

**MINUTES
BOARD OF LANDSCAPE ARCHITECTURE**

**Telephone Conference Call
General Business Meeting
November 4, 2011
Toll Free 888.808.6959; Conference Code 9218690**

CALL TO ORDER

Mr. Delate, Acting Chair, called the meeting to order at 9:03 a.m.

MEMBERS PRESENT

Mr. Joseph Delate, Vice-Chair
Mr. John Ribes
Mr. Paul Kissinger
Mr. Michael Pape
Mr. David Powell
Mr. Chris Lambeth

MEMBERS ABSENT

None

OTHERS PRESENT

Ms. Juanita Chastain, Executive Director
Ms. Linda Tinsley, Government Analyst
Ms. Lynette Norr, Assistant Attorney General
Ms. Khai Patterson, Assistant Attorney General
Ms. Kathleen Brown-Blake, Prosecuting Attorney
Mr. Dustin Metz, Prosecuting Attorney
Ms. Christina Lathrop
Mr. David W. Lockmiller
Mr. John Gorham
Mr. Jeff Caster
Mr. Shawn Kalbli

Ms. Chastain welcomed the new board members. She commented Mr. Lambeth would not be voting today as all of his paperwork had not been received.

Mr. Delate welcomed the new board members and congratulated them on their appointment.

APPROVAL OF JULY 27 2011 MEETING MINUTES

MOTION: Mr. Ribes moved to approve the minutes as written.

SECOND: Mr. Delate seconded the motion and it passed unanimously.

REQUEST TO APPROVE CONTINUING EDUCATION CREDITS

Christina Lathrop

Ms. Lathrop was on the line. Ms. Chastain presented the request indicating Ms. Lathrop was requesting approval of continuing education based on college credit courses in the field of landscape architecture. Ms. Chastain pointed out the rule allows for a maximum of twelve hours of optional credit. The two hours of laws and rules and two hours of advanced building code must also be completed.

Mr. Kissinger commented it might be helpful if the board had course descriptions as he had a concern about the research course. Ms. Chastain stated the rule allows that one credit hour is the equivalent of two continuing education hours and that if the research course was a problem Ms. Lathrop still had enough hours with the other courses.

Ms. Lathrop explained the courses she took and stated the coursework beginning with LAA were all in the landscape architectural program at the University of Florida.

Mr. Ribes commented he understands coursework adds value but would like to see descriptions. He asked that the item be placed on the next board agenda.

MOTION: Mr. Pape moved to approve the continuing education for twelve optional hours.

SECOND: Mr. Ribes seconded the motion and it passed unanimously.

David W. Lockmiller

Mr. Lockmiller was on the line. Ms. Chastain presented the request indicating Mr. Lockmiller was requesting approval of continuing education based on college credit courses in the field of landscape architecture. Ms. Chastain pointed out the rule allows for a maximum of twelve hours of optional credit. The two hours of laws and rules and two hours of advanced building code must also be completed.

MOTION: Mr. Pape moved to approve the continuing education for 12 optional hours.

SECOND: Mr. Powell seconded the motion and it passed unanimously.

John P. Gorham

Mr. Gorham was on the line. Ms. Chastain presented the request indicating Mr. Gorham serves as a consultant to the department for the Florida laws and rules examination. Ms. Chastain commented the rule allows for a maximum of six hours of continuing education to be obtained by serving as a department consultant; four optional and two hours in laws and rules. Mr. Gorham would be required to obtain the two hours advanced building code and an additional eight hours optional.

MOTION: Mr. Kissinger moved to approve the continuing education for six hours; four optional and two in laws and rules.

SECOND: Mr. Ribes seconded the motion and it passed unanimously.

RATIFICATION LIST

Continuing Education

MOTION: Mr. Powell moved to approve the continuing education list.

SECOND: Mr. Ribes seconded the motion and it passed unanimously.

American Society of Landscape Architecture – Florida

Active Living Through Design

Cheryl L. Moore Consulting LLC

FDEP Stormwater, Erosion and Sedimentation

College of Environmental Design

Photoshop
Design, Installation & Maint. Consideration
Landscape Planning Short Course
Plant Walk and Garden Tour

Fann

Native Trees, Shrubs & Wildflowers
Native Trees and Shrubs
Florida Native Palms
Creating Wildflower Meadows

Horticultural Alliance

Transition of Landscape Materials

Palm Beach County Planning Congress

Fifth Annual Ethics Seminar

Licensure Candidates

MOTION: Mr. Kissinger moved to approve the licensure candidate list.

SECOND: Mr. Ribes seconded the motion and it passed unanimously.

Landscape Architecture Licensure by Endorsement

Geoffrey Bryan Roehll

Landscape Architecture Licensure by Exam

David P. Cosslett, Richard Augustus Harrison, Willaim Adam Horan, Heather A. Kinkead, Adam Scott Markle, Pablo S. massari, Robert victor Micsak, Robin A. Pelensky

Landscape Architecture Business License

Cribb Philbeck Weaver Group, Inc.

Temporary landscape Architecture Business License

Niles Bolton Associates

REPORTS

Chair's Report - Joseph Delate

Mr. Delate commented he has been serving as acting chair for several months. He indicated that officers would be elected at the next meeting. He informed the board his term expired the end of October but he hoped to be reappointed.

Executive Director's Report - Juanita Chastain

Ms. Chastain informed the board she contacted the Bureau of Education and Testing as requested by the board at the last meeting regarding the examination. Mr. Caster expressed concern at that meeting that the examination might not be

current specific to the legislative change which moved the Department of Community Affairs. Ms. Chastain explained the Bureau indicated the examination was current and that while the examination lists the Florida Accessibility Code for Building Construction and Florida Statutes 163, but that the legislative change moving the Department of Community Affairs would not impact the examination.

Mr. Gorham commented his experience with the development of the examination is that it takes approximately a year before a question is made part of the examination. He explained that after a question is developed it must be tested which causes a delay. He commented he is more concerned with the examination keeping up with the profession.

Ms. Chastain informed the board six requests for continuing education waiver had been received.

The board will hold a face-to-face meeting Friday, February 3, 2012 in Orlando.

Board Counsel's Report - Ms. Khai Patterson and Ms. Lynette Norr

Ms. Patterson introduced Ms. Norr as the board's new counsel.

Rule 61G10-15.005, FAC, Responsible Supervision Control Over Landscape Architectural Practices in the Landscape Architect's Office

Ms. Norr stated the rule was noticed for repeal and adoption would be effective November 21, 2011.

Rule 61G10-12.001, FAC, Application and Examination Fee

Ms. Norr informed the board that the Joint Administrative Procedures Committee (JAPC) had concerns about the rule language because they do not believe it corresponds with the statute regarding fees. She informed the board JAPC would agree to the rule language if the board would agree to make the necessary legislative change.

MOTION: Mr. Pape moved to change the statute.

SECOND: Mr. Ribes seconded the motion.

Mr. Kissinger agreed the statute needs to be consistent but expressed concern about opening the statute.

Ms. Norr commented the board process had changed and she does not think ignoring the rule will make the JAPC concerns go away.

Ms. Patterson agreed that she would not advise turning a blind eye. Ms. Patterson stated that if the board refuses to accept the JAPC offer she can take it back to JAPC and try a different approach.

Mr. Delate commented he would like the board to tread carefully. He suggested tabling until the next meeting.

MOTION: Mr. Pape withdrew his previous motion.

SECOND: Mr. Ribes agreed.

MOTION: Mr. Kissinger moved to table for further research.

SECOND: Mr. Pape seconded the motion.

Ms. Patterson cautioned the board the rule may die.

Mr. Kalbli commented the statute is already being opened to make a change regarding continuing education required for reactivation of an inactive license. Ms. Chastain stated she could inquire of the Director of Legislative Affairs if the department could tack this language on to its existing bill.

Ms. Norr read the following proposed change to Section 481.307, Florida Statutes:

“The combined fees for initial application and examination may not exceed \$800 plus the cost to the applicant for examination sections provided by the Council of Landscape Architectural Registration Boards or a similar national organization.”

Mr. Pape asked if the department’s language affected a singular statute or multiple statutes. Ms. Chastain replied multiple statutes.

MOTION: Mr. Kissinger moved to withdraw his previous motion to table and directed Ms. Chastain to ask legislative affairs to tack the language on the department’s bill.

SECOND: Mr. Pape seconded the motion and it passed unanimously.

Ms. Norr stated she will inform JAPC the board voted to have the statute amended. If it cannot be accomplished this session the board will pursue the amendment next session.

Prosecuting Attorney’s Report - Ms. Kathleen Brown-Blake and Mr. Dustin Metz

Ms. Brown-Blake introduced Mr. Dustin Metz as the board's new prosecuting attorney. Ms. Brown-Blake accepted another position within the department.

Ms. Brown-Blake indicated she had one private case to go before probable cause.

NEW BUSINESS

Executive Order Number 11-211

Ms. Patterson stated in accordance with the Governor's Executive order 11-211, the board could submit rules to OFARR ten days before they are published for development or submit to OFARR at the same time as the rules are published. She commented they are currently submitting to OFARR at the same time as publication and suggested they continue that practice.

MOTION: Mr. Pape recommended continuing current practice.

SECOND: Mr. Ribes seconded the motion and it passed unanimously.

OLD BUSINESS

No old business.

FOR YOUR INFORMATION

Letter from Secretary Lawson

Ms. Chastain explained the letter from Secretary Lawson was sent to all board chairs to inform the boards of the major provision in the fiscal year 2011-12 General Appropriations Act to the Professional Regulation Program. Ms. Chastain commented the two areas that would impact their profession would be the reduction in expense budget authority and reduction in unlicensed activity budget authority. She stated expense funds have been saved by holding board meetings by telephone conference call instead of face-to-face meeting.

CLARB Executive Summary

Ms. Chastain commented the executive summary was a CLARB publication about landscape architecture and public welfare.

Mr. Kissinger asked if it would be appropriate for the board to in some way help educate the public about landscape architecture. Ms. Patterson commented the purpose under Section 481.301, FS, is to ensure competent practice. Mr. Kissinger asked that the item be placed on the next board agenda.

ADJOURN

Mr. Delate adjourned the meeting at 10:30 a.m.