

LANDSCAPE CONTRACTORS BOARD  
**Minutes of the October 30, 2008**  
**Board Meeting**  
Conference Call

Please note that the minutes will not be approved until the Board meets on November 21, 2008.

PRESENT

Board Members

Matthew Triplett, Chair  
Marty Gascoyne, Vice-Chair  
Steven Carper  
Joe Lymp  
Larry Thomas  
Lisa Walter Sedlacek

Others

Joanna Tucker-Davis, Assistant  
Attorney General  
Myrna Roth

Staff

Mike Snyder, Administrator  
Kim Gladwill-Rowley, Program Manager  
Ken Roth, Investigator

EXCUSED

Richard Hollenbeck

**1. PROCEDURAL**

**A. Call to Order**

The meeting was called to order at 2:00 p.m. by the Chair.

**B. Approval of Agenda and Order of Business**

The agenda was approved with the addition of the Legislative Concept, Death of Ron Klingler, Danny Santos & a conversation with the Chair of the Landscape Architects Board.

**2. PROPOSED ADMINISTRATIVE RULES**

**A. Hearing Held October 14, 2008**

Ms. Gladwill-Rowley reported there were no public members present for the public rule hearing on October 14, 2008 at the LCB office.

**Board Action:** Moved by Mr. Gascoyne and seconded to adopt amendments to the following rules:

808-002-0210	808-003-0040	808-003-0450
808-002-0340	808-003-0045	808-005-0020
808-002-0420	808-003-0125	808-030-0050
808-002-0820	808-003-0130	808-030-0060
808-002-0840	808-003-0200	808-040-0010
808-003-0015	808-003-0210	
808-003-0018	808-003-0220	

Ms. Gladwill-Rowley requested 808-003-0125 not be included in the adopted amendments. She further explained the amendments to this rule are not clear and would like to have another attempt at this rule amendment.

**Board Action:** Mr. Gascoyne moved to amend the motion to remove 808-003-0125 from previous motion. Vote 5 ayes-0 naves.

## **B. Hearing Held September 19, 2008**

### **1. Agency Lay Representative**

Ms. Gladwill-Rowley explained this rule amendment allows the LCB staff to represent the LCB at specific contested case hearings. This has been approved by the Attorney General's office. Staff previously filed a temporary rule adopting these changes. This would make the rule permanent.

**Board Action:** Moved by Ms. Sedlacek and seconded to adopt the proposed amendment to rule 808-009-0340. Vote 5 ayes; 0 naves.

### **2. Schedule of Civil Penalties**

**Board Action:** Moved by Mr. Lymp and seconded to approve changes to 808-005-0020.

Mr. Snyder suggested an amendment to subsection 6 to read: "For operating as a landscape contracting business without having at least one owner or employee who is a licensed landscape construction professional licensed within the phase of work performed...."

**Board Acton:** Moved by Mr. Carper and seconded to amend the motion for 808-005-0020(6) to state "For operating as a landscape contracting business without being owned by or employing at least one licensed landscape construction professional licensed within the phase of work performed..." Vote 5 ayes; 0 naves.

Vote on original motion: vote 5 ayes 0 naves.

## **3. PUBLIC COMMENT**

There was no one present who wished to speak.

## **4. NEW BUSINESS**

### **A. LEGISLATIVE CONCEPT (LC)**

The Board reviewed LC 482. Mr. Snyder stated the fiscal impact will be on anyone who is maintaining irrigation systems at this time. This includes blow-outs of irrigation systems with compressed air as well as opening a drain valve. It will require all landscape maintenance businesses to get a license to open a drain valve. The Board would like to amend the concept to state "Maintain irrigation systems using compressed air".

A license will be required to blow out irrigation systems. The fiscal impact is that up to last year a license was a requirement due to a rule with no legislative authority, so those added to this requirement will be small.

**B. RON KLINGLER, LCB INVESTIGATOR PASSED AWAY**

Mr. Snyder reported that Mr. Klingler, LCB Investigator in the Medford area passed away on October 23, 2008.

**C. LANDSCAPE ARCHITECTS BOARD**

Chair Triplett reported he met with the Chair of the Landscape Architects Board. He stated the proposed rule amendment to Plan or Install no longer holds any concern for their board. They do have concerns where there are overlaps between the licenses and this dialogue will continue.

**D. OTHER LEGISLATION**

The Semi-Independent Board Administrator (SIBA) group would like to hire a lobbyist to keep up to date on bills that may affect semi-independence. SIBA is researching the cost for this. There is a movement against some of the medical related boards being removed from semi-independent status.

Danny Santos from the Governor's Office will be attending the November 21, 2008 Board meeting at the request of the Board Chair and Administrator to talk about his role with the Governor's Office.

**5. ADJOURNMENT AND NEXT MEETING SCHEDULE**

Moved by Lymp and seconded to adjourn the meeting.

The meeting adjourned at 2:55 p.m. The next meeting of the Landscape Contractors Board will be held November 21, 2008 in Salem.

Respectfully Submitted,

Kim Gladwill-Rowley  
Program Manager