

BOARD OF ARCHITECTURAL EXAMINERS

Volume Thirteen, Number Two

South Carolina Department of Labor, Licensing and Regulation

October 1999

Changes in Board Regulations

In May 1999, the South Carolina Legislature approved changes to the Board's Regulations. The new Regulations are posted on our Website at www.llr.state.sc.us/bae1.htm and have been mailed to you in booklet form. Please familiarize yourself with the changes and circulate this information among your office staff.

In many instances, changes simply clarified language and eliminated redundancy. For example, the phrase "firm, business corporation, professional association/corporation or partnership" has been replaced by "firm." Regulation 11-10, Practice of Firms, has been pared to its basic requirements and now consists of five sentences. There are other changes, outlined below. **Changes in Regulation 11-12 may represent a change in the way you practice architecture in South Carolina.** Please take a minute to review these changes.

New Regulations

Regulation 11-1 Adds definitions for IDP, NCARB, NAAB, and ARE so the reader does not have to search elsewhere in the statutes for these acronyms.

Regulation 11-2 Clarifies the term of office for Board officers; updates titles.

Regulation 11-3 Eliminates the requirement to meet in May and November, dates based on the old paper-and-pencil exam schedule.

Regulation 11-4 No change.

Regulation 11-5 Lists fees the Board may collect and puts a "cap" on each.

Regulation 11-6 Eliminates deadlines for receipt of exam applications and payment

procedures to reflect computerized administration of the ARE by a national vendor.

Regulation 11-7 Clarifies requirements for reciprocal registration and adds the requirement that reciprocity applicants hold a "current, active and unrestricted" license in another jurisdiction.

Regulation 11-8 Clarifies renewal periods for individuals and firms.

Regulation 11-9 No change.

Regulation 11-10 Clarifies requirements for firms practicing architecture in South Carolina.

Regulation 11-11 Clarifies seal requirements.

Regulation 11-12 Adds Section (A)(1): "When conditions of compensation are submitted in a proposal for a study, pre-design, or preliminary design service, where future opportunity for additional work on the project is also available to the offerer, such conditions must be consistent and representative of the real cost of services to be performed."

Adds Section (B)(4): "On a project where a building permit has been issued and the sealing architect and the firm of record have not been engaged to perform at least minimum construction administration services, as defined in subsection (5) below, the sealing architect and firm must report to the permitting authority and the building owner that he and the firm have not been so engaged."

Adds Section (B)(5): "The minimum construction administration services expected of the sealing architect and the firm deemed necessary to protect the health, safety, and welfare of the public shall be periodic site observations of the construction

Welcome to New Board Members

The Board welcomes two new Board members recently appointed by Governor Jim Hodges to serve terms as architect members.

James Eugene (Gene) Matthews, a practicing architect in the firm James Durant Matthews & Shelley, Inc., in Sumter, was appointed on May 21 to succeed T. John Gilmore. A Clemson University graduate, Matthews has practiced architecture for more than 35 years and brings a wealth of experience to the Board.

Jane Y. Frederick, an architect in the firm FMF Architects in Beaufort, was appointed on September 7 to succeed Louis P. Batson III. An Auburn University graduate, Frederick has the distinction of being the first female architect appointed to serve on the Board.

We welcome these new members and look forward to the energy and professionalism they will bring to the Board.

progress and quality, review of contractor submittal data and drawings, and reporting to the building official and owner any violations of codes or substantial deviations from the contract documents which the architect observed." *[See the related article on page 3]*

Regulation 11-13 Refers reader to Section 40-1-120 ("Engine Law") and Section 40-3-120 of the Architect Registration Law for disciplinary actions the Board may take against persons found guilty of dishonest practice, unprofessional conduct or incompetent practice. Clarifies actions an archi-

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Disciplinary Actions

BOARD MEMBERS

Stephen A. Usry, *Chairman*

Marshall F. Clarke, FAIA, *Vice Chairman*

J. Eugene Matthews, *Secretary*

James F. Barker, FAIA, *Member*

Jane Y. Frederick, *Member*

W. Jefferson Leath, Jr., *Public Member*

OFFICE STAFF

Jan B. Simpson,
Administrator
simpsonj@mail.llr.state.sc.us

Alice M. DeBorde,
Licensing Coordinator
debordea@mail.llr.state.sc.us

Robert S. Shelley,
Investigator
shelleyr@mail.llr.state.sc.us

BOARD OFFICE HOURS

8:30 a.m. to 5 p.m. Monday – Friday

Voice mail is activated after 5 p.m.

Telephone (803) 896-4408
Fax (803) 896-4410

The Board office will be closed
for the following state holidays:

- November 11, 1999, Veterans Day
- November 25 and 26, 1999, Thanksgiving
- December 24 and 27, 1999, Christmas

1999 MEETING DATES

November 10, 1999

VISIT US ON THE WEB

www.llr.state.sc.us

At an Administrative Hearing conducted on May 12, 1999, the Board found Registered Architect **Frederick J. Goglia**, St. Louis, MO., guilty of practicing architecture in South Carolina as an unregistered business entity through his firm, **ArcVision, Inc.** The Board also found Goglia guilty of failing to use due care in completing his individual architect renewal application. Sanctions imposed were a Public Reprimand, \$1,000 fine, \$1,268 in costs, and agreement to register the firm if it (again) engages in the practice of architecture in South Carolina. The firm is now registered to practice in South Carolina.

David J. Hall, Jr., former South Carolina Registered Architect, Charlotte, N.C., entered into a Consent Order with the Board in connection with his involvement in a church project in Beaufort County, S.C. At the time Hall was engaged to provide professional services, neither he nor his firm, **HDC Architecture**, were registered to practice in South Carolina. In the Order, Hall admits that he represented to his client that he was, at all times, properly licensed, competent, and capable of providing, overseeing, and coordinating all aspects of the project which would ensure a successful project completed in a timely manner. In fact, Hall ultimately provided construction documents that were incomplete and could not be used for construction; as a result the client was forced to engage a successor architect to redesign the project. Sanctions imposed by the Board were a Public Reprimand, \$3,000 fine, and agreement not to seek relicensure either individually or as a firm for a period of one year from the effective date of the Order.

Richard J. Debban, Registered Architect, Roswell, GA, entered into a Consent Order with the Board in connection with his involvement in a motel project in Greenville, S.C. In the Order, Debban admitted that he merely reviewed and sealed all portions of the construction drawings for the project, which were actually prepared and completed by an unlicensed draftsman. Debban also admitted that, by sealing the structural/foundation, mechanical, electrical and plumbing portions of the design package, he practiced outside the scope of “architectural practice” as defined by South Carolina statute. Sanctions imposed were a

Public Reprimand, \$2,500 fine, and agreement to immediately and forever cease and desist from further unlawful activity on any South Carolina project.

Carl S. Hutchins, Registered Architect, Statesville, N.C., entered into a Consent Order with the Board in connection with professional services he provided for three apartment complexes and two assisted living facilities in Rock Hill and Spartanburg, S.C., respectively. Hutchins admitted that, by providing structural/foundation, mechanical, electrical and plumbing design for the projects, he practiced outside the scope of “architectural practice” as defined by South Carolina statute. Sanctions imposed were a Public Reprimand, \$2,500 fine, and agreement to immediately and forever cease and desist from further unlawful activity on any South Carolina project.

Christian J. Lessard, Registered Architect, Vienna, VA, entered into a Consent Order with the Board regarding his firm’s involvement in four condominium projects in South Carolina. At the time professional services were rendered, Lessard’s firm, **Lessard Architectural Group Inc.**, was not registered to practice in South Carolina. In the Order, Lessard also admitted that he failed to cooperate in a timely manner with respect to inquiries from the Board. The Board imposed sanctions of a Public Reprimand and \$2,500 fine. The firm is now registered to practice in South Carolina.

Kenneth E. Rich, Registered Architect, Atlanta, GA, and his firm, **Design Traditions, Inc.**, entered into a Consent Order with the Board in connection with services provided on four projects in South Carolina. In the Order, Rich admitted that he sealed design documents for a Greenville, S.C., project, after his South Carolina individual architect registration had lapsed. The firm admitted that it had provided professional services in South Carolina from October 1996 through November 1998; at the time those services were provided, the firm was not registered to practice in South Carolina. Sanctions

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Changes in Construction Administration

In order to better protect the health, safety and welfare of the states' citizens, the Board added Regulation 11-12(B)(4) to require that the sealing architect and firm notify the permitting authority and building owner when he/she or the firm have NOT been engaged to provide minimum construction administration services. This notice alerts the building official and owner that the architect is not monitoring the construction to determine if the building is being built according to approved plans and specifications. Minimum construction administration services are outlined in Regulation 11-12(B)(5).

There is no specific form or format for notification. It is important that notification to the building official and owner be made in writing.

For changes in the S.C. Contractors' Board Licensing law relating to licensure requirements for Construction Managers, see the May 1999 newsletter. A full text of the law is on the Internet at www.lptr.state.sc.us/bil97-98/401.htm. Relevant sections are 40-11-20(5) and 40-11-320(B).

Fair Housing Law

Architects should be aware of the requirements of South Carolina's Fair Housing Law (S.C. Code Ann. sections 31-21-10, et seq) which provides, among other things, that persons designing and constructing buildings consisting of four or more units (applicable to all units in buildings with one or more elevators and all ground floor units in other buildings) are required to do so in such a manner that will ensure the following:

- 1) that all public areas are accessible to and usable by handicapped persons;
- 2) that all doors into, out of and within the dwellings are wide enough for wheelchair access and;
- 3) that all dwellings contain adaptive design features, including accessible routes into and through the dwelling, accessible placement of light switches, electrical outlets, thermostats, and environmental controls, reinforcement of bathroom walls to allow installation of grab bars and accessible and usable kitchen and bathroom facilities for the handicapped.

Failure to adhere to the criteria in the design and construction of covered units may result in the imposition of penalties by the S.C. Human Affairs Commission, as well as the institution of civil action against the architect.

Reporting Requirements

Architectural firms practicing in South Carolina must provide current information on the firm's employee who is "in responsible charge" of the firm's work. Please notify this office promptly if there is a change in the information provided on the firm's application or renewal notice. For example, if John Doe is in charge of work for an architectural firm, and he leaves to take a position in another firm, the firm and Mr. Doe should notify this office in writing. The firm should identify the successor architect and have him/her sign the letter acknowledging this designation and responsibility. Mr. Doe should provide us with updated employer information (name and address).

See Section 40-3-270(B) and Regulation 11-10 for additional information.

Change of address forms are available on the Internet. However, firms identifying "new" architects in responsible charge may do so by letter.

Applications Now Available on the Web

You can now download Board applications and instructions on the web. These forms can be accessed at www.llr.state.sc.us/arch/forms.htm. If you have any questions regarding these forms, contact Licensing Coordinator Alice DeBorde.



Attention South Carolina Firms

Do you employ individuals registered as architects in another state? Are they registered here? If not, they may be practicing in violation of the law.

Please make sure that these individuals become registered before performing architectural services in South Carolina and that they are not represented as architects **in any manner** (in presentations, in firm brochures, on business cards or publications) unless they are registered in South Carolina.

Board Seeks Volunteer Reviewers

The Board of Architectural Examiners has identified a need for volunteer reviewers (architects and professional engineers) to review design documents in cases that allege professional misconduct and/or design deficiencies by an architect. The purpose of the document review is to determine the validity of complaints filed against architects. Reviewers are paid for time spent in conducting reviews and testifying before the Board. If you are interested in providing this important and necessary service for the Board, please submit a brief written statement outlining your qualifications and experience to the attention of Jan Simpson or Bobby Shelley at the Board office.

Inactive Architects In-State and Out-of-State

Effective **June 30, 1999**, the following individuals are no longer licensed in South Carolina.

In- State

512 HOMER D BLACKWELL,
MYRTLE BEACH, SC

1712 FRANK R CHAPMAN JR,
HILTON HEAD ISLAND, SC

4666 GLEN G DEISLER,
CHARLESTON, SC

4197 WILLIAM J GRIGGS,
LEXINGTON, SC

1953 KELLY M HARVEY JR,
COLUMBIA, SC

737 JAMES R LAWRENCE,
GREENVILLE, SC

368 HOWARD A NILSON,
COLUMBIA, SC

2744 RICHARD D OSMENT,
MT PLEASANT, SC

661 JAMES H SMALL III,
CHARLESTON, SC

4639 DAVID L THOME,
GREENVILLE, SC

4930 KEITH L BOSKOFF,
ATLANTA, GA

4130 WILLIAM P BOWLING III,
FINCASTLE, VA

5371 RONALD K
BRANDENBURG,
KETTERING, OH

5093 ROBERT P BUDETTI, JR.,
IRVINE, CA

5604 TIMOTHY A CARL,
CENTREVILLE, VA

5572 KEITH T CARLYON,
CHARLOTTE, NC

1817 NATHAN A CARRAS,
SCHERERVILLE, IN

5287 MARICE' CHAEL,
SOUTH MIAMI, FL

5559 JOHN S CHASE,
HOUSTON, TX

5000 ROBERT E CLARKE,
WASHINGTON, DC

1745 WALLACE L CLONTZ SR,
TABOR CITY, NC

3597 WILMER D COGDELL JR,
SAVANNAH, GA

4976 STEPHEN R COLD,
LONGWOOD, FL

4809 ROBERT W ESTOPINAL,
JEFFERSONVILLE, IN

3448 BASIL FILONOWICH,
MINNEAPOLIS, MN

2133 A ROBERT FISHER,
BELVEDERE, CA

5147 BRIAN D FITZGERALD,
TACOMA, WA

3056 CHARLES E FLEMING,
ST LOUIS, MO

5179 EUGENE V FORTINBERRY,
BIRMINGHAM, AL

1070 ALLEN FRYE,
JACKSONVILLE, FL

2123 JOEL M FUNDERBURK,
GREENSBORO, NC

978 STANLEY JAMES
GOLDSTEIN, FAIA,
WEST ORANGE, NJ

4097 DOUGLAS K HARDAWAY,
CHARLOTTE, NC

1344 WERNER HAUSLER,
CHAPEL HILL, NC

3909 ZACHARY W HENDERSON,
ROSWELL, GA

2401 FRANK A HERRERA,
MELBOURNE, FL

5671 JOHN W KUHN,
AMHERST, MA

3378 CHARLES R LAMBERT,
LEWISVILLE, TX,

5004 RAYMOND S LAMBERT,
DALLAS, TX,

3049 LAWSON H LOWRANCE,
CHAPEL HILL, NC

1999 DANIEL S LYNE,
WILMETTE, IL

5583 JAMES E MANNING,
DALLAS, TX

4874 STEPHEN F MCGARTY,
KENDALL PARK, NJ

4427 FRANCIS D MCGUIRE, JR.,
BOSTON, MA

3691 WALTER D MCTIER,
MACON, GA

5317 JAMES R MERRIMAN,
SUGAR LAND, TX

5400 MURRAY MILLER,
COLUMBUS, OH

3759 JOHN H NICHOLS,
MONTGOMERY, AL

3329 JACK F PARSONS,
PISGAH FOREST, NC

Out-of-State

5276 SHERMAN T ALLENSON
JR, PALM CITY, FL

5052 JOSEPH T ANDRASH,
OKLAHOMA CITY, OK

5072 DENIS E ARDEN,
CORAL GABLES, FL

4000 RONALD G ARMSTRONG,
CLINTON, NY

4253 KURT J BACHERT,
TAPPAN, NY

5013 MICHAEL L BAKER,
ROSWELL, GA

1060 DONALD R BEESON JR,
JOHNSON CITY, TN

3166 THOMAS S BEYT,
NEW IBERIA, LA

4261 ROBERT W BISHOP,
DANVILLE, VA

1540 RONALD L COLLIER,
RALEIGH, NC

5007 DAVID E COLLINS,
DALLAS, TX

413 HAROLD L COOLER,
CHARLOTTE, NC

5436 LANCE B CUSSONS,
YAKIMA, WA

2746 JAMES N DAVIS,
ATLANTA, GA

5743 JEFFREY S DEGEN,
SEATTLE, WA

5214 THOMAS J DEVER,
GLEN MILLS, PA

5333 SCOTT B DISHER,
BOCA RATON, FL

4580 ROBERT C EDWARDS,
MURPHY, NC

5494 RONALD A ERPENBECK,
ST PETERSBURG, FL

4237 RODNEY K HERRIN,
KANSAS CITY, MO

5474 A PETER HILGER,
ROSEVILLE, MN

2408 JOHN E JONES,
ST LOUIS, MO

2682 KEEVA J KEKST, CLEVE-
LAND, OH

5314 JEROME KERNER,
SOUTH SALEM, NY

3858 MICHAEL C KING,
SALT LAKE CITY, UT

4014 JOHN W KINNEY JR,
RALEIGH, NC

5822 CHRISTOPHER
KIRSCHNER,
BELLEAIR, FL

2550 JAMES F KORTAN,
ATLANTA, GA

5579 JOHN J KRONAWITTER,
BOCA RATON, FL

5837 JAMES G PEACOCK,
PEORIA, IL

373 MAYNARD PEARLSTINE,
GAINESVILLE, FL

3325 GALEN B PELLHAM,
SPRINGFIELD, MO

5213 THOMAS A POPA,
CEDAR RAPIDS, IA

2845 JOHN E RECTENWALD,
SILVER SPRING, MD

4124 GRAHAM A REED,
BASALT, CO

2873 JAMES W REED, JR.,
NASHVILLE, TN

1008 W CHRISTIAN RIEDEL,
ALLIANCE, OH

5460 JAMES G RIGGINS,
KNOXVILLE, TN

5406 RICHARD E SAMBUCETTI,
EMERYVILLE, CA

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Statistics

July 1, 1998 - June 30, 1999

A. Registered Architects In-State	962
B. Registered Architects Out-of-State	2171
C. Registered Architectural Business Entities	
Partnerships	62
Business Corporations	433
Professional Corporations	216
Limited Liability Corporations	22
Limited Liability Partnerships	2
Firms	107
D. New Registrations by Reciprocity	203
E. New Registrations by Examination	12
F. Complaints/Investigations	82
G. Hearings	2

Reminders

Moving? Be Sure to Notify the Board

A change of address form can be downloaded from the web at www.llr.state.sc.us/arch/forms/htm. These changes can be mailed, faxed or e-mailed to the Board office. Be sure to type or neatly print changes so that they may be entered into the database correctly. The Board cannot accept address changes over the telephone. Please forward address changes to the attention of Alice DeBorde, licensing coordinator, or e-mail changes to debordea@mail.llr.state.sc.us.

Don't Forget to Renew

Firm registrations expire **DECEMBER 31, 1999**. Renewal notices will be mailed in mid-November. If you do not receive your renewal form by early December, please contact the Board office.

Rosters Now Available on Diskette

The roster of licensed architects and architectural firms is now available on diskette in comma delimited, tab delimited or database file formats. Please specify format and listing when ordering.

If you would like to obtain this information, contact the Board office or e-mail Alice DeBorde at debordea@mail.llr.state.sc.us.

Inactive Architects - *Continued from page 4*

5759	TIMOTHY H SANDERS SR, TIMONIUM, MD	4376	FRANCIS D SMITH JR, MACON, GA	5504	DALE TREMAIN, MINNEAPOLIS, MN	1947	DAVID C WHEATLEY, IRVINE, CA
5175	ROBERT SASTRO, ALEXANDRIA, VA	4264	DONALD R SOLT, KINGSPORT, TN	3165	RICHARD A VAN AUKEN, FAIRLAWN, OH	2920	WILLIAM M WHISNANT, CHARLOTTE, NC
4927	ANTHONY J SHINSKY, YORK, PA	5302	JOHN W SORCE, SCOTTSDALE, AZ	1503	HARRY J VARWIG, ST. LOUIS, MO	3778	JOSEPH M WOOLLEN, MIAMI, FL
5164	ROY D SHOCKLEY, NASHVILLE, TN	5590	DENNIS C STANKE, CHARLOTTE, NC	3620	SAMMY L VINCENT, BATON ROUGE, LA	4507	LARRY R YOUNG, WATERTOWN, MA
4408	PAUL E SHULER, MANSFIELD, OH	5633	CYNTHIA L STILES, DALLAS, TX	4191	FRANCIS M WAKEFORD III, ALBANY, GA	3889	RACHEL W ZEBROWSKI, TULSA, OK
4219	DONALD J SKOWRON, BUFFALO, NY	1475	GORDON K STUCKY, SPRINGFIELD, MO	5442	JOHN L WALKER, WARRINGTON, PA	5672	ANDREW W ZIOLKOWSKI, ARLINGTON, VA
5347	GREGOR R SMEE, KNOXVILLE, TN	5180	JAMES R SUGGS, SAN ANTONIO, TX	5505	ALEXANDER C WALKER III, AUSTELL, GA		
5501	DIMITRIOS G SMIRNIOTOPOULOS, COLUMBUS, OH	5636	CHRISTOPHER B THOMAS, DENVER, CO	3818	WILLIAM E WALLACE, JACKSONVILLE, FL		
5009	KENNETH R SMITH, JACKSONVILLE, FL	1198	LAWRENCE J TRABER, ASHEVILLE, NC	2100	JOHN B WEAVER, III, ATLANTA, GA		

Mandatory Continuing Education Being Proposed

In recent years, the Board has considered adding continuing education as a requirement for license renewal. Alabama, Florida, Arkansas, Kentucky, Louisiana, North Carolina and Tennessee have implemented the requirement; other states such as Kansas, Iowa, Oklahoma, South Dakota and West Virginia also require CE. Those of you already licensed in these states are familiar with the requirement.

As more states add CE as a renewal requirement, there is increasingly the potential that South Carolina licensed architects may not be approved for licensure in other states because South Carolina does not have equivalent standards, the basis for reciprocal agreements. Many architects voluntarily participate in continuing education activities—structured or self-directed—but there are those who do not.

In 1995, NCARB's Continuing Professional Development Committee published a paper, "Proposal for a Unified System of Continuing Professional Development,"

which eventually brought about adoption of changes to NCARB's Model Law and Regulations. The Committee's report stated, "The recommendation [to require CE for license renewal] is based on the philosophy that generally raising the standard of competence of architects' practice is in the public interest, and that the levels of performance of most architects' practices will rise if they are regularly exposed to appropriate technical and professional subjects. The recommendations are not based on any sense of present or impending difficulties that pose a threat to the public health, safety or welfare. These recommendations aim to increase what is already generally a high level of performance. Most practitioners now accept individual responsibility to advance their competence as professionals. The flexibility of the [Model Law provisions] will allow architects to focus on those subjects which they believe would increase their professional knowledge."

At its annual retreat in August, the Board voted to draft language for consideration in the upcoming year 2000 legislative session. The language anticipates requiring completion of 12 hours of continuing education annually. Of the 12 hours, eight would be in the public protection subjects which directly safeguard the public's health, safety and welfare. Up to four units would be in related practice subjects and may be acquired in individually planned activities. By Board directive, record-keeping would be simple with each registrant required to self-report annually. A system of random auditing would be adopted as is common in most states. We anticipate recognition of another jurisdiction's continuing education as satisfying South Carolina's requirements.

As with all legislative proposals of this type, public hearings will take place to allow comments from registrants and the public. Please look for notification this fall of these hearings.

We welcome your comments.

Unification of Building Codes

If you work in commercial architecture in South Carolina, you may have experienced a situation where different versions of building codes are applied by various regulatory groups to the same structure, resulting in conflicting requirements that are difficult and costly to comply with. The Board is working toward a solution for this problem. We have met with a consortium of state agencies with oversight and regulatory responsibilities in the design and construction of buildings. The group is made up of representatives from boards that license architects, engineers, contractors and residential builders; building codes officials, fire officials, construction/facilities managers of the Department of Education, DHEC and the State Engineer.

The group's effort is directed at a) requiring all state agencies to adopt the latest building codes within a certain period of time after the codes are made available, and b) establishing legislative guidelines that simplify the method of adoption. Right now, the laws for

adoption vary from agency to agency and require legislative action every time a code changes. We want to make code compliance easier for architects and engineers and eliminate, as much as possible, the confusing, conflicting requirements you now face.

There is proposed language for a change in the Code of Laws—it is just a draft at this point—posted on our web site at www.llr.state.sc.us/bae1.htm Please take a look at it and let us know what you think. Also, if you have had personal experience in dealing with conflicting codes while designing buildings in South Carolina, we would like to hear it. Real-life examples are more credible to legislators than "scenarios" we might create for illustrative purposes.

We anticipate opportunities for registrant and public feedback through the legislative process. These proposed law changes will be explained with ample opportunity for comments from interested parties.

Newly Licensed Architects



Congratulations to the following individuals who recently passed the Architect Registration Examination:

- Brian A. Coffman, Beaufort, S.C.
- David B. Nocella, Greenville, S.C.
- George Michael Nelon, Simpsonville, S.C.
- Peter A. Hedegor, Charleston, S.C.
- Jerry L. Hupy, Greenwich, CT
- Eric B. Harrod, Charleston, S.C.

Governor Launches Worker Safety Campaign

Gov. Jim Hodges and the South Carolina Department of Labor, Licensing and Regulation have launched a statewide campaign to bring attention to a free and innovative program designed to make South Carolina work places safer.

Under the theme, SafetyWorks!, the governor is urging employers across the state to take advantage of the free services offered by the S.C. Office of OSHA Voluntary Programs (S.C. OVP). The program, which is independent of S.C. OSHA's enforcement arm, offers expert advice and hands-on help to companies across the state.

The ultimate goal of S.C. OVP is to make sure employers are providing work sites that are safe and healthy for employees.

"I can think of no better way to pay tribute to this state's work force than to launch a campaign to create safer and healthier work places," Gov. Hodges said. LLR Director Rita M. McKinney said S.C. OVP's staff is ready to help South Carolina businesses make their work places safe and healthy.

"The OVP team has 200 years of experience in industries ranging from textiles to construction to health care, at both large and small companies. They offer long-term experience to solve a long-term problem," McKinney said. "All we ask is that businesses give us an opportunity." The governor launched the campaign at news conferences in Greenville and Columbia.

The Greenville news conference was held at KEMET Electronics Corp., Fountain Inn Plant. KEMET uses S.C. OVP services.

"At KEMET, we consider the Office of OSHA Voluntary Programs to be a vital member of our health and safety team," said KEMET's President and Chief Operating Officer Charles Culbertson. "If they were not available to give us their help and support, we would have to pay big bucks to a private consulting organization for the same services OVP provides to any South Carolina company for free."

Culbertson continued: "Not only is the service provided by the Office of OSHA Voluntary Programs something that all South Carolina companies can afford – it is something no South Carolina company can afford to be without."

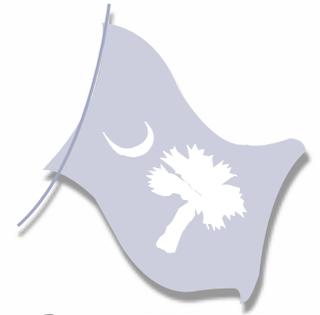
The Columbia news conference was held at the M.B. Kahn Construction

Company, White Knoll High School construction site, in Lexington County. M.B. Kahn also uses S.C. OVP's services.

"After a S.C. OVP visit, accidents decrease and productivity picks up," said Daniel Wessinger, safety manager at M.B. Kahn. "On one particular job, we were having an incident rate of about 25 to 30. After a S.C. OVP visit, our incident rate went down to 5.

"People on the job site know the basics, but after a while they get complacent,"

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SafetyWorks!

S.C. OFFICE OF OSHA
VOLUNTARY PROGRAMS

Consultation, Training Only a Request Away

If you would like to take advantage of OVP's free services, here's what you need to know:

The consultation process starts with a written request from a business, by facsimile or by mail, on company stationary. The request is assigned to a safety and health consultant with expertise in the particular field. The consultant contacts the company by phone and arranges a convenient time for both parties.

On the appointed day, the consultant goes to the work site. He or she meets with representatives of the business and collects information about the employer's accident history, experience with OSHA and information about the company's safety program, if one exists.

The consultant explains that the employer is responsible for correcting, controlling or eliminating all hazards identified within the time frames agreed upon. Failure to do so results in a referral to OSHA enforcement.

After the information gathering stage, the consultant asks a company representative to accompany him or her on a tour of the facility. For example, in manufacturing, the consultant follows the process of whatever the company is making from beginning to end. The flow of the product is followed from the time raw materials are received, through the manufacturing process and until the time it is shipped out the door. On a construction site, the consultant starts the

tour at the job trailer and works his or her way to the front door of the facility. On a high-rise, the consultant starts at the bottom and works up to the top.

During the tour, the consultant talks with employees to learn about working conditions and to see if they have concerns about safety. On the tour, the consultant looks for OSHA safety and health violations and unsafe acts or conditions.

At the closing conference, the consultant discusses options for correcting, controlling or eliminating hazards identified. Time frames are discussed and negotiated. Shortly after the visit, the company receives a written report that summarizes the consultant's findings and the agreed upon time periods for correction, control or elimination.

Businesses may request free training for employees on a variety of safety and health topics by submitting a request in writing to OVP, by facsimile or by mail.

The request is assigned to a training coordinator with expertise on the particular subject. The trainer negotiates with the company a time and place to provide the training.

In addition to training classes conducted at the company's work site, OVP offers regional training programs around the state throughout the year on a variety of safety and health issues.

OVP can be reached by phone at (803) 734-9599, by fax at (803) 734-9741 or by email at scovp@mail.llr.state.sc.us.

imposed were a Public Reprimand and \$1,500 fine.

David S. Soleau, Registered Architect, Boston, MA, and his firm, **Earl R. Flansburgh + Associates, Inc.**, entered into a Consent Order with the Board in connection with services provided for a private school project in Columbia, S.C. At the time the professional services commenced in May 1996, neither Soleau nor the firm was registered to practice in South Carolina. Sanctions imposed were a Public Reprimand, \$500 fine for Soleau, \$500 Fine for the firm, and agreement to register the firm. Earl R. Flansburgh + Associates, Inc., is now registered to practice architecture in South Carolina.

Joseph C. Maryak, Registered Architect, Syracuse, N.Y., entered into a Consent Order with the Board in connection with his involvement in the design of an automobile parts store in Rock Hill, S.C. At the time

the professional services were provided for the project, Maryak's firm, **JCM Architectural Associates**, was not registered to practice in South Carolina. In the Order, Maryak also admitted that, by providing the mechanical, electrical and plumbing design for the project, he practiced outside the scope of the "practice of architecture" as such is defined by South Carolina statute. The Board imposed sanctions of a Public Reprimand, \$1,000 fine, and agreement to immediately and forever cease and desist from practicing outside the scope of the "practice of architecture" on South Carolina projects. JCM Architectural Associates is now registered to practice architecture in South Carolina.

Walter T. Vick, III, Registered Architect, Fayetteville, N.C., entered into a Consent Order with the Board regarding his involvement with a commercial project in Spartanburg, S.C. In the Order, Vick admitted that he improperly sealed design documents offered to a permitting entity in South Carolina with his North Carolina individual architect seal; Vick was not registered to practice architecture in South Carolina when the professional services were provided. Also, the design documents offered for permit reflected the title block of Vick's firm, **The LSV Partnership, PA**, which was also not registered to practice in South Carolina. The Board imposed sanctions of a Public Reprimand, \$500 fine, and agreement to obtain both individual and firm registration in South Carolina.

Donald J. Rethman, Registered Architect, Dayton, OH, and his firm, **Design Forum Architects**, entered into a Consent Order in connection with services provided for a commercial tenant upfit project in Florence, S.C. At the time the professional services were rendered, the firm was not registered to practice in South Carolina. Sanctions imposed were a Public Reprimand and \$500 fine. Design Forum Architects is now registered to practice architecture in South Carolina.

John B. Pittman, III, Registered Architect, Hilton Head, S.C., entered into a Consent Order with the Board in connection with the business activities of his firm, **The Palmetto Group**. In the Order, Pittman admitted that his individual architect registration had

inadvertently lapsed at the time he established the firm to offer and provide architectural and construction services for custom homes in South Carolina. Sanctions imposed were a Public Reprimand, \$500 fine, \$165 in back renewal fees, and agreement to register the firm. The Palmetto Group is now registered to practice architecture in South Carolina.

Ralph W. Hadley, Jr., Registered Architect, Greenville, S.C., entered into a Consent Order with the Board for his involvement in two commercial projects in Greenville, S.C. Hadley was not registered to practice architecture in South Carolina at the time he provided architectural services for the projects as he had allowed his registration to lapse. The Board imposed sanctions of a Public Reprimand and \$500 fine; Hadley subsequently renewed his individual registration and is currently registered to practice architecture in South Carolina.

Philip B. Windsor, Registered Architect, Conyers, GA, entered into a Consent Order with the Board in connection with his firm's involvement in a hotel project in Greenville, S.C. At the time the architectural services were rendered, Windsor's firm, **Lemberg/Windsor Architects and Associates**, was not registered to practice in South Carolina. Sanctions imposed were a Public Reprimand and \$500 fine. The firm is now registered to practice architecture in South Carolina.

Harold O. Warner, Registered Architect, Virginia Beach, VA, entered into a Consent Order and Voluntary Surrender with the Board based upon disciplinary action taken by another state and by NCARB. Along with surrendering his South Carolina individual architect registration, Warner agreed to immediately cease and desist from the practice of architecture in South Carolina. The Board will consider Warner's application for registration upon proper notification of reinstatement of his NCARB certificate.

Thomas H. Wright, Jr., Registered Architect, Roswell, GA, was issued a Cease and Desist Order for his participation in the design of a hotel project in Greenville, S.C. At the time Wright provided professional

We're On the Internet



Check out the Board of Architectural Examiners on LLR's "home page" on the world wide web, or Internet.

The page includes general information about the agency and key data on individual programs.

If you have ideas or suggestions, contact Lesia Shannon Kudelka, (803) 896-4376 or Donna Delia, (803) 896-4377.

www.llr.state.sc.us

Continued on page 9

Wessinger said. "The OVP consultant brings everyone's attention back to safety."

OVP can provide assistance to employers in three ways:

- Consultations by safety and health professionals who can help employers spot workplace problems before they can cause injury or illness. Records are kept confidential.
- Training classes for employees covering the key safety issues they face each day from personal protective equipment to fall protection to violence in the workplace. In addition to regularly scheduled classes across the state, S.C. OVP can bring tailor-made classes to the worksite.
- Phone consultations to answer questions about safety regulations and resources.

As part of the SafetyWorks! campaign, S.C. OVP has a new website on the Internet, which is an invaluable resource to businesses for getting information about OVP services and work place safety in general. The address is: *www.scovp.state.sc.us*.

"I encourage all South Carolina employers to put the OVP team at LLR to work for your business," the governor said. "Safety works!"

Board Regulation Changes - *Continued from page 1*

...ect or firm must take when the relevant license has been revoked or suspended.

Regulation 11-14 Clarifies procedures for reinstatement of a suspended or revoked license.

The new booklets contain revised statutes (approved in May 1998), these regulations (revised in May 1999), and the "Engine Law" that also affects anyone who practices architecture in South Carolina.

NCARB - Architect Registration Examination

Year-to-Date Score Results Summary January 1 - March 31, 1999

Division	Number (In SC)	SC % Pass	Region % Pass	All Boards % Pass
Pre-Design	5	60	65	67
Site Planning	4	75	75	72
Building Planning	3	100	70	70
Building Technology	3	100	82	76
General Structures	4	75	66	74
Lateral Forces	4	100	83	85
Mech and Elec. Systems	6	100	86	86
Materials and Methods	7	86	89	88
Construction Docs/Svcs	6	83	86	83
Total # Divisions Taken	42			

Disciplinary Actions -

Continued from page 8

services for the project, his South Carolina individual architect registration was not current and in fact had been in a lapsed state for more than seven years. Wright subsequently reinstated his South Carolina individual architect registration and is now currently registered to practice.

Richard C. Williams, Jr., unlicensed draftsman, Roswell, GA, was issued a Cease and Desist Order for engaging in the unlicensed practice of architecture and for aiding and abetting an unlicensed individual to provide architectural services on a Greenville, S.C., hotel project.

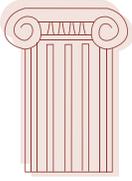
Jesse B. Barber, unlicensed draftsman, Darlington, S.C., was issued a Cease and Desist Order for engaging in the unlicensed practice of architecture on a church project in Florence, S.C.

E. Luther Johnakin, Jr., unlicensed individual, Bennettsville, S.C., was issued a Cease and Desist Order for identifying himself as an architect on design documents offered for permit for a church project in Florence, S.C.

Atlantic Builders of South Carolina Inc., licensed contractor, Marion, S.C., and the president of the corporation, **James C. Owens**, were issued a Cease and Desist Order for providing architectural services on a church project in Mullins, S.C.

Five **Letters of Caution** were issued to South Carolina registrants for various matters including violations that occurred in other jurisdictions, false/misleading letterhead, improper sealing of design documents offered for permit, and lack of oversight and control of design documents offered for permit.

One **Letter of Caution** was issued to an owner of a building classified as assembly occupancy for not engaging South Carolina licensed design professionals.



S.C. Department of Labor, Licensing and Regulation

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