

Nebraska Board of Engineers and Architects
Board Meeting Agenda
April 17, 2015
215 Centennial Mall South, 5th Floor 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:

9:15 a.m. – Rich Lombardi, American Communications Group, Inc.

8:45 a.m. - Public Comment

Agenda Items

Consent Agenda

Meeting Minutes

- A** 1-6 March 20, 2015 meeting minutes

Action Approval of Consent Agenda

B Committee Reports

- 1 2014-2015 Board committee appointments and assignments
 Appointments for 2015-2016 Board committees and assignments

Action

Executive Committee Report

Education and Communication Committee Report

- 2-4 Committee Meeting Minutes – 3/31/2015

- 5-10 Facebook Activity Report

Enforcement Committee Report

- 11 Committee Meeting Minutes – 4/01/2015

Compliance Case Process Discussion

Legislative Committee Report

Discussion of timeline for rules and regulations process

Legislative Update

Strategic Plan

- 12-26 Strategic Plan Update
 2015 strategic planning session (discussion)

C Old Business

Disciplinary History Verifications

- 1 Disciplinary disclosure questions and background checks memo
2 Revised disclosure questions for all applications
3 Draft policy – Background checks
4-8 Attorney General Opinion 95059; July 20, 1995
9 Draft policy – Social Security Number collection per state law
10-14 Attorney General Opinion 01025; June 19, 2001
15-19 Attorney General Opinion 04025; Sept. 7, 2004
20-28 LexisNexis Accurint for Government quote and information on service

Action

D New Business

Architecture Items

- 1-2 2015 NCARB Annual Meeting Notification – June 17-20, 2015, New Orleans, LA
3-5 Tentative Agenda
6 Selection of voting delegate

Action

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Engineering Items

- 7 2015 NCEES Annual Meeting Notification - August 19-22, 2015, Williamsburg, VA
8-9 Funded voting delegate forms

Action

Other New Business

- Newsletter draft (*to be provided*)
Report on meeting with Chancellor Perlman – Krejci, Conzett
Discussion of recognition for former Board member
10-12 2015 regional and national meeting travel authorization

Action

E Compliance

Logs

- 1 Open cases
2-6 History of closed cases

Cases

- 11 14.03 – Summary & Documentation
21-23 14.09 – Summary & Documentation
31 14.13 – Summary & Documentation

Action

Approval of Compliance Case Disposition

Complaint Review

- 41 Complaints with Panel (Enforcement Subcommittee) recommendations
42-44 C15.002
45-49 C15.003
50-66 C15.004

Action

F Applications

Administratively Approved

- 1-8 NCEES MLE – Engineers
11-12 NCARB Certification – Architects
Temporary Permits - *None*
31 Engineer Intern Enrollment
Architect Registration Examination/Re-approvals - *None*
51-52 Organizational Practice – Certificates of Authorization

Licensure/Examination

- 61-63 Applications for licensure of Engineers by Comity
71 Applications for licensure of Engineers by Experience
81 Applications for licensure of Architects by Experience
Applications for licensure by Reinstatement - *None*
101 Applications to take the PPE Exam

Action

Approval of Applications

Licensing Information

- 102-103 Comparison of ABET-EAC Accredited Programs and NCEES Education Standard

G Financial Matters

Reports

- 1 FY 2014-15 Financial Profile, March 2015

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- 2-5 Budget Status Report, March 2015
- 6-13 MTD General Ledger Detail Report, March 2015
- 14-16 Fund Summary Report, March 2015

Action Approval of Financial Reports

Proposed Contracts for FY 2015-16

- 17-23 Robert Austin, Digital Systems, Inc.
- 24-28 Richard A. Lombardi, American Communications Group, Inc.
- 29 Client List
- 30-34 Robert Hanna, Robert Hanna Studios

Action Approval of Contracts

H General Information

- 1-2 Public meeting notice publication
- 3-4 Board meetings and schedule
- 5 Roster of Board members
- 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 Report – April 1, 2015

Other information

- 13-21 NCARB Services received by Member Boards
- 22-29 Approved Board policies

Adjournment

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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 8:30 a.m. and noted the location of the Public Meeting Statutes. Notice of the meeting was published on the Board's website and 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 Konzett; Jennifer Klein. Absent: Fred Choobineh, Tom Laging.

Staff Present: Steve Masters, Executive Director (ED); Sandra Weaver, Administrator (AD); Lisa Mathews, Compliance Officer (CO); Rachel Fetterman, Public Information Office (PIO); Jean Lais, Administrative Assistant (AA).

Public Present:

Gail Parde, American Society of Interior Designers (ASID)

Rich Lombardi, American Communications Group, Inc.

Agenda Items

A Consent Agenda

Meeting Minutes

March 20, 2015 meeting minutes

Approval of Consent Agenda

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

B Committee Reports

2014-2015 Board committee appointments and assignments

A list of current committee appointments and assignments was provided.

Appointments for 2015-2016 Board committees and assignments

Chair Krejci updated the Board committees for 2015-16. Klein was appointed Chair of the Enforcement Committee. Helgoth was appointed Chair of the Education & Communication Committee to replace Konzett. Konzett was appointed to the Enforcement Committee to replace Helgoth.

Executive Committee Report

Chair Krejci reported the Executive Committee would meet April 21st in Omaha and review the Strategic Plan to draft an updated plan for 2015.

Education and Communication Committee Report

Committee Chair Konzett reported the Education and Communication Committee met on March 31, 2015. The fall continuing education event is moving forward and registration will begin in August. Web-based continuing education and provider questions were reviewed. A list of topics was created for the next newsletter publication. PIO Fetterman is beginning the process of building webpages from the new website template. Revisions were recommended for the continuing education guidelines.

Enforcement Committee Report

Chair Krejci reported the Enforcement Committee met on April 1. Three complaints were evaluated and recommendations were prepared for the Board to consider under the Compliance section of the agenda. A compliance process flowchart was created. It will continue to be refined as complaints are reviewed and processed. The Board discussed the need for mediation in some cases. It was noted that mediation is an option for the respondent but should not be the result of a Board recommendation. PIO Fetterman and CO Mathews will bring a brochure draft to the Enforcement Committee that addresses the functions of the coordinating professional. ED Masters noted a concern was raised that it was not uncommon for the contractor to contact the owner and bypass the coordinating professional on a project.

A Facebook Activity Report tracking activity on the Board's site from March 11 to April 8, 2015, was presented for review.

Legislative Committee Report

Kester reported plans for revising the rules and regulations. A meeting date was set for Wednesday, July 15, 2015, at 8:00 a.m. for the Board to review the Legislative Committee's draft of proposed revisions. ED Masters will look for a suitable venue since the large conference room is already reserved.

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Legislative Update – 9:15 a.m.

Legislative Liaison Lombardi reported the legislative session was in the final four weeks. The Appropriations Committee is finishing the budget recommendations. Many proposals for interim studies will soon be introduced that will direct certain areas of focus for research and public hearings during the interim period between adjournment of the 2015 Legislative Session and commencement of the 2016 Legislative session. Eighteen senators are approaching their first 100 days of service. Lombardi noted that Speaker Hadley had prioritized updating the building code standards. After the legislative session is over, contacts will be made with some of the senators.

Strategic Plan

Strategic Plan Update

The Board's Executive Committee will review the 2014 Strategic Plan on April 21st and bring a 2015 plan draft to the Board for discussion and approval.

C Old Business

Disciplinary History Verifications

Disciplinary disclosure questions and background checks memo

At the March meeting, the Board reviewed disclosure questions for all applications. Concern was expressed that applicants should only need to disclose certain types of actions in the past 10 years but that some actions or crimes dated prior to that timeframe might also be a consideration for some applicants. Staff was asked to bring policies and information to the Board to put the new disclosure questions in place with the 10-year time limit and identify a program to verify applicant statements with a background check through a service such as LexisNexis.

Revised disclosure questions for all applications

CO Mathews stated licensees will need a clear notice that their answers are subject to a background check. In the disclosure language, "professional license" was changed to denote engineering or architecture.

Action

Motion by Kester, second by Conzett to approve the disclosure questions with adjustments to the language. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging. The Board will reconsider drafted policies addressing background checks and social security number collection after trial background checks are ran and discussed.

LexisNexis Accurint for Government quote and information on service

The Board reviewed a subscriber proposal for Accurint for Government. A suggestion was made to limit the search to engineering and architecture professions. Staff will select criteria to be checked for the search and bring it to the next meeting. CO Mathews will run trial tests in the system as directed by the Board.

D New Business

Architecture Items

2015 NCARB Annual Meeting Notification

The NCARB Annual Meeting will be held in New Orleans, LA, on June 17-20, 2015. A tentative agenda was provided. Council Bylaws require a credentials letter with the list of names of board members who will attend the 2015 NCARB Annual Business meeting as official delegates. Champion was selected as the voting delegate. Tom Laging will be submitted as the second delegate if he plans to attend. The deadline to return the credentials letter is June 3, 2015.

Engineering Items

2015 NCEES Annual Meeting Notification

The 2015 NCEES Annual Meeting will be held in Williamsburg, VA, on August 19-22, 2015. In accordance with NCEES policy, the Council will fund the meeting registration, travel, and lodging expenses of two voting delegates to attend the annual meeting. The deadline to email or fax the funded voting delegate notification form to NCEES headquarters is May 29, 2015. The selection of the funded voting delegates will be tabled to the next meeting.

Other New Business

Newsletter draft (to be provided)

PIO Fetterman distributed a draft of the Spring 2015 newsletter. Members were asked to read the draft and get back to her with any concerns.

Report on meeting with Chancellor Perlman

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Chair Krejci reported that Conzett and she had attended a meeting led by Chancellor Harvey Perlman in Omaha on March 24 concerning the merger of UNL College of Architecture and the Hixon-Lied College of Fine and Performing Arts. Architecture would be included in the new college name and the director of the college could be a licensed architect. If the merger does not happen in July, a new dean would make the determination.

Discussion of recognition for former Board member

The Board discussed plans to honor Dr. Fred Choobineh in recognition of his service to the Board from 1993 to 2015.

2015 regional and national meeting travel authorization

Conzett was authorized to attend the 27th IEA Engineering Alliance Annual Meeting in Istanbul, Turkey, on June 22-26th, 2015. Travel will begin on June 20th and travel home will take place on June 27th.

Helgoth stated he would be traveling to the NCEES Central/Northeast Zone Meeting on April 29, 2015 and will meet with some of the NCEES Education Committee members.

E Compliance

Logs

List of open cases provided to the Board.

History of closed cases provided to the Board.

Executive Session – Commenced at 10:30 a.m.

Action Motion by Helgoth, second by Conzett to go into closed session for discussion of compliance cases and the complaint recommendations brought to the Board by the Enforcement Committee 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: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

Cases

14.03 – Summary & Documentation

Reviewed in executive session

14.09 – Summary & Documentation

Reviewed in executive session

14.13 – Summary & Documentation

Reviewed in executive session

Complaint Review

Complaints with Panel (Enforcement Subcommittee) recommendations

Reviewed in executive session

C15.002

Reviewed in executive session

C15.003

Reviewed in executive session

C15.004

Reviewed in executive session

Executive Session – Concluded at 11:10 a.m.

Action Motion by Helgoth, second by Klein to close executive session for discussion of compliance cases and complaint recommendations brought to the Board by the Enforcement Committee not a matter of public information. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

Approval of Complaint Recommendations

Action Motion by Kester, second by Conzett to accept the panel's recommendation for complaint C15.002 and dismiss the matter. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

Action Motion by Kester, second by Conzett to open a compliance case for complaint C15.003, assess \$800 fees in arrears and dismiss the case after fees are received. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

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Action Motion by Kester, second by Conzett to open a case for complaint C15.004 and continue investigation. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-15560 Robert David Bennett, Civil; E-15550 Steven Michael Bogaert, Mechanical; E-15554 Jonathan Eric Brooks, Electrical; E-15558 Mark Robert Chauvin, Civil; E-15566 Jason Michael Kyle Cochran, Civil; E-15561 Gary Dreaper Edward Cowles, Civil; E-15565 Kyle Ryan Duitsman, Civil; E-15551 Ross Howard Eubanks, Structural; E-15535 Kyle Robert Faust, Civil; E-15533 Daniel Ryan Gill, Civil; E-15534 Ryan Mitchell Killgore, Civil; E-15563 Christopher Walter Kurkjian, Mechanical; E-15557 Benjamin James Long, Civil; E-15530 Bobby Patrick Lyons, Electrical and Computer; E-15532 Richard Lee Mikut, Jr., Civil; E-15564 Thomas William Millard, IV, Electrical; E-15531 Eric Leslie Rubottom, Architectural; E-15556 Derek Robert Sachs, Electrical and Computer; E-15562 Stanley Joseph Schultz, Civil; E-15555 Daniel Wesley Smith, Civil; E-15553 Ryan Christopher Spalding, Civil; E-15552 Gilbert James Taylor, Jr., Civil.

NCARB Certification – Architects

A-4546 Vincent Paul Duet; A-4542 James Thomas Mann, Jr.; A-4549 Rebecca Lee Olson; A-4543 Alan Robert Scherr; A-4547 John Jeffrey Schroeder; A-4548 Farzin Torbati-Moghaddam.

Temporary Permits - None

Engineer Intern Enrollment

Derek Joseph Favara, AZ; Joseph Tjabring Gronewold, NE; Jessica Lynn Rahimi, NE; Sean Thomas Scallon, NE; Megan Brenna Jo Seymour, NE.

Architect Registration Examination/Re-approvals - None

Organizational Practice – Certificates of Authorization

CA3371 Louis G Chiodini Inc; CA3372 Oneida Total Integrated Enterprises LLC; CA3373 Alan Scherr Associates LLC; CA3374 O'Brien & Gere Engineers Inc; CA3375 Dunaway Associates LP; CA3376 HavTek Structural Consulting Ltd; CA3377 Advanced Engineering and Environmental Services Inc; CA3378 Parsons Electric LLC; CA3379 Magnolia Environmental Consultants LLC.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Scott Michael Almeida, Civil, IA; Daniel Joshua Auwerda, Civil, CO; John Edward Howe, III, Mechanical, MA; Zachary Luke Humbles, Civil, CO; Mahmood Khwaja, Civil; Erin Leah Pasold, Architectural, CO; Tiffany Deanne Watson, Civil, CO.

Applications for licensure of Engineers by Experience

Approved: James Michael Vizzini, Mechanical, PA.

Applications for licensure of Architects by Experience

Approved: Gregory Charles Klimko, TX; Donald John McKenna, NY.

Applications for licensure by Reinstatement - None

Applications to take the PPE Exam

Approved: James Joseph Workman, Mechanical, MO.

Approval of Applications

Action Motion by Conzett, second by Champion to approve all applications as reviewed. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

Licensing Information

Comparison of ABET-EAC Accredited Programs and NCEES Education Standard provided.

G Financial Matters

Reports

FY 2014-15 Financial Profile, March 2015

Budget Status Report, March 2015

MTD General Ledger Detail Report, March 2015

Fund Summary Report, March 2015

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ED Masters reviewed the March financial reports with the Board. Discussion of the financials included anticipated expenses.

Approval of Financial Reports

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

Proposed Contracts for FY 2015-16

Robert Austin, Digital Systems, Inc.

The proposed FY 2015-16 contract with Robert Austin, Digital Systems, Inc. beginning July 1, 2015, and ending June 30, 2016, provides for off-site management support for the Board's FileMaker database and assistance with training solutions for IT staff with a consideration of \$125 per hour and a maximum fee of \$20,000.

Action Motion by Conzett, second by Kester to approve the FY 2015-16 IT contract with Robert Austin, Digital Systems, Inc. as reviewed and authorize Chair Krejci to sign the contract. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

Richard A. Lombardi, American Communications Group, Inc.

The proposed FY 2015-16 contract with Richard Lombardi, American Communications Group, Inc., beginning July 1, 2015, and ending June 30, 2016, provides for legislative liaison activities, attendance of Board meetings during the legislative session to provide updates, attendance of the Board's Legislative Committee meetings, and assistance with strategizing future revisions of the Board's Act and Rules and Regulations. The maximum fee for the contract is \$21,000.

Action An American Communications Group clientele list was reviewed and no apparent conflicts were noted. Motion by Conzett, second by Helgoth to approve the FY 2015-16 Richard A. Lombardi, American Communications Group, Inc. contract as reviewed and authorize Chair Krejci to sign the contract. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

Robert Hanna, Robert Hanna Studios

The proposed FY 2015-16 contract with Robert Hanna, Robert Hanna Studios, beginning July 1, 2015, and ending June 30, 2016, provides for black and white graphic services for use in the Board newsletter or other graphic services for public information activities as requested by the Board not to exceed a maximum fee of \$1200.

Action Motion by Conzett, second by Kester to approve the FY 2015-16 contract with Robert Hanna, Robert Hanna Studios as reviewed and authorize Chair Krejci to sign the contract. Voting Yes: Klein, Helgoth, Champion, Conzett, Kester, Krejci. Voting No: None. Absent: Choobineh, Laging.

H General Information

Public meeting notice publication

The April 17, 2015 Board meeting was publicized in the Lincoln Journal Star.

Board meetings and schedule

The meeting schedule and a current roster of Board members were provided.

Roster of Board members

The meeting schedule and a current roster of Board members were provided. ED Masters reported Dr. Daniel Linzell had been appointed by the Governor to replace Dr. Fred Choobineh. Dr. Linzell is currently licensed in Pennsylvania and will obtain a Nebraska license before signing the constitutional oath of office to become an active board member.

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 for Board review.

Examination Information/Results

ARE Candidates with Open Eligibilities Report – April 1, 2015

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One hundred twenty-five Nebraska ARE candidates have open exam eligibilities as of April 1, 2015.

Other information

NCARB Services received by Member Boards

A report was received from NCARB explaining services Member Boards receive from NCARB as a result of member board dues. Some of the services cited were the Architect Registration Examinations (ARE), Intern Development Program (IDP), administration of the architect/intern record development, access to national database of disciplinary actions taken against architects around the country, continued development of an integrated database, and funding members to attend regional and annual meetings.

Approved Board policies

Approved Board policies were provided for review.

Adjournment

The meeting adjourned at 11:41 a.m.



Roger M. Helgoth, Secretary