

ALABAMA BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS

MINUTES Board Meeting March 7, 2023

The Alabama Board of Examiners of Landscape Architects met on Tuesday, March 7, 2023, 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), Mr. Chad Watkins (Board Secretary) and Ms. Julie Stephens (member). Others in attendance were Mr. Keith Warren (Executive Director), Mr. Laura Howell (Board Legal Counsel), Mr. Kevin Smith (Board Accountant/CFO), Ms. Leah Cochrane (licensing specialist), and Ms. Renee' Reames (recording secretary). Guests attending were Mr. Matthew Miller, CLARB CEO, and Mr. Zach Druga, CLARB State Governmental Affairs and Advocacy Manager (attending virtually). Chairperson Macknally called the meeting to order at 10:10 a.m. Mr. Warren called Board member roll and he announced that a quorum of the members was present to conduct business.

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.

Approval of Agenda

Chairperson Macknally presented for Board approval the agenda for the March 7, 2023, meeting. A copy of the agenda was provided to the members prior to the meeting for their review.

MOTION: Mr. Watkins made a motion to approve the March agenda as presented. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Approval of Minutes

Chairperson Macknally presented for Board approval a copy of the October 4, 2022, minutes from the regular meeting and a copy of the January 31, 2023, minutes from the special/called meeting. A copy of the minutes was provided to the members prior to the meeting for their review.

MOTION: Mr. Watkins made a motion to approve the October regular meeting minutes and the January special/called meeting minutes as presented. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Board Chair Report

Chairperson Macknally reported that she had no report at this time.

Executive Director Report

Mr. Warren presented the Executive Director's Report (copy filed in the Official Book of Minutes). He reviewed the financial activities of the Board for the period ending February 28, 2023, to include a cash reconciliation report and detailed list of obligations vs. budget. Mr. Warren provided information on the Board's current operations plan. He reported that the Board's budget would be

increased in FY 2024 from \$62,000 to \$95,000. He also reported on the number of licensees and indicated that there had been no consumer complaints in FY 2023.

MOTION: Mr. Watkins made a motion to accept the financial report as presented. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Mr. Warren presented a list of activities the staff had been involved since the last Board meeting held in October. Mr. Warren requested that the members notify him before July about their plans to attend the CLARB meeting to be held in September. Chairperson Macknally commented on the ASLA and Twin States meetings. Mr. Warren explained the travel policies when travel in-state and out-of-state approved by the Board.

MOTION: Ms. Stephens made the motion to approve the Board members' travel expenses to attend the CLARB annual meeting and the ALSA meetings. The motion was seconded by Mr. Watkins and unanimously approved by the Board.

Mr. Warren presented a list of licensees that had renewed their license, along with a list of licenses that had expired on December 31, 2022. The Board discussed sending reminder notices to licenses and changes to the Board's rule to indicate a postcard sent as an initial reminder and email reminder thereafter. Mr. Warren reported that a receipt was automatically generated to the applicant for payment of initial applications and renewal applications online fees.

MOTION: Mr. Watkins made the motion to revise the Board's rule regarding renewal notices. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Mr. Warren reported that a draft of the postcard notice would be presented at the fall Board meeting.

The Board discussed the issuance of Certificate of licensure. Mr. Warren recommended that the size of the Certificate be reduced to allow printing and issuance in-house and the one-time, initial issuance of the certificate be signed by the Board members.

Chairman Macknally indicated that the Board's letterhead would be reviewed at the fall board meeting, and she requested the members to submit examples for the Board's consideration.

Mr. Warren reported that Senate confirmation of Board reappointments was pending, and the Board discussed explaining to the Confirmation Committee about difficulties in identifying minority representation on the Board.

Legal Counsel Report

Ms. Howell reported that the discussion of the proposed rule changes would be discussed later on the agenda, and she presented a copy of the Governor's Executive Order regarding public records. Mr. Warren reported that the State's OIT department had initiated a tracking mechanism for all State Boards and developing a request form.

MOTION: Mr. Watkins made the motion to appoint the Board's Executive Director as the Board's public records coordinator. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

OLD BUSINESS

Rules Committee Report

Chairperson Macknally asked Ms. Howell to present the Rules Committee Report. Ms. Howell reviewed the proposed changes to the Board's rules to include (*italicized changes*):

500-X-1-.05 insert: *the Board*.

500-X-2-.01(2) insert: § 34-17-1.

500-X-2-.02(1)(a) insert to read: An application for licensure will become null and void and *the applicant shall forfeit all fees...*

500-X-2-.02(2)(a) insert to read: ...A personal appearance before the Board may be required of *an applicant at the discretion of the Board*.

500-X-2-.02(2)(b) insert to read: ...may be considered just and sufficient cause for *denial* of the application.

500-X-2-.03(4) correct: role to *roll*.

500-X-2-.03(4)(a) correct: applicants to *an applicant*.

500-X-2-.04(1) correct: punctuation.

500-X-2-07(1) correct: punctuation.

500-X-2.08 delete: section (2) regarding application fee for certificate of authorization and subsequent renumbering of the sections.

Replace: the Author in this section to *Executive Director*.

500-X-2-.10(h) and (i) omit: (h) and (i).

500-X-2-.13(2) insert to read: Any charges that a Landscape Architect *violated the Board's statute, rules or regulations* shall be The Board will give notification of its findings to both the defendant in the case and the person or person who *presented* the charges.

The Board discussed establishing an investigatory committee composed of the Board's investigator, attorney and single Board member. Also discussed was before a case was presented for a hearing, a settlement offer through a consent agreement was discussed.

Chairperson Macknally tabled further discussion of this section, 500-X-2-.13, to the fall board meeting.

500-X-2-.15 modified: to include *postcard initial renewal notice* and *email* reminder thereafter.

MOTION: Mr. Watkins made the motion to approve the rule changes as presented by Ms. Howell, with the exception of rule 500-X-2-.13. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Mr. Warren reported that the rules changes could be published in July, for the Board's consideration as final rule at the Board's October meeting.

The Board agreed to consider, following the adoption of final rules discussed above, certifying the Board's rules as part of the 5-year review cycle required of State Boards.

CLARB Update and Uniform Standard Discussion

Chairperson Macknally introduced Mr. Matt Miller, CLARB CEO, and Mr. Zach Druga (attending virtually), CLARB's Manager of State Governmental Affairs and Advocacy.

Mr. Miller reported on activities by CLARB to included workgroups to develop national guidelines for states to adopt, global survey of LA practice and partnerships, working toward diversity in the profession and licensure examination in establishing new qualifications for licensure.

Mr. Druga reported on CLARB Uniform Licensure Standard for Landscape Architecture 2022. He explained that the policy guidance document outlined model requirements for education, experience and examination for licensure as a landscape architect. The Board discussed whether to keep the

ethics portion for good moral character in the State's requirements, which had been removed in the model practice.

The Board discussed a timeline toward incorporating changes in the statute and introducing the bill during the next Legislative session.

MOTION: Mr. Watkins made the motion to pursue changes in the Board's statute and consider Uniform Standard changes. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Continuing Education Committee Report

Mr. Watkins reported that the Education Committee chairperson, Mr. Weaver, could not attend the Board meeting. Chairperson Macknally asked that the Committee attend and present a report at the Board's fall meeting on the activities of the Committee. She indicated that the membership of the Committee be approved every two years.

MOTION: Mr. Watkins made the motion that the following members be appointed to the CE Committee: Rip Weaver (Chair), Bonner Lee, Christian Preus, Sharon Nelson (Co-Chair) and Stephen Shrader. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Chairperson Macknally indicated that the matter of the CE Committee would be revisited in March 2024 (Board's spring meeting).

NEW BUSINESS

Renewal of Emergency Contract for Administrative Services: Ms. Howell reported that the State's Purchasing Department and attorneys were still working on the regulations for bids and requests for proposal.

Mr. Warren left the meeting at 12:17 p.m.

She indicated that when additional information was available, the specifications for proposals for administrative services would be developed and submitted for Board approval. Ms. Howell presented the proposed letter for an emergency contract through September 30, 2023.

MOTION: Mr. Watkins made the motion to approve the emergency contract through September 30, 2023, with Smith Warren Management Services, and authorize the Board Chairperson to sign the approved contract letter. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Ms. Howell reported that a special/called meeting of the Board may be required to approve the specifications for the administrative services contract.

Mr. Warren joined the meeting at 12:25 p.m.

Approval of Applicants

Mr. Warren presented 7 new licensing application for the Board to ratify the approval by the Executive Director (list of applications filed in the Board's Official record of minutes):

- Mr. Watkins moved to ratify approval of licensee #940. The motion was seconded by Ms. Stephens. Following a roll call vote, the motion was unanimously approved by the Board.
- Mr. Watkins moved to ratify approval of licensee #941. The motion was seconded by Ms. Stephens. Following a roll call vote, the motion was unanimously approved by the Board.

- Mr. Watkins moved to ratify approval of licensee #942. The motion was seconded by Ms. Stephens. Following a roll call vote, the motion was unanimously approved by the Board.
- Mr. Watkins moved to ratify approval of licensee #943. The motion was seconded by Ms. Stephens. Following a roll call vote, the motion was unanimously approved by the Board.
- Mr. Watkins moved to ratify approval of licensee #944. The motion was seconded by Ms. Stephens. Following a roll call vote, the motion was unanimously approved by the Board.
- Mr. Watkins moved to ratify approval of licensee #945. The motion was seconded by Ms. Stephens. Following a roll call vote, the motion was unanimously approved by the Board.
- Mr. Watkins moved to ratify approval of licensee #946. The motion was seconded by Ms. Stephens. Following a roll call vote, the motion was unanimously approved by the Board.

Chairman Macknally requested the applicant's state of residence be listed on future reports.

ANNOUNCEMENTS AND OTHER BUSINESS

Chairperson Macknally reported that the Twin States conference was scheduled for April 20-22 in Gulf Shores. She also reported on the upcoming CLARB annual to be held September 19-22 in Henderson, Nevada, and the upcoming CLARB licensing summit.

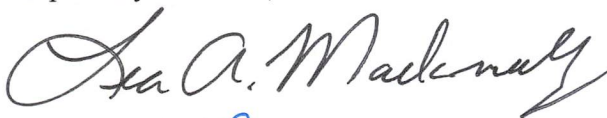
Chairperson Macknally announced that the next meeting of the Board was scheduled October 3, 2023, at 10:00 a.m. in Birmingham to conduct regular business of the Board, and a special/called meeting would be announced to discuss the administrative services specifications and emergency contract and proposed statute changes.

Mr. Warren announced the employment of a new staff member, Ms. Lora Evans, to assist him with Board and administrative activities.

ADJOURNMENT

There being no further business of the Board, Mr. Watkins made the motion that the meeting be adjourn and Ms. Stephens seconded the motion. The motion was unanimously approved by the Board and Chairperson Macknally adjourned the meeting at 12:34 p.m.

Respectfully Submitted,



Lea Ann Macknally
Board Chairperson



Keith E. Warren
Executive Director

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