendees \$60 per person
- Seminar locations – look for better venues
- Sessions with panel discussion
- Shorten the lecture portion of the seminar

Member Smith will contact Dr. Dan Wueste regarding the need to complete a funding request form to be presented to the Board for review and approval. Once the funding request is received, the board may hold a "special meeting" for review.

Additional IRC Member

Administrator, Addison-Miles informed the Board that former Board Member Marshall Clarke indicated that he would be interested in serving as an alternate IRC Member.

Motion: To accept Marshall Clarke as an alternate IRC Member.
Smith/Schwensen/Approved.

Joint Meeting with Board of Professional Engineers and Surveyors and Building Codes Council

At the November meeting, the board indicated they would like to form a joint committee with the Engineering Board to work on issues related to incidental practice and possibly draft a definition acceptable to both Boards. Sara McCartha, Advice Counsel, indicated that Jim Justice, Jeff Mulliken, and Tim Rickborn will serve as representatives from the Board of Professional Engineers and Surveyors. The Building Codes Council will meet on February 26th to discuss and select participants to serve as representatives for their board. Administrator Addison-Miles will see if the Engineering Board representatives are available March 25th or 27th for a meeting.

Motion: Members Brad Smith, Stephen Russell, Charles Muldrow and Anthony Lawrence will serve as representatives for the Board. Schwensen/Smith/Approved.

Funding Request – No funding request was presented at this meeting.

Office of Investigations and Enforcement Report

Administrator, Lenora Addison-Miles presented the following report as provided by the Office of Investigations and Enforcement. Nineteen cases were received from January 1, 2013 through December 31, 2013, ten are active investigations, seven were closed, and two were designated as "do not open." Eleven cases were closed from January 1, 2013 through December 31, 2013, and two were designated as "do not open."

IRC Recommendation Report

No report was presented at this meeting.

Office of General Counsel Report

No report was presented at this meeting.

Administrator's Report

LICENSE STATISTICS – Active licenses as of January 8, 2014

Number of Credentials by Prefix, Subcategory and Status	
Board: Board of Architectural Examiners	
Credential:	
Credential status: ACTIVE	
as of 1/8/2014	
Query Report: 1764	
Type	Count
AR	3701
ARA	12
ARB	164
ARC	86
ARD	23
ARF	974
subtotal	4960
6 items	

AR = Architects

ARA, ARB, ARC, ARD and ARF = Architectural Firms

Member Smith asked the Administrator if a statistical report could be provided at the next meeting to show year to year statistics. Administrator Addison-Miles will check with IT into developing this type of statistical report for inclusion at the next board meeting.

Administrator Addison-Miles attended the SC/AIA meeting in Greenville, SC on January 8th.

{end of Administrator's Report}

Financial Report

The Board accepted the Financial Report as information.

Member Tyson asked if copies of Consent Agreements approved by the Chair could be included on the secure website with the meeting material. He indicated that he did not want these to be included on the agenda, just part of the packet so that the Board can be up-to-date with Orders approved by the Chair.

Board of Architectural Examiners
Meeting Minutes
January 14, 2014

The next meeting of the SC Board of Architectural Examiners will be held May 13, 2014.

Motion: To adjourn the meeting. Smith/Lawrence/Approved. The meeting adjourned at noon.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alice DeBorde". The signature is written in black ink on a light-colored background.

Alice M. DeBorde, Administrative Assistant