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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF LANDSCAPE ARCHITECTS

TIME: 10:30 A.M.

(being held at)

PENNSYLVANIA DEPARTMENT OF STATE
2601 North Third Street
One Penn Center, Board Room C
Harrisburg, Pennsylvania 17110

(as well as)

VIA MICROSOFT TEAMS

November 17, 2022

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State Board of Landscape Architects
November 17, 2022

BOARD MEMBERS:

David B. Morgan, RLA, Chairman, Professional Member - Absent
Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
Dina Klavon, RLA, Secretary, Professional Member
Brett W. Mauser, Office of Attorney General, Bureau of Consumer Protection
Richard P. Rauso, RLA, Professional Member
Patrick A. West, Nurseryman, Professional Member

BUREAU PERSONNEL:

C. William Fritz II, Esquire, Board Counsel
Ray Michalowski, Esquire, Senior Board Prosecutor
Caroline A. Bailey, Esquire, Board Prosecution Liaison
Terrie Kocher, Board Administrator

ALSO PRESENT:

Ted Mowatt, CAE, Vice President, Wanner Associates, on behalf of the Pennsylvania-Delaware Chapter of the American Society of Landscape Architects

1 ***

2 State Board of Landscape Architects

3 November 17, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 10:00 a.m. the Board entered into Executive
7 Session with C. William Fritz II, Esquire, Board
8 Counsel, for the purpose of conducting quasi-judicial
9 deliberations on matters pending before the Board and
10 to receive the advice of Counsel. The Board returned
11 to open session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Landscape Architects was held on Thursday,
15 November 17, 2022. Dina Klavon, RLA, Secretary,
16 Professional Member, Acting Chair, called the meeting
17 to order at 10:30 a.m.

18 ***

19 Roll Call

20 [A roll call of Board members was taken.]

21 ***

22 Introduction of Attendees

23 [There was an introduction of those in attendance.]

24 ***

25 Approval of Minutes

1 [Acting Chair Klavon requested approve of the June
2 16, 2022 meeting minutes.

3 ACTING CHAIR KLAVON:

4 Are there any questions or comments about
5 those meeting minutes? If not, can I get
6 a motion?

7 MR. RAUSO:

8 I'll make a motion to approve the meeting
9 minutes from June 16, 2022.

10 MR. WEST:

11 I will second.

12 ACTING CHAIR KLAVON:

13 All in favor?

14

15 A roll call vote was taken as follows:
16 Dina Klavon, aye; Brett W. Mauser, aye;
17 Richard P. Rauso, aye; Patrick A. West,
18 aye.

19 [The motion carried. Acting Commissioner Arion
20 Claggett abstained from voting on the motion.]

21 ***

22 Report of Board Prosecution - No report

23 ***

24 Report of Board Counsel

25 [C. William Fritz II, Esquire, Board Counsel,

1 reported that on October 20, 2022 the official seals
2 and signature regulation was approved by the
3 Regulatory Commission. It will be updated on the
4 Board's website and regs will be amended to indicate
5 those changes.

6 He indicated it was his top priority to get this
7 accomplished for the design boards including
8 Landscape as well as the Architecture and Engineer
9 Boards.

10 Attorney Fritz explained his next priority for
11 this board is to jump back into the General
12 Revisions. He requested that members review the
13 exposure draft, and afterwards, it would be sent out
14 to the public for comments. He asked that any
15 changes or suggestions be brought to his attention to
16 be approved as amended. There would be further
17 discussion later on in the meeting.]

18 ***

19 Report of Commissioner

20 [Arion R. Claggett, Acting Commissioner, reported
21 that the process had begun to replace PALS by the end
22 of 2023.]

23 ***

24 Report of Board Chairman - No report.

25 ***

1 Report of Board Administrator

2 Election of 2023 Officers-Chairman and Secretary

3 [Terrie Koucher, Board Administrator, noted two
4 miscellaneous items on the agenda for discussion, the
5 election of officers, which currently Mr. Morgan is
6 Chairman and Ms. Klavon is Secretary. The 2024
7 meeting dates are also on the agenda for discussion.

8 MR. WEST:

9 I want to make a motion to retain David
10 B. Morgan as Chairman and Dina Klavon,
11 Professional Member, as Secretary.

12 MR. RAUSO:

13 I'll second.

14 [There were no other nominations.]

15 A roll call vote was taken as follows:
16 Acting Commissioner Arion Claggett, aye;
17 Dina Klavon, aye; Brett W. Mauser, aye;
18 Richard P. Rauso, aye; Patrick A. West,
19 aye.

20 [The motion carried unanimously.]

21 ***

22 2024 Board Meeting Dates

23 [Ms. Koucher stated the Proposed Board meeting dates
24 set for 2024 are as follows:

25 March 21, 2024; June 20, 2024; August 15, 2024;

1 November 21, 2024.

2 MR. WEST:

3 I make a motion to accept the dates for
4 the Board meetings of 2024.

5 MR. RAUSO:

6 Second.

7
8 A roll call vote was taken as follows:
9 Acting Commissioner Arion Claggett, aye;
10 Dina Klavon, aye; Brett W. Mauser, aye;
11 Richard P. Rauso, aye; Patrick A. West,
12 aye.

13 [The motion carried unanimously.]

14 ***

15 Miscellaneous

16 [Board members were reminded to contact Terrie as
17 soon as possible if unable to attend a meeting.]

18 ***

19 [There was discussion regarding the two public member
20 vacancies on the Board. Acting Commissioner Claggett
21 noted that in January he would be following up with
22 the Governor's Office regarding the meetings and
23 would report back to the Board. He recommended that
24 members reach out to their association for
25 professional Board members, and noted that to be

1 qualified as a public board member there can be no
2 association with any licensing or the parent or child
3 of someone who's a licensee of the Board.]

4 ***

5 Report of Board Counsel (Continued)

6 Regulations

7 16A-6111-Proposed Annex-General Update

8 [Mr. Rauso noted there was language in the regulation
9 regarding accredited landscape architecture and
10 inquired if there should be language defining non-
11 accredited landscape architecture. Mr. Fritz
12 explained that if not accredited and everything else
13 was acceptable, experience will make up for that.

14 Mr. Rauso had discussion regarding removal of old
15 language such as "speed writing, calculator
16 operation, typing, copy and mechanical office" in the
17 office management section and any other internal
18 operations and procedures.

19 Mr. Fritz explained that wording within brackets
20 is something that will be taken out, if just plainly
21 written it's already in the regulation and wording
22 that is underlined is what will be added.

23 Mr. Rauso inquired if language regarding digital
24 seals should be added to the seals bill. Mr. Fritz
25 explained the whole section regarding that would be

1 added. He will make all the requested changes and
2 would bring it back for the Board to review at the
3 next meeting. He noted that language for the new
4 sections describes what type of seals are authorized
5 by the Board which includes rubber stamping.

6 Mr. Rauso had discussion regarding the section
7 indicating "licensee shall notify the Board in
8 writing". Ms. Koucher explained a licensee can
9 change an address through the PALS licensing system.

10 There was further discussion regarding whether or
11 not to update an address by way of email. After
12 further discussion the Board suggested language
13 stating that "a licensee should notify the board
14 electronically or in writing within 15 days". Mr.
15 Fritz will review the matter further to make sure the
16 Board is "covering all the bases".

17 Regarding another section, Mr. Rauso suggested
18 striking language regarding PLA, that a licensee is a
19 registered landscape architect and not a professional
20 landscape architect. The matter would be reviewed
21 again.

22 Mr. Rauso referred to a section regarding
23 "evidence of cost estimating and supervision of
24 construction" for further discussion. He explained
25 that construction is never supervised but observed

1 and it was suggested that "supervision" be changed to
2 "observation". There was discussion with regard to
3 keeping language concerning the two years of
4 experience prior to taking the exam, but those two
5 years would have to be supervised under a landscape
6 architect.

7 Mr. Rauso had concerns with language regarding
8 experience of 35 hours per week and that the Board
9 has been using 40 hours. He suggested changing the
10 35 to 40. The language would be reviewed and decided
11 upon later.

12 Mr. Rauso had discussion regarding whether
13 "graduating with a bachelor degree in landscape
14 architecture from an approved institution" should
15 state "accredited" and not "approved". Changing
16 approved to accredited was discussed with regard to
17 other sections. Language regarding a two-year degree
18 in landscape architecture would be left in. There
19 was further discussion.

20 There was discussion concerning licensure by
21 reciprocity and a previous case from the past. Mr.
22 Mowatt inquired if Act 41 factors into these types of
23 cases. It was noted that act is for licensure by
24 endorsement and would not apply here.

25 Mr. Rauso requested explanation of a section

1 containing language regarding "one quarter credit
2 hours equal to ten continuing education clock hours".
3 It was explained that four quarters are four ten-week
4 sessions.

5 Mr. Rauso inquired if the section regarding
6 whether the Board issuing a number for each course or
7 program approved by the Board is still being done and
8 if a current list of approved courses is maintained
9 on its website. Ms. Koucher indicated the list is in
10 the database and that under the PALS licensing system
11 a number is assigned to them. There was further
12 discussion regarding the matter. More providers
13 would be added to the list and Mr. Rauso noted there
14 needs to be language added that the courses have to
15 be related to the practice of landscape architecture.
16 There was further discussion.

17 Mr. Fritz will include all changes and additions
18 to the regulation for review and a vote at the next
19 meeting.]

20 ***

21 Adjournment

22 MR. MAUSER:

23 I make a motion to adjourn the meeting.

24 MR. WEST:

25 Second.

1 [There being no further business, the State Board of
2 Landscape Architects Meeting adjourned at 12:09 P.m.]

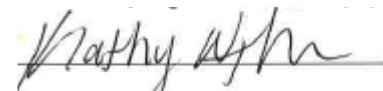
3 ***

4 [The next meeting is scheduled for March 16, 2023.]

5 ***

6
7 CERTIFICATE

8
9 I hereby certify that the foregoing summary
10 minutes of the State Board of Landscape Architects
11 meeting, was reduced to writing by me or under my
12 supervision, and that the minutes accurately
13 summarize the substance of the State Board of
14 Landscape Architects meeting.

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18 Kathryn Witherow,

19 Minute Clerk

20 Sargent's Court Reporting

21 Service, Inc.
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STATE BOARD OF LANDSCAPE ARCHITECTS
REFERENCE INDEX

November 17, 2022

1
2
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TIME	AGENDA
10:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:31	Roll Call/Introduction of Attendees
10:32	Approval of Minutes
10:34	Report of Board Counsel
10:40	Report of Acting Commissioner
10:40	Report of Board Administrator
10:45	Miscellaneous
10:55	Report of Board Counsel (Continued)
12:09	Adjournment