

MINUTES
SC Board of Landscape Architectural Examiners Board Meeting
April 27, 2022 at 10 a.m.
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 105
Columbia, SC

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, 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.

Introduction of Board Members and Others

Board members participating included Edward Kinney, PLA, Vice-Chairman; Barret Anderson, PLA; Andrew Cheatham, PLA; Laura Dukes, PLA; Frank E. Barron III, Public Member; and Jean Catalano, Public Member.

Staff members participating included Hardwick Stuart, Esq., Office of Advice Counsel; Pam Dunkin, Administrator; and Sherri Moorner, Program Assistant.

Others participating included: Nadine Garrett (Creel Court Reporting).

Approval of Agenda

MOTION: To approve the agenda of the April 27, 2022, Board meeting.
Dukes/Kinney/approved

Approval of Excused Absences

There were no absences.

Board Chairman Remarks

Mr. McLeod welcomed Frank Barron and Andrew Cheatham to the Board.

Approval of Minutes

Mr. McLeod asked for proposed changes to the minutes of the February 2, 2022, meeting.

MOTION: To approve the minutes of the February 2, 2022, meeting.
Kinney/Catalano/approved.

Staff Reports

Mrs. Dunkin gave the Administrative Report:

- Mrs. Dunkin welcomed Mr. Barron and Mr. Cheatham to the Board.
- Mrs. Dunkin asked Board members whose terms have expired to send an updated letter of intent to the Governor's Office. She requested that they copy her on the request.

- Mrs. Dunkin said the Board has been assigned a new Advice Attorney. Joseph Epting, the new Advice Attorney, will be at the next meeting.
- The Board has 718 individual landscape architects and 217 firms actively licensed.
- The Board had a cash balance of \$175,251.98 as of March 31, 2022.
- The Landscape Architect Registration Exam (LARE) will be administered on August 1-13, 2022. Registration will open in mid-May.
- The next Board meeting will be held on August 3, 2022.

Mr. Kinney asked about tracking licensure trends over the past ten years. This could be useful information in determining the health of the profession in SC. Mrs. Dunkin said she would see if that information is available.

Office of Investigations and Enforcement (OIE) Report

Mrs. Dunkin said there have been three complaints received in the Office of Investigations and Enforcement since January 1, 2022. They are all “do not open” cases. There are no active investigations.

Investigative Review Committee (IRC) Report

Mrs. Dunkin said there is no IRC Report.

Office of Disciplinary Counsel (ODC) Report

Mrs. Dunkin said there is one case in the Office of Disciplinary Counsel.

Board Member Reports

There were no Board member reports.

Old Business

1. **Update on S.295.** Mrs. Dunkin said this bill passed the Senate on March 31, 2022. It was introduced in the House Labor, Commerce, and Industry Committee on April 5, 2022. If passed, it will take effect on January 1, 2024. This would result in changes in application processing because Boards would have to identify crimes that lead to immediate disqualification for licensure. Mrs. Dukes reminded the Board that this was discussed at a previous meeting, and they agreed that guidance would be needed from Legal Counsel. Mr. Stuart reminded the Board that the purpose of this bill is to remove ambiguity with subjective things like “good character” and “moral turpitude.” There are only a few days left in the legislative session, so it is unlikely that it will pass this year and will have to be re-introduced next year.
2. **Continuing Education Handout Review.** Mrs. Dunkin asked the Board for comments on the handout that staff developed to clarify the continuing education requirements. Mrs. Catalano said it did a good job of delineating differences in coursework. Mr. Anderson agreed that it aids in establishing uniformity in submittals for the review process. He asked if a checklist could be added for licenses to use in obtaining documentation for their continuing education activities. Mr. McLeod suggested adding the Continuing Education Audit Form on the final page, and posting the document on the front page of the website as a “quick resource.” Staff will implement the requested changes and present it for final review at the next meeting.

New Business

1. **2022 CLARB Annual Meeting Travel Approval.** Mrs. Dunkin said the CLARB Annual Meeting will be held in Omaha, Nebraska, on September 21-23, 2022. This will be a hybrid meeting. The Board can designate two members and one staff to participate. CLARB will grant Boards with three paid participant’s free virtual access for the remaining Board members.

MOTION: To send two Board members and one staff member to the CLARB Annual Meeting.
Catalano/Kinney/approve

MOTION: To send Andrew Cheatham, Edward Kinney, and staff at discretion to the CLARB Annual Meeting.
Catalano/Dukes/approve

2. **Update from CLARB Mid-Year Meeting.** Mrs. Moorer said that the CLARB Uniform Standard passed the membership vote. There were two proposed amendments to Resolution #1 for the Uniform Standard. The first was a clarification proposed by the Minnesota Board to add a clause for “other requirements as established by the Board” for reciprocity licensure. This passed to give Boards with comity licensure or state exams the discretion to continue with their practices in compliance with the Uniform Standard. The second resolution from the Minnesota Board to allow for additional experience credit for Architectural and Engineering degrees did not pass. The second resolution to revise the Model Law and Model Regulations to align with the Uniform Standard passed. The third resolution to revise the Model Law and Model Regulations to promote diversity, equity, and inclusion in licensure standards to align with CLARB’s DEI principles passed. California proposed a last minute amendment similar to our proposed S.295 that would prevent denial of licensure based on a past criminal history, but this resolution did not pass. The passage of these resolutions is only for guidance from CLARB, and does not affect State Board requirements. Mrs. Moorer abstained from voting and participated in the meeting for informational purposes only.

3. **Regulatory Review of Chapter 76.** Mr. Stuart said it is almost time for the regulatory review. He suggested that the Board establish a committee to review Chapter 76 of the regulations and the Venable Analysis provided by CLARB to determine if there are changes necessary for current practices or in response to the passage of the CLARB Uniform Standard. He suggested that the committee consist of members from the Board and the SC Chapter of the American Society of Landscape Architects. The deadline to propose changes for the 2023 Legislative Session is in October.

MOTION: To establish a committee to review Chapter 76 consisting of two Board members and two members from SCASLA. Dukes/Kinney/approved

MOTION: For Parks McLeod to chair the Regulatory Review Committee, and Andrew Cheatham to serve on the committee. Dukes/Anderson/approved

Mr. Cheatham will contact SCASLA to get representatives to serve on this committee and will contact Mrs. Moorner with their contact information to schedule committee meetings.

Public Comments

There were no public comments.

Notice of Next Meeting

The next meeting of the SC Board of Landscape Architectural Examiners will be held on August 3, 2022, at the SC Department of Labor, Licensing and Regulation, Synergy Business Park, Kingstree Building, 110 Centerview Drive, Conference Room 204, Columbia, SC, and will begin at 10 a.m.

Adjournment

MOTION: To Adjourn.
Anderson/Catalano/approved

There being no further business, the meeting adjourned at 11:30 a.m.

Respectfully Submitted,

Sherri Moorner

Sherri Moorner, Program Assistant