

STATE OF CONNECTICUT

BOARD OF LANDSCAPE ARCHITECTS

TEL. NO. (860) 713-6135

-MINUTES-

MARCH 11, 2014

The Board of Landscape Architects held a regular meeting on March 11, 2014, which was called to order by Chairman Vincent McDermott at 9:30 AM in Room No 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Board Members Present:

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

Board Members Not Present:

None

Vacancy:

Three (Public Members)
One (Landscape Architect)

Others Present:

Robert M. Kuzmich	Department of Consumer Protection
Peter R. Huntsman	Attorney General's Office
Steven Schwane	Staff Attorney

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.

Agency Website: www.ct.gov/dcp

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1. Old Business

1A. Minutes of the December 10, 2013 meeting of the Board; for review and approval.

Mr. McDermott noted a misspelling of Nancy Rudek's name under Item 1A under Old Business. Mr. Kuzmich also noted that he misspelled Mr. Robert R. Grosof's name throughout the document. Both these errors will be corrected. After a thorough review, the Board voted unanimously, to approve the minutes as corrected herein. (McDermott/Barlow)

1B. Update from Mr. Vince McDermott regarding status of matter concerning the Town of Greenwich and their Storm Water Drainage Manual. Mr. McDermott has been in contact with Mr. Dave Thompson with the Town of Greenwich as recently as last week by e-mail. The Town is making changes in consultation with the Department of Energy and Environmental Protection to make all such changes consistent. To date, these changes are not yet complete. Mr. Thompson stated to Mr. McDermott that it was not the Town of Greenwich's intent to exclude Landscape Architects and that they were following the advice of their consultants. Mr. Thompson also believes this Board will be satisfied with the proposed changes.

2. Comments or Concerns of Any Person Present Today

No one scheduled before the Board today.

3. New Business

3A. E-Mail from Mr. Aris W. Stalis dated January 24, 2014 concerning the State of Connecticut Division of Construction Services and their limitations on acceptance of plans prepared by Connecticut licensed Landscape Architects; for discussion with the Board. Mr. McDermott noted that Mr. Jeff Bolton of the Connecticut Department of Construction Services at a recent meeting of their contract consultants and informed all present that landscape architects could not do the work and will not be hired for the same. The main issue involves obtaining permits needed for projects with very specific restrictions relating to their proposed construction. Mr. McDermott called Mr. Bolton to inquire about this matter. After his conversation with him, he realized that there are many other issues involved with this situation that appear not to be the business of this Board.

Mr. Huntsman, speaking as the legal representative for the Board, stated that provided that the work in question is landscape architecture by definition, then this Board should not be precluded from doing the same and further, he believes that it doesn't make

sense to exclude this profession in the interest of what best serves the consumer. Mr. McDermott believes that the main concern of Mr. Bolton is making sure that the proper people are preparing the documentation so that it doesn't get kicked back from the Department of Energy and Environmental Protection (DEEP). Mr. McDermott believes that by excluding landscape architects from the pool of eligible parties to perform work for which they can legally do is doing the consumer a disservice. This addresses the main duty of this Board in protecting the consumer by assuring that they have the choice of all eligible parties.

The permitting language of the DEEP is really what is in question in this matter and something that Mr. McDermott will investigate. The other issues raised in this matter he believes are not under this Board's jurisdiction at least for the time being. It may be that in the future, this Board may be circling back to some of these other issues.

3B. E-Mail from Mr. Luis Amaro dated December 18, 2013 concerning Continuing Education Credits for Landscape Architects licensed in Connecticut; for discussion by the Board. The Board discussed an E-Mail received from Mr. Luis Amaro, Accreditation Specialist, at RedVector.com. In it, he noted that RedVector.com, Inc. offers continuing online education for Landscape Architects. He is asking the Board about what will qualify for the required six (6) live contact hours' portion of the requisite twenty-four (24) credit hours total for the Connecticut's Landscape Architect Continuing Education Program.

Mr. Amaro noted that RedVector.com, Inc. offers live webinars in which the licensee can interact with the instructor in real time via asking questions in a chat pane and the instructor responding to the questions directly through the presentation of the course. He is asking for a response from the Board as to whether or not their webinar will constitute as a live presentation.

After a detailed discussion of this matter, the Board voted to accept RedVector.com, Inc.'s webinars as continuing education units provide they meet the following criteria (Barlow/Wing):

1. Attendance Certification/Documentation must be issued to the attendee.
2. The Webinar must allow communication/interaction between the attendee and provider in terms of real-time questions and the like.
3. A Certificate of Completion must be issued to the attendee at the conclusion of the event.

C. Application of Mr. Jonathan M. Allard for licensing by written examination; Mr. Allard is applying with a CLARB Council Record (No. 39419) 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 Mr. Allard's application. (Wing/Barlow)*

3D. Application of Ms. Mariana Mariscal for licensing by written examination; Ms. Mariscal is applying with a CLARB Council Record (No. 170496) 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. Mariscal's application. (Wing/Barlow)*

3E. Application of Ms. Barbara M. Schmitt for licensing by written examination; Ms. Schmitt is applying with a CLARB Council Record (No. 20933) 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. Schmitt's application. (Wing/Barlow)*

3F. Updated list of applications processed for licenses subsequent to the March 12, 2013 meeting of the Board. The Board acknowledged this information and thanked the Department for this update.

NAME	METHOD OF LICENSURE	DEPT. APPR'D
Hocter, Abbe D.	Waiver of Exam; CLARB Council Record No. 42201; Georgia	February 26, 2014

3G. Report from Trade Practices Division concerning complaints acted upon relative to the jurisdiction of the Board of Landscape Architects; for the Board's information. There was no report presented to the Board.

3H. Update from the Department's Legal Staff regarding any Board issues or otherwise.

1. Mr. Schwane had no updates for the Board at present.

3I. Any correspondence and/or business received in the interim.

1. Mr. McDermott discussed correspondence sent to him by the Department of Consumer Protection concerning proposed legislature involving the licensure of landscape contractors put forth by their association. This correspondence was distributed to the Board prior to today's meeting. Mr. Barlow noted that the Connecticut Chapter of the American Society of Landscape Architects is well aware of this proposal and is against it and perceive it as a threat to their profession. Mr. Wing

believes that this issue does not impact landscape architect licenses and further, he also believes that this bill may better protect the consumer by establishing standards for this contractor type.

2. Mr. McDermott discussed the joint practice form of practice which includes Landscape Architects. In particular, the 20% ownership of each profession came into question. He referenced his own company which offers surveying and landscape architects yet does not have a 20% ownership by either profession. The question raised by Mr. Kuzmich is can a company which does not qualify by the joint practice standards of ownership however still has the licensed design professionals on staff still offer their respective services?

Mr. McDermott noted that the existing joint practice statutes are potentially in conflict with the newly adapted statutes providing for the corporate practice of landscape architecture solely. This Board deliberately did not require disclosure of ownership in the law regarding the corporate practice (certificate of authorization) of landscape architecture but does ask for names of the individuals in charge of this profession. Mr. Schwane noted an exemption in the joint practice law which states that "corporations for such joint practice in existence as of July 1, 1992, may continue to be governed by the provisions of this subsection as revised to 1989, provided the certificate issued under this section did not expire more than two years before that date".

The question remains how the Department will act in response to the corporations which do not comply with the joint practice ownership requirements now that all existing corporations have been sent new applications forms to be completed updating their business ownership. Mr. McDermott asked Mr. Schwane to further investigate this potential problem and advise the Board in the future.

3. Mr. Kuzmich advised the Board that the Department has a Declaration from the Governor's Office honoring the late Public Board Member Paul E. Courchaine for his service to the State of Connecticut to be presented to his widow from the Board. Mrs. Courchaine respectfully declined an invitation to come to today's meeting for an in-person presentation of this document. As such, the document will be sent to her.

4. Comments or Concerns of Any Person Present Today:

No one scheduled before the Board today. In addition, there were no additional requests from anyone present at today's meeting.

The meeting adjourned at 10:36 AM. The next regular meeting of the Board is scheduled for Tuesday, June 10, 2014, 9:30 AM, Room 119, State Office Building, 165 Capitol Avenue, Hartford, Connecticut.