

# OREGON STATE LANDSCAPE ARCHITECT BOARD (OSLAB)

## \*\*\*MEETING MINUTES\*\*\*

**November 8, 2013**  
**Association Center, 707 13<sup>th</sup> St. SE**  
**2nd Floor, Conf. Room "A"**  
**Salem, OR**

### **Board Members Present**

Gregg Everhart, RLA  
Lauri L'Amoreaux, RLA  
Michael O'Brien, RLA, Vice Chair  
Kathy Olsen, Public Member, Treasurer  
Steve Ray, RLA, Chair  
Susan Smith, Public Member  
Susan Wright, Public Member

### **Staff Present:**

Christine Valentine, Board Administrator

### **Other Participants\***

Dale White, Investigator  
Kyle Martin, AAG, DOJ  
Mauricio Villarreal, RLA  
Eric Bode, RLA  
Charles Brucker, RLA  
Zeljka Carol Kekez, Urban Designer  
Phoebe Bogert, Oral Exam Candidate  
Kristin Georgeton, Oral Exam Candidate  
Brian Martin, Oral Exam Candidate  
Stephanie Martell, Landscape Designer

(\*as noted in minutes)

## **Work Session**

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### **ROLL CALL/INTRODUCTIONS**

Ray, serving as interim Chair, convened the work session at 9:07 AM. All but Board member O'Brien were present along with Valentine. No guests were present at this time.

### **OSLAB WORK PLAN – NEXT STEPS**

Ray opened discussion on the Board's efforts to further develop and refine a work plan. He summarized the Board's efforts to date and posed the question of what is the best approach to move the work planning process forward. Valentine reminded the Board about its discussion at the August 9, 2013 meeting and direction to staff regarding a possible scope of work for facilitation services. Valentine presented a proposal, which the Board proceeded to discuss.

O'Brien arrived at 9:16 AM. From this point forward, the full Board was present.

The Board confirmed that Valentine was to proceed with securing a contract with Temenos Consulting Group following the proposed three phase scope of work presented to the Board. Valentine confirmed that she can proceed with the contract under the Board's Contracting and Procurement policy based on this discussion and the contract price. The contract will set Phases I and II as definite and Phase III as optional. Valentine was asked to check with the facilitator to determine how quickly the Phase I session could be scheduled. Board members were willing to consider dates in December and January. Several board members indicated that their office buildings in Portland may have space available for use for Phase I.

## **RULES UPDATE – PRIORITIES FOR RULEMAKING**

Ray opened discussion on this item by asking Valentine to give an overview of the rules approved by the Board at the August 9, 2013 meeting. He also asked her to address those rule changes that were discussed at the August meeting but not adopted. Valentine explained that the Board adopted as permanent updated rules for initial registration, reciprocity registration, continuing education exemptions, and good standing definition. These rules had been initially adopted as temporary rules, and the Board took this action to avoid the expiration of the temporary rules and a return to the status quo. The Board acknowledged at that time that another round of rulemaking would be required to pursue further revisions discussed at the August 9, 2013 Board meeting. The Board was interested in making additional changes to rules for continuing education exemptions and emeritus status. The Board also was supportive of pursuing potential clarifications and housekeeping changes to the landscape architect in training and date of renewal rules. As part of that discussion, the Board also raised the question of whether rules addressing return to active status and reinstatement of delinquent registration should be re-examined.

Ray next asked Valentine to walk the Board through the list of possible rules projects contained in the work session packet. (Dale White, Investigator, joined the Board at 9:50 AM during the rules discussion.) Valentine went through the list, covering the following:

- *Direct Supervision/Mentoring*: Board rules require work experience to be “under the direct supervision” of a RLA. Neither Board statutes nor rules define the meaning of the phrase “under the direct supervision.” The question is do changes in business practices or other factors warrant a refined interpretation of this phrase that is then documented in rule. The Board has contemplated the development of a definition for “direct supervision” to better define what will be accepted as qualifying work experience in the future. The Administrative Rules Committee has been engaged, and staff has done research into how other boards (LA plus other professions) address similar issues with qualifying work experience. In these efforts, the idea of a mentoring program has also emerged. Staff reported on this project at earlier Board meetings.
- *Continuing Education Exemptions/Return to Active Status/Emeritus Package*: As a second phase of rule review on these topics, the Board would examine and better clarify links between continuing education exemptions and requirements for return to active status from inactive status (OAR 804-025-0015) and Inactive Emeritus Status (804-022-0025).
- *Landscape Architect in Training (LAIT)*: After working with the Board on updates to OAR 804-022-0005 (Initial LA Registration) and OAR 804-022-0010 (LA Registration by Reciprocity), staff took a look at the remaining rules in Division 22. Staff recommended some modest housekeeping changes and clarifications to the “LAIT” Rule (804-022-0000) as part of the effort to complete updates to the Division 22 rules. Proposed rule text has been drafted and was vetted with the Administrative Rules Committee in early August 2013. The Board discussed the draft at the August 9, 2013 meeting and did not raise any concerns with the proposed rule language. But the Board opted to not take action at that time to authorize issuance of rulemaking notice. There was general discussion about packaging this rule change with the rule changes described above for Continuing Education Exemptions/Return to Active Status/Emeritus.
- *Date of Registration/Renewal*: Similar to the “LAIT” rule, staff also recommended some modest housekeeping changes and clarifications to 804-022-0015 as part of the effort to

complete updates to the Division 22 rules. Proposed rule text has been drafted and was vetted with the Administrative Rules Committee in early August 2013. The Board discussed the draft at the August 9, 2013 meeting and did not raise any concerns with the proposed rule language. The Board opted to not take action at that time to authorize issuance of rulemaking notice. There was general discussion about packaging this rule change with the rule changes described above for Continuing Education Exemptions/Return to Active Status/Emeritus.

- Reinstatement of Delinquent Registration: The Board discussed some aspects of 804-022-0020 at the August 9, 2013 meeting in relation to a request for reinstatement of an individual registration. Staff suggested then and again at the November meeting that the Board might want to take a comprehensive look at whether the reinstatement procedures adopted in rules for individual (804-022-0020) and business (804-035-0035) registrations continue to meet the Board's needs. These rules apply when registrations are delinquent, i.e. not renewed within 60 days of renewal date.
- LARE Procedures: Staff suggests that the Board may want to relook at its rules related to the LARE to evaluate how things are working now that the new LARE format has been in place for nearly one year. These rules are found in 804 Divisions 10 and 20. The rules were updated approximately one year ago to address changes in the LARE format and administration. We now have some experience with the new exam format and the full administration of the exam by CLARB. Issues of particular concern are whether to continue to require retake applications for Sections 3 and 4 and how to prevent candidates with Board clearance for Sections 1 and 2 from registering for Sections 3 and 4 without Board approval.

The Board discussed all of these potential rules projects and concluded that all were important. The Board did not set specific priorities or a rulemaking schedule and instead charged the Administrative Rules Committee Chair and staff with development of an implementation strategy. Valentine noted that some rules are ready for public review or can be prepared in short order as the changes are not complex. For example, the LAIT and date of renewal revisions have already been vetted with the Board. The Board has also already discussed further changes to the continuing education exemptions, emeritus, and inactive status but not specific rule language. The Board was not yet certain of specific changes that might be appropriate for exam-related rules but was open to recommendations from staff about areas of concern with the status quo rules. The issue of Direct Supervision/Mentoring emerged as the effort most likely to be time consuming and complex. As rule language is developed, the Board will need to fully evaluate the pros and cons and legal challenges of various options. Should a mentoring program be pursued, the Board would also need to develop detailed requirements and procedures so that registrants and prospective registrants were given sufficient guidance. The Board also would need to have good checks and balances built in to any process for non-traditional work experience and ensure that staff will be able to readily evaluate work experience submitted by an applicant.

## **BOARD GOVERNANCE & COMMITTEES/LIAISONS**

Ray introduced this agenda item. Valentine reminded the Board that it needed to elect a Chair and Vice Chair during the quarterly meeting. She also addressed the need for the Chair to make committee and liaison assignments. Ray expressed his willingness to serve as Chair. O'Brien similarly expressed his willingness to serve as Vice Chair. The remaining board members expressed no concerns with these possible nominations for office.

Ray asked for the Board to consider the committee/liaison list included in the work session packet. Valentine spoke to the Board's standing committee and liaison assignments. She also discussed Board authority to create or disband committees or to establish ad hoc or temporary committees to work on assignments of limited duration. The Board members discussed their individual areas of interest and availability for various assignments. The assignments will be confirmed by the Board Chair after elections are complete.

At 10:53, Ray adjourned the work session and called for short break before starting the quarterly meeting.

## **Quarterly Meeting**

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Ray convened the quarterly meeting at 11:00 AM. All Board members remained in attendance from the previous work session. Valentine and White were also present at this time.

### **AGENDA REVIEW**

Ray quickly reviewed the agenda. No changes were made.

### **MINUTES**

Ray mentioned that he identified two corrections to the minutes. On page 7, he asked for revision to the motion for LACC#13-04-009, 13-04-010, and 13-04-011 as he recalled voting against the motion and not abstaining from the vote as reflected in the draft minutes. He also asked Valentine to double check on page 11 the number of names pulled for audit and to update that sentence as necessary. *With the revisions noted by Ray, Wright moved to approve the minutes of August 9, 2013 work session and meeting. L'Amoreaux seconded the motion. Ray, hearing no further discussion, called the vote, and all approved.*

### **BOARD ELECTIONS**

*Olsen nominated Ray to finish the year (August-August) as Chair. Wright seconded the motion. Ray confirmed he accepted the nomination and asked if there was any discussion. Hearing none, he called the vote. Ray was elected by unanimous vote as the new Chair.*

*L'Amoreaux nominated O'Brien to finish the year (August-August) as Vice Chair. Everhart seconded the motion. O'Brien indicated his willingness to be Vice Chair. Ray asked if there was any discussion. Hearing none, he called the vote. O'Brien was elected by unanimous vote as the new Vice Chair.*

Chair Ray took up committee and liaison assignments immediately following the elections instead of waiting to the end of the meeting. No new committees or liaison roles were established by the Board at this time. Ray confirmed the following committee and liaison assignments:

- O'Brien will take on the Administrative Rules Committee.
- Ray and Olsen will remain as the Budget Committee.
- Wright will remain as Compliance Committee, but with her term ending midway through 2014 will train another Board member to step into this roll. Smith expressed a willingness to learn and to ultimately serve in this role.
- Everhart will take over the Continuing Education Committee. Ray offered to share his report format and tracking log and to assist in the next review to share his knowledge.

- Olsen will continue with the Investment Committee as well as carrying out the other duties of Treasurer.
- L'Amoreaux will continue with the Licensure Review Committee.
- L'Amoreaux also agreed to serve as liaison to ORBAE. Valentine will let the ORBAE administrator know of this change.
- The Board discussed that an interim approach may be best as opposed to appointing a liaison to the OLCB at this time. The Chair & Vice Chair were designated as the Board members to attend future informational exchanges with representatives of OLCB. From those conversations, the Board may learn further whether having a sole liaison is the best approach.
- Ray will continue to serve as liaison to Oregon Chapter of the American Society of Landscape Architects (OR ASLA).

## **ADMINISTRATIVE MATTERS**

*Administrators Narrative Report:* Valentine presented the report to the Board and asked if there were any particular questions regarding the topics covered. Hearing none, she said she wanted to highlight several items that would not otherwise be addressed over the course of the day.

With respect to the OSLAB contractual agreement for administrative services, she noted that the Oregon State Board of Geologist Examiners reviewed updated information regarding personal services costs and determined that no change in the contractual monthly payment amount is warranted at this time. Some costs increased but were offset by other decreases to keep the cost relatively static, thus the OSLAB payment as set in the signed contract continues to cover its share of personnel costs.

Valentine explained that the biennial financial review is complete and will be covered under the budget/Investment Committee report. She explained that staff is also currently engaged in the IT assessment for the Board, with a final report anticipated sometime in December 2013. Both assessment reports will feed into the OSLAB biennial report to the Governor, Legislature, and Secretary of State's Office. That report is due April 1, 2014, and the Board will have a chance to review a draft sometime in early 2014.

Two legislative issues were presented to the Board: (1) deadline for legislative concepts and (2) status of the Oregon Design Professionals group. The Board concurred that it does not anticipate having any legislative concepts per the schedule presented. Concepts would need to be ready by the May 2014 deadline to be considered for the Governor's 2015 package. The Board also agreed that OR ASLA should be encouraged to participate in the Oregon Design professionals group in lieu of a Board member.

*Policy Updates:* Valentine confirmed that there were no new policies or policy revisions requiring Board review this quarter. She provided a copy of the existing Reimbursement of Expenses policy and copy of the expense form as a reminder to Board members. She highlighted a few updates in reimbursement rates and reminded all about the importance of submitting reimbursement requests timely.

*Budget Updates:* Valentine presented the quarterly budget reports to the Board. She noted that it is still early in the new biennium but that so far nothing has emerged suggesting any major deviation from projected revenues and expenses. She referred to the previous comparison and explained that expenses this year are higher compared to the same timeframe

last year largely due to financial review, out-of-state travel, and investigator expenses that were not encountered in 2012. She noted that these expenses were budgeted for so said there is not cause for alarm. She did explain that there could be an overage with respect to the database design line item. Problems have crept up unexpectedly with database functionality relating to automatic status changes based on dates. This is requiring some additional service from the database provider. Staff will monitor but some line item adjustment may ultimately be necessary, e.g. from computer upgrades.

*Quarterly Payment Log: O'Brien moved to approve the log in the packet covering debits from 07/02/13 – 10/01/13 and checks 3895-3941 and 10149-10152. Ray seconded. Ray asked if there was any discussion. Hearing none, he called the vote, and all approved.*

*Updated Renewal History:* The Board reviewed the renewal data and briefly discussed the comparison between the current and previous year.

### **COMPLIANCE REPORT**

Ray opened discussion on the compliance report and inquired with Wright and Valentine as to whether counsel would be joining the Board. As this question was being answered in the affirmative, Kyle Martin joined the Board at 11:28 AM. The RLA serving as technical reviewer on the case also joined the Board to share his report on an ongoing complaint case. Wright and Valentine indicated that the Board had an open compliant case and other documents subject to attorney-client confidentiality to discuss. As a result, Ray announced at 11:35 AM that the Board was entering executive session to discuss compliance investigations of the Board and other documents exempt from disclosure, pursuant to ORS 192.660(2)(l) and (f). He read the script regarding participation in the executive session.

At 1:42 PM, Ray announced that the Board was returning to public session. He called for a 5 minute break during which time Board guests were invited to join the Board.

*Inquiry – Letters of Concern:* Ray re-convened the Board at 1:49 PM and opened discussion on the inquiry to the Board related to LACC#s 13-04-009, #13-04-010, and #13-04-011. He called for a quick round of introductions. The Board's guests at this time were: Eric Bode, RLA, Charles Brucker, RLA, Mauricio Villarreal, RLA, and Zeljka Carol Kekez, Urban Designer, all with Place Studio. Valentine introduced the email from the three RLA's requesting the opportunity to speak with the Board and a copy of one of the letters of concern in question.

Villarreal spoke for the guests, explaining that the Board's letters of concerns were very concerning to the firm and the individual practitioners. While they appreciated the closures of the three complaint cases, they took to heart that the Board raised concern about Place Studio giving proper credit to work of its principals at past firms. Place Studio wants to avoid any future problems with the Board and is trying to understand the Board expectations about attribution of professional work.

Villarreal explained that Place Studio formed 3 years ago, but the principals worked together for 15 years at Walker Macy and collectively over 50 years for that firm. They do not believe they have shown other work done with Walker Macy without giving proper credit. They believe that Walker Macy has been unprofessional in the filing of the complaints with OSLAB and also with boards in Washington (WA) and California (CA). The complaints filed with OSLAB are similar to complaints filed in neighboring states, but those boards did not respond like OSLAB. In WA and CA, the cases were closed as allegations unfounded

with no further action. They requested guidance from OSLAB to understand why the Board thought letters of concern were warranted. O'Brien pointed out that the information submitted to the Board that did not include attribution was somehow made public in that Walker Macy was able to access it so the Board had to look at this.

Ray said the employee-employer relationship generally requires the employer to give the employee (RLA) copies of project work for which the RLA played a significant role. The Board's guests confirmed that three years after the RLAs departed the company, Walker Macy has not provided all of these documents. Villarreal stated that Bode has all his work, but he, Brucker, and Kekez have not received this information from Walker Macy. They have all sent lists of projects to Walker Macy, but the company has never acknowledged the requests. Kekez said the Walker Macy employee handbook says the company will provide this information when an employee leaves.

Villarreal presented examples of what Place Studio believed was proper attribution and requested feedback from the Board. The Board did not have any concerns with the examples. O'Brien said the Board will look to see if the RLA is giving proper attribution to work done elsewhere, and if so, there is generally not an issue for the Board. The letter of concern was intended to make sure all were aware of what is required under Board rules. Martin added that beyond this guidance, each case varies a bit depending on the specific circumstances. Board members stated that the rule (804-050-0015(2)) requires saying when work was done prior to joining the current employer and a brief explanation of the RLA's specific role.

Martin explained that the Board cannot stop individuals from filing complaints, and the Board does need to look at each complaint. If a complaint looks like it has any possible merit, then the Board must investigate. An investigation does not mean that anything was done wrong, but the Board's statutory responsibility is to review and respond. If Place Studio were doing everything the right way, then the Board would not ultimately take action. Martin further explained that the language in the Board's letter of concern about future complaints is standard language and was not meant to heighten their level of concern. It just says if Board were to ever find cause, then it is statutorily required to take action. He clarified that a letter of concern is not disciplinary action by the Board.

In closing, Kekez encouraged the Board to consider giving specific examples of proper attribution through rule. Everhart also suggested that the Place Studio members engage with the national ASLA on the broader topic of ethics related to the employer-employee relationship. The guests left the meeting at 2:30 PM.

LACC #12-04-008: Ray opened discussion on complaint case LACC#12-04-008. Wright moved to close LACC #12-04-008 with a letter concern regarding 5 specific areas: (1) lack of a contract or other written agreement, (2) responsiveness of two RLAs (Huntington & Kiest), (3) lack of clarifying notes on drawings, (4) lack of construction oversight, and (5) code awareness which could relate to potential health, safety, and welfare issues. Additionally, she moved to have the Board respond to the complaint against the third RLA (Von Chamier) with a letter of allegations unfounded. Olsen seconded the motion. The motion was opened for discussion.

O'Brien stated that he did not support addressing construction observation in the letter, as he felt there was not clear evidence that the RLAs were in this role. Wright pointed out that one RLA was on site during construction. O'Brien said he did not see compelling evidence to

prove the RLA was hired to provide construction observation, and it is common with residential work to not be hired for that. The Board discussed that the lack of contract or other written agreement led to other misunderstandings about scope of work. Wright suggested that the lead RLA did not do a very good job of practicing and wanted to see the letter of concern address this.

*Wright then withdrew her initial motion and presented a modified motion as follows: the Board issues a letter of allegations unfounded for Von Chamier and letters of concern to Huntington and Kiest addressing four areas of concern: (1) lack of contract/written agreement, (2) lack of responsiveness, (3) lack of clarifying notes on drawings, and (4) apparent lack of code awareness. O'Brien seconded the motion. Ray asked if there was any further discussion. Hearing none, he called the vote, and the motion was unanimously approved.*

Delegation of Authority: Ray opened discussion on the delegation of authority update prepared by staff. Wright stated her support for Board adoption of the delegation of authority amendment related to complaint case processing. White was also supportive of Board adoption of the document. Valentine summarized the purpose and how the document was drafted. Everhart asked for some clarifications and requested some improvements in the document formatting to improve readability and clarity. Valentine agreed that those formatting changes could be easily made. *Olsen moved for the Board to approve the document with formatting updates to be made by the Administrator. L'Amoreaux seconded the motion. Ray asked if there was discussion and hearing none, called the vote. All approved adoption of the delegation of authority update.*

## **COMMITTEE REPORTS**

Ray opened discussion on committee reports and asked L'Amoreaux and Valentine to address actions required in relation to the Licensure Review Committee.

### ***LICENSURE REVIEW COMMITTEE***

L'Amoreaux and Valentine explained that there were three items needing Board action. The first they presented was the consent agenda for ratification of exam and registration applications and inactive status changes approved July 20 – Oct. 21. Everhart requested that one item be removed from the consent agenda to allow for Board discussion. This was an inactive emeritus status change. There were no objections to pulling this from the consent agenda. *L'Amoreaux moved to approve consent agenda as modified. Everhart seconded the motion. Ray, hearing no further discussion, called the vote, and all approved.*

The Board discussed the inactive emeritus status change that was of concern to Everhart. Everhart said her question is about whether the individual is continuing to work at a government job overseeing work in a section that does design and planning. Her concern is that if the RLA is managing the work of other RLAs, then she questions how this would not qualify as practicing landscape architecture. O'Brien stated that he thought an RLA could work as a manager without practicing, as long as there is no misrepresentation or stamping and signing documents. Everhart wondered about the Board's position on such supervision. Valentine explained that for every inactive status change, staff obtains a statement of non-practice and letter from the RLA. The Board decided to have staff contact the RLA to request further clarification of her statement of non-practice by specifically asking her to clarify her current role. Staff was directed to maintain the RLA's inactive status during the inquiry process. The Board did not give final ratification to the status change.

L'Amoreaux and Valentine next directed the Board's attention to a request for reinstatement. Valentine explained that, in consultation with Ray, the continuing education documentation submitted by the RLA was reviewed and found acceptable. A call was made to not require an exam or appearance before the Board. Valentine noted that staff is not authorized to approve reinstatements so a Board action is required. O'Brien asked about how the RLA reinstatement links to the business registration. Valentine explained that a business registration could be reinstated separately if the business had another RLA to designate in responsible charge. There does need to be a RLA associated with the business. *Ray moved to approve the reinstatement request. O'Brien seconded the motion. Hearing no further discussion, Ray call the vote, and all approved.*

Valentine introduced the third item requiring Board action while reminding Ray that the Board had written legal advice to consider. Ray announced at 3:05 PM that the Board was entering executive session to discuss a document exempt from disclosure, pursuant to ORS 192.660(2)(f). He read the script regarding participation in the executive session. Martin and staff were present but no other guests.

At 3:23 PM, Ray announced that the Board was returning to public session. The remaining committee reports were suspended as oral exams were set for 3:30 PM. The Board was joined at this time by three candidates for oral exam and guest Stephanie Martell.

### **CANDIDATES FOR REGISTRATION/ORAL EXAMS**

The oral exams were started with a round of introductions by Board members, staff, and the candidates. Ray explained that this was the last step in the initial registration process. He presented the candidates with various questions regarding statutes and rules, stamping and signing of documents, CE requirements and audits, individual vs. business registrations, etc. The candidates were given the opportunity to ask questions of the Board. The Board also inquired about the candidates experiences with the new LARE structure.

*Ray moved to approve registration for the three oral exam candidates Brian Martin, Phoebe Bogert, and Christian Georgeton. Wright seconded the motion. Ray called for a vote, and all approved.* Board members and staff welcomed the three to the profession and congratulated them on the work done to qualify for registration. Valentine distributed their registration packets.

### **CORRESPONDENCE**

Ray determined that the Board would continue to delay the remaining committee reports and take up the correspondence agenda item since Martell was present to address the Board regarding her correspondence to the Board. Ray invited Martell to explain her request and specifically her relationship with the RLA she would like to serve as her mentor. Martell explained that this RLA is not able to hire her due to a limited practice but is the only RLA on the south coast where she lives and works. She works at HGE Inc. under the supervision of an architect. She, the RLA, and HGE Inc. have discussed how they might arrange to have the RLA provide supervision to Martell so that she can obtain the qualifying experience to sit for Sections 3 and 4 of the LARE. Martell explained that she has passed Section 1 and is registered to take Section 2 in December.

O'Brien addressed how the Board is actively discussing issues surrounding direct supervision and qualifying work experience. Ray stated that the Board is looking at the possibility of rule changes but that nothing is ready at this time. Martell stated that on the South Coast, projects are being designed by architects and engineers due to absence of RLAs. Olsen asked

if the RLA would be reviewing actual work by Martell or just working with Martell on hypothetical work. Martell said that they had been talking about hypothetical work vs. HGE projects. However, she thought there could be some instances where HGE contracts with McNair, and she works on the project that McNair is stamping and signing. Wright suggested that a contractual relationship between the three parties where the RLA is supervising on actual work might allow for the Board to interpret the RLA as providing direct supervision. The rest of the Board members agreed that this approach had potential. Valentine clarified for Martell that at this point the Board is trying to find a way for her to obtain qualifying work experience under current rules because it would take some time for the Board to develop a formal mentor program. She further added that the Board has not yet determined if a mentor program is even the best approach to adding more flexibility to the system. Valentine also explained that work experience is based on full-time (40 hr.) work so part-time or project based work is pro-rated and takes longer to reach the one year requirement.

Martell indicated that she was encouraged and understood that she would need to work with her employer and the RLA to see if a contractual relationship could be established. Smith suggested that Martell might look at interning with the RLA if contract relationship between RLA and HGE did not pan out. Martell requested a letter from the Board or a copy of the meeting minutes to share with her employer. Ray asked Valentine to prepare a brief letter addressing how a contractual relationship might be able to work to satisfy the requirements for direct supervision. In closing, Martell suggested that the Board might want to take a look at the mentorship program used by architects. The Board thanked her for taking the initiative to come speak with the Board.

Ray returned the Board to the remaining committee reports.

#### ***CONTINUING EDUCATION COMMITTEE***

*Ray*

Smith drew the names for the July – Sept. 2013 audit period per Board procedure.

Ray presented the Audit Report for the April – June 2013 audit period. He also covered carry over audits from previous audit period of January – March 2013. He recommended that audits for control #s 31-36 and 13 be approved as meeting Board requirements. He went over the details of the individual approvals and carryover credits where applicable. He clarified that control #030 was approved to move to inactive status.

*Ray moved that the Board approve six audits for control #s 31-36. Everhart seconded. Hearing no discussion, Ray called the vote and all approved.*

*Ray moved that the Board approve of one audit for control #013 from previous audit period for submitting additional information sufficient to meet Board requirements. O'Brien seconded. Hearing no discussion, Ray called the vote and all approved.*

Ray closed the committee report with notice about an upcoming meeting with OR ASLA representatives to hear their questions and concerns about the Board's continuing education requirements and process.

#### ***BUDGET & INVESTMENT COMMITTEES***

Olsen and Valentine presented the report. Valentine mentioned that the budget update was discussed as part of the Administrator's Report and that there was nothing further to report related to the budget and investments. She and Olsen directed the Board's attention to the

final report resulting from the 2011-2013 financial review. Valentine also referred the Board to the draft response to the financial review findings. Olsen noted that in the last review, the report contained 12 findings. She saw the current report as very positive, as indicated by only 4 findings. She also noted that the 4 findings address items that are either just a matter of documenting existing procedures or where procedural changes are easy to implement. The Board indicated that Valentine should finalize the response without any changes.

Olsen noted that the Board needs to revisit the idea of a reserve policy, which was discussed during the 2013-2015 budget development process. She reminded the Board that Valentine had drafted a reserves policy and that this should be reviewed. She recommended this as part of the Board's role in overseeing the budget and longer-term financial management. She and Valentine mentioned that the Board would need to decide on a reserve period and recommended somewhere between 3 and 12 months. The board members agreed that this topic should be discussed at a future meeting.

#### ***ADMINISTRATIVE RULES COMMITTEE***

O'Brien noted that there is a lot of possible work for the Administrative Rules Committee going forward. For this meeting however, the Committee had no new actions for the Board to consider. He then raised one issue not discussed in the work session – the issue of possibly looking at tiered business registration fees. The fees are currently the same for any type of business. Staff and board members discussed the history of this and how possible changes might be analyzed from budget and administrative standpoints. Wright recommended to Valentine that she pull information from previous Board discussions on this topic. Valentine agreed to do this plus look into legal parameters for setting fees. The Board did request that this be put on the list of potential rulemaking projects to keep it on the radar screen.

The Board decided to forgo liaison reports due to time constraints and limited activity to discuss. The Board had addressed liaison assignments as part of the Elections agenda item. Ray briefly mentioned again his ongoing communication efforts with OR ASLA and how he agreed to meet with representatives to talk about continuing education. He will also share with them the opportunity for OR ASLA to participate in the design professionals group as was discussed during the Administrative Report.

#### **PUBLIC COMMENT**

Ray noted for the record that no guests were present. Other Board guests were involved in Board discussion of previous agenda items.

#### **OLD BUSINESS**

The CLARB Annual Meeting Report was the only item under this agenda item. Ray and Valentine presented the written report to the Board and spoke about their experiences at the CLARB annual meeting.

#### **NEW BUSINESS**

Given that committee assignments were taken up as part of the Election agenda item early in the meeting, the Board moved to discussion of 2014 Meeting Dates. Valentine presented the planning calendar for 2014 and explained her assumption that the Board would continue with quarterly meetings in February, May, August and November either on the first or second Friday of those months. Board members decided that Fridays were not the best day for the majority and switched to Thursdays. The following dates were set for 2014: Thurs. Feb. 13, May 8, August 14, and Nov. 13.

Ray confirmed that there were no announcements or other items requiring discussion and then adjourned the Board at 5:11 PM.

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The minutes of the November 8, 2013 meeting were approved with revisions at the February 20, 2014 Board meeting.

Respectfully submitted,

Christine Valentine,  
Administrator