

# STATE OF CONNECTICUT

## BOARD OF LANDSCAPE ARCHITECTS

TEL. NO. (860) 713-6135

*-MINUTES-*

JUNE 7, 2011

The Board of Landscape Architects held a regular meeting on June 7, 2011, which was called to order by Chairman Vincent McDermott at 9:34 AM in Room No 121 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

### **Board Members Present:**

Vincent C. McDermott	Chairman
W. Phillips Barlow	Board Member
Paul E. Courchaine	Board Member
Stephen Wing	Board Member

### **Board Members Not Present:**

Shavaun Towers	Board Member
Nancy J. Rudek	Board Member

**Vacancy:** One (Public Member)

### **Others Present:**

Robert M. Kuzmich	Department of Consumer Protection
Michelle H. Seagull	Department of Consumer Protection
Steven J. Schwane	Department of Consumer Protection
Peter R. Huntsman	Attorney General's Office

Note: The administrative functions of the Boards, Commissions, and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, contact Richard M. Hurlburt, Director, at (860) 713-6135 or Fax (860)-706-1255.

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## 1.) Old Business

1A. Minutes of the March 22, 2011 meeting of the Board; for review and approval. *After a thorough review of the minutes, the Board voted to approve the minutes as submitted. (Courchaine/Barlow)*

1B. Continuation of discussion of issues pertaining to meeting held with Department of Environmental Protection and Department of Consumer Protection Representatives on September 23, 2009. Mr. McDermott noted that the Board at their last meeting asked Mr. Huntsman for his assistance. He also reviewed the matter from the beginning to the present for the benefit of the Department's new Deputy Commissioner present at today's meeting. Mr. McDermott noted that there are essentially two main issues in this matter of concern to the Board; one of which was settled almost immediately at the meeting held in 2009. The other issue has continued with no changes being made by the Department of Environmental Protection (DEP) to date. The Board now asked their counsel Mr. Huntsman to draft a letter to the DEP's AAG (counsel) to try and keep the matter on an informal matter. Upon the advice of their counsel, Board Chair, Mr. McDermott, drafted a letter based upon the discussion of this Board and Mr. Huntsman and sent this letter to the Commissioner of the Department of Consumer Protection for his review and approval.

Mr. McDermott also noted that the *Home Builders Association* presented legislation parallel to this ongoing matter concerning licensure of storm water professionals. This legislation proposes to have DEP license certain professionals and only these professionals to be authorized to prepare storm water permits. This proposal was this association's response to the original draft the Board has been discussing and represents their attempt to streamline the original cumbersome process as outlined in the original draft.

It was noted that the current legislative session concludes on June 8, 2011. The Board has requested the Department's Deputy Commissioner to arrange a meeting with an individual higher than the woman this board previously met with at DEP who has a better understanding of the relationship of licensure and the respect for the department of Consumer Protection and its licensure procedures. Ms. Seagull agreed to pursue this matter and the pending letter from this Board with the Commissioner and get back to Mr. McDermott in the very near future on the Department's next course of action

1C. Update from the Department's Legal Staff regarding the status of pending Audits being conducted by the Department for the continuing education period from August 1, 2008 through July 31, 2010. The Department will present all remaining un-reconciled Continuing Education submissions.

Mr. Schwane has two pending cases to present to the Board; Elizabeth Hand-Fry and Bret Poi. In addition, the Board also reviewed other pending cases that were not referred to the Legal Department. After a thorough review by Mr. McDermott and the Board, their actions are as follows.

Matthew J. Popp; *submission approved.* (Wing/Barlow)

Edward C. Cape; *submission approved.* (Wing/Barlow)

Bret Poi; *submission approved.* (Wing/Barlow)

Elizabeth Hand-Fry; *submission approved.*

Luke McCoy; *the Board previously ruled that he was deficient by 6 hours and needed to submit new documentation by June 1, 2011. Nothing has been received by the Board to date; as such this case has been turned over to the Legal Department for action.*

## **2.) New Business**

2A. Application of Ms. Amy T. Sommer for licensing by written examination; Ms. Sommer is applying with a CLARB Council Record (No. 37436) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. *Upon a thorough review, the Board voted, unanimously, to approve Ms. Sommer's application.* (Courchaine/Wing)

2B. Application of Ms. Makie Suzuki for licensing by written examination; Ms. Suzuki is applying with a CLARB Council Record (No. 38520) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. *Upon a thorough review, the Board voted, unanimously, to approve Ms. Suzuki's application.* (Courchaine/Wing)

2C. Application of Ms. Linda M. Tasko for licensing by written examination; Ms. Tasko is applying with a CLARB Council Record (No. 28681) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. *Upon a thorough review, the Board voted, unanimously, to approve Ms. Tasko's application.* (Courchaine/Wing)

2D. Updated list of applications processed for licenses subsequent to the December 21, 2010 meeting of the Board.

NAME	METHOD OF LICENSURE	DEPT. APPR'D DATE
Gerrish, Timothy D.	Waiver of Exam; CLARB Council Record No. 37899; Rhode Island	March 17, 2011
Claster, Jennifer Z.	Waiver of Exam; CLARB Council Record No. 31945; Maine	May 17, 2011

2E. Report from Trade Practice Division regarding complaints pertaining to Landscape Architecture; for the Board's information.

2F. Update from the Department's Legal Staff regarding any Board issues or otherwise.

1. Mr. Schwane noted a previous case has had mentioned to the Board regarding engineering being done by a landscape architecture firm. They have since satisfied him that they have brought themselves under compliance.

This case raised an issue that caused concern among the Board that was subsequently discussed by Mr. Schwane and Mr. McDermott concerning a landscape architect using a consultant engineer to work on a project. The engineering statutes require corporate entities and LLC's to register and contains language which refers to the material part of the business. Ultimately, Mr. Schwane determined that this matter was no longer an issue.

2. Mr. McDermott advised the Board of pending legislation concerning the requirement for Certificates of Authorization (Corporation Registration) for landscape architects. In addition, the legislation also creates a retired status for all Boards. The law allows individuals to still hold the title without practicing

3. Mr. McDermott advised the Board of a law passed at the last legislative session addressing the joint practice of engineering and landscape architecture which now needs to be addressed by the Department as to how it is implemented.

4. Mr. Barlow asked the Board about a firm owned by an individual who is not a landscape architect but has one on staff that stamps plans. Mr. McDermott noted that the Board's laws do not address ownership of firms. Therefore, if a firm has a legitimate licensed employee on their staff, that individual may stamp drawings.

2G. Any correspondence and/or business received in the interim.

*The meeting adjourned at 10:56 AM. The next regular meeting of the Board is scheduled for Tuesday, September 13, 2011, 9:30 AM, Room 121, State Office Building, 165 Capitol Avenue, Hartford, Connecticut. (Courchaine/Barlow)*

Respectfully submitted,

Robert M. Kuzmich, R.A.  
Board Administrator