

# STATE BOARD OF ARCHITECTURAL EXAMINERS

## BOARD MEETING MINUTES

September 7, 2005

Suite 111, 110 Centerview Drive

Columbia, SC

The State Board of Architectural Examiners convened September 7, 2005, in Columbia, South Carolina. Chairman Ward called the meeting to order at 9:40 a.m. The following attended the meeting:

Dennis S. Ward	Chairman
Jose Caban	Secretary
Stokes Browning	Member
W. Barry Jenkins	Member
Stephen Russell	Member
Jan B. Simpson	Administrator
Todd Bond	Investigator
Alice D. Richardson	Administrative Assistant
Sharon Dantzler, Esq.	LLR Advice Counsel

Member Johnson notified the Administrator in advance that he would not be able to attend the meeting.

Administrator Simpson stated the **public notice** of the meeting was properly posted at the Board office and provided to organizations and news media in compliance with Section 30-4-80 of the S.C. Freedom of Information Act. A quorum was present at all times.

Chairman Ward welcomed new member Stephen Russell who was appointed by Governor Mark Sanford in May to succeed Gene Matthews. Mr. Russell's term is May 15, 2003, until May 15, 2008.

The Board will send a letter of support offering assistance to Member Boards in Mississippi, Louisiana and Alabama due to the devastation of Hurricane Katrina.

**Minutes:** Motion by Caban, Second by Jenkins: To accept the **Minutes** of the May 4, 2005. Motion carried.

**Exam Candidate** – Motion by Browning, Second by Jenkins: To approve the following persons to begin taking the Architect Registration Examination. Motion carried.

Kevin Hagerson	John McLean
Brian Powell	Erin McLenaghan
Bryan Bolin	Travis Hager
Thomas Benjamin	Tyler Smith

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Hillary Andren  
Losse Knight  
Gretchen Richter

Jennifer Kerl-Schutte  
Rebecca Mack

**Exam Candidate** – Motion by Browning, Second by Jenkins: To defer a decision on applicant Patricia Dilger pending receipt of additional information. Motion carried. Since Ms. Dilger owns her own company Overstreet Studio and works for Johnston Design Group, LLC, on a contractual basis, the Board requested additional information (i.e., payroll, social security withholdings, accounting verification and/or time records) to verify that she was a full-time employee with Johnston Design Group, LLC.

**Special Inspections – Chapter 17** – Gary Wiggins, Administrator, Building Codes Council, joined the meeting at 10:10 a.m. to clarify the intent of Chapter 17 of the 2003 edition of the International Building Code which went into effect on January 1, 2005, for all jurisdictions in the state. As building officials and design professional began to review the provisions of Chapter 17, questions arose concerning application of the chapter. The major issues were: when special inspections are required and the responsibility of the professional involved. These issues were discussed at various meetings held by the Design Professional Group and from those meetings, several major points for application of Chapter 17 emerged.

- ?? **When Special Inspections are required** – Special inspections are required for the materials and components stated in Chapter 17 that “require special expertise to ensure compliance with approved construction documents and referenced standards.”
- ?? **Responsibility of the Design Professional in Responsible Charge** – The design professional in charge is ultimately responsible for the special inspection program.
- ?? **Responsibility of the Building Official** – The building official is required to approve the individual special inspectors based on their qualifications.
- ?? **Relation of Special Inspections to State Projects** – For state owned buildings, the projects fall under the auspices of a specific office (Office of State Engineer, Office of School Facilities, etc)

The Board thanked Mr. Wiggins for attending the meeting to clarify this issue.

**Compliance:**

Motion by Caban, Second by Jenkins: To accept the IRC recommendations on the following cases. Motion carried.

Case No. 2005-15	Dismiss
Case No. 2005-18	Letter of Caution
Case No. 2005-19	Letter of Caution
Case No. 2005-20	Letter of Caution
Case No. 2005-21	Dismiss
Case No. 2005-22	Letter of Caution
Case No. 2005-23	Dismiss
Case No. 2005-27	Letter of Caution

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Case No. 2005-12	Letter of Caution
Case No. 2005-13	Letter of Caution
Case No. 2005-14	Letter of Caution
Case No. 2004-13	Letter of Caution
Case No. 2004-16	Dismiss
Case No. 2005-7	Dismiss
Case No. 2005-8	Dismiss
Case No. 2005-10	Dismiss
Case No. 2005-11	Letter of Caution
Case No. 2005-6	Letter of Caution
Case No. 2004-9	Cease and Desist
Case No.2005-4	Cease and Desist

The following cases were reviewed by the IRC and will go forward with issuance of a Formal Complaint.

Case No. 2005-5  
Case No. 2004-19

Member Russell stated that it would be helpful if the disciplinary reports included the Statute and Regulations violated in the “issues section” of the report. Sharon Dantzler, LLR Advice Counsel, informed the Board that IRC reports are in the process of being updated to include more information.

**Ownership of Plans** – The Board asked that the issue concerning ownership of plans be discussed at the November Meeting as a quasi-Legislative issue.

**Seal Requirements for upfitting, renovation and remodeling projects in South Carolina** – At the May meeting, the Board was asked by a public participant to consider changes to the rules requiring an architectural seal for permitting certain upfitting, renovation and remodeling projects. Member Jenkins conducted research related among states within the Southeast as to this issue. Jenkins concluded that the interpretation issued by the Board in May 2003 (which, in general, allows for exemption from seals those buildings up to 5,000 square feet and which do not affect life safety) to be more lenient than our neighbor states; consistent in policy with states in our region and less restrictive in terms of allowing for some discretion on the part of the building official. Motion by Jenkins, Second by Browning: To leave the previous interpretation of the Board as is. Motion carried.

**South Carolina Policy on Specialty Systems** – Kurt Ludwick, “risk” management officer for McMillan Smith and Partners Architects, LLC, and a licensed attorney, requested clarification of the following questions regarding the Board’s policy on specialty systems. Administrator Simpson will reply to his e-mail request.

?? **Is it correct that a drawing sheet that includes original details along with reproduced details requires both a corporate seal and an individual seal? Yes**

- ?? I understand that we can include both reproduced details and original details on the same sheet. The reproduced details must be noted. **Does the sheet index found at the front of the document set need to include a note as well?** Yes
- ?? **Should we not treat the specialty system drawings in a manner similar to our consultant drawings when it's regarding signing / sealing documents?** Yes

The board recessed for a brief catered lunch.

**Proposal to co-sponsor CE Event with Rutland Center for Ethics.** In June 2000, April 2002 and April 2003, the Board co-sponsored with Clemson University an Ethics Workshop for continuing education credits. Based on the evaluations, these Workshops were a huge success. Dan Wueste, Ph.D., presented the Board with a proposal to hold another “Professional Ethics in Architecture” Workshop in the coming year. The Rutland Center is an authorized AIA/CES provider, so the seminar would provide AIA continuing education credit. The Board would like to include the Clemson architectural students again and develop a specific focus for the Workshop. Administrator Simpson suggested that the Workshop be outsourced. The Board will provide funding from the Architecture Education and Research Fund. The Board would like to look into anticipated costs for this Workshop before committing to an amount to be provided.

**Design Professional Group and AIA/SC CE Seminar Update.** The Design Professional Group held three jointly sponsored continuing education events on June 7<sup>th</sup> in Greenville with 134 in attendance; June 9<sup>th</sup> in Charleston with 152 in attendance; and June 16<sup>th</sup> in Columbia with 154 in attendance. The Board provided approximately \$8500 for this event. These events were a huge success.

Motion by Stokes, Second by Jenkins: To instruct staff to make preliminary arrangements (i.e., costs, topics, dates) in order to pursue co-sponsoring the Ethics Workshop and the Design Professional’s continuing education events. Motion carried. This item will be carried over to the November Meeting.

**Building Official Manual** – The Engineering Board requested former Board member Skip Lewis to review the draft and submit his proposed revisions to the Board of Architecture. Member Browning and Mr. Lewis worked together on the final revisions. The revised Manual will be forwarded to the Engineering Board in September for their final review of the engineering-related sections. Motion by Jenkins, Second by Caban: To accept the Manual as presented and move forward with the printing of this Manual once reviewed by the Engineering Board. Motion carried.

**Electronic Plan Submittals** – Members Russell and Jenkins will review sister states’ law/regulations as they relate to electronic plan submittals and report back to the Board their finding at the November Meeting. Administrator Simpson will forward a copy of the state’s electronic bill (e-commerce ) to all members of the board as well as a list of those states that allow electronic seals/signatures, and how their Laws/Regulations address electronic transmissions of plans.

**IDP Funding Update:** Member Caban informed the Board that the balance of the IDP Enrollment Fund at Clemson is \$13, 572 and he does not anticipate needing additional funding in the fall. The Board accepted this as information.

**Clemson Funding Update:** Member Ward reminded the Board that funds provided by this Board are transferred to Clemson University School of Architecture to fund student enrollment in NCARB's IDP Program as well as to fund continuing professional development administered through the Gunnin Architectural Library. At the May Meeting, Ward appointed Members Matthews and Browning to explore possible new avenues for the funds provided to Clemson University. This item will be carried over to the November Meeting. Since Member Matthews is no longer on the Board, Member Browning will prepare the report.

**Change in Architect in Responsible Charge:** The Board has received several questions lately that involve succession issues. Most questions involve the retention of clients when an employee leaves the company, and the client wants to follow the employee to complete the work. Administrator Simpson asked the Board if they would like to draft guidelines regarding this issue. The Board unanimously agreed that this was a contractual issue with the company and employees and that they should contact their attorney for guidelines, not the Board.

### **Administrator's Report:**

#### **License Statistics**

##### **License Statistics as of 8/31/05**

Architects	In-state	975
	Emeritus	57
	Out of State	2497
Firms	1152	

**Rolling Window** – Administrator Simpson asked for direction from the Board for implementing the five-year rolling clock for exam candidates who are already in the process of taking the exam. The national five-year rolling clock becomes effective January 1, 2006. At the Administrators' meeting in Washington, D.C., in November 2005, we will get details from NCARB senior staff, but the Board must set out implementation "rules" for existing SC candidates.

**Fire and Life Safety** – Administrator Simpson would like to suggest a meeting with John Reich, LLR Deputy Director for Fire and Life Safety, and Michael Platt, Fire Marshal, to discuss plan review expectations, parameters, and procedures. Some of the issues that have come from IRC meetings are: incomplete plans, code compliance, multiple/repeated submittals, and differences in interpretation of Code sections. Mr. Reich and Mr. Platt will be invited to attend the November meeting to discuss these issues.

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**CE Audit** - During September, Alice Richardson will conduct the audit of continuing education compliance for license renewal. We will have at least preliminary results by the November meeting.

**Outreach to Clemson Architecture School** – Administrator Simpson will speak to Professor Lynn Craig’s Professional Practice class on Tuesday, September 13. She and Barry Jenkins will meet with Architecture School students on Monday, September 19, and will also visit the Gunning Architecture Library.

**Partnering with AIA’s Emerging Professionals Committee** - On August 9, “stakeholders” with an interest in IDP, interns, “emerging professionals,” and the Architect Registration Examination met at the AIA cottage to strategize about how to identify the state’s interns, how to assist them as they move toward licensure, and how to improve the intern experience. They will meet again in the next few months. Administrator Simpson requested from NCARB a list of IDP record holders who live/work in South Carolina.

*{end of Administrator’s Report}*

**State Official License Plates for 2006-2007.** Members were asked to notify staff if they wish to order a State License Plate for 2006-2007.

**Election of Officers:** The Board held an election to fill the vacancy of Vice-Chair created when former member Gene Matthews left the Board. Jose Caban was elected Vice-chair, and Stokes Browning was then elected Secretary to replace Member Caban. Both officers will serve from September 7, 2005, until July 1, 2006. Elections will be held again in May 2006.

**Budget Report:** The Board accepted as information the Budget Report prepared by LLR’s Finance division for the period ending July 31, 2005.

**Design Professional Group Representative** – Member Jenkins will serve as the representative of the Board.

**Joint Meeting with Engineers 2006.** In response to a request for a joint meeting with the Engineers Board, Member Ward asked for a list of issues that would be discussed before setting a meeting date. At the September Engineering Board Meeting, Administrative Simpson will ask them for issues/topics they would like to discuss. This item will be carried over to the November meeting.

### **Southern Region Update**

Region 3 has had discussions over the past two months regarding several topics that concern all jurisdictions. The following recommendation will be presented to NCARB’s Board of Directors for consideration:

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1. Region 3 requests a policy statement regarding the sequence of allowing candidate to take the A.R.E. prior to completion of IDP. Without a clear NCARB policy, this may cause a major impediment to reciprocity
2. Region 3 requests NCARB's assistance in drafting model legislation or rules regarding cheating on the A.R.E., so that each jurisdiction has consistent and comparable language and policies regarding cheating.
3. Region 3 requests that NCARB allow Boards to access a mailing list of interns so that Boards can communicate directly to interns regarding issues that would concern them.

The Board reviewed a memo from Jeff Huberman, Region 3 Director, regarding Continuing Education and Reciprocity in Georgia. The memo states in part that the Georgia Board will not accept another jurisdiction's continuing education requirements for reciprocity. Georgia will only accept compliance with Georgia's requirements. The Board felt this would be an impediment to reciprocity, which would not be acceptable. The Board asked that a letter of concern be sent to the Georgia Board regarding this issue.

*{End of Southern Region Update}*

There being no further business, the Board Meeting adjourned at 3:15 p.m.

Respectfully Submitted,

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Jose R. Caban, Secretary