

**MINUTES
BOARD OF LANDSCAPE ARCHITECTURE**

**Department of Business and Professional Regulation
1940 North Monroe Street
Tallahassee, FL 32312**

**General Business Meeting
October 22, 2010
9:00 a.m.**

CALL TO ORDER

Mr. Delate called the meeting to order at 9:00 a.m.

MEMBERS PRESENT

Mr. Joseph Delate, Acting Chair
Mr. John Ribes

MEMBERS ABSENT

Mr. Phil Graham

OTHERS PRESENT

Ms. Juanita Chastain, Executive Director
Ms. Linda Tinsley, Government Analyst
Ms. Rachel Clark, Assistant Attorney General
Mr. Jason White, Prosecuting Attorney
Veronica Gutierrez, Accurate Reporters, 850.878.2221
Other interested parties

MOTION: Mr. Ribes moved to excuse Mr. Graham's absence.

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

DISCIPLINE

Martha MacDonald: Case Number 2009-005287

Mr. White presented the case and explained that Ms. MacDonald was being charged with failure to notify the original registered landscape architect prior to signing and sealing plans as the successor registered landscape architect.

Mr. White reviewed the settlement stipulation and requested the board accept the settlement stipulation deleting paragraph 9 requiring subject to be placed on one year probation. Ms. Clark commented that in usual cases a settlement stipulation must be approved or rejected as presented but in this case the probation requirement may be removed and the stipulation accepted. The settlement stipulation calls for an administrative fine of five hundred dollars (\$500) and costs of forty dollars and seventy-nine cents (\$40.79).

MOTION: Mr. Ribes moved to accept the settlement stipulation.

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

APPROVAL OF JULY 22, 2010 MEETING MINUTES

MOTION: Mr. Ribes moved to approve the minutes.

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

REVIEW/APPROVAL OF APPLICATION

Terrescape – Certificate of Authorization

Ms. Hall was present and sworn in by the court reporter. Ms. Chastain explained that Ms. Hall submitted an application for a Certification of Authorization that indicated she had incorporated in January 2004. Ms. Chastain commented the board historically approves such applications but imposes as a condition of licensure the requirement to pay the fees that would have been paid if the applicant had obtained licensure at the time of incorporation. The total amount that would have been paid is \$1,350.

MOTION: Mr. Ribes moved to approve the application with a fee of \$1,350 as a condition of licensure.

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

REVIEW/APPROVAL OF CONTINUING EDUCATION PROVIDER APPLICATION

Native Florida Consulting, Inc.

MOTION: Mr. Ribes moved to approve the continuing education provider application.

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

RATIFICATION LIST (HANDOUT) LICENSURE LIST

MOTION: Mr. Ribes moved to approve the ratification list.

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

Exam

Rebecca Bradley, Andrew David Hill, Hannah Dean McAleer, Michael Ives Volk

Certificate of Authorization

Minder & Associates Engineering Corporation

FUTURE MEETING DATES

Ms. Chastain explained that the Building Code Administrators and Inspectors Board and Board of Architecture and Interior Design are meeting in Fernandina in February 2011 and would like the Board of Landscape Architecture to meet at the same time. The Board of Architecture and Interior Design would like the three boards to discuss the permitting process. Ms. Chastain recommended that the board appoint a committee of one to attend the meeting. She indicated she would ask Mr. Graham if he would attend on behalf of the board. Mr. Delate and Mr. Ribes agreed to meet in Fernandina in February.

REPORTS

Chair's Report

No report.

Executive Director's Report Juanita Chastain

Ms. Chastain presented the year end financial report indicating the board had an ending balance of \$413,641 due in large part to the November 2009 renewal. Ms. Chastain commented the board was currently financially sound.

Ms. Chastain provided the Division of Regulation enforcement report.

Board Counsel's Report Rachel Clark

Ms. Clark gave the rules reports.

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

MOTION: Mr. Ribes moved to delete the fee amount from Section C and E.

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

Rule 61G18.002, FAC, Board Approval of Continuing Education Providers

MOTION: Mr. Ribes moved to change the form number to DBPR BET 1

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

Rule 61G18.006, FAC, Approval of Continuing Education Courses

MOTION: Mr. Ribes moved to change the form number to DBPR BET 2.

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

Rule 61G10-11.XXX1, FAC Application for Licensure

Ms. Clark advised the board that the rule needs to be developed to identify the form applicants must use to apply.

MOTION: Mr. Ribes moved to open the rule for development.

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

MOTION: Mr. Ribes moved a statement of estimated regulatory cost (SERC) was not required.

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

Rule 61G10-11.XXX2, FAC Licensure by Endorsement

Ms. Clark advised the board that the rule needs to be developed to identify the form applicants must use to apply.

MOTION: Mr. Ribes moved to open the rule for development.

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

MOTION: Mr. Ribes moved a statement of estimated regulatory cost (SERC) was not required.

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

Rule 61G10-11.XXX3, FAC Licensure of a Business Entity; Certificate of Authorization

Ms. Clark advised the board that the rule needs to be developed to identify the form applicants must use to apply.

MOTION: Mr. Ribes moved to open the rule for development.

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

MOTION: Mr. Ribes moved a statement of estimated regulatory cost (SERC) was not required.

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

Rule 61G10-11.XXX4, FAC Temporary Certificates

Ms. Clark advised the board that the rule needs to be developed to identify the form applicants must use to apply.

MOTION: Mr. Ribes moved to open the rule for development.

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

MOTION: Mr. Ribes moved a statement of estimated regulatory cost (SERC) was not required.

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

Rule 61G10-13.XXX1, FAC Reinstatement of Null and Void License

Ms. Clark advised that the rule needs to be developed to identify the form applicants must use to apply and the requirements to reinstate a null and void license.

MOTION: Mr. Ribes moved to open the rule for development.

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

MOTION: Mr. Ribes moved a statement of estimated regulatory cost (SERC) was not required.

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

**Prosecuting Attorney's Report
Jason White**

Mr. White indicated he currently has one case under review.

NEW BUSINESS

No new business.

OLD BUSINESS

No old business.

INFORMATION

The board reviewed the letter of resignation submitted by Dr. Paskey. Mr. Delate thanked Dr. Paskey for his work on the board.

REVIEW OF TRANSCRIPT FOR CONTINUING EDUCATION CREDIT

Ms. Chastain informed the board that Mr. Marini was a licensee that had been granted a one-year continuing education waiver. Mr. Marini submitted his transcript from the University of North Dakota, College of Engineering and asked that the board allow the hours to be used in accordance with the rule to qualify for continuing education credit.

MOTION: Mr. Ribes moved to allow twelve (12) optional hours to be granted for attendance at the University of North Dakota, College of Engineering.

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

DISCUSSION

Ms. Chastain advised the board that Mr. Paul Davis had sent an e-mail suggesting a change to Rule 61G10-15.001. Mr. Davis suggested deleting the brand name Xeriscape and replacing it with references to the new DEP Florida Friendly program and expand the scope of practice to include that Landscape Architects can perform an annual Maintenance review of all soil moisture sensor control systems.

MOTION: Mr. Ribes moved to open Rule 61G10–15.001, FAC for development.

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

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