

Nebraska Board of Engineers and Architects

Board Meeting Agenda

February 24, 2017

215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, NE

8:30 a.m. CALL THE MEETING TO ORDER

Open Meeting and Public Agenda Information

The following will appear before the Board:

8:30 a.m. - Rich Lombardi, Legislative Liaison, American Communications Group Inc.

8:45 a.m. – Public Comment

Agenda Items

A Consent Agenda

Meeting Minutes

1-7 January 13, 2017 meeting minutes

Action Approval of Consent Agenda

B Meeting Schedule/Committee Reports

1-3 Meeting schedule discussion

4 2016-17 Board committee assignments and charges

Legislative Ad Hoc Committee Report

Legislative Report - Lombardi

5-7 Tentative schedule for Legislative Committee hearings

8-30 LB299 relating to professions and occupations

9:00 a.m. - Hearing on Nebraska Board of Engineers and Architects v. Ollerich, 16.18

C Compliance

Logs

1-3 February 2017 compliance cases

4-5 Open cases

6-10 History of closed cases

Cases

11-41 15.04 – Summary & Documentation

51-56 16.02 – Summary & Documentation

61-87 16.06 – Summary & Documentation

91-94 16.07 – Summary & Documentation

101-102 16.18 – Summary & Documentation

111-123 16.19 – Summary & Documentation

131-139 17.01 – Summary & Documentation

141-151 17.02 – Summary & Documentation

161-171 17.03 – Summary & Documentation

181-189 17.04 – Summary & Documentation

191-199 17.05 – Summary & Documentation

201-208 17.06 – Summary & Documentation

211-221 17.07 – Summary & Documentation

231-236 17.08 – Summary & Documentation

Other Compliance Issues

237-244 Big Apple Fun Center Assessment

245-246 Buckley Steel Office Assessment

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Governance

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Other Old Business

- 24 2017 New Licensee Ceremony planning update

E New Business

Governance

- 1 Proposed removal of Board Policy 10.04

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Architecture Items

- 2-5 NCARB elections information
- 6-18 2017 Draft Resolution 2017-A for consideration at NCARB Annual Meeting

Engineering Items

- 19-20 NCEES elections information
- 21-25 2017 NCEES Central/Western Zone Joint Interim Meeting information
Selection of funded delegates Joint interim Meeting

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Other New Business

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- 27-29 2017 travel and per diem authorization

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Administratively Approved

- 1-10 NCEES MLE – Engineers
- 11-13 NCARB Certification – Architects
- 21 Temporary Permits
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- 41-44 Organizational Practice – Certificates of Authorization

Licensure/Examination

- 51-53 Applications for licensure of Engineers by Comity
- 61-62 Applications for licensure of Engineers by Experience
- 71 Applications for licensure of Architects by Experience
- 81 Applications for licensure by Reinstatement
- 91 Applications to take the ARE Exam
- 101 Applications to take the PE Exam
- 111 **Special Cases** – Applications for licensure of Engineers by NCEES MLE

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121 **Special Cases** – Applications for licensure of Architects by NCARB Certification

131 **Special Cases** – Applications for licensure of Engineers by Comity

141 **Special Cases** – Applications for Certificates of Authorization

Action **Approval of Applications**

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1 FY 2016-17 Financial Profile, January 2017

2-6 Budget Status Report, January 2017

7-18 MTD General Ledger Detail Report, January 2017

19-22 Fund Summary Report, January 2017

Action **Approval of Financial Reports**

Proposed Administrative Contracts for FY 2017-18

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Action **Approval of Contracts**

Other Financial Matters

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8 Trends in Licensure

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Adjournment

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CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor Conference Room, Lincoln, Nebraska. Chair Kester called the meeting to order at 8:30 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.

Member Roll Call: Krista Kester, Chair; Michael Konzett; Lenora Isom; Tom Laging; Randy Peters. Absent: Roger Helgoth, Vice-Chair; Jennifer Klein, Secretary; Mark Champion. Klein arrived at 8:35 a.m.

Staff Present: Jon Wilbeck, Executive Director (ED); Lindy Rauscher, Compliance Officer (CO); Sandra Weaver, Business Manager; Jean Lais, Administrative Assistant; Molly Mayhew, Public Information Officer (PIO).

The following appeared before the Board:

8:30 a.m. - Rich Lombardi, Legislative Liaison, American Communications Group Inc.

Public Present

Andrea Forrester (No comment)

Agenda Items

A Consent Agenda

Meeting Minutes

January 13, 2017 meeting minutes

Approval of Consent Agenda

Action Motion by Isom, second by Konzett to approve the minutes. Voting Yes: Isom, Peters, Konzett, Kester.
Voting No: None. Abstain: Laging. Absent: Champion, Helgoth, Klein.

B Meeting Schedule/Committee Reports

Meeting schedule discussion

After review and discussion of member availability for future meetings, the Board decided to proceed with the current schedule.

2016-17 Board committee assignments and charges

A list of 2016-17 committees and charges was provided.

Board member Klein arrived at the meeting at 8:35 a.m.

Legislative Report - Lombardi

Legislative Liaison Lombardi distributed a list of legislative bills of interest to the Board and reported on the status of LB22 (related to appropriations), LB 9, LB27, LB299, LB 464, and LB 590.

Tentative schedule for Legislative Committee hearings

A tentative schedule of committee hearings for introduced legislative bills was provided.

LB299 relating to professions and occupations

LB299, relating to professions and occupations, was reviewed by the Board.

9:00 a.m. - Hearing on Nebraska Board of Engineers and Architects v. Ollerich, 16.18

As presiding officer, Chair Kester opened the hearing at 9:00 a.m. for the matter of the Nebraska Board of Engineers and Architects v. Ollerich, Compliance Case 16.18. Respondent Michael Ollerich did not attend the hearing and no member of the public was present to offer comment. Special Assistant Attorney General Sean Minahan questioned Compliance Officer Rauscher as exhibits were presented to the Board as evidence. Julie Pell, Pell Reporting, recorded the proceedings. The hearing concluded at 9:14 a.m.

C Compliance

Logs

February 2017 compliance cases

Open cases

History of closed cases

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Executive Session – Commenced at 9:14 a.m.

Action Motion by Laging, second by Isom to enter into executive session for discussion of compliance investigations, the State Fire Marshal summary, and the outreach schedule and summary 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 Kester. Voting Yes: Isom, Klein, Laging, Peters, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth.

Cases

15.04 – Summary & Documentation

16.02 – Summary & Documentation

16.06 – Summary & Documentation

16.07 – Summary & Documentation

16.18 – Summary & Documentation

16.19 – Summary & Documentation

17.01 – Summary & Documentation

17.02 – Summary & Documentation

17.03 – Summary & Documentation

17.04 – Summary & Documentation

17.05 – Summary & Documentation

17.06 – Summary & Documentation

17.07 – Summary & Documentation

17.08 – Summary & Documentation

All cases were reviewed in executive session.

Other Compliance Issues

Assessments, outreach and summaries reviewed in executive session.

Board member Peters left the meeting at 12:00 p.m.

Executive Session – Concluded at 12:09 p.m.

Action Motion by Laging, second by Konzett to close executive session for discussion of compliance investigations, the State Fire Marshal summary, and the outreach schedule and summary not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Approval of Compliance Case Disposition

Action Motion by Klein, second by Isom to dismiss Case 16.07 and reinstate respondent's license and reissue the certificate of authorization. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Action Motion by Klein, second by Isom to revoke the respondent's license as per Rule 5.4.3.3 in Case 16.18. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Action Motion by Klein, second by Konzett to dismiss Case 16.19 and take no disciplinary action. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Action Motion by Klein, second by Isom to dismiss Case 17.01 and take no disciplinary action. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Action Motion by Klein, second by Konzett to send a letter to notify the respondent in Case 17.02 of the violation of the Act and request a copy of any newly submitted plans. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Action Motion by Klein, second by Laging to authorize remediation in Case 17.03 and require a remediation plan within 30 days. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Action Motion by Klein, second by Laging to authorize remediation in Case 17.04 and require a remediation plan within 30 days. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

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- Action** Motion by Klein, second by Isom to dismiss Case 17.05 and take no disciplinary action. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.
- Action** Motion by Klein, second by Laging to authorize remediation in Case 17.06 and require a remediation plan within 30 days. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.
- Action** Motion by Klein, second by Isom to authorize remediation in Case 17.07 and require a remediation plan within 30 days. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.
- Action** Motion by Klein, second by Laging to dismiss Case 17.08 and take no disciplinary action. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.
-

D Old Business

Governance

Proposed changes to Title 110, Rules and Regulations

ED Wilbeck reported moving many Board policies into proposed rules and regulations to comply with the Administrative Procedure Act. Revisions were reviewed and discussed with the Board.

- Action** Motion by Isom, second by Konzett to approve the revisions to Title 110, Rules and Regulations as proposed and discussed and proceed with a public hearing on May 24, 2017. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Other Old Business

2017 New Licensee Ceremony planning update

ED Wilbeck reported Dean Ankerson of the College of Architecture had agreed to serve as the keynote speaker at the 2017 New Licensee Ceremony with a tentative date of November 3, 2017. Molly Mayhew, the new Public Information Officer was introduced by ED Wilbeck and welcomed by the Board.

E New Business

Governance

Proposed removal of Board Policy 10.04 – Continuing Education Credit for NRMCA participation

"Licensees (except Board members) participating on a negotiated rulemaking committee will be eligible for up to three continuing education units per session."

- Action** Motion by Konzett, second by Isom to remove Board Policy 10.04. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Architecture Items

NCARB elections information

The nominations and elections process for the NCARB FY18 Board of Directors has commenced. A memorandum was provided regarding the rules and procedures governing candidates for Board office. ED Wilbeck reported more information would be provided at a later date.

2017 Draft Resolution 2017-A for consideration at NCARB Annual Meeting

Draft Resolution 2017-A reflects efforts of the NCARB Board of Directors to address the issue of jurisdictional boards who for various reasons may be unable to remit payment of membership dues to the Council. The resolution will be debated and voted on at the Annual Business Meeting in June 2017. ED Wilbeck reported more information would be heard on the issue at the NCARB Regional Summit meeting in Jersey City, NJ, in March.

Engineering Items

NCEES elections information

Member boards may submit nominations for qualified Treasurer candidates each biennium in odd-numbered years. These nominations are to be filed with the Chief Executive Officer not later than 60 days prior to the opening of the Annual Business Meeting.

2017 NCEES Central/Western Zone Joint Interim Meeting information

Registration is now open for the Central/Western Zone Joint Interim Meeting, which will be held May 18-20, 2017, in Denver, CO. Funded delegates must register by March 24th and all other delegates and guests must register by April 14, 2017. Chair Kester stated authorization for attendance and selection of the funded delegates would occur in the travel authorization portion of the agenda.

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Other New Business

Action **Request for eligibility letter to use "engineering" in organization name - 81-3436(8)**
Motion by Laging, second by Klein to deny the request for an eligibility letter to allow Global Cipher Engineering/Data Options LLC to use "engineering" in its name for the purposes of registering with the Secretary of State as per Neb. Rev. Stat. § 81-3436(8). Voting Yes: Klein, Laging. Voting No: Isom, Conzett, Kester. Absent: Champion, Helgoth, Peters. Motion not enacted.

Travel Authorization

2017 travel and per diem authorization

Kester, Klein and Peters were selected as the funded delegates for the 2017 NCEES Central/Western Zone Joint Interim Meeting on May 18-20, 2017, in Denver, CO. Kester, Klein, Peters, ED Wilbeck, and the engineer member appointed whose term begins March 1, 2017, were authorized to attend.

Conzett was authorized to attend:

- A licensure presentation to the University of Nebraska junior level Civil Engineering class at the Omaha campus on February 28, 2017. The presentation will be televised to the Lincoln campus.
- The Proclamation Signing Ceremony for Professional Land Surveyors Week on March 8, 2017 at the Warner Chamber of the State Capitol.
- NCEES Board of Director's Meeting on May 21-23, 2017, in Denver, CO. Travel will occur on the 20th and 22nd. Funding will be provided by NCEES.

Conzett and Helgoth were authorized to attend the Annual Architectural Engineering Awards and Recognition Banquet at the Scott Conference Center in Omaha, NE, on March 2, 2017, to speak about the NCEES Grand Prize Award.

Isom was authorized to attend the ARE 5.0 Cut Score Workshop if selected by NCARB, to be held on March 24-25, 2017, in Washington, DC. Travel dates would be March 23rd and March 26th. Funding would be provided by NCARB.

Kester reported she would be unable to attend the NCARB Regional Summit Meeting in Jersey City, NJ, in March.

Action Motion by Klein, second by Conzett to approve the funded delegates and the authorization for travel as requested. Voting Yes: Isom, Klein, Laging, Conzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-16455 William Matthew Baxley, Electrical and Computer; E-16458 Owen Bryant Berg, Civil; E-16447 David Andrew Burger, Electrical; E-16459 Harold David Chandler, Electrical; E-16465 Jonathan Joseph Donovan, Civil; E-16433 Frank Alan Eisenhower, Mechanical; E-16446 Daniel Eyob, Civil; E-16448 Mitchell James Graf, Mechanical; E-16460 Kerrie Lynn Greenfelder, Chemical; E-16456 Justin Richard Greenwell, Civil; E-16461 Charles Stewart Heldenbrand, Mechanical; E-16464 David Adolph Jacobson, Jr, Structural; E-16449 Isaac Ryan Leyk, Mechanical; E-16450 John Vincent Lynch, Structural; E-16445 Donna Jean Miller, Electrical; E-16453 Jere Kell Murdoch, Civil; E-16457 Phillip Andrew Parise, Electrical and Computer; E-16454 Gabriel Paul Pfefferkorn, Civil; E-16432 Joseph Anthony Puzey, Electrical and Computer; E-16462 Daniel Ray Roseman, Civil; E-16444 Gustave Lee Schmoll, Structural; E-16463 Michael Stephen Seal, Chemical; E-16466 Margaret Helen Stillman, Electrical; E-16451 Scott Arthur Wirgau, Civil.

NCARB Certification – Architects

A-4753 Ronald David Barr, FL; A-4754 Jonathan Richard Brinkley, WI; A-4752 Mitchel Ray Garrett, MO; A-4746 Gregory Scott Hulne, MN; A-4755 Ricky Lee Johnsen, CO; A-4750 Katie Lynn Krantz, IA; A-4748 Timothy Wayne Lisle, PA; A-4751 John Aaron Sohl, IA; A-4747 Donald Reginald Weaver, OH.

Temporary Permits

T-554 Robert Chad Colvin, LA, Engineer.

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Engineer Intern Enrollment

John Aaron Cahill, NE; Joshua Robert Christensen, NE; Aaron Frederick Clouse, NE; Tyler Joseph Keenan, NE; Tyler Thomas Manning, NE; Justin Dwayne Scheel, NE.

Organizational Practice – Certificates of Authorization

CA3698 DIS-TRAN Packaged Substations LLC; CA3699 Sverdrup Engineering Services PLLC; CA3700 Fuller Group Inc; CA3701 Surveying and Mapping LLC; CA3702 Korver Engineering LLC; CA3703 Southland Industries Inc; CA3704 BD/A Architects Inc; CA3705 Jacobs/Wyper Architects LLP; CA3706 Miller Dunwiddie Architecture Inc; CA3707 BMC Solutions PLLC; CA3708 Northern Technologies LLC; CA3709 FAAR Consulting LLC; CA3710 Alpha Architectural Services LLC; CA3711 Intergroup Inc; CA3712 Karpinski Engineering; CA3713 The XIM Group LLC; CA3714 Common Sense Water Resources Eng LLC; CA3715 CFW Associated Engineers Inc; CA3716 Randall-Stanley Architects Inc; CA3717 Melee LLC; CA3718 Murdoch Engineering LLC; CA3719 Innovative Engineering and Controls LLC; CA3720 JLL Architecture LLC; CA3721 G2RJ Inc; CA3722 Wiegmann & Associates Inc; CA3723 Crenshaw Consulting Engineers Inc; CA3724 Mastec Network Solutions LLC; CA3725 Ackerman Design & Engineering; CA3726 EK Schulz; CA3727 Stellavise Inc; CA3728 Stroud Pence and Associates Ltd; CA3729 Kupper Engineering Inc.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Waylon Marland Cash, Electrical and Computer, CO; Mohammadkazem Fotouhi Ardakani, Civil, IA; Kyle Keith Kauzlarich, Civil, CA; Christopher Angelo Montoya, Civil, CO; John Hoffman Oppenheim, Civil, CO.

Applications for licensure of Engineers by Experience

Approved: James Robert Crenshaw, Jr, Electrical, NC; Paul William Hansen, Electrical, IL; Jeffrey Richard Thomas, Electrical, TX; Robert Carlos Valdes, Structural, IL.

Applications for licensure of Architects by Experience

Approved: Michael Albert Dixon, IL.

Applications for licensure by Reinstatement

Approved: E-5852 William Abraham Ganser, IV, Mechanical; E-10525 Kevin Charles Rettich, Electrical.

Applications to take the ARE Exam

Approved: Barbara Jean Benck, NE; Ryan Dale Henrickson, NE; Cynthia Morgan Shuck, NE.

Applications to take the PE Exam

Approved: Derek William Helmick, NE, Civil; Nathan Thomas Mar, NE, Mechanical; Caleb Thomas White, NE, Civil.

Special Cases – Applications for licensure of Engineers by NCEES MLE

Approved: James McDean Connor, III, Civil, NC.

Special Cases – Applications for licensure of Architects by NCARB Certification

Approved: Norman Brian Golinkin, IL.

Special Cases – Applications for licensure of Engineers by Comity

Approved: Jeffery Allen Arnold, Civil, KY.

Special Cases – Applications for Certificates of Authorization

Approved: CA3730 Cornerstone Engineering Inc.

Approval of Applications

Action Motion by Conzett, second by Isom to approve applications as recommended by staff. Voting Yes: Isom, Klein, Laging, Conzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

G Financial Matters

Reports

FY 2016-17 Financial Profile, January 2017

Budget Status Report, January 2017

MTD General Ledger Detail Report, January 2017

Fund Summary Report, January 2017

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ED Wilbeck reviewed the financial reports with the Board.

Approval of Financial Reports

Action Motion by Isom, second by Konzett to approve financial reports as provided. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Proposed Administrative Contracts for FY 2017-18

NEBOG Administrative Services Contract

The Board reviewed the proposed FY 2017-18 contract to provide administrative services for the Board of Geologists, beginning July 1, 2017, and ending June 30, 2018. The fee will be \$13,174 for the fiscal year. Payments will be made quarterly.

NSBLA Administrative Services Contract

The Board reviewed the proposed FY 2017-18 contract to provide administrative services for the State Board of Landscape Architects, beginning July 1, 2017, and ending June 30, 2018. The fee will be \$14,384 for the fiscal year. Payments will be made quarterly.

Approval of Contracts

Action Motion by Laging, second by Konzett to approve the FY 2017-18 administrative service contract for the Board of Geologists. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Action Motion by Laging, second by Konzett to approve the FY 2017-18 administrative service contract for the State Board of Landscape Architects. Voting Yes: Isom, Klein, Laging, Konzett, Kester. Voting No: None. Absent: Champion, Helgoth, Peters.

Other Financial Matters

Office renovation update

Bids for the office renovation were opened Friday, February 3rd. The winning bid was \$25,960, with some exclusions. To save on costs, the work will take place during normal working hours.

H General Information

Public meeting notice publication

An ad for the meeting was publicized in the Lincoln Journal Star.

Board meetings and schedule

A schedule of upcoming meetings and events was provided for review. The next Board meeting is scheduled on March 24, 2017. Isom reported she would not be able to attend the March meeting if selected for the ARE 5.0 Cut Score Workshop in Washington, DC.

Roster of Board members

A Board member roster of current members was provided.

Travel Reimbursement Policy

The agency travel reimbursement policy was provided.

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.

Examination Information/Results

ARE Candidates with Open Eligibilities – February 1, 2017

A total of 522 ARE candidates had open eligibilities on February 1, 2017.

ARE Monthly Pass/Fail Report - December 2016

Nineteen exams were attempted for various sections of the ARE in December 2016. Thirteen exams were passed.

ARE Monthly Pass/Fail Report – January 2017

Six exams were attempted for various sections of the ARE in January 2017. Five exams were passed.

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Nebraska ARE Yearly Pass/Fail Report - 2016

A 2016 Nebraska ARE Yearly Pass/Fail Report was presented. The overall pass rate for all ARE exams in 2016 was 69.8%.

FE Exam Registration Numbers and Pass Rate History Report

Registration numbers and pass rate history were provided by NCEES for the 2016 computer-based FE exams.

PE Exam Registration and Pass Rate History Report

Registration numbers and pass rate history were provided by NCEES for the 2016 PE exams.

Other information

Website Monthly Dashboard Report

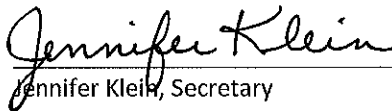
A January 2017 website dashboard report was provided.

Approved Board policies

Board policies approved as of January 13, 2017, were provided.

Adjournment

Motion to adjourn by Isom at 1:18 p.m.


Jennifer Klein, Secretary