

OREGON STATE LANDSCAPE ARCHITECT BOARD (OSLAB)

MEETING MINUTES QUARTERLY MEETING

November 12, 2015
Conference Room "A", 2nd Floor,
Association Center, 707 13th St. SE, Salem, OR 97301

<u>Board Members Present</u>	<u>Staff Present:</u>
Gregg Everhart, RLA	Christine Valentine, Board Administrator
Sydney Hatch, Public Member	<u>Other Participants*</u>
Michael O'Brien, RLA, Vice Chair	Kyle Martin, AAG, DOJ
Kathy Olsen, Public Member, Treasurer	Kathryn Forester, Registration Candidate
Steve Ray, RLA, Chair	Michael Moyers, Registration Candidate
Susan Smith, Public Member	Shannon Simms, Registration Candidate
<u>Board Members Excused</u>	Courtney Skybak, Registration Candidate
Lauri L'Amoreaux, RLA	Amy Whitworth, APLD
	Elizabeth Brewster, PCC

*Participation was as noted in minutes

Chair Ray called the meeting to order at 9:02 AM. All members except L'Amoreaux were present. L'Amoreaux was excused due to illness. No guests were present.

AGENDA REVIEW

Chair Ray reviewed the agenda with the Board. Valentine requested an amendment to include a Licensure Review Report under the Committee/Coordinator Reports agenda item. The purpose was for Board review of a pending application for registration by reciprocity. The Board agreed to this agenda change.

Valentine also distributed handouts that were not included in the mailed meeting packets for the Consent Agenda and the Licensure Review, Continuing Education and Budget/Investment reports.

MINUTES

Chair Ray opened review of the meeting minutes from the August 13, 2015 meeting. He asked if there were any comments or revisions for the public session minutes. Hearing none, he asked for a motion to approve.

Vice Chair O'Brien moved to approve the August 13, 2015 public session minutes as presented. Smith seconded the motion. Chair Ray called the vote, and all approved.

Chair Ray next confirmed that there were no comments or revisions for the Executive Session minutes. Everhart asked about voting protocols in instances when a Board member

was not present for an Executive Session, and advice was provided. Chair Ray then asked for a motion.

Hatch moved to approve the August 13, 2015 Executive Session minutes. Treasurer Olsen seconded the motion. Chair Ray called the vote, and all approved.

CONSENT AGENDA

Chair Ray opened review of the consent agenda which consisted of three components: licensure review actions for the quarter, continuing education audit report (April - June 2015 audits), and quarterly check/payment log (debits from August 1 – October 31, 2015 and checks 4198-4228). He asked if there were any comments or questions about the consent agenda components. Hearing none, he asked for a motion.

Treasurer Olsen moved to approve the three components of the consent agenda. Hatch seconded the motion. Chair Ray called the vote, and all approved.

ADMINISTRATIVE MATTERS

➤ Administrator's Narrative Report: Valentine presented the narrative report and highlighted the following items: attendance at the Dept. of Justice Public Law Conference and the Council of Landscape Architectural Registration Boards (CLARB) annual meeting, progress with the online renewal and online payment projects, and rulemaking by the Landscape Contractors Board (LCB) addressing irrigation design and other matters.

The Board discussed the proposed LCB rules with respect to possible comments to provide regarding health, safety and welfare issues related to irrigation design. It was noted that the LCB draft rules did not reflect some aspects of consumer protection that were expected based on past informational meetings involving representatives of the two Boards. Vice Chair O'Brien mentioned concerns about lack of specific education and experience qualifications for those that could provide irrigation design only services and what appeared to be weak consumer protection via the LCB claims process for design only work. He mentioned how a claim would be limited to the cost of the design even if damages were generated via installation of a faulty design. Chair Ray mentioned the one year limit on filing claims with LCB compared to how Registered Landscape Architects (RLAs) have ongoing liability for their designs.

Valentine addressed draft comments submitted to LCB in mid-September and communications since then with LCB staff. Board members asked about LCB license types and qualifications for those as well as exam requirements for different license types and types of exam questions included on irrigation. Chair Ray mentioned the need to address the license types that would be authorized to provide irrigation design only services. Vice Chair O'Brien wanted to make sure that LCB would require successful passage of the irrigation and backflow exam sections for any LCB registrant allowed to provide design only services. Treasurer Olsen felt the LCB draft rules would provide protection to the LCB registrants more than consumers. Chair Ray and Vice Chair O'Brien volunteered to work on comments to LCB. Valentine reminded all that comments were due in early December per the LCB rulemaking notice.

➤ Drought Plan: Valentine presented the drought plan prepared at the request of the Governor on OSLAB's behalf. All agencies, boards, and commissions were directed to prepare drought plans following a prescribed format. The request arrived after the last Board

meeting, and the plan was due Oct. 1, 2015. Valentine explained actions taken to date and then requested that the Board adopt the plan and consider delegating to staff the assignment of updating the plan as may be prudent and necessary.

Vice Chair O'Brien moved to adopt the drought plan and to delegate to the Administrator the authority to maintain the plan. Treasurer Olsen seconded the motion. Chair Ray asked if there were any comments. Hearing none, he called the vote, and all approved.

➤ Quarterly Budget Update: Valentine reported that so far there were no surprises on the budget front for the biennium. Chair Ray asked about the relationship between renewal revenues vs. reserve funds. Treasurer Olsen summarized work to date on reserves management and plans to develop further guidance to assist the Board with future decision-making around budgets and financial oversight. She noted her desire to include guidelines for periodic assessment of fee structure and advanced planning and justification for any future fee increases. Chair Ray noted that the Board would need to identify the need for any fee increases about 1 year ahead of implementation to accommodate the administrative rulemaking process. Treasurer Olsen pointed out that a good goal for financial planning is to see the need several years out. The Board expressed a desire to limit future fee increases but also noted that expenses have been increasing faster than new revenues.

Valentine reminded the Board of its reserve policy and the need for the Board to keep a modest reserve as contingency to cover a limited period of operational expenses. Treasurer Olsen envisioned continued tracking in relation to the reserve fund target. Everhart noted that the Board needs to continue tracking the impacts of changing demographics, including pending retirements.

➤ Renewal History Update: The Board reviewed the renewal history charts. Vice Chair O'Brien and Everhart suggested the Board review trends in new registrations and inactive requests separate from renewals. Chair Ray agreed that the Board needed to see what data could be gleaned about trends in the demographics of registrants and candidates. He wondered if more young professionals are delaying registration. Valentine said she would review office records as she recalled some review of registrant demographics in late 2014. It was noted that American Society of Landscape Architects (ASLA) or CLARB might have data on licensure trends.

Board members discussed possible options for engagement with landscape architecture students or recent graduates about registration. This was viewed as a way to learn more about possible barriers to registration for young professionals. The Board would like to better understand the incentives and disincentives that come into play when young professionals consider registration. Related topics discussed were whether other organizations might engage in outreach to this demographic and the potential impacts of having faculty not generally holding or seeking registration themselves.

Chair Ray called for a break at 10:15 AM. He reconvened the Board at 10:30 AM. The Board was joined by Kyle Martin, AAG, at this time.

GOALS/STRATEGIES CHECK-IN

Chair Ray invited Valentine to provide an overview of the status of this agenda item. Valentine noted the Board's previous selection of a priority strategic goal for the biennium

addressing clear identification of what is meant by landscape architecture practice. The Board expressed interest in addressing statutory or rule language that is unclear or otherwise problematic with respect to practice definition. To facilitate this work, the Board requested that Valentine locate past legal advice addressing practice issues. She referred to legal documents provided and noted attorney-client confidentiality. Martin was present to assist in the Board's review of these documents. Valentine referred also to a paper from the North Carolina Landscape Architecture Board and a memorandum from CLARB. These related to landscape architecture practice and were provided as possible resources to help Board members think about practice definition.

The Board discussed options for approaching practice definition including looking at the landscape architecture definition in detail, focusing on supervision as related to practice, examining overlap with other licensed professions, or trying to better understand and articulate exemptions. Chair Ray noted lessons learned from the CLARB annual meeting as shared in the Administrator's Report about how other boards have found some success through a focus on describing landscape architecture in relation to design and construction details for the code based environment. Valentine said it was important ultimately to keep focused on the language in statutes but thought the Board could learn from how other states address exemptions for landscape designers and others. Vice Chair O'Brien mentioned he was unable to find a reasonable definition of conceptual plan vs. construction details. Everhart cautioned about how master planning work is treated, noting that a non-registrant might feel qualified to take on design for a large public project but not really have sufficient knowledge and experience for this. Chair Ray suggested that at some point there is a line that gets crossed from conceptual work such as a broad master plan to detailed designs and specifications.

The Board briefly discussed the broad range of landscape architecture services from planning to site specific construction design and detailing. The Board acknowledged how additional clarity around when a line is crossed from design and conceptual planning to activities that require landscape architecture registration would benefit various landscape professionals and the Board. Treasurer Olsen felt the North Carolina paper helped to make sense of practice overlap to the lay person. She wondered if the Board could develop something similar based on its statutes. Vice Chair O'Brien suggested that such a paper might be good for a general overview but that it would be difficult to translate into rule language. He said the Board would have to be careful of unintended consequences if it describes practice as work intended to support of code-based permitting.

Chair Ray recommended that the Board move into review of past legal advice. At 10:44 AM Chair Ray announced that the Board was entering Executive Session to discuss documents exempt from disclosure pursuant to ORS 192.660(2)(l) and (f). He read the script regarding participation in the executive session.

At 11:49 AM, Chair Ray returned the Board to public session. No final decisions were made in Executive Session. Treasurer Olsen asked for the Board to set next steps to further the strategic goal around practice definition. Chair Ray recommended an action item for research into legislative history for exemptions and related statutory terms. Vice Chair O'Brien said that once legislative history research is completed, he would review the findings along with Chair Ray and Valentine. A draft plan would be developed based on what the research reveals and would include consideration of when to engage the Administrative Rules Committee and other stakeholders. This draft plan could be discussed at the next

meeting. Vice Chair O'Brien and Valentine noted that the rules committee would be one component of outreach but more effort would be needed to draw in representatives of other professions. Chair Ray offered that Board members could independently think about ideas for definitions and related outreach, which can then be considered at the next meeting in concert with the research outcomes.

Everhart said that she reviewed the full set of statutes in preparation for this meeting and would like her efforts to not be lost but kept for possible future discussion. Valentine said she would work with Everhart and any other Board member with similar input to capture that input.

CORRESPONDENCE

Chair Ray confirmed that there was no correspondence requiring review by the Board. He then adjourned the Board for lunch at 12:03 PM.

REPORTS

Chair Ray reconvened the Board at 12:35 PM, and opened discussion on the Licensure Review report.

➤ Licensure Review: Valentine presented the report on behalf of L'Amoreaux and referred to a memorandum in the packet about a pending application for registration by reciprocity. She noted that the Board was considering application materials deemed confidential per ORS 671.338(a).

At 12:40 PM, Chair Ray announced that the Board was entering executive session to discuss documents exempt from disclosure pursuant to ORS 192.660(2)(l) and (f). He read the script regarding participation in the executive session.

Chair Ray returned the Board to public session at 1:36 PM. The Board did not make any final decisions in Executive Session. The Board gave direction to staff regarding the application review process and anticipated revisiting the application at the next meeting.

➤ Continuing Education: Chair Ray moved to this report to make the best use of counsel's time. The Board had two open audits that required discussion. During this agenda item, the Board was joined by guests Amy Whitworth and Elizabeth Brewster at 1:45 PM.

Valentine gave an overview of two audits – one regarding an individual granted additional time to catch up on professional development hours (PDH) for the audit period and one regarding an individual that failed to respond to audit notification sent to home, business and email addresses on file. The Board was advised that it may need to shift to compliance investigations to further pursue resolution in these cases and that counsel was available to provide advice on legal issues.

At the May 14, 2015 meeting, the Board granted registrant K. Keever 120 days to complete PDH for the audit period. No response was received within the required timeframe. Valentine and Everhart shared a timeline of the audit process and walked the Board through communications to date. He submitted documentation of PDH completed at the ASLA annual meeting this November, which was after the 120 day period. He also submitted a signed renewal form indicating PDH was in progress. The documentation from the ASLA annual meeting was for 18 PDH, with 12 PDH needed for the audit period leaving 6 PDH for

the renewal period. The Board did not have information about whether 6 additional PDH were completed for the renewal period.

The Board discussed whether the registrant was in good standing in terms of eligibility for renewal. Martin advised that the Board options are dependent on its determination of continuing education compliance. He advised that the Board could: (1) vote to open a compliance investigation if it needs more information to determine compliance with the audit or renewal requirements or (2) the Board could vote to deny or refuse to renew registration if it has adequate information to determine that the registrant has violated continuing education requirements. Martin reminded the Board that the continuing education rules state that registration shall not be renewed if a registrant is found in violation of continuing education requirements via the audit process. With respect to option (2), Martin advised that the Board could direct staff to draft a notice of intent and review at a subsequent meeting before voting to go that direction.

Martin said a third option of approving the renewal was in question due to uncertainty about having sufficient evidence of compliance. Valentine advised that if a Board decision on renewal was pending at the time of the registrant's renewal date, the renewal would not be issued but the registration would continue to be deemed an active registrant until the conclusion of the process. She also pointed out that the Board's continuing education and renewal rules limit the Board's disciplinary options beyond what can be looked at for other compliance matters. She suggested the Board look at this as part of the ongoing project to update the continuing education rules as it may want to have other disciplinary options available in the future.

Vice Chair O'Brien said that as heart-wrenching as this case was, the registrant must take responsibility and was given ample opportunities to comply. Everhart noted that it would have made sense for the registrant to request inactive status when offered this option as a way to have time to focus on continuing education when ready vs. during a difficult period. She said it looks like he tried to get the PDH completed by attending the ASLA meeting this November. Vice Chair O'Brien did not disagree but noted that total reliance on the ASLA annual meeting for PDH is a choice and one with some risk if the meeting is then missed. Valentine reminded the Board that staff advised the registrant about inactive status this past spring prior to bringing his request for more time to complete PDH to the Board. She also advised at that time how the Board allows for many types of PDH and attendance at the ASLA annual meeting was not the only option. Despite having sympathy and PDH completed that could cover the audit period, the Board felt in a box per its rules.

Smith reminded the Board that there are two issues – completion of PDH for the audit and for the renewal period. The Board audit did not cover the renewal period. Treasurer Olsen asked if the Board was precluded from renewing due to registration being delinquent based on outstanding continuing education. Martin advised that the registration was deemed active, not delinquent, because the Board has not made a final decision on the audit or renewal. He said the Board would not be able to issue the renewal if CE compliance was still under investigation. Everhart asked if the Board can accept the CE for the audit period and then ask for documentation of the additional PDH needed for the renewal period. She noted that he has until Nov. 30, 2015 to complete PDH for the renewal period. Smith pointed out that the registrant was not audited for the renewal year and wondered if the Board could look beyond the audit period in deciding on the renewal. Martin said the Board could open an investigation to gather additional information on PDH for the renewal period. Again it was

noted that documentation submitted to the Board shows 6 PDH available from the ASLA national meeting, but the Board did not have documentation of the remainder of PDH for renewal period.

Vice Chair asked if Board would normally look at a renewal form if signed with a statement about PDH in progress. Valentine said such notation is unusual and would be a red flag. She noted that registrants sometimes sign that PDH was completed to get the renewal processed and then are caught in the audit process without PDH that can be documented. This happened with this registrant with the 2014 renewal. Chair Ray asked about PDH requirements for inactive, and Valentine clarified the two year cap in place and why this was part of the reason staff thought inactive status was potentially a good option for the registrant. Smith suggested the Board decide if the PDH is accepted for the audit period. Everhart felt the Board needed to consider some form of sanction for not completing PDH, signing the 2014 renewal form stating it was complete, and also for not being responsive to the Board per requirements of the code of conduct. But Everhart also suggested the Board give him more time to complete PDH for this renewal period and allow him to resubmit the renewal form. Smith asked if the Board could separate out the audit approval from the renewal and code of conduct questions.

The Board struggled with how to resolve these issues in accordance with its rules while recognizing the challenges the registrant faced in the last two years. Martin advised that the Board needed to determine if the audit requirements have been met. If not, he said then the Board could not renew the registration. If the audit requirements are met, then the Board could consider the renewal complete and address any questions about PDH for the renewal period separately. Treasurer Olsen summarized that the Board must decide on whether to accept the ASLA PDH for the audit period or not accept it and then consider sanctions for audit-related violations. Chair Ray pointed out that the Board has been trying to work with the registrant and thus suggested that the Board accept the PDH for the audit period. Vice Chair O'Brien asked if the Board needed to audit the renewal year based on the statement on the renewal form. Everhart supported providing a warning about completing PDH each renewal year. Smith pointed out that the Board has been very lenient with the registrant. Chair Ray asked for a motion for action or proposal for direction to staff.

Treasurer Olsen moved to accept 12 PDH completed by Mr. Keever for the audit period at the ASLA national meeting in early November 2015 even though completed past the Board's 120 day deadline. Hatch seconded the motion. Chair Ray asked for discussion. Everhart was concerned that the Board was creating issues for work with other registrants with respect to the 120 day deadline in rule and suggested possible amendment of the motion. Martin advised that the rule did not say whether the Board can or cannot provide more time beyond 120 days but said the Board would be interpreting that rule provision. He said the Board would be interpreting the 120 day deadline as more of a guideline and not as a definitive deadline. Everhart mentioned this as an issue to address in rulemaking and agreed to hold her amendment of the motion. Hearing no further discussion, Chair Ray called the vote. Everhart was opposed and the other members were in favor so the motion passed 5 to 1.

Vice Chair O'Brien said the Board needed to address the renewal question. The Board debated whether to ask for a revised renewal form or documentation of PDH for the renewal period. Again, the Board noted that it had documentation of 6 PDH from the annual ASLA meeting for the renewal period. The Board discussed whether its approval of the audit PDH

meant it would not pursue sanctions for other violations. Martin suggested that the Board open an investigation if it determined that potential violations required more consideration. The Board also discussed the option of sending an advisory letter about the PDH for the renewal period.

Chair Ray moved to open an investigation into whether the registrant completed required PDH for the renewal period in accordance with Board rules. Hatch seconded the motion. Chair Ray asked if there was any discussion. Valentine clarified that his motion was for investigation of the renewal period not the audit process. This was confirmed. Hearing none, he called the vote. O'Brien and Smith voted no while the other members voted yes, with the motion passing 4 to 2.

Valentine asked for the Board to consider an audit selected at the August 14, 2015 meeting for the April – June 2015 renewal group. She summarized the audit timeline, including notification steps taken and how there has been no response to date. She noted that registrant names are normally kept from the Board during the audit process. Martin advised that the Board needed to be informed of the registrant involved since Board action was needed. Valentine identified the registrant as Kathleen Baughman. The consensus of the Board was that failure to respond required a compliance investigation.

Treasurer Olsen moved to open a compliance case regarding the failure to respond to the audit notification for Kathleen Baughman. Hatch seconded the motion. Chair Ray hearing no discussion called the vote. All approved the motion.

Everhart noted that this registrant may have changed employers to Heirloom Roses. Valentine noted this as not in Board records. Staff must rely on home and business contact information a registrant has submitted to the Board office.

Smith assisted Valentine with the random drawing of registrants for the next audit covering renewal periods of July – Sept. 2015.

Chair Ray called for a break at 2:36 PM. He reconvened the Board at 2:47 PM and decided to move into the Administrative Rules Committee report prior to oral exams.

ADMINISTRATIVE RULES

The Board was updated on the status of the continuing education rules project. Chair Ray appreciated the summary of issues with existing rules and work done to start looking at possible options for addressing these issues. He confirmed that Board members could submit individual comments on the summary to Valentine. Vice Chair O'Brien, Everhart and Valentine spoke briefly of engagement with the Administrative Rules Committee. Committee members seemed appreciative of the work going into the project and the careful review of a multitude of issues. Everhart volunteered to build a chart showing how various types of activities line up in terms of PDH credit granted under status quo rules vs. any proposed amendments. She felt this would be a good supplement to the summary of issues and inform public review. Other Board members welcomed this addition for use as an outreach tool during rulemaking and possibly also ultimately revised to match amended rules.

The Board supported moving into the drafting stage of this project. Valentine said she anticipated bringing draft rules back to the Board for review at first quarterly meeting in

2016. If Board determines the draft rules look good, then at that time the Board could authorize issuance of rulemaking notice. That would put adoption of revised rules at the May 2016 meeting at the earliest.

Valentine advised the Board that ASLA representatives asked to be involved in this rules project, and participation in the Administrative Rules Committee was facilitated. The documents shared with the Committee were also provided to ASLA representatives. Valentine asked for Board direction on what it wanted to see for outreach forums moving forward. The Board was open to sharing timelines with the ASLA chapter and finding opportunities to outreach at ASLA chapter meetings where possible within the Board rulemaking schedule. The Board was hopefully that ASLA representatives would remain engaged in the rulemaking effort.

Chair Ray again said he appreciated the work to date on this rules project in terms of thoughtfulness and thoroughness. Everhart said she also appreciated staff's review of other state programs as supporting research.

Valentine noted that the Board had the Business Registration rules to tackle after this project was completed and then possibly also new definitions based on the Board's discussion in the AM about clarifying practice with respect to exemptions.

Martin departed the meeting at 2:48 PM, and Chair Ray then called for a break. He reconvened the Board at 3:00 PM for oral exams.

ORAL EXAM

The Board was joined by registration candidates Kathryn Forester, Michael Moyers, Shannon Simms, and Courtney Skybak. Chair Ray welcomed them and led a round of introductions. Chair Ray next led a review of landscape architecture statutes and rules and the role of the Board via a series of questions Board members asked of the candidates. Chair Ray then asked the candidates for feedback on the exam process. Their input highlighted issues with exam format, time allotted for completion, lack of feedback on questions answered incorrectly when a section is passed and areas of knowledge that were not covered significantly in the exam. The Board then entertained questions from the candidates. The majority of questions focused on stamping and signing and continuing education.

Chair Ray requested a motion to approve candidates Forester, Moyers, Simms, and Skybak based on successful completion of the requirements for registration.

Everhart moved to issues registrations to the four candidates Forester, Moyers, Simms and Skybak. Vice Chair O'Brien seconded the motion. Chair Ray called the vote, and all approved. The four were warmly welcomed to the profession.

Upon departure of the new registrants, Valentine noted that the Board had not completed two items on the agenda that were listed as prior to Oral Exam. Chair Ray opened discussion on these, starting with the Budget/Investment committee report.

BUDGET/INVESTMENT

Valentine presented the draft financial review report received from the certified public accountant (CPA) on contract to complete a financial review for the 2013-2015 biennium. The CPA had one finding related to memorializing a check signature detail in written

procedures. The CPA noted evidence of the Board following appropriate procedures in this regard but wanted to see more details reflected in the written procedures. Valentine then asked Treasurer Olsen to share her thoughts on the review process and report.

Treasurer Olsen addressed her involvement in the review process and reported that the CPA had only good things to say about staff and existing policies and procedures related to financial accountability and oversight. She described the report as clean and good news for the Board. She explained how the review also provided an opportunity for her and Valentine to solicit input from the CPA on the relative values of various types of financial reviews. This included a request for possible guidance on additional review items that the Board might consider adding to future reviews to best ensure comprehensive oversight by the Board. She mentioned that there is some question about the value of a traditional audit for an organization like OSLAB. She also noted the much higher cost for a traditional audit.

Treasurer Olsen explained that the CPA looked at budget to actuals to review areas of variance. This led to discussion about how to best present the use of reserve funds in the budget. She and Valentine continue to discuss what might be best practice considering reserve funds are not new revenues but are used as revenue. There was an expectation to adopt a balanced budget which required that reserve fund use be incorporated in the budget as expenses have been outpacing revenues. Also, the Board has a need to manage its reserve fund level.

Valentine reminded the Board that the financial review report is one piece of the biennial report that is due to Oregon Legislature and Governor's Office on April 1, 2016. She anticipated providing a draft of the biennial report for Board review either at the first quarterly meeting of 2016 or no later than early March.

LIAISON REPORTS:

Due to the absence of L'Amoreaux, there was no liaison report regarding the Oregon Board of Architect Examiners. Chair Ray referred to discussion during the Administrator's Report about the LCB in lieu of a liaison report. He then updated the Board on his attendance at an ASLA chapter meeting in October. He encouraged ASLA involvement in the continuing education rules project and sharing of information on registration via the emerging young professionals group organized by the chapter. Vice Chair O'Brien inquired about whether the chapter had been asked to designate an ASLA member as liaison to the Board. The chapter trustee was again mentioned as a possible liaison due to the longer term for that chapter officer compared to others. It was noted that the ASLA chapter officer just changed so this might be a good time to raise this issue with the new chapter leadership.

PUBLIC COMMENT

Chair Ray opened the public comment. Elizabeth Brewster from Portland Community College (PCC) introduced herself as faculty in the Landscape Technology Services program. She stated that PCC offers three landscape degrees in landscape design, environmental landscape management, and landscape technology. She understands that issues have emerged about practice issues for designers and wants to ensure that PCC staff informs students correctly about lines of professional practice, including when registration as a landscape contractor or landscape architect may be necessary.

Chair Ray asked what is covered in PCC's landscape coursework. Brewster mentioned a broad curriculum with courses in basic landscape design, stormwater management, bioswales

and green streets maintenance, and residential design as examples. Questions have come up about whether designers can provide design details for things like residential rain gardens that do not require permits. Chair Ray asked how PCC staff currently advises students. Brewster said that students are advised that as designers they can provide conceptual plans only with no construction details and no specifications. But she noted there are often gray areas tied to designers needing to provide some level of detail to relay knowledge behind certain design concepts. She wanted PCC faculty to convey the best available information to the students. Chair Ray asked about the technology courses, and Brewster gave examples of landscape construction, estimating and bidding, grading and draining, and plant identification. She said PCC has a lot of courses because students pursue varied career paths. All students are required to complete a wide array of classes.

Vice Chair O'Brien appreciated the dialogue and time spent to attend the Board meeting. He offered that the Board is interested in looking for ways to provide more clarity for all parties, including the Board. He said there would be opportunities for more dialogue moving forward, and Brewster welcomed this opportunity. Chair Ray suggested that Brewster share her contact information with the Board office to be added to the list for future notifications.

Chair Ray asked if Whitworth had any comments. She added that she and those she represents are generally interested in knowing what the Board might do around definition of conceptual plan. She was excited to see that the Board has a strategic goal related to practice definition. She wanted the Board to know she is interested and engaged to help represent landscape designers. She also mentioned that efforts to reach out to the ASLA chapter per previous suggestion of the Board had so far been unsuccessful.

Hatch asked if PCC was the only community college offering two-year landscape design degrees. Brewster confirmed that only PCC now has this type of degree. Other colleges have two-year horticulture degrees.

Vice Chair O'Brien mentioned that the Board is looking into the possibility of defining key statutory terms as a way to provide more clarity about practice. For example, the Board may look at defining the terms construction details and construction specifications as used in statutory exemptions. He said he was tasked with looking for possible definitions of conceptual plan and did not find anything helpful in his search. The Board would go through a public process with stakeholder engagement and ultimately rulemaking notice.

Whitworth asked if the Board would convene a new subcommittee for this effort. Vice Chair O'Brien said that was an option but the exact process was not yet determined. Everhart mentioned that the Board would be working through a continuing education rules project next with definitions work following sometime after that. Chair Ray closed the discussion by noting the Board's appreciation for PCC's efforts to inform individuals about practice limitations and thanking both guests for their attendance.

NEW BUSINESS/ANNOUNCEMENTS

The Board reviewed possible dates for quarterly meetings in 2016 and selected the following meeting schedule: Feb. 11, May 12, August 11, and November 3.

The Board considered recent news from CLARB, including summary statements from Everhart and Valentine about the annual meeting.

ADJOURNMENT

Chair Ray adjourned the meeting at 4:27 PM.

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The minutes of the November 12, 2015 meeting were approved as presented at the February 11, 2016 Board meeting.

Respectfully submitted,

Christine Valentine, Administrator