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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  
VIA VIDEOCONFERENCE**

TIME: 10:31 A.M.

November 18, 2021

1                   State Board of Landscape Architects  
2                   November 18, 2021

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5 BOARD MEMBERS:

6  
7 David B. Morgan, RLA, Chairman, Professional Member  
8 K. Kalonji Johnson, Commissioner, Bureau of  
9 Professional and Occupational Affairs  
10 Dina Klavon, RLA, Secretary, Professional Member  
11 Edward J. Rak, Public Member  
12 Richard P. Rauso, RLA, Professional Member - Absent  
13 Brett W. Mauser, Office of Attorney General, Bureau of  
14 Consumer Protection  
15

16  
17 BUREAU PERSONNEL:

18  
19 C. William Fritz II, Esquire, Board Counsel  
20 Dean F. Picarella, Esquire, Senior Board Counsel  
21 Caroline A. Bailey, Esquire, Board Prosecution Liaison  
22 Terrie Kocher, Board Administrator  
23 Marc Farrell, Deputy Director, Office of Policy,  
24 Department of State  
25 Shannon Boop, Fiscal Management Specialist 1, Bureau  
26 of Finance and Operations, Department of State  
27 Amanda Richards, Acting Fiscal Chief, Bureau of  
28 Finance and Operations, Department of State  
29 Michelle Witmer, Bureau of Finance and Operations,  
30 Department of State  
31

32  
33 ALSO PRESENT:

34  
35 Jen Smeltz, Republican Executive Director, Senate  
36 Consumer Protection & Professional Licensure  
37 Committee  
38 Ted Mowatt, CAE, Vice President, Wanner Associates, on  
39 behalf of Pennsylvania Society of Land Surveyors  
40 Lori Behe  
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2 State Board of Landscape Architects

3 November 18, 2021

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5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
6 9:00 a.m. the Board entered into Executive Session  
7 with C. William Fritz II, Esquire, Board Counsel, for  
8 the purpose of conducting quasi-judicial deliberations  
9 on matters pending before the Board and to receive the  
10 advice of Counsel. The Board returned to open session  
11 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 18, 2021. David B. Morgan, RLA, Chairman,  
16 Professional Member, called the meeting to order at  
17 10:31 a.m.

18 \*\*\*

19 [C. William Fritz II, Esquire, Board Counsel, noted  
20 the Board met in Executive Session prior to open  
21 session and conducted quasi-judicial deliberations.

22 Mr. Fritz also noted the meeting was being  
23 recorded, and those who continued to participate were  
24 giving their consent to be recorded.]

25 \*\*\*

1 Roll Call

2 [A roll call of Board members was taken by Chairman  
3 Morgan.]

4 \*\*\*

5 Introduction of Attendees

6 [Terrie Kocher, Board Administrator, provided an  
7 introduction of those in attendance.]

8 \*\*\*

9 Approval of minutes of the March 18, 2021 meeting

10 CHAIRMAN MORGAN:

11 The first item on our agenda is the  
12 approval of draft minutes from the March  
13 18, 2021 meeting.

14 Do I have a motion to approve the  
15 minutes?

16 MR. RAK:

17 I so move.

18 MS. KLAVON:

19 I Second.

20 CHAIRMAN MORGAN:

21 Ed motioned. Dina seconded. All in  
22 favor, please respond by saying aye. Any  
23 opposed? The minutes are approved.

24 [The motion carried unanimously.]

25 \*\*\*

1 Appointment - Bureau of Finance and Operations Annual  
2 Budget Presentation

3 [Michelle Witmer, Bureau of Finance and Operations,  
4 Department of State, addressed licensee population  
5 from a revenue standpoint. She noted 950 licensees  
6 when the report was prepared with an increase to 952  
7 this morning, which is a little bit of a decline from  
8 the past years.

9 Ms. Witmer addressed revenue by category for a  
10 biennial total, stating 98% of revenue comes from  
11 renewals and applications.

12 Ms. Witmer provided a categorical breakdown of  
13 expenses. She noted expenses incur through direct  
14 cost, timesheet-based cost, and licensee-based fees.  
15 She referred to actual expenses for FY19-20, FY20-21,  
16 and FY21-22. She reported expenses on November 4,  
17 2021, for FY20-22 with a recent increase.

18 Ms. Witmer reviewed revenues and expenses for  
19 FY21-22, noting the balance. She noted the Board's  
20 bottom line was starting to decrease a little bit and  
21 offered to return for the next Board meeting with a  
22 fee increase package.

23 Chairman Morgan asked Ms. Witmer why expenses for  
24 FY20-21 increased quite a bit compared to FY19-20.

25 Ms. Witmer explained that a majority of the

1 increase was because FY20-21 was a renewal year, and  
2 there was an increase in costs for the Board's  
3 administration and prosecution.

4 Ms. Witmer reviewed Board member expenses, noting  
5 a breakdown of expenses by expense type. She referred  
6 to actual expenses for FY19-20, FY20-21, and the  
7 current period. She reported expenses were staying  
8 about the same and the Bureau of Finance and  
9 Operations generally likes to leave those numbers  
10 alone.

11 Ms. Witmer stated any excess goes back into the  
12 Board's restricted account for the Board's use.

13 Ms. Witmer offered to provide further information  
14 and present a fee package.

15 Ms. Kocher will get back with the Bureau of  
16 Finance and Operations on whether any work was done  
17 behind the scenes regarding a fee increase.]

18 \*\*\*

19 [C. William Fritz II, Esquire, Board Counsel, asked  
20 for clarification of the minutes as to whether there  
21 were any abstentions or recusals, and no one replied.]

22 \*\*\*

23 Report of Board Counsel - Applications

24 MR. FRITZ:

25 The Board would entertain a motion to



1 Report of Commissioner

2 [K. Kalonji Johnson, Commissioner, Bureau of  
3 Professional and Occupational Affairs, noted  
4 regulatory suspensions that included the use of  
5 virtual conferencing for Board meetings was extended  
6 by the General Assembly to March 31, 2022. He thanked  
7 Board members for their continued patience in learning  
8 new technology and having successful meetings.

9 Commissioner Johnson addressed physical travel  
10 requests and amendments to the Sunshine Act. He  
11 encouraged Board members to inform him or Ms. Kocher  
12 well in advance of any national or regional  
13 conferences, so they can be added to agenda and voted  
14 on before any administrative approvals. He  
15 recommended members exercise virtual attendance. He  
16 mentioned the two-member limit for physical travel,  
17 noting all Board members are allowed to attend  
18 virtually.

19 Commissioner Johnson informed the Board that they  
20 would be utilizing the Commonwealth Out-of-State  
21 Travel Application (COSTA) portal using their  
22 Commonwealth of Pennsylvania (CWOPA) account and  
23 encouraged Board members to put requests in early so  
24 no one misses out on an opportunity to participate or  
25 represent the Board.



1 Chairman Morgan commented that travel has usually  
2 been to the Council of Landscape Architectural  
3 Registration Boards (CLARB) Annual Meeting and is  
4 hoping to resume attendance in 2022 and also to the  
5 American Society of Landscape Architects (ASLA)  
6 National Conference.

7 Chairman Morgan thanked Commissioner Johnson for  
8 the information.

9 Ms. Kocher will search for conference  
10 information, noting it had always been added to the  
11 agenda and formally voted on by the Board in the  
12 past.]

13

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14 Report of Board Chairman

15 [David B. Morgan, RLA, Chairman, Professional Member,  
16 noted discussions that the Board members, solicitor,  
17 and Board administrator have discussed previously  
18 regarding continuing education unit (CEU) applications  
19 for continuing education credits to keep licenses  
20 current.

21 Chairman Morgan mentioned that the Board allowed  
22 all credits to be obtained online during the last  
23 cycle but that the current period would be resorting  
24 back to the original process of obtaining credits by  
25 allowing 12 to be web-based obtained and 12 requiring

1 in-person attendance.]

2 \*\*\*

3 Report of Board Administrator - CE Waiver Request

4 MR. FRITZ:

5 The Board would entertain a motion to  
6 approve the Continuing Education Waiver  
7 Request of Thomas Kummer.

8 CHAIRMAN MORGAN:

9 Do we have a motion by the Board?

10 MS. KLAVON:

11 I'll make a motion to approve Thomas  
12 Kummer's Waiver Request.

13 MR. RAK:

14 Second.

15 CHAIRMAN MORGAN:

16 Any discussion? Hearing none. All in  
17 favor, please respond by saying aye. Any  
18 opposed? Any abstentions or recusals?

19 [The motion carried unanimously.]

20 \*\*\*

21 Report of Board Administrator - Election of 2022 Board  
22 Chairman and Secretary

23 CHAIRMAN MORGAN:

24 Do we have any motions for Board chair?

25 Would anyone like to take a stab at it or

1 maintain as is. I am Board chair, and I  
2 believe Dina Klavon is our Board  
3 secretary.

4 Any changes, motions to the process  
5 from the Board?

6 MS. KLAVON:

7 None from me.

8 MR. RAK:

9 Yes.

10 CHAIRMAN MORGAN:

11 If I'm correct, we are going to maintain  
12 chair and Board secretary? Would someone  
13 like to make a motion?

14 MR. RAK:

15 I so move.

16 MS. KLAVON:

17 Second.

18 CHAIRMAN MORGAN:

19 Motion was made by Ed Rak and seconded by  
20 Dina Klavon. Board chair will remain  
21 David Morgan. Board secretary will  
22 remain Dina Klavon. All in favor, please  
23 respond by saying aye. Any opposed?

24 None. Abstentions or recusals? None.

25 [The motion carried unanimously.]

1 \*\*\*

2 Miscellaneous

3 [Terrie Kocher, Board Administrator, noted the  
4 upcoming 2022 meeting dates are March 17, June 16,  
5 August 18, and November 17.

6 Chairman Morgan mentioned that the March 17, 2022  
7 meeting will be virtual, but meetings will be back in  
8 person at One Penn Center beginning with the June 16,  
9 2022 meeting.]

10 \*\*\*

11 [Edward J. Rak, Public Member, thanked Chairman Morgan  
12 for doing a very good job on the virtual meetings.]

13 \*\*\*

14 Adjournment

15 MR. RAK:

16 I would like to make a motion that we  
17 adjourn.

18 MS. KLAVON:

19 Second.

20 CHAIRMAN MORGAN:

21 Ed Rak made a motion for adjournment.  
22 Dina Klavon seconded. All in favor,  
23 please respond by saying aye. Any  
24 opposed? Any abstentions or recusals?  
25 Hearing none. The meeting is adjourned.

1 [The motion carried unanimously.]

2 \*\*\*

3 [There being no further business, the State Board of  
4 Landscape Architects Meeting adjourned at 11:58 a.m.]

5 \*\*\*

6

7 CERTIFICATE

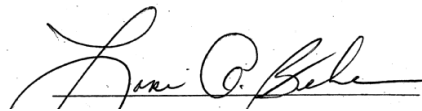
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9 I hereby certify that the foregoing summary  
10 minutes of the State Board of Landscape Architects  
11 meeting, was reduced to writing by me or under my  
12 supervision, and that the minutes accurately summarize  
13 the substance of the State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

15

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18

Lori A. Behe,

19

Minute Clerk

20

Sargent's Court Reporting

21

Service, Inc.

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1 STATE BOARD OF LANDSCAPE ARCHITECTS  
2 REFERENCE INDEX3  
4 November 18, 20215  
6 TIME

## AGENDA

7  
8 9:00 Executive Session  
9 10:30 Return to Open Session  
10  
11 10:31 Official Call to Order  
12  
13 10:33 Roll Call  
14  
15 10:33 Introduction of Attendees  
16  
17 10:34 Approval of Minutes  
18  
19 10:34 Appointment - Bureau of Finance and  
20 Operations Annual Budget Presentation  
21  
22 10:42 Report of Board Counsel  
23  
24 10:44 Report of Prosecution  
25  
26 10:45 Report of Commissioner  
27  
28 10:50 Report of Board Chair  
29  
30 10:52 Report of Board Administrator  
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32 10:54 Miscellaneous  
33  
34 10:58 Adjournment  
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