

BOARD OF LANDSCAPE ARCHITECTS

Tel. No. (860) 713-6145

November 14, 2007

State of Connecticut
Department of Consumer Protection
Occupational & Professional Licensing Division
165 Capitol Avenue
Hartford, Connecticut 06106

The Board of Landscape Architects held a regular meeting on September 11, 2007, which was called to order by Chairman Vincent C. McDermott at 9:32 AM in Room No 121 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Board Members Present:

Paul E. Courchaine	Board Member
Dickson F. DeMarche	Board Member
Vincent C. McDermott	Chairman
Shavaun Towers	Board Member
Stephen Wing	Board Member

Board Members Not Present:

Robert W. Hammersley	Board Member
Maureen B. Connolly	Board Member

Others Present:

Robert M. Kuzmich	Board Administrator/DCP
Peter R. Huntsman	Assistant Attorney General
Steven J. Schwane	Administrative Hearings Attorney/DCP
Peter J. Miniutti	Landscape Architect

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Richard M. Hurlburt, Director, at (860) 713-6135.

1.) Old Business

1A. Minutes of the June 12, 2007 meeting of the Board; Mr. Courchaine noted the following amendments to the minutes; page two, fourth paragraph, line 7, after the word "be", change "her" to "here". On page three, paragraph 1, line 15, after the "managed", delete the letter "t" and insert the word "to". On page four, third paragraph, line three, after the last word "if", delete the "," (comma). *After a thorough review, the Board voted, unanimously, to approve the minutes as amended herein. (Wing/Towers).*

1B. Continuation of discussion of proposed changes to the Regulation for the practice of landscape architecture to incorporate the use of electronic seals from Mr. Steven J. Schwane and of other proposed changes as suggested by Board review. Mr. Schwane noted that he had previously given the Board copies of the Florida Law which was investigated by the Board and the Department and determined not to be relevant. Mr. Courchaine suggested that provided the proposed changes meet the performance standards of the Board, perhaps the Board may wish to omit reference to the technical computer related references. He noted that these technical references will most likely change very often and the Board would have to revise this section frequently.

Mr. McDermott still questioned whether these changes will accomplish the goal of protecting the licensee from improper use of electronic seals when a document is transferred electronically. The immutability of Portable Document Files (PDF) was discussed relative to these documents being dated and having representations of seals and signatures.

Other Board positions on this issue was discussed noting that the Architects Board will most likely be adapting very similar standards and that at the present, the Engineers Board is reluctant to allow these seals and signatures. Mr. McDermott raised the issue of consistency in approach and language used by the various Boards because of the often very close proximity of their work on projects. Mr. Schwane agreed but stated that the reality of this wish may take many years.

Mr. Schwane suggested that the Board proceed with the draft as is and wait for public comment to decide whether or not to move ahead. As such, the Board has asked the legal department to do the necessary publication and possibly incorporate the public hearing as a part of their December meeting. Mr. Schwane detailed the actual path of the proposed changes noting that the process is very lengthy. Understood by the Board, they asked Mr. Schwane to begin the approval process. *As such, Ms. Towers first motioned to authorize Department Staff to initiate the publication process for the proposed regulations concerning*

the use of electronic seals. Ms. Towers now raised discussion and some concern concerning Section 20-368-13a (e) of the proposed regulation changes which contains a disclosure statement which notes that documents without an affixed electronic seal are not considered a sealed document. Other Board members agreed that this Section, as written, is appropriate and stated, along with Mr. Schwane, that there will be many opportunities ahead to modify this language if necessary. *Mr. Courchaine seconded the motion. The motion carried by a unanimous vote.*

2.) New Business

2A. Update from the Department's Legal Department regarding the status of Audits conducted by the Department for the continuing education period from August 1, 2004 through July 31, 2006. Mr. Peter Miniutti was introduced to the Board and staff by Mr. Schwane and Mr. McDermott. Mr. Schwane noted that there are two issues to be discussed; one is Mr. Miniutti's compliance with the required continuing education and the other is looking forward to what constitutes continuing education for someone like himself who is in the education business.

Mr. Miniutti explained that he was audited and admitted that he had not done his continuing education and apologized to the Board for this and assumes full responsibility. He resolved the immediate problem at hand by taking four ASLA self-examination sections from their website; security design, structural soils, vegetative swales, and wayfinding. This accounts for twenty or twenty four hours according to their literature. He now addressed the required live amount of hours he needs to complete and believes that his work as a Professor should count towards this.

Mr. Miniutti distributed a course outline he has developed for the University of Connecticut which has been accepted by them, on a competitive basis, which he received a grant to accomplish and which reduced his teaching time. His point in presenting this to the Board is that he is actively researching, doing the work of wayfinding and going beyond some of the concepts presented here in his work. Mr. McDermott elaborated on the differences between researching for course development and actually teaching the course itself in terms of credit for continuing education. Mr. Miniutti's point in his presentation is to have the research count towards continuing education and that the topic, in this case, is consistent with those which have already been approved by ASLA.

Mr. Miniutti also worked on a project for the Town of Mansfield over the past several years which elaborated upon for the Board at the request of Mr.

McDermott. He approached the Town manager for funding to develop a comprehensive plan for their land use and conservation development which, as an aside, helped strengthen the relationship between the Town of Mansfield and the University of Connecticut and help facilitate the growth of the University at the same time. The Town liked the idea and the University became involved at this point by waiving its overhead. The University received a \$50,000.00 grant from the Town of Mansfield to the University's Landscape Architecture Program to do the study.

The question was asked on the difference between this project and a similar project obtained by a practicing Connecticut Landscape Architect for which he can not claim credit for continuing education because it is a part of their normal practice. Mr. Miniutti suggested that research and learning part of the project should be considered for continuing education. He again, drew a parallel between CE exams he has taken in the past and research he has done for projects similar in nature to the exam subject matter noting that his own research far exceeded the level of knowledge for which the examination tested so why not get the credit?

Mr. McDermott stated that he is more comfortable with research work as being counted toward CE. The question was asked if this research leads to a university course offering and this course was then taken by a landscape architect as CE, would it count as CE and the answer was yes, it would. At his point, the Board stated that Mr. Miniutti' research on this project for the Town of Mansfield along with the other courses he had taken from the ASLA more than satisfies his CEU requisite.

Going forward, the Board discussed the guidelines that distinguish between the customary practice of teaching landscape architecture from the research component of potential courses that benefit both the individual and the profession, in general. It was noted that Professors are in an unusual position in this regard. The Board believes that there is merit relative to gaining CEU credit in doing such research work. Mr. McDermott cautioned the Board that CEU credit should not be given in similar situations involving much less rigorous research and service given by landscape architects in the course of their normal work which does not develop any new skill sets for the individual.

In summary, the Board asked that individuals such as Mr. Miniutti in the education/teaching profession bring their potential CEU work before as it develops' and not retroactively and the Board will address the information as it arises.

Mr. Schwane reminded the Board that there are 3 individuals the Department is still dealing with; Mr. Miniutti was on of them. The other individual received

partial credit by the Board for his submission and is scheduled to be taking a course shortly which will bring him into compliance. The last individual, Mr. Edmund D. Hollander, is still delinquent by 10 credits.

The Board voted, unanimously, to authorize the Department to begin procedures for a public hearing for Mr. Edmund D. Hollander, License No. 688 at their December 11, 2007 Regular Board Meeting for non-compliance with the continuing education requisite. (Courchaine/Wing).

2B. Update from the Department’s Legal Department regarding their Proposed Legislation for 2008. Mr. Schwane stated that the proposal is essentially the same as last year’s Department package. Mr. McDermott suggested the emeritus/inactive license status part of the package should be dropped because he was told by both co-chairs of the General Law Committee that they will not support it. The Civil Penalties and Corporation Registration parts of the package will remain in.

2C. Application of Ms. Susannah Ross for licensing by written examination; Ms. Ross is applying with a *CLARB Council Record (No.5261)* and has passed the *Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards.* ***Upon completion of a thorough review, the Board voted, unanimously, to approve his application.*** (Towers/Wing)

2D. Updated list of applications processed for licenses subsequent to the June 12, 2007 meeting of the Board.

Name	Method of Licensure	Dept. Approval Date
Farias, Michael D.	Waiver of Exam; CLARB Council Certificate No. 1922; RI	August 28, 2007

2E. "CHRO Reviews" CHRO CRITERIA PER SECTION 46a-80; none before the Board. Mr. McDermott reported that there are no cases before the Board today.

2F. Any correspondence and/or business received in the interim.

1. Commissioner Jerry Farrell, Jr. presented retiring Board Member Dickson DeMarche a Proclamation from the Governor of the State of Connecticut, her excellence M. Jodi Rell, congratulating him on his retirement from the Board of Landscape Architects and for his distinguished service to the State by his longtime, dedicated, participation as a professional member of the Board. All present personally commended Mr. DeMarche on his hard work. Commissioner

Farrell, on a personal note, stated that although he often doesn't get the chance to really get to know Board members, he has heard from Staff people and other Board Members of Mr. DeMarche's hard work and dedication. He noted that this work not only helps the public but the profession itself.

2. Mr. McDermott discussed his attendance at the Annual CLARB Meeting. CLARB adapted new bylaws which, in essence, overhaul their administrative processes. He referenced recent correspondence he and others have received, by e-mail, from ASLA addressing the continuing education system for landscape architects. The information was very critical of CLARB for not participating in this system.

Mr. McDermott noted that CLARB has continuously worked with ASLA and others to adapt a uniform system of what constitutes continuing education. ASLA was not willing to separate out, as AIA has done, its courses relating to health safety, and welfare. Under those circumstances, CLARB was not willing to sign on with ASLA. As a further "slap in the face" to CLARB, ASLA was able to get many other associations to "sign on" with them. CLARB and ASLA met at the meeting to try and resolve their differences.

The meeting adjourned at 10:51 AM. The next regular meeting of the Board is scheduled for Tuesday, December 11, 2007, 9:30 AM, Room 121, State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Respectfully submitted,

Robert M. Kuzmich, R.A.
Board Administrator

