

OSLAB MINUTES OF SPECIAL TELEPHONE MEETING

September 29, 2008

The telephone meeting was called to order by *Chair Timothy Van Wormer* at 5:03 PM. Oral role call was taken with the following in attendance:

Members Present:

Robert Edwards, Public Member via telephone in Salem
Ron Nichols, Public Member, Treasurer, via telephone in Salem
David Olsen, Landscape Architect, via telephone from Bend
John Pellitier, Landscape Architect, via telephone from Eugene
Mel Stout, Landscape Architect, Vice Chair, via telephone from Portland
Timothy Van Wormer, Landscape Architect, Chair, via telephone from Portland
Susan Wright, Public Member, via telephone from Portland

Members Absent: None

Other Participants at the Board Office:

Kyle Martin, Assistant Attorney General
Susanna Knight, Administrator

Chair Van Wormer called the meeting to order at 5:03 PM and asked if there were any additional agenda items. He then requested a discussion of the Oregon Landscape Contractor Board's (OLCB) Administrative Rule change about which he recently sent correspondence to OLCB. No additional agenda items were submitted.

Chair Van Wormer then read the following statement at 5:06 PM:

“The Board will now meet in executive session for the purpose of reviewing documents or records that are exempt by law from public inspection under ORS 192.660(2)(f). Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision will be made in executive session. At the end of the executive session, the Board may meet in public session to make a decision under ORS 183.482(6).”

The Board returned to the Public Session at 5:35 PM.

Chair Van Wormer reported to the Board that he had been alerted by *Pellitier*, OSLAB's liaison to OLCB, about an OLCB Administrative Rule change. OAR 808-002-0780 appears to allow Oregon State licensed landscape contractors to perform design services independent from performing construction services. *Van Wormer* subsequently issued a letter to OLCB questioning if OLCB licensed individuals have the appropriate education, training, and

examination requirements to adequately protect the public health, safety and welfare and he included a request that OLCB define the term “plan” and present that definition to OSLAB for review and consideration. Following the distribution of the letter and during OLCB’s September 19, 2008, meeting, this rule change was not approved. OLCB will again open the discussion about this Administrative Rule through the public hearing process and allow additional discussion.

Van Wormer asked when public hearing would be held. Knight stated that, given the public notice requirements, the earliest a public hearing could be held would be in mid-November. *Nichols* inquired if the Board would need someone to give public testimony. *Van Wormer* stated that he would like *Pellitier*, as OLCB liaison, to get up to speed on the OLCB Administrative Rules and Revised Statutes. *Pellitier* indicated that he plans to do research and present information to the Board at the November meeting. He offered that it is critical that the Board determine at what point Landscape Architecture is required. *Van Wormer* asked *Pellitier* to come prepared to lead a Work Session on this issue prior to the Board meeting on November 14, 2008.

Pellitier stated that there was a lot about the OLCB that he did not fully understand. He needs to get up to speed on the rules and laws for the OLCB and had several rhetorical questions: Is OLCB testing for health, safety, and welfare of design issues; What is the standard; What is the body of knowledge; Does OLCB have distinctive health, safety, and welfare issues; Do parameters for Landscape Architects need to be clarified, Is OLCB beginning to do what registrants of OSLAB do? *Pellitier* stated that he would be engaging other Board Members to help him get up to speed on the OLCB laws and rules.

Van Wormer asked if there was any additional discussion about this topic prior to a Work Session discussion at the next Board meeting.

Stout offered that it is really important that the Chairs of the two Boards meet. *Van Wormer* stated that he is planning to meet with the OLCB Chair face-to-face and reported that in his previous discussion with the OLCB Chair, two items were shared:

- OLCB agrees with the OSLAB that the current movement to eliminate semi-independent boards is a concern; and
- OLCB agrees with OSLAB that the scope of work of landscape designers is a shared concern.

Hearing no future discussion, *Van Wormer* adjourned the meeting at 5:53 PM.

Respectfully submitted,

Susanna Knight
Administrator

Minutes of the Special Meeting convened September 29, 2008, were approved as presented at the November 14, 2008, quarterly Board Meeting.

Respectfully submitted,
Susanna R. Knight
Administrator