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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: 9:30 A.M.

Board Room C  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

August 17, 2017

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State Board of Landscape Architects  
August 17, 2017

BOARD MEMBERS:

- Patrick A. West, Professional Member, Chairman
- Kathryn Waters, Deputy Commissioner of Professional and Occupational Affairs
- Dina Klavon, Professional Member
- David Morgan, Professional Member
- Edward J. Rak, Public Member
- Richard P. Rauso, Professional Member, Secretary
- David A. Tully, Consumer Protection Agent

BUREAU PERSONNEL:

- Maria Battista, Esquire, Board Counsel
- Thomas Blackburn, Esquire, Regulatory Counsel
- Ray Michalowski, Esquire, Board Prosecution Liaison
- Terrie Kocher, Board Administrator

ALSO PRESENT:

- Nathan Gulman

1 \*\*\*

2 State Board of Landscape Architects

3 August 17, 2017

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Landscape Architects was held on Thursday,  
7 August 17, 2017. Patrick A. West, Professional  
8 Member, Chairman, called the meeting to order at  
9 9:37 a.m. Kathryn Waters, Deputy Commissioner of  
10 Professional and Occupational Affairs, was not present  
11 at the commencement of the meeting.

12 \*\*\*

13 [Kathryn Waters, Deputy Commissioner, entered the  
14 meeting at 9:38 a.m.]

15 \*\*\*

16 Introduction of Board Members

17 [Board members provided a brief summary of their  
18 professional backgrounds.]

19 \*\*\*

20 Approval of Minutes

21 CHAIRMAN WEST:

22 Do I hear a motion to approve the Minutes  
23 from the March 16, 2017 meeting?

24 MR. RAUSO:

25 I'll make a motion to approve the Minutes

1 from March 16, 2017.

2 MR. RAK:

3 Second.

4 CHAIRMAN WEST:

5 All in favor? All opposed?

6 [The motion carried. Deputy Commissioner Waters, Ms.  
7 Klavon and Mr. Morgan abstained from voting on the  
8 motion.]

9 \*\*\*

10 Report of Board Counsel

11 [Maria Battista, Esquire, Board Counsel, provided a  
12 summary of her professional background and welcomed  
13 Ms. Klavon and Mr. Morgan to the Board.

14 Ms. Battista noted a Landscape Architect  
15 Reciprocity Application for Board deliberation during  
16 Executive Session. She noted a Consent Agreement to  
17 be discussed during Executive Session. Ms. Battista  
18 offered to further discuss the recusal and abstention  
19 guidelines later in the meeting.]

20 \*\*\*

21 Report of Prosecutorial Division

22 [Ray Michalowski, Esquire, Board Prosecution Liaison,  
23 on behalf of David Ross, Esquire, presented a Consent  
24 Agreement for File No. 16-61-07376.]

25 \*\*\*

1 Report of Board Chairman

2 [Chairman West welcomed David Morgan and Dina Klavon,  
3 Professional Members, to the Board.]

4 \*\*\*

5 Report of Deputy Commissioner - No Report

6 \*\*\*

7 Report of Board Administrator

8 [Terrie Kocher, Board Administrator, reminded members  
9 to present the hotel with the tax exemption form at  
10 the time of check-in on overnight stays.]

11 \*\*\*

12 For Board's Information

13 [Terrie Kocher, Board Administrator, referred Board  
14 members to general information from the Council of  
15 Landscape Architectural Registration Boards (CLARB)  
16 Communique Newsletter and Revised Model Law.]

17 \*\*\*

18 Correspondence

19 [Maria Battista, Esquire, Board Counsel, discussed the  
20 BPOA Recusal Guidelines, a presentation pertaining to  
21 recusal versus abstention, and the purpose of the  
22 Pennsylvania Sunshine Act.

23 Mr. Blackburn stated the need for any Board  
24 member recusal should be declared as early as  
25 possible. A recused Board member cannot discuss the

1 matter with any Board member participating in the  
2 case.

3 Mr. Blackburn encouraged Board members to discuss  
4 matters only when the Board meets to be in compliance  
5 with the Sunshine Act. He also added that action can  
6 only be taken at a properly advertised public meeting.

7 Ms. Battista discussed the purpose of Executive  
8 Session.

9 Chairman West requested Counsel to provide a  
10 regulation status update via email and/or at the Board  
11 next meeting.]

12 \*\*\*

13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
14 10:30 a.m. the Board entered into Executive Session  
15 with Maria Battista, Esquire, Board Counsel, and Tom  
16 Blackburn, Esquire, Board Counsel, for the purpose of  
17 conducting quasi-judicial deliberations. The Board  
18 returned to open session at 11:45 a.m.]

19 \*\*\*

20 MOTIONS:

21 MS. BATTISTA:

22 Pursuant to Section 708(a)(5) of the  
23 Sunshine Act, the Board met in Executive  
24 Session for the purpose of conducting  
25 quasi-judicial deliberations and to seek

1                   advice of counsel on the matters for  
2                   which the Board is about to vote.

3                   Based upon the discussions in  
4                   Executive Session, I recommend a motion  
5                   to accept the Consent Agreement in the  
6                   matter of the Bureau of Professional and  
7                   Occupational Affairs vs. Michael John  
8                   Campbell, L.A., at File No. 16-61-07376,  
9                   Docket No. 0928-61-17.

10 CHAIRMAN WEST:

11                   Do I hear a motion?

12 MR. TULLY:

13                   I'll make that motion.

14 CHAIRMAN WEST:

15                   Second?

16 MR. RAUSO:

17                   I'll second.

18 CHAIRMAN WEST:

19                   All in favor, say aye. All opposed?

20 [The motion carried unanimously.]

21   \*\*\*

22 MS. BATTISTA:

23                   Based upon discussions in Executive  
24                   Session, I recommend a motion in the  
25                   matter of the Application by Reciprocity

1 for Landscape Architecture of Nathan  
2 Gulman, File No. 17-61-08200, to  
3 provisionally deny the application of Mr.  
4 Gulman based upon discussions in  
5 Executive Session and direct Board  
6 Counsel to send a letter to Mr. Gulman  
7 reflecting the discussions of the Board  
8 in Executive Session.

9 CHAIRMAN WEST:

10 Do I hear a motion?

11 MR. RAUSO:

12 I'll make that motion.

13 CHAIRMAN WEST:

14 Second?

15 MS. KLAVON:

16 I'll second.

17 CHAIRMAN WEST:

18 All in favor? All opposed?

19 [The motion carried unanimously.]

20 \*\*\*

21 Miscellaneous - Next Meeting Dates

22 [Terrie Kocher, Board Administrator, noted the 2017  
23 and 2018 meeting dates.]

24 \*\*\*

25 CHAIRMAN WEST:



1 Do I hear a motion to adjourn?

2 MR. RAK:

3 So moved.

4 MR. TULLY:

5 Second.

6 CHAIRMAN WEST:

7 All in favor?

8 [The motion carried unanimously.]

9 \*\*\*

10 [There being no further business, the State Board of  
11 Landscape Architects meeting adjourned at 11:47 p.m.]

12 \*\*\*

13

14 CERTIFICATE

15 I hereby certify that the foregoing summary  
16 minutes of the State Board of Landscape Architects  
17 meeting, was reduced to writing by me or under my  
18 supervision, and that the minutes accurately summarize  
19 the substance of the State Board of Landscape  
20 Architects meeting.

21



22

Seth R. Baier,

23

Minute Clerk

24

Sargent's Court Reporting

25

Service, Inc.

STATE BOARD OF LANDSCAPE ARCHITECTS  
REFERENCE INDEX  
August 17, 2017

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7	9:37	Official Call to Order
8		
9	9:38	Introduction of Board Members
10		
11	9:39	Approval of Minutes
12		
13	9:40	Report of Board Counsel
14		
15	9:42	Report of Prosecutorial Division
16		
17	9:49	Report of Board Chairman
18		
19	9:50	Report of Board Administrator
20		
21	9:50	For Board's Information
22		
23	9:52	Correspondence
24		
25	10:30	Executive Session
26	11:45	Return to Open Session
27		
28	11:45	Motions
29		
30	11:47	Miscellaneous
31		
32	11:47	Adjournment
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