

OREGON LANDSCAPE ARCHITECT BOARD
MEETING MINUTES
August 13, 2010

Members Present:

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

Staff Present:

Marilou Arrobang, Registration Specialist
Kyle Martin, AAG, Business Services Unit [9:30AM – 10:30AM]

Guests Present for Oral Interview from 10:30 AM to 10:55AM:

Michelle G. Mathis

Other Guests:

No other guests.

Chair Van Wormer called the meeting to order at 9:30 AM in Conference Room B of The Association Center, Salem, Oregon and announced the Board would enter into Executive Session. The Chair 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 under ORS 192.660(2)(f).

“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, the Board may meet in public session to make a decision under ORS 183.482(6).”

The Executive Session concluded at 10:30 A.M.

At 10:35 AM, the Chair inquired if there were any additions to the agenda. No additions made in the agenda. *Wright* moved to approve the agenda as presented. *Seconded and passed.* *Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

Oral Interview: Chair *Van Wormer* welcomed one candidate for initial registration. Board Members introduced themselves and identified their Board responsibilities. The candidate then introduced herself. A question and answer period followed. Discussion items included

difference between ORS and OAR, PDH Requirements, difference between OSLAB and ASLA and if LARE covers sustainability.

Olsen pointed out that the Locator File provided to Board Members does not have the information on when the examinations were completed. Van Wormer commented that he sees the examination summary sheet and other supporting documents when presented to him for certification. Van Wormer directed staff to revise the form to include the examination dates.

Olsen moved to approve registration as a Landscape Architect for Michelle Mathis. *Seconded and passed. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes. Van Wormer* issued certificate and letter and Board Members exchanged greetings and congratulations.

Chair Van Wormer announced a ten-minute break.

At 11:05AM, the Board begins the public session. The Chair announced that no action occurred during Executive Session. Chair Van Wormer directed staff to write a letter to Mary Bedard, reminding her of the deadline for submitting application for the December, 2010 LARE examination. Also directed staff to research Kyle Martin's response on course of action the board may have regarding registrants failing to comply with the Continuing Education requirements.

The Chair announced a Lunch Break from 11:45AM to 12:45PM.

1. MINUTES:

A. *Olsen* moved to approve the minutes of the May 14, 2010 Board meeting. *Seconded and passed. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes; Wright, yes.*

2. COMPLIANCE REPORT: Chair *Wright* reported that there are no pending cases and no new complaints received by the Board. Chair Van Wormer asked about posting the complaint list on the web quarterly. *Wright* remembered receiving an email from *Knight* about the spreadsheet format. *Wright* was unable to open excel files and therefore was unable to respond back. *Wright* requested staff to search for the excel spreadsheet, convert to a PDF file and forward to *Wright*.

Discussion then followed on whether the compliance cases should be posted in the web and published in the newsletter. *Pellitier* shared information with the Board that the Landscape Contractor Board publishes complaint cases in their newsletter. The Board concurred that closed complaint cases be posted in the web and newsletter without reference to names. Names must only be included if case resulted in a penalty.

Pellitier also recommends publishing the Continuing Education result in the newsletter. *Pellitier* added that by publishing the accomplishment of the Board, the public is made aware of why OSLAB is in existence.

Wright moved to approve the posting of the closed complaint cases in the web and also in the newsletter. Seconded and passed. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes.

3. ADMINISTRATIVE MATTERS:

Administrator Report (Appendix I).

No Administrator Report due to the absence of the Administrator on Family Medical Leave.

A. Updates for 2009-11 Biennium: The Board reviewed the Budget versus Actual figures. No questions raised by any Board Member.

B. Check Log: *Wrights* moved to approve the check log containing check #3459 to #3487 and #10078 to #10084. *Seconded and passed. Edwards, yes; Nichols, yes; Olsen, yes; Pellitier, yes; Stout, yes; Van Wormer, yes.*

4. COMMITTEE REPORTS

A. ADMINISTRATIVE RULES COMMITTEE: *Nichols* reported that there is no pending Administrative Rules (OAR). Prior approved OAR's were all submitted to the Secretary of State on 6/3/2010 and the Notice of Proposed Rulemaking and Hearing was published in the Oregon Bulletin on July 1, 2010. Last day for public comment was 7/30/2010. The OARS were as follows:

- 1. OAR 804-022-0020**, Reinstatement of Delinquent Registration
- 2. OAR 804-025-0030**. Documentation of PDH
- 3. OAR 804-025-0035**, Audit of PDH
- 4. OAR 804-003-0000**, Definition of "in good standing
- 5. OAR 804-035-010; 804-035-020; 804-035-0035**, Housekeeping

Van Wormer informed the Board that he attended the CLARB Region V Annual Meeting via telephone conference call on August 10, 2010. He learned that a mentoring program is in effect in Alaska allowing individuals in remote areas to gain experience under a RLA without being an employee of the RLA. *Nichols* with the assistance of staff is directed to research on this. He also reported that registrations nationally are down. In addition states budgets nationally are in bad shape and could affect Landscape Architecture Boards.

B. CONTINUING EDUCATION COMMITTEE: *Stout* submitted the CEC Report and Recommendations before the Board. *Stout* reported that a conference call was held on August 10, 2010 to discuss the credits and carryover credits. All four audited registrants passed the audit. *Wright* moved to approve the CEC recommendations. *Seconded and passed.*

Discussion about posting the result of the audit in the newsletter was brought up again. Motion moved and passed.

C. INVESTMENT COMMITTEE: *Nichols* reported that total CD with Pioneer Trust bank is still below the FDIC threshold of \$250,000.00. One CD was due on 8/13/2010 and it will just be rolled over for another 18 months.

D. LICENSURE REVIEW COMMITTEE: *Van Wormer* reported that in addition to one new registrant for initial registration approved at the beginning of the meeting, reciprocity applications continue and five new registrants were added during June and July. He also reported that eight business registrations were added to the business roster since the last Board meeting. One registrant moved to inactive status and five registrants have delinquent registration over 60 days. (See Appendix II.)

E. OTHER:

1. Liaison to OBAE: *No report.*

2. Liaison to OLCB: *Pellitier* informed the Board that he received an email from Board Chair Van Wormer requesting for wording on the definition of landscape architecture. *Edwards* commented that OSLAB should have not in the first place, responded to the email request and instead open a compliance case against OLCB for redefining landscape architecture. *Edwards* pointed out that the definition of landscape architecture is specifically made in the Oregon Statutes. Van Wormer ended the discussion by presenting a copy of the email provided to OLCB regarding the definition of landscape architecture which is based or derived from ORS 671-310(5).

5. CORRESPONDENCE

A. LAC 10 05 145: Information related to Moss Adam's audit of the 2007-2009 Biennial Budget Period. Staff reported that the audit result was favorable and that no material weakness in the accounting system was discovered. *Pellitier* inquired why the audit report indicated "an extensive and unexpected effort was required to assist management in drafting the Board's financial statement and footnotes". Staff mentioned instances where it took time for staff to get information to the auditors. To correct this weakness, a reorganization of account names in the accounting software is made. With these change, information about number of registrants in a specified period of time is readily available. Staff also explained the reason why a journal entry for \$77K was made.

B. LAC 10 05 158: A registrant is requesting to waive the late fee for renewing business registration. Registrant who requested for this applied for Inactive Emeritus status on 6/30/2010. Since he is now in inactive status and cannot practice, a business registration is no longer required.

C. LAC 10 05 160: A registrant is requesting explanation on why a business registration fee is necessary. The Board directed staff to respond to this letter.

D. LAC 10 05 171: Reference Manual for Building Officials: *Olsen* volunteer to work on this since he is the Liaison to the Architect Board. *Wright* also offered assistance if needed.

6. OLD BUSINESS

A. Action List: *Van Wormer* directed staff to update the action list and email to him.

B. Biennial Report: No input about the report was submitted into the record. Van Wormer requested staff that in the future, draft of the report must be sent to all Board Members before submission to the appropriate government agencies.

C. Bylaws: Not discussed.

7. NEW BUSINESS

A. Governor's Administrative Cuts & Reset:

B. Executive Appointments: Wright confirmed she is continuing to serve the Board. Pelliter also confirmed he will continue his term. Pellitier requested staff to resend to him the Executive Appointment Form.

C. ASLA Schedule for Conference Call – Continuing Education: ASLA is requesting the CEC Committee for a Conference Call to discuss issues about continuing education requirements. ASLA provided their availability schedule as well as topics for discussion during the conference call meeting. Stout and Olsen will look at their schedules and will report back to staff.

8. ANNOUNCEMENTS:

A. CLARB National Meeting, August 26-28, MD: No OSLAB representative for this year.

B. Next Meeting Date: November 12, 2010. Olsen will be the new Board Chair, Van Wormer will serve as the Vice Chair.

C. Next LARE Dates: December 13 & 14, 2010. Van Wormer volunteers to serve as proctor on Dec. 13th.

9. ADJOURNMENT: Chair *Van Wormer* adjourned the meeting at 2.15 PM.

Respectfully submitted,

Marilou P. Arrobang
Registration Specialist