

MINUTES
SC Board of Landscape Architectural Examiners Board Meeting
February 3, 2021 at 10:00 a.m. by Virtual Video/Teleconference

Call to Order

Chairman McLeod called the meeting to order at 10:02 a.m.

Statement of Public Notice

Mr. McLeod stated that Public notice of this meeting was properly posted at the S.C. Board of Landscape Architectural Examiners office, Synergy Business Park, Kingtree 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. In accordance with the Governor's directives regarding social distancing, the meeting is being held via video and teleconference. Members of the public who wish to attend may do so by telephone or the Internet. For login information, please email Contact.LSA@lir.sc.gov

Introduction of Board Members and Others

Board members participating included: J. Parks McLeod, PLA, Chairman; Edward Kinney, PLA, Vice-Chairman; Laura G. Dukes, PLA; Barret Anderson, PLA; and Jean Catalano, Public Member.

Staff members participating included: Hardwick Stuart, Esq., Office of Advice Counsel; Megan Flannery, Esq., Office of Disciplinary Counsel; Rodney Pigford, Office of Investigations and Enforcement; Pam Dunkin, Administrator; Johnnie Rose, Program Coordinator; and Sherri Moorer, Program Assistant.

Others participating included: Matthew Miller, CEO of Council of Landscape Architect Registration Boards (CLARB); Cary Baird, CLARB Board of Directors President; and Courtney Glover (Creel Court Reporting).

Approval of Agenda

MOTION: To approve the agenda of the February 3, 2021, Board meeting. Dukes/Kinney/approved

Introduction of Cary Baird, CLARB Board of Director's President

Mr. Baird thanked the Board for extending a webinar invitation to participate in the meeting. CLARB is trying to leverage technology to visit with all of the jurisdictional Boards to get a look at how things work behind the scenes. He would like to update the Board on several CLARB initiatives to provide information and support to Boards, licensees, and the general public:

- COVID required the cancellation of the fiftieth anniversary celebration in New York City, so the Board of Directors decided to return to the planned locations moving forward. The 2021 Annual Meeting will be held as a hybrid meeting based in Phoenix, Arizona.
- CLARB is moving forward with the CLARB 2.0 initiative to rebuild their strategic framework. The goal is to develop uniform competency standards, and to develop a framework of conversations on the future of the profession with topics focused on stakeholders, the impact of technology, orthodoxy, the future of regulation, and the effect of block chain on professional licensure to meet the needs in the future.
- "Rethink Regulation" is moving forward with a plan to update the model law. The focus is to remove friction from the licensure process while maintaining the integrity of licensure in the face of changing technology. Other topics include investing in education and advocacy, evolving

the Landscape Architect Registration Exam (LARE) to increase agility and accessibility, and get new perspectives that widen diversity.

Introduction of Matthew Miller, CLARB CEO

Mr. Miller said he would like to add to Mr. Baird's remarks with an update on other CLARB activities:

- The Regional Meetings on February 11, 2021, will include an update on the Diversity, Ethnicity, Inclusion conversations. CLARB is taking steps to reduce or eliminate bias in licensure, and to solicit more diversity in leadership and education programs.
- The Job Task Analysis scheduled for this year has been postponed until 2022. This study is too complex to be done virtually, so the Board of Director's made the difficult decision to postpone it in hopes that the COVID-19 restrictions will lift in the next year.
- Online proctoring of the LARE became an urgent issue due to COVID-19. Testing centers reduced capacity to comply with safety protocols, which meant that appointments were difficult for candidates to obtain. The CLARB pilot of remote proctoring for Sections 1 and 2 in Canada had positive results. Remote proctoring was offered as an option for Sections 1 and 2 in December 2020, and 40% of testing candidates took advantage of this option. There were no significant differences in the testing experience or results from candidates taking these sections at the testing centers, and no candidate misconduct was reported. CLARB will work with the vendor to get necessary upgrades and software to offer remote proctoring of Sections 3 and 4 in 2022. They are also working on a pre-equation to give candidates test results when they complete the exam in April.

Board Chairman Remarks

Mr. McLeod thanked Mr. Miller and Mr. Baird for attending the meeting and giving their reports from CLARB. He thanked the Board members and staff for continuing to accommodate webinar meetings so Board business can continue to move forward.

Approval of Minutes

Mr. McLeod asked for proposed changes to the minutes of the August 5, 2020, meeting.

MOTION: To approve the minutes of the August 5, 2020, meeting. Kinney/Catalano/approved.

Staff Report

Mrs. Dunkin gave the Administrative Report:

- Currently the Board has 692 individual landscape architects and 203 firms actively licensed.
- The Board had a cash balance of \$169,580.64 as of December 31, 2020.
- LLR's Director asked Board Administrators to contact Board Members who are serving expired terms to submit letters of their intentions. On behalf of the Board, Mrs. Duncan submitted these letters along with letters from individuals interested in serving on the Board to the Director's Office in mid-November. She is checking the Secretary of State's website daily for updates.
- John Tarkany has resigned from the Board.
- License renewals opened on November 1, 2020 with an expiration date of January 31, 2021. 555 individuals and 166 firms have renewed as of February 1, 2021. Late renewals will be open until March 31, 2021.

- Bill #S.422 was introduced in the Senate Committee on Judiciary on January 12, 2021. This bill proposes to amend the SC Code of Laws, Section 32-2-10 relating to hold harmless clauses in construction contracts, to provide that certain indemnification provisions in construction agreements and design professional agreements are against public policy and unenforceable, and to define necessary terms. One change is to include landscape architects in the definition of “design professionals,” which means this bill will cover this profession. LLR is monitoring this bill and will inform the Board of its progress.
- The Landscape Architect Registration Exam (LARE) will be offered April 5-17, 2021. Sections 1 and 2 will offer a remote proctoring option for this exam administration.
- The CLARB Regional Meeting webinar will be held on February 11, 2021, at 3 p.m. Mrs. Moorer forwarded information on this meeting on January 27.
- The next Board meeting will be May 5, 2021.
- Mrs. Dunkin reminded the Board members to file their Statement of Economic Interest with the SC Ethics Commission by the noon deadline on March 30, 2021.

Office of Investigations and Enforcement Report

Mr. Pigford said there were 5 complaints filed in 2017, 8 complaints filed in 2018, 11 complaints filed in 2019, and 13 complaints filed in 2020. Of those 13 complaints, one is active. The slight increase in complaints is typical.

Investigative Review Committee Report

Mr. Pigford said the Investigative Review Committee met on January 21, 2021. They recommend dismissal of the one case on the report.

MOTION: To approve the January 21, 2021, Investigative Review Committee Report.
Dukes/Catalano/approved

Office of Disciplinary Council Report

Mrs. Flannery said there are no cases in the Office of Disciplinary Council.

Report from CLARB Annual Meeting

Mrs. Dunkin said Mr. Miller and Mr. Baird covered most of the items she had for her summary of the 2020 CLARB Annual Meeting, which was held virtually on September 10, 2020. One additional topic she wants to report is the “Reframing Landscape Architecture” project. The focus is to find a way to frame what landscape architects do simply and accurately so it will resonate with laypeople better, and give them a greater understanding of a profession that is not as familiar to the public as other design professions. Phase two of this effort will be complete in June 2021.

New Business

1. 2021 Election of Officers

MOTION: For Mr. McLeod to continue to serve at Board Chairman. Dukes/Catalano/approved

MOTION: For Mr. Kinney to continue to serve as Vice-Chairman. Dukes/Catalano/approved

Public Comments

Mr. Baird thanked the Board for allowing him and Mr. Miller to participate in the meeting. He congratulated Mr. McLeod and Mr. Kinney on their election.

Mr. Miller thanked the Board for extending the invitation to participate in this meeting.

Notice of Next Meeting

Mr. McLeod said the next meeting of the SC Board of Landscape Architectural Examiners will be held on May 5, 2021, at 10 a.m. by WebEx Webinar.

Adjournment

There being no further business, the meeting adjourned at 11:12 a.m.

Respectfully Submitted,

Sherri Moorer

Sherri Moorer, Program Assistant