



LANDSCAPE ARCHITECT SECTION MEETING
121C, 1400 E Washington Avenue, Madison
Contact: Brittany Lewin (608) 266-2112
March 1, 2016

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of September 9, 2015 (4-5)

C. Administrative Updates (6-10)

- 1) Election of Officers
- 2) Liaison Appointments and Delegated Authorities
- 3) Staff Updates
- 4) New Board Member – Tim Garland

D. Legislative and Administrative Rule Matters – Discussion and Consideration (11)

- 1) Update on A-E 3, 4, 6, and 9 Relating to Requirements for Entrance to Examinations
- 2) Update on Wisconsin Senate Bill 568 and Assembly Bill 726
- 3) Update on Pending and Possible Rulemaking Projects

E. Speaking Engagements, Travel, or Public Relations Requests (12)

- 1) 2016 CLARB Annual Meeting

F. Deliberation on Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Election of Section Officers
- 3) Appointment of Section Liaison(s)
- 4) Administrative Matters
- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislation/Administrative Rule Matters
- 9) Liaison Reports
- 10) Informational Items
- 11) Disciplinary Matters
- 12) Presentations of Petitions for Summary Suspension
- 13) Petitions for Designation of Hearing Examiner

- 14) Presentation of Proposed Stipulations, Final Decisions and Orders
- 15) Presentation of Proposed Final Decisions and Orders
- 16) Presentation of Interim Orders
- 17) Petitions for Re-Hearing
- 18) Petitions for Assessments
- 19) Petitions to Vacate Orders
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions
- 23) Appearances from Requests Received or Renewed
- 24) Speaking Engagement(s), Travel, or Public Relation Request(s)

G. Public Comments

CONVENE TO CLOSED SESSION to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

H. Credentialing Matters

- 1) Kurt Culbertson – Reinstatement Request (**13-28**)

I. Deliberation on Division of Legal Services and Compliance (DLSC)

- 1) Proposed Stipulations, Final Decisions and Orders
 - a) 15 LSA 001 – Kelly W. Bahrs (**29-34**)
 - b) 15 LSA 006 – Rick H. Rettler (**35-41**)
 - c) 15 LSA 007 – James W. Walczak (**42-48**)
- 2) Case Closures
 - a) 15 LSA 003 (**49-51**)

J. Deliberation of Items Received After Printing of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decisions and Orders
- 12) Matters Relating to Costs/Orders Fixing Costs
- 13) Case Closings
- 14) Proposed Interim Orders
- 15) Petitions for Assessments and Evaluations
- 16) Petitions to Vacate Orders
- 17) Remedial Education Cases
- 18) Motions

- 19) Petitions for Re-Hearing
- 20) Appearances from Requests Received or Renewed

K. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

L. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

ADJOURNMENT

NEXT MEETING DATE SEPTEMBER 14, 2016

**LANDSCAPE ARCHITECT SECTION
OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS AND PROFESSIONAL LAND SURVEYORS
MEETING MINUTES
September 9, 2015**

PRESENT: Andrew Albright, Michael Kinney (*Via GoToMeeting*), Rosheen Styczinski

STAFF: Brittany Lewin, Executive Director; Nifty Lynn Dio, Bureau Assistant; and other department staff

CALL TO ORDER

Rosheen Styczinski, Chair, called the meeting to order at 9:00 a.m. A quorum of three (3) was confirmed.

ADOPTION OF AGENDA

MOTION: Andrew Albright moved, seconded by Michael Kinney, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 9, 2015

MOTION: Andrew Albright moved, seconded by Michael Kinney, to approve the minutes of the March 9, 2015 meeting as published. Motion carried unanimously.

CLOSED SESSION

MOTION: Andrew Albright moved seconded by Michael Kinney, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Rosheen Styczinski read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Andrew Albright-yes; Michael Kinney-yes; and Rosheen Styczinski-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:12 a.m.

RECONVENE TO OPEN SESSION

MOTION: Michael Kinney moved, seconded by Andrew Albright, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 9:21 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Andrew Albright moved, seconded by Michael Kinney, to affirm all votes made in closed session. Motion carried unanimously.

**PRESENTATION AND/OR DELIBERATION ON PROPOSED STIPULATIONS,
FINAL DECISIONS AND ORDERS**

15 LSA 002 – Ricardo C. Dumont

MOTION: Michael Kinney moved, seconded by Andrew Albright, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against **Ricardo C. Dumont**, DLSC case number **15 LSA 002**. Motion carried unanimously.

DELIBERATION ON CASE CLOSINGS

15 LSA 005

MOTION: Michael Kinney moved, seconded by Andrew Albright, to close DLSC case number **15 LSA 005** for **Prosecutorial Discretion (P2)**. Motion carried unanimously.

ADJOURNMENT

MOTION: Michael Kinney moved, seconded by Andrew Albright, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:23 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Nifty Lynn Dio, Bureau Assistant		2) Date When Request Submitted: 12/23/15 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting									
3) Name of Board, Committee, Council, Sections: Landscape Architect Section											
4) Meeting Date: 03/01/2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Updates 1. Election of Officers 2. Liaison Appointments and Delegated Authorities									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A									
10) Describe the issue and action that should be addressed: 1. Elect Officers for 2016 2. The Chair Appoints Liaisons 3. The Section should consider continuation or modification of previously delegated authorities											
11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">Nifty Lynn Dio</td> <td style="width: 40%; border-bottom: 1px solid black; text-align: right;">12/23/15</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td> </tr> </table>				Nifty Lynn Dio	12/23/15	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date	
Nifty Lynn Dio	12/23/15										
Signature of person making this request	Date										
Supervisor (if required)	Date										
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date											
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.											

Landscape Architect Section

2015 ELECTION RESULTS	
Section Chair	Rosheen Styczinski
Vice Chair	Andy Albright
Secretary	Michael Kinney

2015 LIAISON APPOINTMENTS	
DLSC Liaison (PAP and Monitoring)	Andrew Albright, Rosheen Styczinski
Credentialing Liaison	Andrew Albright (Alternate: Rosheen Styczinski)

Appointment of Liaisons and Delegated Authorities

MOTION: Andrew Albright moved, seconded by Michael Kinney, that the Section delegates authority to the Chair to sign documents on behalf of the Section. In order to carry out duties of the Section, the Chair has the ability to delegate this signature authority to the Section’s Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

MOTION: Rosheen Styczinski moved, seconded by Michael Kinney, that, in order to facilitate the completion of assignments between meetings, the Section delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Section, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

MOTION: Andrew Albright moved, seconded by Michael Kinney, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document as presented in the March 5, 2015 agenda materials. Motion carried unanimously.

MOTION: Rosheen Styczinski moved, seconded by Andrew Albright, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters. Motion carried unanimously.

MOTION: Andrew Albright moved, seconded by Rosheen Styczinski, to delegate authority to the Continuing Education Liaison(s) to address all issues related to continuing education. Motion carried unanimously.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kelley Sankbeil Monitoring Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: January 9, 2016 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 																
3) Name of Board, Committee, Council, Sections: Landscape Architects Section																		
4) Meeting Date: March 1, 2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Delegation of Authority to Monitoring Liaison and Department Monitor																
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:																
10) Describe the issue and action that should be addressed: Delegated Authority Motion: <p style="text-align: center;"><i>“ _____ moved, seconded by _____ to adopt/reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today’s agenda packet.”</i></p>																		
<table style="width: 100%; border: none;"> <tr> <td style="width: 10%; border: none;">11)</td> <td style="width: 60%; border: none; text-align: center;">Authorization</td> <td style="width: 30%; border: none;"></td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none; text-align: right;">January 9, 2016</td> </tr> <tr> <td style="border: none;">Signature of person making this request</td> <td style="border: none;"></td> <td style="border: none; text-align: right;">Date</td> </tr> <tr> <td style="border: none;">Supervisor (if required)</td> <td style="border: none;"></td> <td style="border: none; text-align: right;">Date</td> </tr> <tr> <td style="border: none;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> <td style="border: none;"></td> <td style="border: none; text-align: right;">Date</td> </tr> </table>				11)	Authorization				January 9, 2016	Signature of person making this request		Date	Supervisor (if required)		Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date
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Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
- 8. Grant or deny a request to appear before the Board/Section in closed session.**

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 2/17/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Landscape Architect Section			
4) Meeting Date: 3/1/16	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Update on A-E 3, 4, 6, and 9 Relating to Requirements for Entrance to Examinations 2. Update on Wisconsin Senate Bill 568 and Assembly Bill 726 3. Update on Pending Legislation and Pending and Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Dale Kleven</i>		<i>February 17, 2016</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Nifty Lynn Dio, Bureau Assistant		2) Date When Request Submitted: 10/27/2015 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Landscape Architect Section			
4) Meeting Date: 03/01/2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? CLARB 2016 Annual Meeting – Consider Attendance	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
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