

**MINUTES  
BOARD OF LANDSCAPE ARCHITECTURE**

**Casa Monica Hotel  
95 Cordova Street  
St. Augustine, FL 32084**

**General Business Meeting  
October 16, 2009  
9:00 a.m.**

**CALL TO ORDER**

Ms. Marshall called the meeting to order at 9:12 a.m.

**MEMBERS PRESENT**

Elizabeth Marshall, Chair  
Collene Walter  
Dr. Ernest Paskey  
Joseph Delate

**MEMBERS ABSENT**

Mr. Phil Graham - excused

**OTHERS PRESENT**

Juanita Chastain, Executive Director  
Linda Tinsley, Government Analyst  
Diane Guillemette, Assistant Attorney General  
Other interested parties

**MOTION:** Dr. Paskey moved to excuse Mr. Graham's absence.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

**APPROVAL OF MEETING MINUTES**

**July 23, 2009 Minutes and August 26, 2009 Minutes**

Dr. Paskey indicated the July 23, 2009 minutes needed correcting on page four (4) line one hundred and eighty two (182). He stated it should read three (3) and not thirty (30).

**MOTION:** Ms. Walter moved to approve the minutes with the change.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

## **APPLICATION REVIEW**

### **Gresham Smith and Partners – Certificate of Authorization**

Mr. Griggs was present at the meeting.

Ms. Walter recused herself from the review of the application.

Ms. Chastain addressed the board and stated the application came before them at the last meeting due to prior practice. After review of the application the board asked that one of the partners be invited to attend the next board meeting to address the litigation outlined in the application.

Ms. Chastain stated the company incorporated on June 15, 2004. Based on the renewal cycles the company would have gone through three (3) cycles; therefore owing one thousand three hundred and fifty dollars (\$1,350). The license would be issued valid through November 30, 2011 since the board is currently in a renewal period.

Mr. Griggs addressed the board and explained the litigation issues.

Ms. Marshall thanked Mr. Griggs and commented the board now understands that the issues stem from being a large international firm and further understood the landscape architecture component of the firm.

**MOTION:** Dr. Paskey moved to approve the application contingent on payment of one thousand three hundred and fifty dollars (\$1,350).

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

Ms. Walter was recused.

### **Jason Bridgewater – Six Year Candidate**

Mr. Bridgewater was present at the meeting.

The board reviewed Mr. Bridgewater's plans and stated the plans were in order and indicated the full range of experience.

**MOTION:** Ms. Walter moved to approve the application.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

## **REQUEST FOR WAIVER OF CONTINUING EDUCATION**

**Hank Bruns  
James Craig  
Laurie Ann Elder  
Melinda Claybrook  
Jeffrey Scott McKelvey  
Jody Rosenblatt Naderi  
Scott Brown  
Jon R. Phillips  
Joe Beck  
Jill Cohen**

Ms. Marshall read a fax into the record from Mr. Michael Statham requesting waiver of continuing education.

**MOTION:** Mr. Delate moved to approve all of the requests.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

Ms. Marshall commented she was very pleased that the board was able to assist licensees in this manner.

## **REVIEW OF CONTINUING EDUCATION COURSE/PROVIDER**

**Logical Green, LLC  
Provider Application**

**MOTION:** Dr. Paskey moved to approve the provider application for Logical Green, LLC.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

**James J. Quinn**

Dr. Paskey indicated Mr. Quinn needed to clarify how he was applying. The certification indicated a name other than Mr. Quinn's.

**MOTION:** Dr. Paskey moved to approve contingent on Ms. Chastain verifying the names were consistent.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

## **Continuing Education Ratification List**

**MOTION:** Dr. Paskey moved to approve the continuing education ratification list.

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

**American Society of Landscape Architects – National**

Sustainable Sites Initiative: Overview  
Inside the LA Studio Raymond Jungles

**Continuing Education Academy**

Improved Management Techniques  
Business Management for Landscape Architects  
Lien Law  
Plant Appraisals  
Journey through Your Business Lifecycle  
Successful Compliance with Tree Ordinance  
Avoiding the Lawyers Food Chain

**Florida Irrigation Society, Inc**

Florida Irrigation Problems and Mistakes

**Florida Nurseryman & Growers Association**

Design Track (2) Designing with Water  
Sustaining Brilliance in Times of Change  
Management/Maintenance: Turf Maintenance Magic for Beauty  
Design Track (3) It's all about Bamboo  
Design Track (1) Create Civilized Jungle

**Florida Pool & Spa Association DBA Florida Swimming Pool Association**

Workers Compensation  
FBD ADV. Training: Residential Pools  
Pricing Service and Products for a Profit  
How to be Profitable in a Down Economy  
Worksite Safety  
Business Planning & Development  
ADV. FBC: Entrapment Protection Suction  
Entrapment Protection: Advanced FBC  
Technical Knowledge for Business Management  
Business Practices & Successful Companies  
Prevent Business Growth  
Workplace Safety-Reducing Back Injuries  
Risk Management Essentials  
Workplace Safety

**Office of Greenways and Trails/Recreation**

Building Better Trails

**Redvector.com, Inc**

Basic Stormwater Pond Design  
Green Infrastructure 6: Best Practices  
Green Infrastructure 7: Best Practices  
Green Design: Sustainability & Measure  
Stormwater Harvesting: A Green Concept  
Green Infrastructure 2: Best Practices  
Solar Electric Generation: Technologies  
Storm Drain Inlets-PT 1, Overview & Grate  
Making the Flood Zone Determination  
Stormdrain Inlets: PT 3, Capacity of Curb  
Coastal Geology: Terminology & Geologic  
Green Design: Intro. To Sustainable Design  
Site Planning & Design  
Green Design: Introduction to Sustainable Water  
Responsible Outdoor Lighting  
Constructed Wetlands: Basic Concepts  
Storm Drain Inlets-PT4, Inlet Location

**Wausau Tile, Inc.**

Green Products

**RATIFICATION LIST (Handout) – LICENSURE LIST**

**MOTION:** Ms. Walter moved to approve the ratification list dated October 16, 2009.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

**Exam**

Kevin C. Bernauer, Jason Scott Gabbard, Mark W. Johnson

**Certificate of Authorization**

Graham-Booth, LLC, Celebration Landscape Design, Inc., DBS Consulting, Inc., Redmon Design Company, PA, Tullo Planning Group, LLC, Weston & Sampson Engineers, Inc.

**Temporary Individual**

Christine E. Ten Eyck, David Christopher Powlen

**Temporary Business**

Ten Eyck Landscape Architects, Inc.

## **Business Name Change**

Mai Landscape Architects, Inc.

### **DISCUSSION**

#### **Remove Reference to Core Course.**

Ms. Chastain explained that the board would need to amend their rule because the requirement that licensees complete the core course was removed from the practice act during the 2009 legislative session.

Ms. Marshall indicated that the two hour advanced course was still a requirement.

**MOTION:** Ms. Walter moved to open rule 61G-10.18.001, FAC, for development to remove the reference to the core curriculum course.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

Ms. Guillemette asked if the rule would require a statement of estimated regulatory cost.

**MOTION:** Dr. Paskey moved there was no small business impact.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

Ms. Guillemette indicated that since the board approved removing the reference they could also vote to promulgate the rule.

**MOTION:** Ms. Walter moved to notice the rule for promulgation.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

### **REPORTS**

#### **Chair's Report - Ms. Elizabeth Marshall**

Ms. Marshall indicated she spoke with the Governor's Appointment Office and expressed the board's concern about being down two consumer members. She indicated that Ms. Mallory LeBlanc met with DBPR staff regarding appointments and hopefully they would be made quickly.

#### **Board Counsel's Report - Ms. Diane Guillemette**

Ms. Guillemette reviewed the rules report. She indicated that 61G10-18.002, FAC, was opened for development because the forms are getting closer to completion.

She indicated that the board had asked that she open rule 61G10.18.001, FAC, regarding examination writers being allowed to obtain continuing education. The language would read that a licensee can obtain a maximum of six credits for examination writing including two hours of laws and rules.

Ms. Chastain indicated that the Bureau Chief of the Bureau of Education and Testing would verify a licensee's participation.

**MOTION:** Dr. Paskey moved to approve that there would be no small business impact.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

**MOTION:** Ms. Walter moved to notice the rule for promulgation.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

Ms. Guillemette stated that she received a letter from the Joint Administrative Procedures Committee (JACP) on rules 61G10-18.001, 61G10-18.002, and 61G10-18.003, FAC. Because of the changes they need to do a notice of change for rule 61G10-18.002(3), FAC. She commented that the Bureau of Education and Testing now only relies on 455.2178, FS. and the authority to mandate that the provider number appear in course materials no longer exists since the department's rule 61-6.015, FAC, was repealed. Therefore since the authority to mandate that the provider number be used to advertise course materials did not exist, the language should be removed.

Ms. Chastain inquired if they could still leave the language in their rule because their practice act gives them the authority to adopt rules regarding continuing education. Ms. Walter stated it was easier for licensees to know if a provider or course is approved if the number is on the advertisement. Ms. Walter asked if they could leave the rule but delete the reference to 61-6.015, FAC. Ms. Guillemette commented she would notice it that way and see if JAPC had any comments.

**MOTION:** Dr. Paskey moved there was no small business impact.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

**MOTION:** Dr. Paskey moved to notice rule 61G10-18.002, FAC, for promulgation.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

Ms. Guillemette commented that rule 61G10-18.003(2), FAC, needed to be changed to delete the reference to rule 61-6.015, FAC.

**MOTION:** Dr. Paskey moved there was no small business impact.

**SECOND:** Ms. Walter seconded the motion and it passed unanimously.

**MOTION:** Ms. Walter moved to notice the rule for promulgation.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

Ms. Guillemette stated that Rule 61G10-18.006, FAC, needed technical changes; spelling of DBPR incorrect and (f) needs to be removed. The board did not need to take action.

### **Executive Director's Report – Juanita Chastain**

Ms. Chastain presented the year end financial report. Ms. Chastain commented that the renewal notices have gone out and that money from the renewal is being received.

Ms. Chastain reviewed the Division of Regulation's number of cases.

Ms. Walter asked who the probable cause panel members were.

Ms. Chastain commented the members are Dr. Paskey and Ms. Gillick.

### **ELECTION OF OFFICERS**

**MOTION:** Ms. Walter moved to have Ms. Marshall and Mr. Graham continue to serve as Chair and Vice-Chair.

**SECOND:** Dr. Paskey seconded the motion and it passed unanimously.

### **NEW BUSINESS**

Ms. Chastain commented that Mr. John Gorham provided the board with information concerning the stormwater task force. Ms. Chastain stated that the task force is required to prepare a report to be presented to the Legislature by November 1, 2009.



Ms. Marshall stated that statute allows landscape architects to perform stormwater and feels that adding additional certification required by law would not be appropriate. She commented she was not sure where it would then stop.

Ms. Walter agreed with Ms. Marshall's comments. Ms. Walter stated that the practitioners of stormwater management plans are a small segment that practices without complaint.

Ms. Walter stated she would like to thank Mr. Gorham for his hard work. The board echoed those comments.

Ms. Walter commented that the purpose of continuing education was to make sure licensees can stay current. The board had approved several courses in stormwater.

Ms. Marshall commented that what Florida is doing regarding stormwater is being looked at nationally.

Ms. Guillemette stated that the board did not have the statutory authority to create a specialty rule. The mangrove statute specifically gives the Board of Landscape Architects the authority to have the mangrove specialty. She continued that the ability to prepare stormwater plans is part of their license today and that if they mandate a specialty it would be limiting the license and that cannot be done. What they are suggesting is not legally available.

Ms. Walter stated she was supportive of the status quo.

Ms. Guillemette commented that if landscape architects had to take specialty classes then it should be mandated for engineers. It is a turf war for the engineers. Mr. Delate agreed.

Mr. Stoddard, audience member, encouraged the board to remain firm regarding stormwater.

Ms. Walter asked that Mr. Gorham be informed that the consensus of the board is to not promote a specialty.

Ms. Chastain stated that Mr. Gorham is expecting her to call.

Ms. Walter stated that Mr. Gorham would be attending the October 27 telephone conference call.

## **OLD BUSINESS**

None

## **2010 MEETING SCHEDULE**

The board discussed and scheduled the following meetings:

October 27, 2009 Telephone conference call  
February 5, 2010 Orlando  
April 23, 2010 Tallahassee  
July 2010 Gainesville in conjunction with the ASLA conference.  
October 22, 2010 Ft. Lauderdale/Palm Beach area

### **Adjourn**

The meeting adjourned at 11:40 a.m.