

Nebraska Board of Engineers and Architects
Board Meeting Minutes
January 15, 2016

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, Nebraska. Chair Krejci called the meeting to order at 9:00 a.m. and noted the location of the Public Meeting Statutes. Notice of the meeting was published in the Lincoln Journal Star in compliance with the Open Meetings Act.

Roll Call: Lori Krejci, Chair; Krista Kester, Vice-Chair; Roger Helgoth; Secretary; Mark Champion; Michael Conzett; Jennifer Klein, Tom Laging. Absent: Daniel Linzell.

Staff Present: Steve Masters, Executive Director (ED); Jon Wilbeck, Compliance Officer (CO); Sandra Weaver, Administrator (AD); Jean Lais, Administrative Assistant (AA).

The following appeared before the Board:

Craig Martin, Special Assistant Attorney General

Daniel Carpenter, Special Case PE Exam Applicant

Hearing on Nebraska Board of Engineers and Architects v. Vodicka, Henriksen, and Standard Bridge Company LLC, 15.04

As presiding officer, Chair Krejci opened the hearing at 10:38 a.m. for the matter of the Nebraska Board of Engineers and Architects v. Vodicka, Henriksen, and Standard Bridge Company LLC, 15.04. Craig Martin, Special Assistant Attorney General, questioned Compliance Officer Jon Wilbeck, as exhibits were presented to the Board as evidence. Respondent Greg Henriksen provided testimony concerning allegations on behalf of Standard Bridge Company LLC and himself. Respondent Dennis Vodicka did not attend the hearing. Jody J. White, Pell Reporting, recorded the proceedings. The hearing concluded at 11:07 a.m.

Agenda Items

A Consent Agenda

Meeting Minutes

December 11, 2015 meeting minutes

Approval of Consent Agenda

Action Motion by Klein, second by Conzett to approve the consent agenda. Voting Yes: Champion, Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Linzell.

B Committee Reports

2015-16 Board committee assignments and charges

Executive Committee Report

No report at this time.

Education and Communication Committee Report

No report at this time.

A Monthly Dashboard Report was provided to the Board for the new website. The soft launched website will replace the current website after the Public Information Officer position is filled and webpages are finalized for publication. CO Wilbeck reported a candidate, Tanna Dittmar, had accepted a job offer for the position. February 8, 2016, will be her first day of employment.

Enforcement Committee Report

Committee Chair Klein reported the Enforcement Committee met on January 5, 2016, with new Compliance Officer, Jon Wilbeck. Items discussed by the Committee were the new disclosure questions, the practice of filing a complaint before determining validity, plan stamping issues, and the Nebraska State Fire Marshal Memorandum of Understanding addressed by the Ad Hoc Committee. The increased number of disclosure questions on license renewal and applications forms has resulted in more issues being brought to the Board for review. The subject will be revisited after reviewing renewal disclosures in the application section.

Legislative Committee Report

Committee Chair Kester reported there was no testimony in opposition to the proposed rules and regulations at the public rulemaking hearing. The next step will be adoption of the proposed rules and submittal to the Attorney General's Office for review. Meetings will be set up with primary stakeholders to discuss the exemption matrix and to obtain consensus. A bill to revise statutes must be passed by the Legislature and approved by the Governor before working on the exemption matrix in the rules and regulations. On behalf of the Board, Helgoth commended Kester for an excellent job with the proposed rules and regulations revisions and stated the successful public rulemaking hearing was evidence of her hard work.

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MOU Ad Hoc Committee Report

Committee Chair Klein reported the Board would talk about the proposed Memorandum of Understanding (MOU) with the State Fire Marshal during the New Business section of the agenda.

Strategic Plan

2015-16 Strategic Plan review

Chair Krejci asked the Board Committees to review the Strategic Plan for needed updates and stated a date for the 2016 Strategic Planning Session would be discussed later in the meeting.

C Old Business

Update on staff vacancies

ED Masters reported Betty Frausto filled the vacancy for the Accounting Clerk position. Her first day of employment was December 28, 2016.

D New Business

Governance

Adoption of proposed revisions of Title 110, NAC, Rules and Regulations

Action Motion by Helgoth second by Conzett to adopt the proposed revisions to Title 110, NAC, Rules and Regulations as reviewed at the public rulemaking hearing. Voting Yes: Champion, Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Linzell.

Proposed MOU with State Fire Marshal

The Board reviewed a proposed memorandum (MOU) with the State Fire Marshal to strengthen efforts to safeguard Nebraska citizens and visitors by providing notice to the Board of Engineers and Architects regarding plans submitted that do not bear the seal of an Architect or Engineer when required by State law. Minor revisions of the document were discussed.

Action Motion by Kester, second by Helgoth to approve the MOU as modified for conveyance to the Fire Marshal and authorize the Chair to execute an agreement. Voting Yes: Champion, Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Linzell.

Resignation of Assistant Attorney General Craig Martin

Notification was received from Assistant Attorney General Craig Martin that he would be resigning after the January 2016 meeting because of substantial duties and time commitments connected with his new employment. He indicated his legal partner might be interested in providing legal services to the Board. Mr. Martin will check schedules and a possible January meeting date will be set up for the Executive Committee to conduct an interview at the firm of Lamson, Dugan & Murray in Omaha.

Architecture Items

2016 NCARB Regional Summit Meeting information

The 2016 NCARB Regional Summit Meeting will be held in Savannah, GA. The meeting begins with the MBE Workshop on Thursday, March 10 and continues on Friday, March 11 and Saturday, March 12 for Member Board members. The deadline to make hotel reservations is Friday, February 5. After that date, the rate is not guaranteed. An agenda of the meeting was provided.

Selection of funded delegates for 2016 Regional Summit Meeting

Laging and Champion were selected as the funded delegates for the 2016 NCARB Regional Meeting. Staff will complete the online Funded Delegate and Public Member Form.

Engineering Items

2015 NCEES Engineering Award grand prize to Marquette University

NCEES announced that the Marquette University Department of Civil, Construction, and Environmental Engineering is the grand prizewinner of the 2015 NCEES Engineering Award for Connecting Professional Practice and Education. The award jury met June 2, 2015, in Clemson South Carolina, to select the \$25,000 winner.

Attendance of NCEES 2015 Engineering Award presentation to UN-L

The University of Nebraska-Lincoln Charles W. Durham School of Architectural Engineering and Construction won a \$7,500 NCEES Engineering Award. A presentation ceremony on its campus is in the planning stages and the Board was invited to select a member to present the award on behalf of NCEES. Members Conzett and Helgoth will attend on March 3rd and work out details of the presentation.

NCEES Central Zone Distinguished Service Award nomination request

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The NCEES Central Zone Awards Committee is inviting nominations for the *Distinguished Service Award*. Completed nominations must be submitted no later than February 1, 2016. Conzett won the award in 2011 and Helgoth won the award in 2015.

NCEES 2016 Central Zone Interim Meeting information

The NCEES Central Zone Interim Meeting will be held in Kansas City, MO, May 5-7, 2016. A meeting summary and a draft schedule of events was provided.

Selection of funded delegates for 2016 Central Zone Interim Meeting

Helgoth and Klein were selected as funded delegates for the 2016 Central Zone Meeting.

Discussion of Krejci term/Architect education member term on the Board

Chair Krejci discussed with the Board whether she would seek reappointment after her term expires on February 28, 2016. AD Weaver will send Krejci information on steps to take to seek another term. Laging stated he is still a UN-L Emeritus faculty member. His current term on the Board expires February 28, 2019. The University of Nebraska-Lincoln is presently searching for a new Dean for the College of Architecture. Once appointed, the Dean will be able to appoint a new architect educational member. Laging noted a candidate might be difficult to find since so many of the senior faculty members are leaving the College.

Authorization for Travel

2016 regional and national meeting travel authorization

Conzett, Helgoth, and ED Masters were authorized to attend the PEC Legislative Luncheon hosted by the Nebraska Society of Professional Engineers on January 20, 2016, at the Nebraska Club in Lincoln, NE.

ED Masters was authorized to attend the Engineers' Week Banquet sponsored by the Engineers' Roundtable in February 2016. Details will be announced soon.

Conzett and Helgoth were authorized to attend the NCEES Engineer Award Presentation Ceremony at the University of Nebraska-Lincoln Campus in Lincoln, NE, on March 3, 2016.

ED Masters was authorized to attend the NCARB MBE Workshop and Regional Summit Meeting in Savannah, GA, March 10-12, 2016.

Klein, Helgoth, and ED Masters were authorized to attend the NCEES Central Zone Meeting in Kansas City, MO, on May 5-7, 2016. Klein and Helgoth will represent the Board as funded delegates.

E Compliance

Logs

Open cases

History of closed cases

Executive Session - Commenced at 11:20 a.m.

Action Motion by Kester, second by Klein to enter into executive session for discussion of compliance cases not a matter of public information to prevent needless injury to the reputation of those involved. The limitation for going into executive session was restated by Chair Krejci. Voting Yes: Champion, Conzett, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Helgoth (temporarily stepped out of meeting), Linzell.

Cases

15.04 – Summary & Documentation

Reviewed in Executive Session

15.24 – Summary & Documentation

Reviewed in Executive Session

15.25 – Summary

Reviewed in Executive Session

15.26 – Summary

Reviewed in Executive Session

Executive Session - Concluded at 11:49 a.m.

Action Motion by Laging, second by Klein to close executive session for discussion of compliance cases not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Champion, Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Linzell.

Approval of Compliance Disposition

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- Action** Motion by Kester, second by Helgoth to impose disciplinary action in connection with finding violation of the Engineers and Architects Act by Standard Bridge Company LLC and Dennis Vodicka. Voting Yes: Champion, Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Linzell.
- Action** Motion by Kester, second by Conzett to dismiss Case 15.24 with no probable cause. Voting Yes: Champion, Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Linzell.
- Action** Motion by Helgoth, second by Kester that the dismissal of Case 15.24 not be considered as a disciplinary matter. Voting Yes: Champion, Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Linzell.
CO Wilbeck will review the older compliance cases that remain open and bring information to the next meeting.
Champion left the meeting at 11:54 a.m.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-15905 Jeffrey Alan Anderson, Civil; E-15860 Steven Douglas Danforth, Agricultural; E-15928 Donald Michael Dowdall, Mechanical; E-15913 James Brandon English, Civil; E-15918 Scotty Frederick Feller, Mechanical; E-15932 Chad Aaron Headings, Mechanical; E-15927 Ronald Allen Langstaff, Mechanical; E-15869 Christopher James Lovett, Electrical and Computer; E-15868 William Stanley Mathers, Civil; E-15903 Jaison Pradeep Moras, Electrical and Computer; E-15933 John Thomas Olson, Structural; E-15867 Justin Robert Smothers, Mechanical; E-15914 Randolph Lee Thompson, Electrical; E-15921 Andrew Joel Vane, Mechanical; E-15888 Jonathan Charles West, Civil; E-15866 Van Erwin Wiskur, Civil.

NCARB Certification – Architects

A-4634 Michael Aiello; A-4632 Julie Beth Burhoop; A-4628 Richard Neal Gordon; A-4631 Matthew Ian Leiner; A-4633 Michael Lynn Moores; A-4635 Kenneth Eugene Nisch.

Temporary Permits

T-522 Joseph Walter Kowalski, OH, Civil Engineering; T-523 Ronald Gene Lutz, SD, Civil Engineering.

Engineer Intern Enrollment

Wacey Lee Carson, NE; Charles Robert Farris, MO; Kyle Everett Heddens, NE; Thomas Justice Johnson, SD; Cody Alan Lureen, NE; Sonja Marie Michelsen, NE; Luke Emory Prosser, NE; Jon Charles Riede, NE; Paige Marie Schneider, NE; Cara Ann Woldt, NE.

Architect Registration Examination/Re-approvals

Christopher Hajime Gerdes, NE; Matthew Royce Kreutzer, NE.

Organizational Practice – Certificates of Authorization

CA3486 Ever-Green Energy; CA3487 Kevin M Finn PE Inc; CA3488 M3Engineering Group PC; CA3489 Hanbury Evans Wright Vlattas + Company; CA3490 Marquis X Erickson Architect Ltd; CA3491 Interwork Architects Inc; CA3492 Lewellyn Technology Inc; CA3493 Justin Smothers Consulting LLC; CA3494 Forensic Experts PLLC; CA3495 Nishkian Monks PLLC; CA3496 Aquatic Design Consultants Inc; CA3497 FLX Architecture LLC; CA3498 Layne Christensen Company; CA3499 Salisbury Electrical Safety LLC; CA3500 Kinney Engineering LLC.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Thanarach Aksharadananda, Civil, CO; Mark Thomas Funston, Civil, MI; Chu-cjeh Lin, Civil, CA; Randy Bernard Jenniges, Civil, MN; Thomas John Svoboda, Mechanical, IL.

Applications for licensure of Engineers by Experience

Approved: Raymond Alan Del Pontek Electrical, WI.

Applications for licensure of Architects by Experience

Approved: Christopher Scott Fromell, MO.

Applications for licensure by Reinstatement

Approved: A-3449 James Lee Poulson.

Applications to take the PE Exam

Approved: Thomas Edward Aldmeyer, IA, Civil; Jeremy Craig Anderson, NE, Civil; James Robert Barbee, NE, Electrical & Computer; Aaron Daniel Beauclair, NE, Civil; Andrew Lee Carpenter, NE, Civil; Joseph Louis Cave,

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NE, Electrical & Computer; Heath Edward Cutler, NE, Civil; Joseph Franklin Dexter, NE, Mechanical; Matthew James Dickerson, NE, Electrical & Computer; Charles Robert Farris, MO, Structural VL; Alicia Michelle Floberg, NE, Civil; Loran Dean Fortik, NE, Mechanical; Katie Jean Freese, NE, Mechanical; Stephen Paul Gollehon, NE, Architectural; Jordan Dennis Hagemeyer, NE, Civil; Carl Matthew Harms, NE, Civil; David Evan Hoylman, NE, Mechanical; Philip Andrew Jackman, NE, Civil; Tyler Adam Jensen, NE, Electrical & Computer; Alexander Edwin Johnson, NE, Civil; Joshua Lowell Keithley, NE, Civil; Peter James Koneck-Wilwerding, NE, Mechanical; Melissa Lynn Kurtz, NE, Electrical & Computer; Kevin Paul Legenza, MO, Structural VL; Heidi Annette Li, NE, Architectural; Douglas Westley Loudon, NE, Civil; Amanda Lynn Maish, NE, Industrial; Jonathan Kenneth Markt, NE, Civil; Jacob Thomas Miriofsky, NE, Civil; Amin Mohebbi, NE, Civil; Katherine Marie Need, NE, Environmental; Scot Arnold Nommensen, NE, Civil; Curtis Richard Nosal, NE, Civil; Laura Marie Rathe, NE, Civil; Joshua David Reimers, NE, Mechanical; Shawn Lewis Renken, NE, Structural VL; Christopher George Rewczuk, NE, Industrial; Arlen Cho Root, MO, Chemical; Brian Thomas Schuele, NE, Civil; Nathan Reza Siahpush, NE, Civil; Caleb Martin Snyder, NE, Civil; Mohammad Ajmal Stanigzai, NE, Civil; Robert Patrick Steffen, NE, Mechanical; Daniel Michael Strain, NE, Architectural; Steven Charles Swanson, NE, Mechanical; Benedict Robert Vacha, NE, Civil; Justin Lee Veik, NE, Architectural; Carol Lee Waszak, NE, Mechanical; Matthew Robert Wieseler, NE, Structural VL; Patrick Christian Yearley, NE, Civil; Timothy Mark Zach, NE, Civil.

Special Cases – Applications for licensure of Engineers by Comity

Approved: Ray Gardner Flake, Civil, UT.

Special Cases – Applications to take the PE Exam

Daniel Carpenter appeared before the Board at 11:13 a.m. to request approval of his application to sit for the PE exam in April. The January meeting is the last date the Board would be able to approve applicants to take the April exam before the deadline. Staff had rejected his application based on insufficient work experience. Work experience entered in the database indicated the required four years of work experience would not be met until January 15, 2016. However, Mr. Carpenter believed he met the four-year work experience requirement on December 30, 2015. Work experience was resubmitted with calculations based on actual calendar days. He stated he preferred to take the exam in April 2016 rather than wait until October because of an employment opportunity. Mr. Carpenter thanked the Board for letting him present his request.

Approved: Davi Lola Aderemi, NE, Electrical & Computer; Desiree Nichole Boger, NE, Architectural; Daniel James Carpenter, NE, Civil; Justin Randall Denton, NE, Civil; Travis Ryan Hazard, NE, Civil; Clayton Jon Kluender, NE, Civil; Xiangxiong Kong, KS, Civil; Nicholas Donald Mandel, NE, Mechanical; Chad William Price, NE, Civil; Cory Leigh Rosenblad, NE, Mechanical; Tyler Nicholas Thulin, NE, Civil; Noel Javier Velazquez, NE, Electrical & Computer; Joshua Leonard Gosiak, IA, Civil.

Deferred: Andrew Joseph Miller, NE, Civil – Does not have four years of post-accredited degree experience.

Disclosure Question History

A history of disclosure questions was provided for the Board. The increased number of disclosure questions recently implemented resulted in a large number of disclosure document submittals. The Board discussed having staff review the disclosures and summarize the findings in a list for the Board. Supporting information would be available if needed. The Board would review any unique or unusual disclosures. A policy will be created and brought to the next meeting. Since the PE retake application deadline falls before the next meeting, the Board discussed having the Compliance Officer review any disclosures that come in with applications.

Action

Motion by Kester, second by Klein to authorize the Compliance Officer to review disclosure on PE examination applications. Voting Yes: Conzett, Helgoth, Kester, Laging, Krejci. Abstain: Klein. Voting No: None. Absent: Champion, Linzell.

Special Cases – License Renewal Disclosure

Approved: E-14739 Benjamin Lee Carlson; E-11393 Patrick Timothy Cantrell; A- 4398 Michael J. Castro; E-5507 Steven Robert Close; A-2496 Calvin John Coatsworth; E-9332 Jeffrey Alan Crabtree; A-3829 Michael Alan Cummings; E-15415 Sean Alan Denning; E-15446 Luke John Ferguson; E-9003 Kevin M. Finn; A-4411 Brian Scott Fitzgerald; E-14907 Guy Phillip Gentry; E-12878 George Kelley Gipple; E-9429 David Henry Glabe; E-15263 Vaughn Jamahl Godet; E-4068 Wesley Randolph Godwin; E-7112 James Glenn Govaia; E-15414 Daniel Charles Haggerty; A-3793 James Bernard Huse; E-14866 Kenneth Scott Jacobson Kendle; E-9231 Garrett Lee Klein; E-14987 David James Klimas; E-14646 Bomani Garvey Lee; E-14238 Ryan Edward Adrian; E-6219 Steven Thomas Alvine; E-5957 Jerry Wayne Alber; E-13749 George Edward Bergen Jr; E-14354 Daniel James Black; E-

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11298 Lawrence Kevin Bowers; A-3657 Craig Irvin Cahen; E-7121 Stephen Clement Hoffman; A-4122 Donald Dustin Curtis Jr; E-15645 Christopher Donald Hennings; A-2889 Roger Gene Hartman.

Approval of Applications and License Renewals

Action Motion by Kester, second by Conzett to accept staff recommendations for applications and renewal of licenses with the exception of the applications for Daniel Carpenter and Clayton Kluender. Voting Yes: Conzett, Helgoth, Kester, Laging, Krejci. Abstain: Klein. Voting No: None. Absent: Champion, Linzell.

Action Motion by Kester, second by Klein to approve applications for Daniel Carpenter and Clayton Kluender. Voting Yes: Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Champion, Linzell.

Other Application Matters

Staff recommendation for continuing education waiver per Rule 9.7.2

A licensee selected for a continuing education audit asked if an educational class to be taken in February 2016 could be used to meet the continuing education requirements to renew his license. The licensee had managed 24 time critical infrastructure repairs over the last two years and is currently deployed to Saipan for disaster recovery. Staff recommended a waiver of continuing education for the license renewal as per Rule 9.7.2.

Action Motion by Kester, second by Klein to waive the continuing education requirements for the current license renewal of Timothy Gouger. Voting Yes: Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Champion, Linzell.

G Financial Matters

Reports

FY 2015-16 Financial Profile, December 2015

Budget Status Report, December 2015

MTD General Ledger Detail Report, December 2015

Fund Summary Report, December 2015

ED Masters reviewed the financial reports with the Board and reported expenditures were on track for the current fiscal year. Mid-Biennium Budget Requests are currently being reviewed by the Appropriations Committee. The Committee plans to grant the Board's \$75,000 request for a new database in FY2016-17. Although additional appropriation is not planned to be granted for per diem expenditures, the limit for Personal Services (PSL) will be increased.

Approval of Financial Reports

Action Motion by Laging, second by Conzett to approve the financial reports as presented. Voting Yes: Conzett, Helgoth, Kester, Klein, Laging, Krejci. Voting No: None. Absent: Champion, Linzell.

Other Financial Matters

2016 mileage reimbursement rate for State employees

Effective January 1, 2016, the standard reimbursable mileage rate will be 54 cents per mile for use of a personal vehicle for State business.

H General Information

Public meeting notice publication

An ad for the January 15, 2016 meeting was publicized in the Lincoln Journal Star. The next meeting is scheduled on February 19, 2016.

Board meetings and schedule

A schedule of upcoming meetings and events was provided for review. The next Board meeting is scheduled for February 19, 2016. Conflicts for upcoming meetings were discussed. Meeting dates were scheduled or rescheduled as follows:

- Thursday, March 24, 2016 – Regular Board Meeting
- Thursday, April 14, 2016 – Strategic Planning Session
- Friday, April 15, 2016 – Regular Board Meeting
- Friday, May 13, 2016 – Regular Board Meeting

Roster of Board members

A current roster of the Board was provided.

Travel Reimbursement Policy

The agency travel reimbursement policy was provided.

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Licensing and Certification Trends

Trends in Licensure

Trends in Renewals

Trends in Certificates of Authorization

Database reports reflecting licensure trends, renewal statistics, and active certificates of authorization were provided for Board review.

Examination Information/Results

ARE Monthly Pass/Fail Report – November 2015

Seventeen ARE examinees sat for exams in November. Thirteen exams were passed.

CBT FE and PE Exam registration numbers and pass rate history

Registration numbers and pass rate history were provided by NCEES.

Other information

Approved Board policies were provided for review.

Adjournment

The meeting was adjourned at 12:49 p.m.



Roger M. Helgoth, Secretary