

**MINUTES**  
**SC Board of Landscape Architectural Examiners Board Meeting**  
**May 5, 2021 at 10:00 a.m. by Virtual Video/Teleconference**

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**Call to Order**

Chairman McLeod called the meeting to order at 10:07 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, 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. 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@llr.sc.gov](mailto:Contact.LSA@llr.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; and Jean Catalano, Public Member.

Staff members participating included: Hardwick Stuart, Esq., Office of Advice Counsel; Pam Dunkin, Administrator; Johnnie Rose, Program Coordinator; and Sherri Moorer, Program Assistant.

Others participating included: Travis McLeod (Creel Court Reporting).

**Approval of Agenda**

**MOTION:** To approve the agenda of the May 5, 2021, Board meeting.  
Dukes/Catalano/approved

**Approval of Excused Absences.**

**MOTION:** To excuse Barret Anderson, due to a schedule conflict.  
Kinney/Dukes/approved

**Board Chairman Remarks**

Mr. McLeod thanked the Board members and staff for continuing to accommodate webinar meetings so Board business can continue to move forward. He hopes the Board can return to in-person meetings soon.

**Approval of Minutes**

Mr. McLeod asked for proposed changes to the minutes of the February 3, 2021, meeting.

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

## Staff Report

Mrs. Dunkin gave the Administrative Report:

- Currently the Board has 658 individual landscape architects and 197 firms actively licensed.
- The Board had a cash balance of \$259,190.05 as of March 31, 2021.
- License renewals closed on April 1, 2021. 97% of individuals renewed online, and 91% of firms renewed online.
- Continuing Education audits for the 2021 renewal cycle will begin soon. Audits will be conducted as they have been in the past: Board staff will notify the selected individuals, who will be instructed to submit their documentation directly to the Board office. Audits will be reviewed at the next meeting.
- There are no cases in the Office of Investigations and Enforcement.
- There is no Investigative Review Committee report.
- There are no cases in the Office of Disciplinary Counsel.
- There has been no action on updating Board appointments. Mrs. Dunkin is checking on this daily. Applicants for Board appointments can contact Kristy Quattrone with the Governor's Office to check on the status of their application.
- New Board Member Manuals were sent to the Board members in March 2021. Mrs. Dunkin asked Board members to destroy copies of the old manuals. They can contact Mrs. Moorner if they need the new manual sent to them again.
- There has been no action on Bill #S.422, which 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. LLR is monitoring the bill and will inform the Board of its progress.
- The Senate LCI Committee will be considering S.295, on Wednesday, May 5<sup>th</sup> at 9:00 AM in Room 207 of the Gressette Building. It amends Chapter 1 of Title 40 and applies to all of the professional and occupational licensing boards.

Section 40-1-75 of the bill states that a board or commission may not solely, or in part, deny a license to an applicant because of a prior criminal conviction, unless the criminal conviction directly relates to the duties and responsibilities of the occupation or profession for which the applicant is seeking a license. The bill further requires the board or commission to provide applicants with a comprehensive list of criminal convictions that are specific and directly-related to the duties and responsibilities of the occupation or profession, and then sets forth the factors the board or commission may consider

in determining whether to deny a license, requiring that they apply a clear and convincing standard of proof in that evaluation. Should the applicant have a criminal conviction that disqualifies him from licensure, the disqualification shall not last longer than five years from the date of conviction, provided that the conviction is not for a violent crime or criminal sexual conduct and that the applicant has not been convicted of another disqualifying crime during that five-year period. Finally, the section allows an applicant to submit the criminal record for review of his record to determine if it will disqualify him from eligibility for licensure.

Section 40-1-77 requires board and commissions to issue licenses to applicants who have successfully completed the eighth grade, completed an apprenticeship approved by the US Department of Labor, and successfully passed an exam, if required by the board or commission.

- The Landscape Architectural Accreditation Board is open for comments on the draft revisions to their accreditation standards. Comments are due no later than 11:59 p.m. Pacific time on Friday, May 28, 2021.
- The Landscape Architect Registration Examination (LARE) will be offered August 2-14, 2021. Registration will open in mid-May, and close on July 23, 2021.
- The next Board meeting will be August 4, 2021. The Agency is working on protocols to resume in-person meetings. The Board of Chiropractic Examiners will do a trial run of an in-person meeting to develop and test protocols on May 20, 2021. The August 4 meeting might be an in-person meeting with a different layout and location, depending on the results of the results and development of protocols after the trial run meeting.

## **New Business**

1. **CLARB Annual Meeting.** Mrs. Dunkin said CLARB is tentatively planning to hold the 2021 Annual meeting on September 22-24, 2021, in Phoenix, Arizona. The Board of Directors will finalize details for the meeting at their meeting later in May. The current plan is to have a hybrid in person/virtual meeting, with a limit of two “in person” attendees per state. The Governor has lifted the ban on out-of-state travel, but travel will require advance approval and be under additional scrutiny.

**MOTION:** To designate the Board Chairman to make the selection of the two in person attendees for the 2021 CLARB Annual Meeting.  
Kinney/Dukes/approved

2. **Discussion of International Degrees.** Mr. Stuart said an application was received from an applicant with a degree in landscape architecture from a university in Ireland. The individual met the requirements for licensure under the SC Code of Laws, Section 40-28-30(B)(2), so the license was issued. Mr. Kinney also reviewed the application and noted that the degree program was accredited through the International Federation of Landscape Architects (IFLA), but he wasn't sure if that accreditation was sufficient to meet the requirements in the SC Code of Laws, Section 40-28-30(B)(1). CLARB is addressing this issue, and he recommended that the Board

follow CLARB's guidance in determining whether this accreditation is sufficient for licensure in the United States. Mrs. Dukes and Mr. McLeod agreed that we have a mechanism in place to license individuals with International Degrees through Section 40-28-30(B)(2), which is sufficient for now. The Board will monitor CLARB's progress with the international degrees and note their recommendations in the future.

- 3. Investigative Review Committee Member.** Mrs. Dunkin said Morgan Grimball retired and put his license in Emeritus Status, so he can no longer serve as a professional member of the Investigative Review Committee. Michael Nation is continuing to serve. The Board agreed that they would like to appoint a second professional member to the committee, preferably somebody who is a former Board member or somebody from the Columbia area. They requested a list of individuals in the Midlands area to review at the next Board meeting.

### **Notice of Next Meeting**

Mr. McLeod said the next meeting of the SC Board of Landscape Architectural Examiners will be held on August 4, 2021, at 10 a.m.

### **Adjournment**

There being no further business, the meeting adjourned at 11:04 a.m.

Respectfully Submitted,

*Sherri Moorner*

Sherri Moorner, Program Assistant