

OREGON STATE LANDSCAPE ARCHITECT BOARD (OSLAB)

MEETING MINUTES

November 9, 2012

Association Center, 707 13th St. SE, 2nd Floor, Conf. Room "A", Salem, OR

Members Present:

Lauri L'Amoreaux, Landscape Architect
Ron Nichols, Public Member, Treasurer
David Olsen, Landscape Architect, Chair
Kathleen Olsen, Public Member
John Pellitier, Landscape Architect
Stephen Ray, Landscape Architect
Susan Wright, Public Member

Staff Present:

Christine Valentine, Administrator

Visitors*:

(*as noted in minutes)

Mary Heffernan, Facilitator, Temenos
Kurt Lango, Landscape Architect, ASLA
Heidi Baker, Oral Exam Candidate
Bryan Bailey, Oral Exam Candidate
Katrina Langenderfer, Oral Exam Candidate
Timothy McDaniel, Oral Exam Candidate
Brynn Reimann, Oral Exam Candidate
Benjamin Vaughn, Oral Exam Candidate

***Convene Work Session

Chair Olsen convened the Board work session at 9:15 AM and provided an overview of the day's agenda.

RULEMAKING UPDATE

LARE Related Rule Amendments, Review of Public Comments

Valentine notified the Board that no comments were received from exam candidates, registrants or anyone else in response to the notice of rulemaking. She stated that the Board needs to decide on adoption of the permanent rules. The Board was directed to the August 8, 2012 memorandum with proposed revisions to rules that relate to the national examination. She also noted that an official hearing's officer report is included in the Committee Reports section of the quarterly meeting packet.

Direct Supervision, Update on Admin. Rules Committee review

Valentine shared that the Administrative Rules Committee has been presented with the assignment of reviewing the use of "under direct supervision" within Board rules, as directed by the Board at the August 24, 2012 meeting. She and Nichols provided the Committee with a background memorandum on the subject. Staff was unable to confirm a quorum of the Committee for a date prior to November 9; the Committee meets on November 13. Valentine also mentioned that staff received no responses to a request for input on this topic included in the Fall 2012 newsletter. Nichols asked for any Board members with specific

ideas on the topic to consider sharing those ideas with him or Valentine, preferably before the Committee meeting if feasible.

OSLAB WORK PLAN

Chair Olsen asked for a round of introductions. Mary Heffernan of Temenos Consulting thanked the Board for the opportunity to meet everyone today, and she provided an overview of her work experience. Each Board member provided an introduction in turn, addressing both role on the Board and past or current profession.

Chair Olsen stated that the current President of the Oregon chapter of the American Society of Landscape Architects (ASLA), Kurt Lango, RLA, would be joining the Board shortly to participate in this conversation. He noted that the Board is considering some kind of outreach effort coordinated with the local ASLA chapter. He reminded all of the different roles played by ASLA vs. OSLAB. He noted that the Board and ASLA chapter relationship has historically been limited, and noted how OSLAB has been talking about the need to better engage ASLA as a pathway to better engaging registrants in a broader conversation about public health, safety, and welfare issues associated with the profession.

Pelletier noted that OSLAB has never had an outreach event like is now being discussed, and he felt it was long overdue. In his time on Board, interaction with ASLA has been very limited. He and Chair Olsen noted that there are likely a whole host of reasons why the two organizations have not communicated more closely. It was also noted that ASLA represents more than just registered landscape architects (RLA), and not all OSLAB registrants choose to be members of ASLA.

Heffernan asked the Board to address whether it is looking for some synergy with the ASLA chapter. Board members generally said yes but noted a possible challenge in convincing the leadership of the ASLA chapter that there is a need and value in their engaging more with OSLAB. All proceeded to discuss how evolving issues and practices suggest the time has come for some conversation and evaluation about how OSLAB might need to address evolution in the profession. The Board discussed how the primary lens for its consideration of such changes is in the context of potential impacts to health, safety and welfare.

At 9:55 AM, Kurt Lango, RLA joined the work session. Chair Olsen again asked for a round of introductions. Lango explained his role as with ASLA and his professional background. He informed the Board that he had recently been in communication with Andrew Lesinger, RLA who is designated as the chapter's liaison to OSLAB. Lango said that he is interested in building a more proactive relationship with the Board, a relationship that would be built on more regular communications.

Heffernan pointed out that there appear to be two openings: (1) an opportunity to encourage an ASLA role in helping the Board work through particular issues as they arise and (2) a segue for a more open and deliberate long-term relationship between the organizations. Several times it was mentioned that other regulatory boards have established relationships with professional organizations so establishing a better relationship between ASLA and the Board would not be outside the norm compared to other regulatory boards.

Board members proceeded to share concerns with Lango about the possible need to reevaluate the role of RLAs in relation to evolution of the profession, practice overlaps, and existing OSLAB statute and rules. The Board is wondering what is on the radar of registrants, how to most effectively engage registrants in conversation, and ultimately what

should the Board do to better align regulation of the practice with the evolution of the profession.

Lango commented on his experiences at the last ASLA national meeting. He mentioned that he has not been hearing from RLAs about particular problems. He mentioned that the local chapter can also look to other chapters that have worked with their respective regulatory boards to assist with issues. He thought there would be interest among the chapter's Executive Committee in working with OSLAB. He informed the Board that this conversation may have some linkage to ongoing discussions of the Executive Committee about securing an advocate to help the chapter engage more in legislative and related issues. He also noted that the chapter can reach its members in various ways through local groups, newsletters, etc.

Heffernan suggested that the Board focus on what outcomes it needs. All seemed to agree that a primary need at the outset is to ensure there is regular communication between OSLAB and ASLA and that this then leads the organizations to opportunities to work cooperatively to engage RLAs. The Board wants to see RLAs engaged in helping to define key issues, looking at various aspects of practice and defining the relevance of LA profession to Oregonians. These conversations may then help to highlight or prioritize legislative or rule work.

Chair Olsen asked Valentine if she had any comments. She stated that she has attempted to broadly define the work planning project to encompass a variety of issues such as review of statutes and rules in relation to evolution of the profession, the role of Landscape Architects, and the Board's role in regulating the profession to protect public health, safety, and welfare. The idea behind the proposal for a facilitator is to help the Board be successful in moving towards a work plan and engaging stakeholders in the process. She noted that the primary focus in conversations with Chair Olsen and Vice Chair Pellitier so far had been on the idea of holding a one-day Board event coordinated with ASLA and including time during the event dedicated to gathering input from registrants. The three talked about holding this event in the Portland area to encourage greater turn out among Oregon-based RLAs. A target of early 2012 has been mentioned but not settled on. The facilitator was invited to meet with the Board today for two primary reasons: (1) introduction to the Board allowing all parties to gauge if there is a good fit for a formal working relationship and (2) help the Board work through some preliminary planning for the proposed event.

Heffernan suggested that the Board consider following a process of first informing ASLA/RLAs of issues and then opening up dialogue so that it can be informed by RLAs. She mentioned another way to approach this is to develop a work plan and then bring ASLA/RLAs into conversation about the plan. She also cautioned that the ASLA chapter and OSLAB might want to have more discussion about how to work together successfully before engaging a wider audience with RLAs. Several Board members expressed a desire to see OSLAB develop a work plan first and then establish a dialogue with ASLA about building a stronger relationship or around specific issues.

Several Board members expressed concern about addressing practice overlap issues as an area for discussion with ASLA and RLAs. OSLAB would like to see some resolution of overlap questions and to reach such resolution in a way that leads to mutually acceptable solutions with other regulatory boards and related stakeholders. The goal here would be to better clarify the roles of affiliated professions. Heffernan noted that professional organizers follow a mantra of inform, alarm, and activate. She suggested that OSLAB think about how

RLAs might be informed but also be prepared to highlight areas that RLAs could take action on that would then provide the desired feedback to the Board.

Heffernan and Valentine next pointed the Board to the draft work planning table included in the work session packet. Valentine explained that the idea was to lay out the likely steps needed prior to an outreach event. She also noted that the draft shows a fairly aggressive schedule to get to such an event early in the New Year. The draft should help the Board consider whether this timing is realistic.

Heffernan suggested that the Board be strategic about maximizing turnout to ensure enough participation is achieved and then would need to consider how this impacts the timeline. Lango noted that the local ASLA chapter has not found general calls to its members to attend meetings highly effective in the past. He suggested a more strategic approach, i.e. extending a specific invitation to a short list of representatives while also extending a general invitation to the masses. Heffernan agreed that it would be helpful to know who are the influencers, movers and shakers in the profession. The Board discussed a variety of ideas including inviting all registered businesses, engaging LA candidates for licensure, and adding a regular agenda item for ASLA-Board discussion at future meetings. The Board also briefly discussed how this work may need to be done in phases.

Board members and guests discussed various ways this work might play out, including whether the Board and the ASLA Executive Committee should meet first before any broader outreach event. The Board was not able to reach agreement on the speed at which to proceed, with some encouraging engagement soon and others wanting to see internal work plan development over the next 3 to 6 months first. The Board also did not reach a conclusion about how specifically to proceed although there seemed to be general agreement that a facilitator could prove invaluable to the Board in both internal work planning and engagement of ASLA and RLAs.

Chair Olsen closed the work session by thanking the Board's guests for their time and ideas. He adjourned the work session at approximately 11:30 AM for a lunch break.

*****Convene Quarterly Meeting**

Chair Olsen convened the Quarterly meeting at 12:05 PM.

AGENDA REVIEW

Chair Olsen quickly reviewed the agenda. He clarified that the Board needs to discuss follow-up to the work session and facilitation proposal as part of the action list review. The Board needs to address how cost and timeframe may change based on the scope and process steps selected. The Chair also noted an additional item for under New Business - OSLAB participation in the Design Professionals day at the Oregon Capitol. He noted how former member Van Wormer previously handled these events for the Board. No other changes were made to the agenda by the Board.

MINUTES

Chair Olsen asked if there were any requests for revisions to the minutes of the August 24, 2012 meeting. When none were offered, *Chair Olsen moved to approve the minutes of the August 24, 2012 Work Session and Meeting as presented. K. Olsen seconded the motion. Hearing no discussion, Chair Olsen called for a vote, and all approved the motion.*

Vice Chair Pellitier asked Valentine whether she prefers to receive acknowledgement by e-mail even when a Board member has no edits to suggest. Valentine stated that it is helpful to know that a member reviewed the minutes even when he or she does not have comments.

ADMINISTRATIVE MATTERS

Administrators Report, Narrative Portion: Valentine said she wanted to address a few items that would not be covered elsewhere on the meeting agenda and then would be happy to answer questions about any other subjects in the report.

First, she directed the Board to proposed updates to the business registration forms. The forms were developed by staff after several discussions with counsel in relation to registration and compliance issues that revealed the existing forms to be insufficient. Staff proposes to begin using the new forms for all new applications and is also considering outreach to existing business registrants regarding voluntary updating of statements of responsibility. The Board reviewed and asked that Sections 2 and 3 of the draft form be combined in some manner. The Board also asked about why Section 5 is included and whether it would somehow limit changes in services offered by a business. Valentine stated that her recollection is that this was added after discovering that Board rule requires this information as part of the registration application. The Board asked Valentine to look for a way to simplify the reporting and to investigate the option of revising the rule instead of asking for this information on services offered.

Valentine mentioned that the revised forms also help to address the issue of whether contract employees can be considered employees of a business for purposes of the Board business registration rule. Valentine reported on counsel advice that the Board has some discretion here but should have some documentation about the role of a contract employee. The Board could use the revised business forms to obtain verification, i.e., a business could list a contract employee on the application form and verify by signature that the contract employee had authority to act on behalf of the business. The Board would also need the contract employee to sign a statement of responsibility as the RLA in responsible charge. Obtaining this information via revised business registration forms would avoid putting the Board in the position of possibly having to request and review employment contracts

Second, she referred the Board to the proposed vehicle insurance policy and also noted an error in her report, under Insurance-Vehicle Use. She stated that DAS did not issue notice for the revised state vehicle rule on November 1. DAS notice is delayed until December 1 at the earliest. Nonetheless, she has obtained a copy of the draft rules from DAS and reviewed. Under these rules, OSLAB can obtain liability insurance coverage for use of personal vehicles for Board-related business. The state insurance will not cover damages to personal vehicles and will be secondary to personal insurance with respect to liability. Board-related business will be construed narrowly, e.g. bringing spouse or other relative along or conducting personal business as part of the trip would appear to negate the coverage. The Board briefly discussed, and then Chair Olsen asked for a motion. *Wright moved to have OSLAB take advantage of secondary automobile coverage as soon as DAS rulemaking complete by adoption of the vehicle use policy. Nichols seconded the motion. Hearing no further discussion, Chair Olsen called for a vote, and all approved.* The Administrator will coordinate with DAS Risk Management to secure the insurance coverage as soon as feasible.

Third, she shared information about semi-independent status considering the three new members may not be familiar with this topic and given that another legislative session is just around the corner and issues related to semi-independent boards could arise in session.

She provided all a copy of the SIBA group's white paper on semi-independence and briefly addressed how this governance model has benefited OSLAB's registrants.

Board members did not have questions about other aspects of the narrative report.

Budget Updates: Valentine referred the Board to the 2011-2013 budget spreadsheets in the packet. She noted that the Board is doing well in terms of revenue to expenses. K. Olsen and Valentine took some time to explain the breakdown of budget information provided on the various handouts. Valentine noted that she will look at whether there is a better way to label the various documents in the future such that the interrelationships between the data presented are made clearer for Board members. Vice Chair Pellitier asked K. Olsen if, as a CPA, she has any major concerns with how the Board has been laying out and tracking the budget. She said generally she did not have concerns, but she did see some opportunity to present the data more clearly in the meeting packets.

Approve Quarterly Check Log: The Board reviewed the check log. Chair Olsen *moved to approve Check Log for checks # 3768-3793 and # 010126-010131. Ray seconded the motion. Hearing no discussion, Chair Olsen called for a vote, and all approved.*

Review Updated Renewal History: The Board briefly reviewed the renewal history and noted that registration numbers are stable. Valentine responded to a few questions about the chart included in the packet.

CANDIDATES FOR REGISTRATION/ORAL EXAMS

At 1:00 PM, Chair Olsen welcomed five of six* candidates for licensure to their oral exam. He explained the process used by the Board and how this is final part of the licensure process. The Board members and staff introduced themselves. The Board members explained their backgrounds, roles on the Board, and asked a variety of questions of the candidates. The Board also took questions from the candidates. Topics covered with the candidates included: role of Board, continuing education requirements, statute/rules and code of professional conduct, role of compliance, opportunities for volunteering with OSLAB, business vs. individual registrations, and the Board's interest in having registrants weigh in with ideas related to the evolution of the practice.

(*Candidate Brynn Reiman was not present due to vehicle problems in route to the meeting.)

Chair Olsen moved to recognize the five candidates present (Heidi Baker, Bryan Bailey, Katrina Langenderfer, Timothy McDaniel, and Benjamin Vaughn) as having met all requirements for licensure and to grant registration to all. Ray seconded the motion. Hearing no discussion, Chair Olsen called for a vote, and all approved. The candidates were given their registration materials and warmly welcomed to the profession. Members exchanged congratulations with the new RLAs.

Brynn Reiman arrived at the conclusion of the oral exams for the five candidates identified above. Chair Olsen indicated that the Board would go forward with the oral exam for Ms. Reiman. The Board members introduced themselves to Ms. Reiman and explained their roles with the Board. Similar topics were covered as with the previous 5 oral exam candidates. *Chair Olsen moved to recognize Ms. Reiman as having met all requirements for licensure and to grant registration. Nichols seconded the motion. Hearing no discussion, Chair Olsen called for a vote, and all approved. Ms. Reiman was given her registration materials and warmly welcomed to the profession. Members exchanged congratulations with her.*

The Board took a break at 1:50 PM, and the Chair reconvened the meeting at 2:00 PM.

COMPLIANCE REPORT

Review Case Log/Updates on Open Investigations: At 2:02 PM, Chair Olsen announced that the Board would be entering Executive Session for discussion of compliance case investigatory materials and written advice from counsel in accordance with ORS 671.338 and 192.660.

At 2:30 PM, Chair Olsen announced that the Board was returning to Public Session. No decisions were made in this Executive Session.

Procedures/General Issues: The Board next discussed complaint processing procedures and related issues associated with complaint cases, as presented by Wright and Valentine. The new complaint form was presented to the Board. Valentine noted that the form addresses several deficiencies with the status quo: (1) the Board has not used a complaint form for numerous years for reasons unknown to staff resulting in little consistency in filings, (2) the form addresses the statutory requirement for “sworn to” (i.e., signed) complaints, and (3) the form provides a way to verify requests for confidentiality, at least to the extent the Board can provide confidentiality. Valentine advised the Board to start using the complaint form immediately. Wright and Valentine also presented a first draft of text for a new webpage on How to File a Complaint. The new complaint form would be linked through this page.

The Board reviewed the draft form and text for the web. Wright and Valentine were asked to consider reformatting the form to fit on one page and if not feasible to add a header or footer to tie the first and second pages together. Vice Chair Pellitier requested that the complaint form and new webpage be addressed in the next newsletter. K. Olsen suggested that it might be helpful to talk more on the proposed web page about confidentiality for those who file complaints, at least to the extent that the guarantee can be made legally. The Board decided that individual members would send any further comments on the proposed web page to Valentine to facilitate more timely creation of the proposed page vs. waiting for the next quarterly meeting to discuss further. Valentine was asked to circulate a PDF version incorporating any comments received to the full Board prior to posting.

Chair Olsen, Wright and Valentine next explained the genesis of the proposal to implement a request for qualifications and personal services contracting model for future technical reviewers. Board members were referred to the conceptual documents included in the meeting packet with the proviso that these documents were included for discussion purposes only and have not yet been reviewed by counsel. The Board discussed a variety of issues related to how this model would work. The Board asked Valentine to proceed with obtaining counsel review so that the request for qualifications and associated contract form could be finalized for use.

Valentine also mentioned that she prepared a flowchart about the complaint process and shared this with Chair Olsen and Wright. Valentine explained that she started with trying to lay out all the details of the complaint process as a reference for Board members. She, Olsen and Wright all agreed that a simplified version would be needed for the website.

Wright and Valentine confirmed that this concluded the procedural updates, and Chair Olsen had the Board proceed to making decisions on individual complaint cases based on discussions during Executive Session.

Cases Addressed:

LACC#12-03-007: *Wright moved to close this case as the firm has been notified that it no longer can offer or provide landscape architecture services. Nichols seconded the motion. Hearing no further discussion, Chair Olsen called for a vote, and all approved. Valentine will issue a case closed letter to the business and RLA.*

LACC#12-08-009: *Wright moved to close this case as the landscape contracting business has removed references to landscape architecture services from the company website. Nichols seconded the motion. Hearing no further discussion, Chair Olsen called for a vote, and all approved. Valentine will issue a case closed letter.*

LACC#12-08-010: *Wright moved to close the case with an outreach e-mail to the out of country firm about the State of Oregon law requiring a license to practice landscape architecture in Oregon. Ray seconded. Hearing no further discussion, Chair Olsen called for a vote, and all approved. The Chair also asked Valentine to send a courtesy e-mail to OLCB about the outcome of the case.*

LACC#12-04-008: *Wright moved to notify the complainant that the Board will not release investigatory materials provided confidentiality under OSLAB's statute. K. Olsen seconded the motion. Hearing no further discussion, Chair Olsen called for a vote, and all approved. Valentine will prepare the requested letter.*

The Board took a break at 2:57 PM, and Chair Olsen reconvened the Board at 3:05 PM

COMMITTEE REPORTS

ADMINISTRATIVE RULES COMMITTEE

LARE-Related Rules: *Nichols moved to adopt the rule amendments related to the LARE as specified in the August 8, 2012 Memorandum to the Board and to have these rules supersede the temporary rules adopted at the August 24, 2012 quarterly meeting. Chair Olsen seconded. Hearing no further discussion, Chair Olsen called for a vote, and all approved. Valentine will file the rules.*

BUDGET COMMITTEE

2013-2015 Budget Planning: Valentine thanked K. Olsen for her willingness to serve as Budget Committee member and for her assistance in development of the draft budget included in the packet. Valentine explained that the draft budget is informational only; the budget is not ready for Board adoption. The Board will need to adopt the budget in spring 2013, leaving enough time for a rulemaking hearing and adoption before July 1, 2013. Valentine provided a summary of the draft budget, explaining that revenue is projected to increase modestly while various expenses are slated to increase noticeably. The Personal Services (i.e., staff) line item is one such area. This increase is being driven primarily by increased fees that the Oregon State Board of Geologist Examiners (OSBGE) must pay related to the Public Employees Retirement System (PERS). Valentine explained that OSBGE as the employer pays for PERS in three ways – employer rates, bond repayment, and contributions to employee retirement accounts. Employer rates have been raised by PERS, effective in the new biennium. Other increases from 2011-2013 include rent (first floor suite), attorney fees, Council of Landscape Architectural Registration Boards (CLARB) membership, and possibly also professional services. Increases for inflation have been incorporated into the budget projections to err on the side of caution.

Valentine stated that Board input is needed on the following expenses: out-of-state travel for CLARB, newsletter development, attorney general, financial review, professional services, records management, training, and professional investigator services. Some of these potential line items were discussed during the work session today. K. Olsen noted that there is not enough revenue reflected in the draft budget to cover all the potential work that the Board has been talking about. She explained that this is why the Budget Committee specifically highlighted these line items. She also asked Valentine to explain how the Personal Services costs were calculated, and Valentine explained the various scenarios she looked at to arrive at the estimate.

K. Olsen shared her view that it is problematic for the Board to look at only two years when crafting a budget. She believes the Board needs to consider the longer term, especially as work on the draft budget is suggesting that the Board is getting closer to needing to look at increased revenues (i.e., fee increases) to balance its budget. She also agreed with Valentine that settling a target amount for reserves is a necessary step, and six to nine months of operating expenses seemed a reasonable target. The Board talked about trying to look at a longer-term budget but did not decide conclusively on how to approach this.

The Budget Committee addressed how the Board will likely need to incorporate carryover funds or reserve funds into the revenue stream for 2013-2015. The additional amount of revenue needed will depend on Board decisions about particular expenses. The Board looked at its current reserve in certificates of deposits and briefly discussed how that reserve developed over the years. The Board discussed establishing some policy or at least a target for reserve funds and tying this into the 2013-2015 budget development and planning related to possible future fee increases. A reserves policy could be tied into explanation of future fee increases. K. Olsen noted the Board's current reserve and how, given projected expenses, this would equate to about nine months of expenses.

Vice Chair Pellitier noted that with so much work to do each meeting and discussion of possible new initiatives, the Board may need to meet more often, and this would impact the budget. He also suggested that the Board might need to consider additional staffing to provide sufficient staff capacity to carry out any increase in Board workload, for example a full-time administrator, part-time investigator, and part-time advocate. He suggested the Board consider hiring an advocate to help the Board stay abreast of new information, be more effective in building and maintaining a vision for regulation of the profession, and participate in any future legislative processes. He also expressed support for bringing a facilitator on board to assist the Board with its planning and outreach work.

Wright agreed that such concepts as raised by Pellitier would need to be considered in the budget planning process if found to be priorities for the Board. Otherwise, the Board could discover it is not able to carry out proposed work due to financial issues. She mentioned compliance work as another area that may need to be expanded and thus considered in the budget planning process.

The Board was in general agreement that these longer term issues need to be thought about and addressed to the extent feasible in the budget planning process. Members discussed the option of a work planning session that would feed information into the budget planning process and ensure ties between Board strategy and finances. This could tie into the budget process for 2013-2015 if the work planning session were held early in 2013. Valentine noted

that the Board can also amend a budget during the biennium if necessary although this requires going through the rulemaking process again.

Valentine asked if the Board had a specific proposal for how to proceed. Chair Olsen suggested development of a worst-case scenario budget to complement the work done to date on the draft budget. K. Olsen and Valentine expressed some concern about making projections, especially for expenditures, without more detailed guidance from the Board but agreed to work up an additional budget scenario looking out beyond 2 years as best they can. The Board discussed briefly how compliance-related expenses and revenues might evolve as the Board updates its complaint process procedures. Bringing in other professionals like a facilitator was also touched on again. Chair Olsen also suggested that even if fees are not raised for 2013-2015, the Board needs to start investigating the longer-term revenue picture and the feasibility of changes to its fee structure. Chair Olsen asked the Budget Committee to research what other boards charge for fees, both for businesses and individuals. Other Board members generally agreed that this information should be considered as it continues to work on the 2013-2015 budget. The Board briefly discussed the possibility of looking at a sliding scale for business fees based on size or type of business. The Board closed the discussion by again circling back to a perceived need for work planning to help inform the budget process.

CONTINUING EDUCATION COMMITTEE

Audit Report for April – June 2012: Valentine handed out the quarterly audit report for the period of April – June 2012 to the Board as completed by Ray. Ray stated that 7 audits were conducted. He also reviewed 2 reinstatements (inactive to active). The Committee recommendation is that 6 of 7 audit candidates passed as described in the report. Carryover approved is also identified in the report. The reinstatements were not subject to full Board approval, but Ray reported that these were also included in the quarterly report.

Ray moved for the Board to approve 6 audits as documented in CEC report to the Board for the period of April – June 2012. One audit is not approved and staff will notify that individual of the need for additional documentation. Chair Olsen seconded the motion. Hearing no further discussion, Chair Olsen called for a vote, and all approved.

Drawing of Names for July – September 2012: The random drawing of names was completed using standard protocols and the selected slips returned to the Administrator. Ray and staff raised a concern with the status quo process for months with a small renewal batch. *Ray moved that selection of audit be done on a comingled basis (3 months together). Wright seconded the motion. Hearing no further discussion, Chair Olsen called for a vote, and all approved.*

Inquiries related to Continuing Education: Ray noted that the Board's continuing education rule gives the Board discretion in some instances about whether to award continuing education credit to certain activities. He wondered whether the Board should consider making this more black and white vs. leaving such determinations to the Board's discretion. He wondered if the Board should be concerned about consistency over time. The Board briefly discussed but did not have sufficient time to fully vet the issues associated with the current rule.

LICENSURE REVIEW COMMITTEE

L'Amoreaux directed the Board to the Committee report in the meeting packet. The report addressed Initial Registration by Examination, Registration by Reciprocity, Business

Registrations, and Inactive Registrants (as items i. – iv.) She mentioned that one additional reciprocity application has been approved compared to the list contained in the meeting packet. The Board briefly discussed, with no concerns raised about the Committee report.

INVESTMENT COMMITTEE

Update on CD investments: Valentine noted that there is nothing new to report about the Board investments. Nichols reminded the Board that he only has two more meetings so someone else will need to take on the Investment Committee role within the next six months.

OTHER:

Report from Liaison to Oregon Board of Architect Examiners: Ray attended a meeting of the Board. He stated that they meet 6 times per year. He was interested in how they had their counsel and investigator present for the entire meeting. He also commented on the fee structure they have in place for penalties. They seem to spend a lot of time on their compliance cases. He talked with their investigator about the possibility of the two boards working together on investigatory services in the future. He also learned that they will be taking their Board meetings on the road, going to the University of Oregon architecture program and also to Portland. Chair Olsen said that he had also noticed how much time they spend on compliance and how the Architects and Landscape Contractors have more registrant-to-registrant complaints filed than is the case for OSLAB.

Report from Liaison to Oregon Landscape Contractors Board: Valentine mentioned the talking points from the September 20, 2012 informational exchange included in the packet. Chair Olsen reported that the meeting he, Pellitier, and Valentine attended with OLCB representatives was generally a positive meeting appreciated by all attendees. Pellitier read from the OLCB meeting minutes of September 21, 2012 their description of the meeting. Valentine noted that OLCB has expressed interest in setting a meeting schedule to continue informational exchange and would welcome a proposed schedule from OSLAB. OSLAB decided that it needs to make some more progress on its work plan to determine impacts to future meeting dates and frequency first. Valentine will relay to the OLCB administrator that the Board is interested in future meetings but is not yet prepared to propose a specific schedule.

Pellitier directed the Board's attention to a November 2, 2013 letter to OLCB from one of its registrants. He noted that this letter to OLCB raises primarily issues about OSLAB statutes, which concerned him as it went to OLCB and not OSLAB. Board members were provided copies of this letter, but the Board was not able to review and address based on its tight schedule for the rest of the day.

Pellitier stated that he will no longer review meeting minutes from OLCB and asked that Valentine start receiving and reviewing the OLCB meeting minutes instead. He suggested that the Board may also want to have counsel involved in reviewing future rulemaking by OLCB to address potential impacts to OSLAB registrants.

CORRESPONDENCE

LAIT Renewal/Follow-up from 8/24/12 Mtg.: Valentine reported that the LAIT renewal was released instead of held pending OSLAB's request for information to the registrant and supervising RLA due to legal issues. Valentine did nonetheless follow-up on the questions asked by the Board at the August 24, 2012 meeting. The responses from the LAIT and supervising RLA are enclosed for the Board's consideration. The Board reviewed and determined that its concerns were adequately addressed.

OLD BUSINESS

OSLAB Newsletter: Valentine stated that she would welcome ideas for articles, in addition to those discussed over the course of the day. She also mentioned that she, Chair Olsen, and Wright have again been discussing whether the newsletter format should be further enhanced via an outside graphics design professional.

Updated Action List Review: Valentine referred the Board to the list of pending or in process actions. The Board briefly reviewed. Most time was spent talking about potential action items stemming from the morning work session. A majority of Board members seemed to express support for an approach of having a work planning session first, then a meeting with ASLA, and then possibly an outreach event with a broader group of registrants. Several members suggested hiring the facilitator to assist with these multiple sessions. However, the Board did not consider any motions or make any formal votes related to these matters. Valentine mentioned that the multiple session approach to the project would change the scope and cost, almost certainly pushing this to a contract over \$5,000 that would require Board approval under OSLAB's Contracting and Procurement Policy. She asked for clarification on her point of contact for continued development of the scope of work, and Chair Olsen volunteered to assist. Valentine stated that the Board could meet by teleconference to approve the contract prior to the next quarterly meeting.

Valentine mentioned that any work planning session or retreat as was discussed in the AM would need to be treated as a public meeting under Oregon law. The Board asked Valentine to check with counsel on flexibility to hold alternative forums as opposed to a standard meeting of the Board.

NEW BUSINESS

ASLA – LAAB Proposal: Valentine referred the Board to the materials included in the meeting packet. Valentine stated that she needs to know how or if the Board will respond to this proposal. Chair Olsen stated that he thinks some of the state responses to this have raised good points, but he questions whether this is really an OSLAB issue. Wright and L'Amoreaux both stated that they would like to see the Board respond that LA accreditation should be limited to degree programs. Valentine was asked to prepare correspondence reflecting this position for the Board.

OSLAB Meeting Dates for 2013: Valentine referred the Board to the 2013 meeting planner included in the meeting packet. The Board elected to hold quarterly meetings on the second Fridays in February, May, August, and November. The Board noted that decisions about additional meetings in 2013 would be made at a later time.

Design Professional Day at the Oregon Legislature: Chair Olsen explained that former member Van Wormer notified him of the upcoming event and volunteered to continue representing the Board. Chair Olsen stated that while he definitely appreciated Van Wormer's offer, he thought a current Board member should attend and so he was volunteering to go. No Board members objected to the Chair's proposal. L'Amoreaux agreed to inform Van Wormer about this decision and to thank him on behalf of the Board for his offer.

PUBLIC COMMENT

There were no guests present to provide public comment.

ANNOUNCEMENTS

- a. Office Closed – Nov. 12, 22, 23 (Veteran’s Day, Thanksgiving holiday)
- b. LARE Section 3 & 4 Exams, Dec. 3-15, 2012

Chair Olsen adjourned the meeting at 5:00 PM.

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The minutes of the November 9, 2012 work session and quarterly meeting were approved as presented at the February 8, 2013 Board meeting.

Respectfully Submitted,

Christine Valentine,
Administrator