

STATE OF CONNECTICUT

BOARD OF LANDSCAPE ARCHITECTS

TEL. NO. (860) 713-6135

-MINUTES-

SEPTEMBER 13, 2011

The Board of Landscape Architects held a regular meeting on September 13, 2011, which was called to order by Chairman Vincent McDermott at 9:37 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
Nancy J. Rudek	Board Member
Shavaun Towers	Board Member

Board Members Not Present:

Stephen Wing	Board Member
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Vacancy:

One (Public Member)

Others Present:

Robert M. Kuzmich	Department of Consumer Protection
Steven J. Schwane	Department of Consumer Protection

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

Division E-Mail: occtrades@ct.gov

1.) Old Business

1A. Minutes of the June 7, 2011 meeting of the Board; for review and approval. The following modification was noted by Mr. Courchaine: on page three, under Agenda Item 1C, the motions for Elizabeth Hand-Fry's continuing education submission shall be shown as (Wing/Barlow). As such, the Board approved the minutes with these modifications.

1B. 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. Mr. Schwane note that he has no open cases and that the audit is now complete. The submission of Luke McCoy was discussed. Mr. Kuzmich had e-mailed his submission to Mr. McDermott for his review and approval. Mr. McDermott has not reviewed the submission yet but authorized the Board to conditionally approve it based Mr. Kuzmich's initial review. Mr. Kuzmich will resend the material to Mr. McDermott for his review and approval.

2.) New Business

2A. Discussion concerning Public Act No. 117; specifically as it pertains to the practice of or the offer to practice landscape architecture in this State by individual licensed landscape architects under the corporate form, or by a corporation or limited liability company; for discussion by the Board and Department. Mr. McDermott noted that this Bill has good news for the Board. Mr. Schwane explained that the civil penalty material is now in place for this Board and is very similar in structure to what has been in place for other Boards. The Board can now issue an administrative civil penalty without it having to go through the Court System. The Board has been proposing this for many years and it has finally gone through. The second part of this Bill concerns the requirement for the Certificate of Authorization for landscape architects businesses. Mr. McDermott emphasized that this law identifies on an annual basis, who the landscape architects are that are in responsible charge in a particular company which is what this Board is concerned with. This law is not a requirement for the corporation to have a landscape architect in an ownership position which is a different issue entirely and not a part of this law. The third part of this Bill addresses a retiree status for licensees that are 65 years or older may claim retiree renewal status. The Bill also provides the Commissioner to allow this status for individuals who do not meet the age requirement under certain exemptions as determined on a case-by-case basis.

The question of continuing education was raised relative to the reinstatement of retiree licenses and whether or not the law has to be amended to address this issue. Mr. Schwane noted that the current regulation does address this matter and requires that licenses who have not held a license for more than two years must provide proof of continuing education compliance. Mr. McDermott questioned how this legislation was passed since it does have a financial impact. He also thanked the legislature for doing a very job on this issue.

The Board now discussed the forms to be used to register landscape architect corporations. The comparison was made to the existing architect corporation forms. A similar application form shall be used by this Board. Mr. McDermott noted that Rhode Island requires that the applicant demonstrate that they are a legitimate corporation in the State to begin with and that this Board should also require the same by means of a Certificate of Good Standing. Mr. Schwane noted that LLC's and PC's have specific registration requirements that state that all members have to be licensed in the particular profession. The Board's main concern is who is in responsible charge of performing landscape architecture. It was determined that this change in law does not require a change to the regulation. Mr. McDermott suggested the Department look at what the State of Rhode Island currently uses as a foundation for this Board to develop their forms. The Board also discussed ways to communicate the information to all licensees regarding the new law.

Mr. McDermott also discussed the fact that landscape architects must now also be included as a licensed professional type in the registration forms for joint practice. This is a Department issue that shall be addressed by them.

2B. Letter from Mr. Theodore Sonntag, licensed Landscape Architect No. 633, dated July 29, 2011; for discussion and action by the Board. Mr. Schwane noted that the Board has the authority to grant reinstatement subject to the future receipt of Mr. Sonntag's continuing education documentation. *After extensive discussion, the Board voted unanimously to reinstate Mr. Sonntag's license. Further, it was decided that the continuing education requisite he is required to fulfill is 24 contact hours due July 31, 2012. (Towers/Barlow)*

2C. Request from Mr. Alan N. Saucier for written response to his questions outlined in his May 2, 2011 E-Mail to the Department concerning the audit of his Continuing Education submission; for action by the Board. The Board discussed Mr. Saucier's request for a point by point response to the questions stated in his May 2, 2011 e-mail to the Board.

The Board asked Mr. Kuzmich to communicate to him that the basis for their rejection of his 7 ½ hours of continuing education submittal is solely upon the fact that none of the subject matter was pre-approved by them. Beyond that point, no further discussion

was held regarding the details of the actual submission. Regarding his request for minutes of the Board's recent meetings, Mr. Kuzmich will advise him that that all minutes are posted on the Department's website at www.ct.gov/dcp.

2D. Application of Mr. Jesse A. Harris for licensing by written examination; Mr. Harris is applying with a CLARB Council Record (No. 35424) 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. Harris's application. (Towers/Barlow)

2E.. Updated list of applications processed for licenses subsequent to the March 8, 2011 meeting of the Board. The Board acknowledged this information.

NAME	METHOD OF LICENSURE	DEPT. APPR'D DATE
Campo, Anna C.	Waiver of Exam; CLARB Council Record No. 29010; MA	June 8, 2011
Zarrillo, Mark J.	Waiver of Exam; CLARB Council Record No. 1099; MA	June 9, 2011
Centolella, Richard D.	Waiver of Exam; CLARB Council Record No. 5364; FL	June 15, 2011
Roach, Jeremy D.	Waiver of Exam; CLARB Council Record No. 27726; MO	August 8, 2011
Kleinman, Arthur	Waiver of Exam; CLARB Council Record No. 39690; NY	August 10, 2011

2F. Report from Trade Practice Division regarding complaints pertaining to Landscape Architecture; for the Board's information. The Board reviewed this report.

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

1. Mr. Schwane had no issues to discuss at this time.

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

1. Mr. McDermott noted that he submitted testimony to the Department of Environmental Protection on the Board's behalf regarding storm water general permitting issue. It is his understanding that the existing language has been extended in its old form and that the new version has not been issued yet. The old language was to have expired on October 1, 2011. Mr. McDermott noted that this matter is still under discussion and that his attempts to contact the DEP by telephone have been unsuccessful and his calls have not been returned.

The meeting adjourned at 10:46 AM. The next regular meeting of the Board is scheduled for Tuesday, December 13, 2011, 9:30 AM, Room 121, State Office Building, 165 Capitol Avenue, Hartford, Connecticut. (Courchaine/Towers)

Respectfully submitted,

Robert M. Kuzmich, R.A.
Board Administrator