

# OREGON LANDSCAPE ARCHITECT BOARD

## MEETING MINUTES

May 8, 2009

THE ASSOCIATION CENTER, CONFERENCE ROOM A

### Members Present:

Robert Edwards, Public Member  
Ron Nichols, Public Member, Treasurer  
David Olsen, Landscape Architect  
John Pellitier, Landscape Architect  
Mel Stout, Landscape Architect, Vice Chair  
Timothy Van Wormer, Landscape Architect, Chair  
Susan Wright, Public Member

### Staff Present:

Susanna Knight, Administrator

### Candidate(s) for Initial Registration Present at 10:00 AM:

Nathan Hale, Applicant for Initial LA Registration [9:45 AM to 10:30 AM]  
Robert Phipps, Applicant for Initial LA Registration [9:45 AM to 10:30 AM]

### Candidate(s) for Registration Reinstatement Present at 1:00 PM:

Sean Batty, RLA, Candidate for Reinstatement of RLA [12:45 PM to 1:45 PM]  
Jennifer Shipley, Candidate for Reinstatement of RLA [12:45 PM to 1:45 PM]  
Sarah Whitney, LAIT, Candidate for Reinstatement of LAIT [12:30 PM to 1:45 PM]

### Guests:

Gail A. Dresner, ANLD [11:50 AM to 1:15 PM]  
Andrew Leisinger, RLA, Liaison to ASLA [present from 10:30 AM to 11:50AM]  
Vanessa Nagel, APLD [11:50 AM to 1:15 PM]  
Bill Ryan, PE, City of Portland [8:30 AM to 10:00 AM]  
Michael Snyder, Administrator, OLCB [present from 8:45 AM to 1:15 PM]  
Paul Taylor, Landscape Designer [11:50 AM to 1:15 PM]  
Steve Townsen, PE, City of Portland [8:30 AM to 10:00 AM]  
Amy Whitworth, Landscape Designer [11:50 AM to 1:15 PM]

The meeting was preceded by an 8:30 AM Work Session.

Two guests from the City of Portland, Bill Ryan, Chief Engineer, Bureau of Environmental Services, and Steven Townsen, City Engineer, presented information about Green Streets. In particular, the City was seeking input about who should or could stamp certain plans. Townsen provided historical background on how the City has dealt with runoff storm water. A handout was then distributed which presented the multiple ways the City of Portland is working with storm water runoff through "Green Streets". The designs for four types of models were presented. A very interactive discussion occurred which confirmed that cross-pollination of registered professionals has lead to great end products in Portland. Portland is really the cutting edge in the country for the development of Green Streets and has both landscape architects and engineers on paid staff.

Projects in Portland come under one of three different programs: 1) the City developing projects at spot locations; 2) a developer required to fix a problem in order to move ahead with the development; 3) a capitol project by the city which is bid on by outside companies. A need exists for the city to identify standard requirements for projects coming in front of the city and this includes an identification of the scope of practice. Currently RLA's have been stamping plans where curbs and

roadways have been modified. The City Engineer proposed to the Board that in the future the City would allow an RLA to stamp plans for work in the right-of-way from property boundary to the curb line but a Professional Engineer must stamp plans for curb and roadway modifications, if any, within the project. The Board expressed approval of the proposal.

The presentation concluded at 10:00 AM. The Board expressed its appreciation to Townsen and Ryan for joining the Board to discuss this question.

Because the Board Meeting was scheduled to begin at 10:00 AM, the draft budget for 2009-11 was moved to the Administrator Report and the Bylaws discussion was moved to the August Work Session.

*Chair Van Wormer* announced a 5-minute break prior to convening the Board meeting.

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At 10:05 AM, *Chair Van Wormer* called to order the quarterly meeting of the Oregon State Landscape Architect Board (OSLAB) and requested additions to the agenda. Two items were offered:

- 1) 6. Correspondence D. LACC 09 03 081; and
- 2) 5. Old Business, C. Plain Language Plan.

*Nichols* moved to approve the agenda with the two additions. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*

*Chair Van Wormer* welcomed two new applicants for initial registration, Nathan Hale and Robert Phipps. Board members addressed questions to both candidates about the Oregon Revised Statutes and the Oregon Administrative Rules. At the conclusion, *Van Wormer* inquired of the candidates about what part of the registration process (education, experience, examinations) was most valuable to them. Both concurred that the work experience was a critical piece and that they learned much on the job, especially regarding jurisdictional requirements.

*Stout* moved to approve registration for both Nathan Hale and Robert Phipps. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*

Congratulations were offered by Board Members, registration paperwork was presented, and the two new registrants departed the meeting.

1. **MINUTES:** At 10:30 AM, *Chair Van Wormer* requested a motion to approve the minutes of the February 20, 2009 Board meeting. *Edwards* moved to approve. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*

## **2. COMPLIANCE REPORT**

At 10:40 AM, *Chair Van Wormer* read the following statement:

“The Board will now meet in executive session for the purpose of reviewing documents that are exempt by law from public inspection per ORS 192.660(2)(f) under ORS 671.338.

“Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically

directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision will be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.”

At 11:25 AM, the Board returned to public session.

- A.** Compliance Chair *Wright* made the following series of motions for **LACC# 07-12-009**.
- 1) *Wright* moved to withdraw for reconsideration the motion to close compliance case **LACC#07-12-009**, compliance met from the February 20, 2009 Board Meeting minutes. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
  - 2) *Wright* moved to withdraw for reconsideration the following motion from the November 14, 2008, meeting: “*Wright* moved that action in **LACC #07-12-009** be taken to issue a civil penalty of \$500 for violation advertising landscape architecture services on a web site by a non-registered individual and a \$500 civil penalty for a non-registered business offering services of landscape architecture.” *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
  - 3) *Wright* moved to close **LACC #07-12-009** without issuing a civil penalty, as the illegal advertising of landscape architecture services has been removed, but close the case with a letter of warning about advertising landscape architecture without registration as it is a violation of the statute. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- B.** *Wright* moved to close **LACC#08-05-012**, compliance met. *Seconded.* Additional discussion ensued. *Stout* asked that the closing letter include a request that the marketing group be made aware of this violation. Such a request will reinforce the Board’s position that marketing departments must be aware of the law. *Passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- C.** *Wright* moved to close case **LACC#08-08-017**, compliance met. *Seconded.* In follow-up discussion, *Stout* recommended that a thank you be included in any case where individuals worked to meet compliance. *Passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- D.** *Wright* moved to close case **LACC #08-08-018**, compliance met, and include a letter to the Texas Company that approved the yellow page format. *Seconded. Passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- E.** *Wright* moved to close **LACC#08-09-019**, compliance met, with a reminder that an individual must be registered in Oregon if documents indicate the individual is a Landscape Architect. *Seconded.* Discussion. *Van Wormer* offered that it is not difficult to become registered by reciprocity. *Passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- F.** *Wright* moved to close **LACC #08-10-020** with a \$500 civil penalty for each violation as the registrant has failed to complete the business registration requirements of the law. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- G.** *Wright* moved to close **LACC #08-10-022**, compliance met. *Seconded.* During follow-up discussion, it was noted that this case was the exact same case as LACC#08-10-020. The difference was that this business immediately applied, paid fees, and became compliant. The Board asked that a “Thanks for meeting the requirement” be included in the closing letter.

*Passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*

- H.** *Wright* moved to close **LACC#08-10-026**, compliance met. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- I.** *Wright* moved to close **LACC# 08-11-029**, violation corrected. *Seconded.* During discussion, *Wright* suggested that one letter be issued for both cases [LACC#08-09-019]. Include a thank you for following up on the Board's concern. A second letter should be issued to the engineering firm that advertised the respondent as an RLA informing them of the violation. *Passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Van Wormer, yes; Wright, yes.*
- J.** *Wright* moved to close **LACC #08-11-030** case as the investigation has concluded. *Olsen* recused himself from the discussion and vote. *Seconded.* The discussion included a recommendation that letters be issued to all the parties involved in this case. *Motion passed: Edwards, yes; Nichols, yes; Olsen, recused; Pellitier, yes; Van Wormer, yes; Wright, yes.*

**Public Comment:** *Chair Van Wormer* recognized Andrew Leisinger, RLA, Liaison to OSLAB for ASLA Portland. *Leisinger* requested to address the Board and invited Michael Snyder to join him. *Leisinger* reported that after consulting with OLCB Administrator Michael Snyder, he had prepared a letter to the House Business & Labor Committee requesting an amendment to SB147A which would remove an exemption in the OSLAB statutes. *Stout* offered that the verbiage in the OSLAB statute currently exempts those exempted in the Contractor Board's statute. OSLAB's AAG has talked with the Board about the need to remove this exemption. *Snyder* introduced himself, thanked the Board for the opportunity to speak, and updated the Board on the history of SB 147 to date. He stated that *Leisinger* came to OLCB requesting an amendment and identified the change to ORS 671 as a non-controversial addendum to remove exemptions for Landscape Contractors. The House Business & Labor Committee has a Work Session scheduled for Wednesday, May 13 at 8:00 AM and both the *Leisinger* amendment and an amendment about pesticide regulation will be considered. *Snyder* expressed concern with the pesticide amendment as controversy with this could derail the entire bill. *Knight* inquired if OSLAB should go on record with SB 147. *Snyder* offered that OSLAB should go on record if it supports the amendment to take a position with the House Committee. *Van Wormer* advised that the amendment could correct a problem facing OSLAB and inquired if information about the amendment presented to the Legislative Committee is available. *Leisinger* offered to bring paperwork about the amendment back to the Board today.

*Leisinger* also reported that ASLA Portland is in conversation with OLCB about designers. *Pellitier* offered that this is the first time in his two-year tenure that ASLA has had any contact with the Board and inquired if ASLA has any questions of OSLAB. *Van Wormer* asked that such a discussion be held during the August lunch time when the ASLA Section Chairs will be present.

**3. ADMINISTRATIVE MATTERS:** *Knight* reported that a change to the draft 2009-11 budget has occurred. The Administrative Fees in the OSLAB draft budget were predicated on a wage increase for staff. OSBGE has determined that freezing staff salaries is necessary in these economic times per the Governor's recommendation. Incorporating the anticipated freeze into the budget, the OSLAB's Administrative Fee for both years will be reduced. However, the bottom line for the OSLAB draft budget merely sees a smaller negative number for the final budget figure. *Knight* also noted that the draft budget includes a stipend increase of \$20, from \$30 to \$50.

The Board may wish to take separate action on this. *Van Wormer* stated that the approved budget of \$315,082 would not be affected by the change in Administration fees.

A. Board Administrator Report:

- ✓ During CLARB's Charleston meeting held this past February, Administrators worked in small groups to develop a vision for the structure of the new AMS system of CLARB. During the session on Council Record updates, it was noted that perhaps a "platinum" standard for a Council Record would be the standard that every state would accept! During the continuing education presentation, Knight suggested that states consider if they wish to have carryover hours, and three states informed the group that carryover hours were no longer allowed because of the problems created in the audit procedure.
- ✓ Knight directed the Board to the handout titled OSLAB Renewal History July 2008 to April 29, 2009. She noted that August and November had the highest non-renewal rates, then October and lastly March. The non-renewal rate is approximately 4% over the past 10 months. In addition, 7 registrants have moved to an inactive status during this period.

*Lunch Break*

At 12:10 PM, *Van Wormer* welcomed four guests representing the landscape design community and asked each guest and the Board to introduce themselves. Following introductions, a buffet lunch was offered.

During lunch, *Pellitier* reported on a four-hour meeting convened in Eugene, Oregon on March 17, 2009, for purposes of discussing the word "plan". Participants at that meeting included *Pellitier* representing OSLAB; Matt Triplett and Marty Gascoyne representing OLCB; Amy Whitworth representing designers; John Stone representing the Oregon Landscape Contractors Association; John Galbraith, RLA, formerly on the OLCB and currently working with the examination for OLCB. David Olsen, RLA, OSLAB member could not attend due to winter highway conditions.

*Pellitier* reported that much positioning occurred with the OLCB members wanting respect for what they are doing including the LCP (Landscape Construction Professional) designation and reporting that they are changing the direction of what they are doing. The group discussed plan and install versus plan or install.

Whitworth offered that the designers are trying to establish a relationship with those that impact their work. Designers recognize the value of communicating prior to seeing one another at the Legislature. Designers do not want to break the law and designers believe there is a place for everyone.

Snyder stated that he was not at the meeting but received the meeting notes. He reported on history which included: plan vs. plant; the impact a former OSLAB Chair had on the writing of the statute; and language in 2003 that was not supported by OSLAB.

*Van Wormer* inquired if the group talked about designers. *Pellitier* responded no, that it was more about OLCB and OSLAB with OLCB defining that they can do RLA's work. *Pellitier* offered the "plan" word is a challenged word with regard to HSW and how OLCB perceives it.

*Van Wormer* inquired if another meeting is scheduled and offered that OSLAB is interested in building relationships and encouraged *Pellitier*, Olsen, and Whitworth to get another meeting put together. *Stout* offered that each needs to bring a proposal. *Olsen* suggested that 2 or 3 meetings should solve this issue. Snyder offered that this must be resolved before April 2010, as that is when concepts are due for the next Legislative Session. Dressner suggested that this group capitalize on the language in the passing RLA practice legislation in Washington, as all "players" were brought together to draft the language which just passed the Washington legislature.

At 1:15 PM, Snyder and the four landscape designers departed. The Board meeting continued with *Van Wormer* inviting the three candidates for reinstatement of licensure to join the Board at the table. Each was asked to explain why their registration became delinquent.

- ✓ Shipley explained that 4 years ago, she began working with her husband in computer animation and thought she would not return to the practice of landscape architecture. In March of this year, she realized she missed her work in landscape architecture. Many neighbors have asked her to do work for them. Shipley has been working on continuing education since March and is seeking reinstatement of her registration.
- ✓ Batty explained that he is the classic case. The check was sent but lost in the mail. He has determined that in the future, he will use certified mail to secure arrival of the payment.
- ✓ Whitney indicated that the renewal form must have been shuffled around and lost in the office. When she inquired of Board staff, she was informed that she must appear before the Board for reinstatement. She is currently under supervision by Kathleen Krulack, RLA.

*Pellitier* inquired if a Board decision would be made today. Following discussion with the candidates for reinstatement, *Stout* proposed three separate motions.

*Olsen* moved to grant reinstatement of Jennifer Shipley's landscape architect license pending receipt of documentation for 48 hours of continuing education by or before June 30, 2009. *Seconded*. No additional discussion. *Motion passed: Edwards, yes; Nichols, yes; Olsen, recused; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

*Stout* moved to reinstate the registration of Batty. *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

*Stout* moved to reinstate Sarah Whitney as an LAIT. *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

*Van Wormer* announced a 5 minute break from 1:45 PM to 1:50 PM. The candidates for reinstatement departed.

*Van Wormer* distributed paperwork delivered to the meeting by Andy Leisinger, RLA regarding an amendment to SB 147A of OLCB. The amendment would remove an exemption in the OSLAB statute. *Stout* distributed a definition of Health, Safety, Welfare and Plan found on [www.businessdirectory.com](http://www.businessdirectory.com). *Van Wormer* moved to write a letter to the House Business and Labor Committee in support of an amendment to SB 147A which would remove ORS 671.321(1)(e) from the OSLAB statutes. *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

At 2:00 PM, Administrator Knight continued with her report.

- B. The Action List which includes all outstanding action items was not discussed.
- C. Budget Update 2007-09 Biennium: Knight identified the increase in examination application fees in this biennium. She reported that examination registration was up in December and again for the upcoming June exams. No questions were fielded about the budget report.
- D. Approve check log: *Edwards* moved to approved check #3240 to #3274 and check #10045 to #10050. *Seconded*. Knight reported that the check log was not approved at the February meeting. That approval is posted under old business. *Passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*
- E. Business Registration Update (See Appendix I): Ten new businesses have been added to the business roster of the Board since the last meeting.

- F. Inactive Registrants (See Appendix I): One inactive registration was granted since the last Board meeting.

#### 4. COMMITTEE REPORTS

A. **ADMINISTRATIVE RULES COMMITTEE:** *Nichols* began his report by thanking *Edwards* for his assistance in drafting language for the Emeritus rule; thanking *Knight* for diligence in getting rules drafted and pulling together the Rules Advisory Committee (RAC); and thanking the RAC who dropped what they were doing to give input. The RAC provided very critical dialogue.

1. *Nichols* stated that **OAR 804-020-0003** addresses the requirement that applicants for LARE A, B, and D must be preapproved to sit for the online examinations. Applicants provide a letter requesting approval to sit for the exams along with an official transcript. Staff provides an approval letter if the transcripts are sufficient. *Knight* offered that staff will monitor this process to determine if a fee is warranted, as CLARB's new AMS system will require approval documentation *each time* the person sits for the examination. Currently, one approval letter allows entrance to the exam until the exam is passed. *Edwards* moved to accept the draft with one change to (1) where following the graphics, the following will be added: portions of the LARE. *Motion passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

2. *Nichols* reported that **OAR 804-022-0015** will bring Emeritus under the umbrella of inactive. *Edwards* offered that it was interesting that Emeritus is mentioned two times in the OARs but *Knight* offered that there is no statutory authority for Emeritus. He offered that (5) is confusing and suggested removing the word only in the second line. Identifying emeritus as an inactive status will validate the use of Emeritus. *Nichols* moved to approve the draft language as presented with the removal of only in (5). *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

3. *Nichols* reported that *Knight* obtained information from numerous other states to assist in the drafting of **OAR 804-030-0000** on Electronic stamping. The RAC did considerable review and discussion of this draft rule. *Nichols* moved to approve the draft language for the seal. *Seconded and passed: Edwards, yes; Nichols, yes; Olsen, yes; Stout, yes; Van Wormer, yes; Wright, yes. Pellitier* was out of the room.

4. *Nichols* reported that **OAR 804-030-0003** is a new rule to provide guidance for electronic signatures. Numerous members of the Board shared that they have a problem with this information; they are unclear as to how it will function. After discussion, *Olsen* moved to hold approval based on clarification of how this works. *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes. Van Wormer* then appointed a committee of *Stout, Olsen, and Nichols* to work out the understanding of electronic signatures.

B. **CONTINUING EDUCATION COMMITTEE:** *Stout* referred the Board to his report dated May 8, 2009 and moved to approve the audit materials for the following numbers: 053, 054, 059, 065, 075, and 076, with the understanding that 053 may have carryover hours of 9 HSW and 3 other based on information submitted to the CEC after it's conference call review. Number 058 is reserved until current credits are presented. *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.* The CEC asked the Board to consider dropping the carryover hours. From an auditing standpoint, it is very difficult to deal with carryover. The CEC also suggested that 4 hours PDH be granted for

participation in the CLARB national meeting. These suggestions are already on the agenda under new business.

- C. INVESTMENT COMMITTEE:** *Nichols* directed the Board to the document titled UPDATE ON CERTIFICATES OF DEPOSIT, as of March 13, 2009. He also reported that the Public Hearing on the Board approved budget for 2009-11 will be held on June 5, 2009 at 10:00 AM in the Board Conference Room.
- D. LICENSURE REVIEW COMMITTEE:** *Van Wormer* reported that applications by reciprocity are slowing down and staff is receiving 2 to 3 per quarter. Three new registrants were approved since the last meeting: Susan Mathis, LA683; Stephen Ray, LA684; and Charles Strawter, LA685.
- E. OTHER:**
1. Liaison to OBAE (Oregon Board of Architect Examiners): *Olsen* reported that he is drafting an agenda and will schedule an informal visit with OBAE. *Van Wormer* commended this effort and encouraged the focus to be on health, safety, and welfare and the recognition by Architects of when work requires a Landscape Architect.
  2. Liaison to OLCB: *Pellitier's* report occurred during the lunch discussion which included landscape designers and the Administrator of the Oregon Landscape Contractor's Board.

## 5. OLD BUSINESS

- A. *Edwards* moved to approve check log #3197 to #3239 and #10038 to #10044 from the February agenda. *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*
- B. The Board recommended that a letter be written to DAS, Risk Management Division, inquiring if OSLAB is eligible for participation in the Liability Pool for Risk Insurance [See LAC 09 04 093]. Parameters about no risk issues within a certain period of time may prevent OSLAB from being eligible at this time.
- C. Plain Language Plan: *Stout* stated that he likes the Board's web site because it is easy to find things. *Van Wormer* suggested that the Mission Statement be added as well as a statement about the staff.

## 6. CORRESPONDENCE

- A. **LAC 09 02 050:** The registrant inquired about which address is used for the business listing on the web. The Board discussed using the business address on the business roster. Currently the reporting process picks up the address on record, which is home or work depending on which is preferred by the registrant. Staff will look into this.
- B. **LAC 09 03 084:** This public inquiry about the Board suggested that more information should be on the web page. *Van Wormer* referenced his comments under the Plain Language Plan, where both the Mission Statement and information about staff composition could be included.
- C. **LAC 09 04 106:** This letter requested installment payment based on economic challenges. *Stout* offered that this is a bad precedent as others will request similar exceptions and this will become difficult for staff to accommodate. *Van Wormer* stated that many are facing similar issues but the Board cannot offer this payment process. *Olsen* suggested a letter stating the registrant has 60 days to complete the requirement but cannot operate the business without registration. *Nichols* moved to deny the request for installment payments. *Seconded and passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*
- D. **LAC 09 03 081:** *Stout* moved to approve the request to maintain the RLA without registering the business based on the status of the business as a landscape contracting business. *Seconded.* During additional discussion, it was suggested that the Yellow Pages should confirm that this business is not

listed under landscape architecture. *Motion passed unanimously: Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

## 7. NEW BUSINESS

**A. Business Renewal Date:** *Stout* stated that his company was caught because of the two year cycle. While the office was temporarily closed, the registration lapsed because mail was delayed. He would ask the Board to consider an annual billing of the required business fee. *Pellitier* agreed with the simplicity. *Van Wormer* stated that it must go through the rules process to change to an annual amount. After additional discussion, *Stout* moved to change the business fee to \$112.50 annually. *Seconded and passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

**B. Continuing Education Credit for Board Members:** *Olsen* stated that much time is involved in membership of this regulatory Board. He offered that more PDH should be allowed. *Edward* moved to allow 12PDH per year for Board Membership. *Seconded.* During additional discussion, *Van Wormer* expressed concern that those affected are making the rule. *Knight* offered that the public members can weigh in. *Wright* suggested that perhaps 9 hours could be allowed, but 3 additional HSW hours could be acquired. Members concurred that much of what transpires each meeting involves health, safety, and welfare, such as the presentation during the Work Session. *Motion passed unanimously. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

**C. Carryover hours for Continuing Education:** *Olsen* stated that as a member of the CEC, the evaluation process for carryover hours is a nightmare. During the audit, extensive audit of the year prior must also be completed if the registrant is seeking to use those hours for the current audit. He stated that it would be much cleaner to allow 12 hours per year acquired during that audit period. *Wright* moved to revise the continuing education rule so that extra PDH cannot be carried over. *Second and passed. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

## 8. ANNOUNCEMENTS

- A. Next LARE Dates: June 8 & 9, 2009:** *Knight* reminded proctors *Wright*, June 8 and *Pellitier*, June 9, that examination details will be forwarded.
- B. Next Board Meeting: August 14, 2009:** *Van Wormer* stated that elections for Board officers will be held at the August meeting. He stated that he is willing to serve for one more year, but then the Chair must transition to another member.
- C. CLARB Meeting, Seattle, Washington on September 10, 11, & 12, 2008:** The Board talked about all Landscape Architect Board Members attending the Seattle meeting. *Wright* inquired about the cost to attend if she has a no-cost place to stay. *Knight* stated that it would be only the registration fee.

9. **ADJOURNMENT:** Chair *Van Wormer* adjourned the meeting at 3:40 PM.

Respectfully Submitted,

Susanna R. Knight  
Administrator

The minutes of the May 8, 2009, Board meeting were approved as presented at the August 14, 2009 Board meeting.  
Respectfully submitted,  
Susanna R. Knight  
Administrator