

Nebraska Board of Engineers and Architects

Board Meeting Agenda

March 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

Appointment of Jan L. Bostelman, P.E.

Public Comment

Election of Officers

Board Policy 00.01 – 9/09/2016

Action

A Minutes

1-7 February 24, 2017 meeting minutes

Action

B Committee Reports

1 2016-17 Board committee assignments and charges
Legislative Report – ED Wilbeck

C Old Business

Governance

1 Summary of rules and regulations promulgation progress
Discussion of proposed Rule 1.22.1

Action

Other Old Business

NCARB Regional Summit Meeting update

D New Business

Architecture Items

1-2 Selection of funded delegates for NCARB Annual Meeting, June 22-24, Boston, MA

Action

3-8 Draft Resolution, NCARB Bylaws Amendment – Membership Requirements
9-10 Arizona Board's objection to proposed Bylaws Amendment

Action

Engineering Items

None at this time.

Other New Business

11 2017 Operational Planning Meeting discussion
12-19 Spring 2017 Newsletter draft
20 Expiration of terms for Emeritus Board members

Action

Travel Authorization

21-23 2017 travel and per diem authorization

Action

E Compliance

Logs

1-2 March 2017 compliance cases
3-4 Open cases

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5-9 History of closed cases

Cases

11-20a 15.04 – Summary & Documentation

21-26 16.02 – Summary & Documentation

31-35 16.06 – Summary & Documentation

41-45 16.18 – Summary & Documentation

51-56 17.02 – Summary & Documentation

61-70 17.03 – Summary & Documentation

71-80 17.04 – Summary & Documentation

81-88 17.06 – Summary & Documentation

91-103 17.07 – Summary & Documentation

Action Approval of Compliance Case Disposition

Other Compliance Issues

111-121c Case evaluations

122 State Fire Marshal summary

123 Outreach Schedule

F Applications

Administratively Approved

1-10 NCEES MLE – Engineers

11-15 NCARB Certification – Architects

21 Temporary Permits

31 Engineer Intern Enrollment

41-43 Organizational Practice – Certificates of Authorization

Licensure/Examination

51-52 Applications for licensure of Engineers by Comity

61-63 Applications for licensure of Engineers by Experience

Applications for licensure of Architects by Experience - *None*

Applications for licensure by Reinstatement - *None*

Applications to take the ARE Exam - *None*

Applications to take the PE Exam - *None*

111-112 **Special Cases** – Applications for licensure of Engineers by NCEES MLE

121 **Special Cases** – Applications for licensure of Engineers by Experience

131-138 **Special Cases** – Applications take the PE Exam

Action Approval of Applications

G Financial Matters

Reports

1 FY 2016-17 Financial Profile, February 2017

2-6 Budget Status Report, February 2017

7-15 MTD General Ledger Detail Report, February 2017

16-18 Fund Summary Report, February 2017

Action Approval of Financial Reports

Other Financial Matters

Office renovation update

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H General Information

- 1-2 Public meeting notice publication
- 3-4 Board meetings and schedule
- 5 Roster of Board members
 - Helgoth recognition discussion
- 6-7 Travel Reimbursement Policy

Licensing and Certification Trends

- 8 Trends in Licensure
- 9 Trends in Renewals
- 10-11 Trends in Certificates of Authorization

Examination Information/Results

- 12 ARE Candidates with Open Eligibilities – March 1, 2017
- 13 ARE Monthly Pass/Fail Report – February 2017

Other information

- 14 Facebook Activity Report
- 15-21 Approved Board policies

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; Jennifer Klein, Secretary; Jan Bostelman; Mark Champion; Michael Conzett; Tom Laging; Randy Peters. Absent: Lenora Isom.

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).

Appointment of Jan L. Bostelman, P.E.

Jan Bostelman was appointed to the Board by Governor Ricketts on March 1, 2017, for a five year term. The oath of office was taken on March 6, 2017.

Public Comment – No member of the public was present.

Election of Officers

Board Policy 00.01

- Action** Motion by Klein, second by Champion to nominate Isom as Secretary. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Conzett, Kester. Voting No: None. Absent: Isom.
- Action** Motion by Conzett, second by Bostelman to close nominations for Secretary. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Conzett, Kester. Voting No: None. Absent: Isom. Isom elected as Secretary by acclamation.
- Action** Motion by Kester, second by Laging to nominate Klein as Vice-Chair. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Conzett, Kester. Voting No: None. Absent: Isom.
- Action** Motion by Conzett, second by Bostelman to close nominations for Vice-Chair. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Conzett, Kester. Voting No: None. Absent: Isom. Klein elected as Vice-Chair by acclamation.
- Action** Motion by Klein, second by Peters to nominate Kester as Chair. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Conzett, Kester. Voting No: None. Absent: Isom.
- Action** Motion by Conzett, second by Klein to close nominations for Chair. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Conzett, Kester. Voting No: None. Absent: Isom. Kester elected as Chair by acclamation.

A Minutes

- Action** Motion by Conzett, second by Peters to approve the minutes for the February 24, 2017 meeting. Voting Yes: Klein, Laging, Peters, Champion, Conzett, Kester. Voting No: None. Abstain: Bostelman. Absent: Isom.

B Committee Reports

2016-17 Board committee assignments and charges

Legislative Report

ED Wilbeck distributed a list of bills of interest to the Board and gave a brief summary of LB 9, LB 36, LB 127, LB 299, LB 339, LB 455, LB 590, LB 591, and LB 644. The Board was informed about a Twitter chat hosted by the Federal Trade Commission Chairman with the office of Nebraska Governor Pete Ricketts on March 23, 2017, to discuss occupational licensing reform.

C Old Business

Governance

Summary of rules and regulations promulgation progress

ED Wilbeck stated PIO Mayhew had contacted stakeholder organizations to let them know where to view the proposed rules and regulations on the web. A public rulemaking hearing will be held on May 24, 2017. A positive comment was received concerning the addition of unrestricted continuing education hours for interactive webinars with real-time interaction between instructors and attendees. Chair Kester asked members to consider needed changes for future proposed statute or rules or regulations. The Board's Ad Hoc Legislative Committee will review suggestions.

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Proposed rules and regulations sections 1.22 and 1.23 concerning the cash fund level and election of officers were reviewed by the Board.

Action Motion by Konzett, second by Laging to remove sections 1.22 and 1.23 from the proposed rules and regulations and leave the current policies intact as discussed. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

Other Old Business

NCARB Regional Summit Meeting update

ED Wilbeck reported much of the discussion at the Regional Summit meeting centered on Draft Resolution 2017-A which addresses the management of Member Boards failing to pay the dues or other financial obligations to the Council or to its Region. The resolution will be debated and voted on at the Annual Business Meeting in June 2017.

D New Business

Architecture Items

Selection of funded delegates for NCARB Annual Meeting, June 22-24, Boston, MA

Action Motion by Klein, second by Konzett to select Champion and Laging as funded delegates, Kester as the funded public member for the NCARB Annual Meeting on June 22-24, 2017, and authorize Konzett to attend the Annual Meeting at the Board's expense. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

Draft Resolution, NCARB Bylaws Amendment – Membership Requirements

The NCARB Board of Directors presented Draft Resolution 2017-A for consideration and discussion. The resolution addresses jurisdictional boards who for various reasons are unable to remit payment of membership dues to the Council. The Arizona Board provided a letter raising objections to the regional membership requirement and suggested modification of the draft to make membership in regions voluntary.

Engineering Items

None at this time.

Other New Business

2017 Operational Planning Meeting discussion

An Operational Planning Meeting will be scheduled on Tuesday, May 23, 2017. The start time and venue for the meeting will be confirmed at a later date. Chair Kester asked members to review the discussion list and consider additional subjects. A list of topics will be finalized at the April Board meeting.

Spring 2017 Newsletter draft

The Board reviewed the Spring 2017 Newsletter draft. ED Wilbeck will work with PIO Mayhew to produce a final version for publication as discussed.

Expiration of terms for Emeritus Board members

Action Motion by Konzett, second by Peters to renew the Emeritus Board Member status of Choobineh, Hamersky, Krejci, and Sall and appoint Helgoth as a new Emeritus Board Member. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

Travel Authorization

2017 travel and per diem authorization

Authorization requests:

- Isom to attend the ARE 5.0 Cut Score Workshop, in Washington, D.C. on April 6-8, 2017. Travel will occur on the 5th and 9th. Funding will be provided by NCARB.
- Kester, Champion and Konzett to attend the NCARB Annual Meeting in Boston, MA on June 21-24, 2017. Funding for Champion as a funded delegate and Kester as a public member will be provided by NCARB.

Action Motion by Klein, second by Bostelman to approve authorization for travel as requested. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

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E Compliance

Logs

March 2017 compliance cases

Open cases

History of closed cases

Executive Session – Commenced at 9:59 a.m.

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

Cases

15.04 – Summary & Documentation

16.02 – Summary & Documentation

16.06 – Summary & Documentation

16.18 – Summary & Documentation

17.02 – Summary & Documentation

17.03 – Summary & Documentation

17.04 – Summary & Documentation

17.06 – Summary & Documentation

17.07 – Summary & Documentation

All cases were reviewed in executive session.

Other Compliance Issues

Case evaluations, outreach and the State Fire Marshal summary were reviewed in executive session.

Executive Session – Concluded at 10:49 a.m.

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

Compliance Case Disposition

Action Motion by Klein, second by Peters to execute an order of disciplinary action to revoke the respondent's license in Case 16.18. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

Action Motion by Klein, second by Konzett to initiate Case 17.10, authorize remediation and require a plan of action within 30 days. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

Action Motion by Klein, second by Bostelman to initiate Case 17.11, authorize remediation and require a plan of action within 30 days. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

Action Motion by Klein, second by Konzett to initiate Case 17.12, authorize remediation and require a plan of action within 30 days. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

Action Motion by Klein, second by Konzett to initiate Case 17.13, authorize remediation and require a plan of action within 30 days. Voting Yes: Klein, Laging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

F Applications

Administratively Approved

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NCEES MLE – Engineers

Approved: E-16503 Omid Ardebili, Electrical and Computer; E-16474 Daniel V. Bauerkemper, Electrical and Computer; E-16500 Brian Steven Bossley, Structural; E-16468 Patrick James Engels, Civil; E-16473 Chad Ryan Fischer, Civil; E-16492 Adam Christopher Fritz, Electrical and Computer; E-16469 John Edward Grendzinski, Structural; E-16487 Jeffrey Todd Hanslik, Mechanical; E-16496 Brian Christopher Haury, Electrical and Computer; E-16493 Mary Katherine Hickok, Civil; E-16491 David Brandon Hird, Civil; E-16467 Kristopher Brian Jones, Electrical and Computer; E-16470 Konstantinos Kariotis, Civil; E-16490 Mark Edgar Messenger, Civil; E-16499 John William O'Brien, Structural; E-16501 Marcus Bryan Orrock, Civil; E-16497 Lance Gregory Paradis, Civil; E-16502 Michael Benjamin Planer, Civil; E-16498 Matthew Thomas Quinlivan, Civil; E-16488 Tahzay Walks-with-the-Sun Ramirez, Civil; E-16489 Stephen Ryan Reuschle, Mechanical; E-16504 Thomas David Rines, Structural; E-16475 Tyler William Robison, Structural; E-16495 Michael James Sharkey, Mechanical; E-16494 Lance Alan Stripling, Civil; E-16471 Brady Neil Wiesner, Civil.

NCARB Certification – Architects

Approved: A-4763 Christopher Michael Baribeau; A-4774 Robert Ray Collins; A-4767 John Christopher Davis; A-4769 Amy Eileen Gilbertson; A-4772 Dennis Alan Haugh; A-4758 Laura Ann Kroll; A-4766 James Thomas Lalli; A-4775 Scott Daniel Magar; A-4773 Eric Lee Oleson; A-4765 Michael Byron Randall; A-4768 Chadwick Scott Roberson; A-4760 Daniel Charles Saltrick; A-4764 Todd Randall Stone; A-4771 Aaron William Stone; A-4776 Mario Romano Valentini; A-4770 Robert Wesley Zandi.

Temporary Permits

Approved: T-555 Kurt Nicholas Braun, CO, Engineer; T-556 Garland Lee Stone, Jr, TN, Engineer; T-557 Anthony Cassata, IL, Engineer.

Engineer Intern Enrollment

Approved: James William Boerner, NE; Brent Michael Froning, NE; Eli Stomberg Green, NE; Andrew Spangler Hilgenkamp, NE; Jonathan Dubes McCarville, NE; Trevor Lee Morrison, KS; Jarod Anthony Ponticello, NE; Thomas Staton Schleisman.

Organizational Practice – Certificates of Authorization

Approved: CA3730 Cornerstone Engineering Inc; CA3731 Ronald David Barr; CA3732 US Forensic LLC; CA3733 SNC-Lavalin Project Services Inc; CA3734 Arnold Consulting Engineering Services Inc; CA3735 Environmental Professionals Inc; CA3736 Tom Loucks & Associates Inc; CA3737 red Architecture + Planning LLC; CA3738 L-7 Services LLC; CA3739 Kenco Associates Inc; CA3740 Resolute Engineering LLC; CA3741 Valdes Engineering Company; CA3742 Beaufort Design Build LLC; CA3743 Sandman & Associates Consulting PC; CA3744 Stone Group Architects Inc; CA3745 Modus Studio PLLC; CA3746 Osmose Utilities Services LLC; CA3747 Steinberg Dickey Collaborative LLP; CA3748 Jacobs Telecommunications Inc; CA3749 Trivers Associates Inc; CA3750 Engineered Earth Solutions LLC.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: David Alan Church, Civil, CA; Trent Daniel McAteer, Civil, WY; Lee Daniel Rosen, Civil, CA; Carl Blaine Schoenhard, III, Civil, IA.

Applications for licensure of Engineers by Experience

Approved: Gamil Daoud Antoun, Electrical, MO; Arkady Kaner, Electrical, IL; Michael Schwarz, Mechanical, MS.

Applications for licensure of Architects by Experience - None

Applications for licensure by Reinstatement - None

Applications to take the ARE Exam - None

Applications to take the PE Exam - None

Special Cases – Applications for licensure of Engineers by NCEES MLE

Approved: Lee August Rodegerdts, Civil; Luke Aaron Rodig, Civil.

Special Cases – Applications for licensure of Engineers by Experience

Deferred: Joseph Walter Kowalski, Civil; OH – More information needed for Board review.

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Special Cases – Applications take the PE Exam

Approved: Alireza Behfar, NE, Mechanical.

Approval of Applications

Action Motion by Klein, second by Konzett to approve all applications with the exception of a deferral of Joseph Kowalski's application for an engineer license by experience. Voting Yes: Klein, Lagging, Peters, Bostelman, Champion, Konzett, Kester. Voting No: None. Absent: Isom.

G Financial Matters

Reports

FY 2016-17 Financial Profile, February 2017

Budget Status Report, February 2017

MTD General Ledger Detail Report, February 2017

Fund Summary Report, February 2017

ED Wilbeck reviewed the February 2017 financial reports with the Board.

Approval of Financial Reports

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

Other Financial Matters

Office renovation update

ED Wilbeck reported work on the office renovation had begun. Members were invited to stop by the office to review the progress.

H General Information

Public meeting notice publication

An ad for the March 24, 2017, meeting was published in the Lincoln Journal Star on March 11, 2017.

Board meetings and schedule

A schedule of upcoming meetings and events was provided for review. The next Board meeting will be held on Friday, April 21, 2017, at 215 Centennial Mall South in the 5th floor large conference room.

Roster of Board members

An updated Board roster was provided. A recognition event to honor former Board member Roger Helgoth was discussed.

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

A total of 504 ARE candidates had open eligibilities on March 1, 2017.

ARE Monthly Pass/Fail Report

Fourteen exams were attempted for various sections of the ARE in February 2017. Ten exams were passed.

Other information

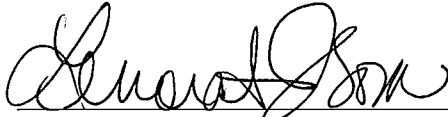
A report tracking the Board's Facebook activity from February 15, 2017 through March 14, 2017 was provided by PIO Mayhew.

Board policies approved as of February 24, 2017, were provided.

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Adjournment

Motion by Konzett to adjourn the meeting at 11:36 a.m.

A handwritten signature in black ink, appearing to read "Lenora A. Isom", written over a horizontal line.

Lenora A. Isom, Secretary