

ALABAMA BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS

MINUTES Board Meeting October 8, 2019

The Alabama Board of Examiners of Landscape Architects met on Tuesday, October 8, 2019 at the Board's office located at 2777 Zelda Road in Montgomery, to conduct regular business of the Board. The following members were in attendance: Ms. Lea Ann Macknally (Board Chair) and Mr. Chad Watkins (Board Secretary) and Mr. Larry Bates (member). Others in attendance at the meeting were Mr. Keith Warren (Executive Director arrived at 11:12 a.m.), Ms. Bettie Carmack (Board Legal Counsel), Ms. Leigh Moorner (Board Administrator) and Ms. Renee' Reames (recorder of meeting minutes). Chairperson Macknally called the meeting to order at 10:07 a.m., acknowledging that a quorum of the members was present.

Public notice of this regularly scheduled meeting was published on the Secretary of State's web site at www.sos.alabama.gov in accordance with the requirements of the Alabama Open Meetings Act and advertised on the Board's web site at www.abela.alabama.gov.

Chairperson Macknally presented to the members for their approval a copy of the minutes from the April 30, 2019 regular business meeting. A copy of the minutes was provided to the members prior to the meeting for their review. Mr. Watkins made a motion to approve the April minutes as presented. The motion was seconded by Mr. Bates and unanimously approved by the Board.

Chairperson Macknally commented on attending the annual CLARB meeting in St. Louis, Missouri. She reported on the membership supporting the restructuring of the national Board based on a shrinking leadership pool and lack diversity. She also commented on CLARB's involvement in a new coalition focused on educating the public and lawmakers about the importance of professional licensure. She announced that the next annual CLARB meeting would be held in New York. She reported that she was elected as a CLARB director-at-large.

Ms. Moorner presented the Executive Director's Report (copy filed in the Official Book of Minutes). She reviewed the financial activities of the Board for the period ending September 30, 2019. A detailed line item budget of expenditures was also provided for the Board's review. Mr. Bates made a motion to approve the financial report as presented. The motion was seconded by Mr. Watkins and unanimously approved by the Board.

Ms. Moorner reported on the number of active licensees (273). She also reported that no new complaints had been received in FY 2019.

Ms. Moorner presented the Administrator's Report of activities for the Board's review (reports can be viewed in the Board's Official Book of Minutes).

The Board discussed ongoing activities concerning Board deregulation and agreed that CLARB was a valuable resource in educating lawmakers and the public about the importance of professional licensing.

Ms. Carmack indicated that she had no new business to report for the Legal Counsel's report.

The Board discussed the Board's Code of Conduct and reviewed the presentation from the Twin States' conference. Mr. Watkins made a motion to amend the Board's Code of Ethics by adding in section (1) Competence, by adding the statement (e) The primary obligation of the Landscape Architect shall be to protect the health, safety, and welfare of the public in the performance of his or her professional duties, and in section (5) Professional Conduct, by adding the statement (e) Before soliciting or accepting on a project for which another Landscape Architect has been exclusively employed, he or she must obtain written confirmation from the prospective employer that the other Landscape Architect has been terminated. The motion was seconded by Mr. Bates and unanimously approved by the Board. Ms. Carmack stated that the changes to the Board's Code of Ethics did not need to go through the Rules publication process. Chairperson Macknally asked the Board Administrator to post the changes on the Board's website and Facebook page.

Mr. Warren arrived at 11:25 a.m. due to a conflict in schedule.

The Board discussed the Company Certificate of Authority (COA) and Ms. Moorer reported that the practice has been suspended based on the recommendation by the previous Legal Counsel citing outdated language. Ms. Carmack indicated that a COA should be issued to companies with landscape architect in their name and having fulfill all other requirements when applying for COA. Mr. Warren explained that this practice would be re-established for the upcoming renewal period and Ms. Moorer indicated that she would keep the Board advised on any concerns.

Mr. Warren reported that the CLARB membership fees had increased and a fee schedule was presented for the Board's review. The Board was in favor of continuing participation in CLARB.

Ms. Moore discussed with the Board changes in language on the applications by reciprocity for disclosing licensure in other states. It was the consensus of the Board that changes on the application were not necessary.

Chairperson Macknally presented a list of meeting dates in 2020 for the Board's approval. It was the consensus of the Board to hold regular meetings on March 3, 2020 and October 6, 2020.

The Board discussed establishing a maximum number of years to reapply for licensure as a reinstatement of license. The Board discussed the language concerning "suspended" license when a license was not renewed and Ms. Carmack indicated that an AG's opinion could be sought on clarifying the word "suspended" in the case of a nonrenewed license. Chairperson Macknally indicated that she would work on drafting proposed language to be presented at the next Board meeting as proposed changes to the Board's rules. Mr. Warren reminded the Board about the two processes: (1) proposed rule changes would need to be published for public comment and (2) proposed changes to the Board's statute would require approval by the Legislature.

Ms. Carmack left the meeting at 12:02 p.m. due to a conflicting appointment.

Ms. Moorer presented eight (8) new licensing application and five (5) reinstatement applications for the Board's approval and signatures. Mr. Bates moved to ratify the approval of these applications as previously reviewed and approved by each Board member. The motion was seconded by Mr. Watkins and unanimously approved by the Board (list of applications filed in the Board's Official Board of Minutes).

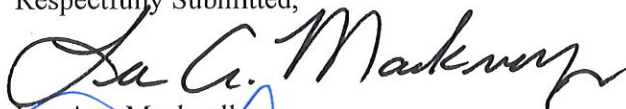
Ms. Moorer commented on Mr. Bates rotation off the Board, citing his invaluable assistance to her and the Board over his years of service. The Board members and staff thanked Mr. Bates for his dedication and service while serving on the Board.

Mr. Warren commented on the new law concerning expediting licensure for spouses of active duty personnel. He reported that this matter would be discussed in more detail at the next Board meeting.


Chairperson Macknally announced that the next meeting of the Board was scheduled March 3, 2020 at 10:00 a.m.

There being no further business of the Board, Mr. Watkins made the motion that the meeting be adjourned and Mr. Bates seconded the motion. The motion was unanimously approved by the Board and Chairperson Macknally adjourned the meeting at 12:24 p.m.

Respectfully Submitted,



Lea Ann Macknally
Chairperson



Keith E. Warren
Executive Director

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