

Nebraska Board of Engineers and Architects
Board Meeting Agenda
Thursday, June 29, 2017, 8:30 am
215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, NE

CALL TO ORDER

Open Meeting and Public Agenda Information

Proof of public meeting notice publication1-3

PUBLIC COMMENT

A. CONSENT AGENDA

May 23, 2017 Operational Planning Meeting MinutesA.1-2

May 24, 2017 Public Rulemaking Hearing MinutesA.3-4

May 24, 2017 Meeting MinutesA.5-10

Action: Approval of Consent Agenda

B. COMMITTEE REPORTS

2017-18 Board committee assignments and chargesB.1

Per Diem and Decoupling Ad Hoc Committee ReportB.2

Exemptions Ad Hoc Committee Report.....B.3

Software Engineering Ad Hoc Committee Report.....B.4

C. OLD BUSINESS

Washington Post Opinion Column - Oregon State Board vs Jarlstrom – 6/07/17C.1-2

NSPE response to 6/07/17 Washington Post Opinion Column.....C.3-4

OCIO licensing database project updateC.5

D. NEW BUSINESS

Board staff changes Exec. Dir. Report

FY 2017-18 in-state travel authorization for Executive DirectorD.1

Action: Approval of In-State Travel for ED

FY 2016-17 and 2017-18 agenda-review meeting authorizationD.2

Action: Approval of Agenda-Review Meetings

2017 Travel and per diem authorizationD.3-5

Action: Approval of Travel and Per Diem

E. COMPLIANCE

Information

June 2017 Compliance CasesE.1-2

Summary of Open CasesE.3-4

Summary of Recently Closed CasesE.5-9

Active Cases: Summary & Documentation

Cases 14.03 & 14.13E.11-21

Cases 15.04 & 16.06E.31-42

Case 15.14E.51-52

Case 16.02E.61-73

Case 17.03E.81-93

Nebraska Board of Engineers and Architects
Board Meeting Agenda
Thursday, June 29, 2017, 8:30 am
215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, NE

Case 17.06	E.101-107
Case 17.09	E.111-121
Case 17.10	E.131-140
Case 17.13	E.141-159
Case 17.14	E.161-173
Case 17.15	E.181-192
Case 17.16	E.201-210a

Action: Approval of Compliance Case Disposition

Other Compliance Issues

Case Evaluations (3)	E.211-229
Partner-Agency Process summary	E.230

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation	F.1-14
Licensure of Architects by NCARB Certification	F.21-23
Temporary Permits	F.31
Engineer Intern Enrollment	F.41-43
Certificates of Authorization	F.51-54

Licensure/Examination

Licensure of Professional Engineers by Comity	F.61-64
Licensure of Professional Engineers by Experience	F.71-74
Licensure of Architects by Experience	None
Licensure by Reinstatement	F.91
ARE Exam	F.101
PE Exam	F.111-115

Special Cases

Engineer Intern Enrollment.....	F.121-128
Licensure of Professional Engineers by Comity	F.131-137
PE Exam.....	F.141-145
Certificates of Authorization	F.151-152

Action: Approval of Applications

G. FINANCIAL MATTERS

Financial Reports

FY 2016-17 Financial Profile, May 2017	G.1
Budget Status Report, May 2017	G.2-6
MTD General Ledger Detail Report, May 2017	G.7-16
Fund Summary Report, May 2017	G.17-19

Action: Approval of Financial Reports

Other Financial Matters

State employee pay increase effective July 1, 2017	G.20-22
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Nebraska Board of Engineers and Architects
Board Meeting Agenda
Thursday, June 29, 2017, 8:30 am
215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, NE

Fee schedule reviewG.23-25

Action: Approval of Current Fees

Office renovation update Exec. Dir. Report

H. GENERAL INFORMATION

Board meeting scheduleH.1-2

Board member rosterH.3

Travel Reimbursement PolicyH.4-5

Licensing and Certification Trends

Trends in LicensureH.6

Trends in RenewalsH.7

Trends in Certificates of AuthorizationH.8-9

Examination Information/Results

ARE Candidates with Open Eligibilities – June 1, 2017H.10

ARE Monthly Pass/Fail Report – May 2017H.11

NBEA PE Exam Registration Numbers and Pass Rate HistoryH.12

Other information

Facebook Activity ReportH.13

May Website Dashboard ReportH.14

Approved Board policiesH.15-21

ADJOURNMENT

Nebraska Board of Engineers and Architects
Board Meeting Minutes
Thursday, June 29, 2017

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 8:32 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, Vice-Chair; Lenora Isom, Secretary; Jan Bostelman; Mark Champion; Michael Konzett; Randy Peters. Absent: Tom Laging.

PUBLIC PRESENT – Andrea Forrester, Allied ASID (*no comment*)

A. CONSENT AGENDA

May 23, 2017 Operational Planning Meeting Minutes

May 24, 2017 Public Rulemaking Hearing Minutes

May 24, 2017 Meeting Minutes

Action: Approval of Consent Agenda

Motion by Konzett, second by Bostelman to approve the consent agenda. Voting Yes: Bostelman, Champion, Konzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

B. COMMITTEE REPORTS

Per Diem Ad Hoc Committee Report

The Per Diem Committee met on June 13, 2017. Konzett reported the Committee recommended no change in the per diem level limit. A recommendation was made to remove the word "substantial" and delineate activities and conditions which qualify for per diem in N.R.S. § 81-3429. The Board considered having members submit forms to outline committee work. A clarification was made that per diem could be requested after the fact, but travel authorization would need to take place before travel. The Committee will consider the discussion and come back with a proposal for per diem requests.

Decoupling Ad Hoc Committee Report

The Decoupling Committee met on June 13, 2017. Konzett reported the Committee fully supports the concept of decoupling. Dialogue will be started with NSPE Nebraska and NSPE National to understand their current position on decoupling experience from the PE exam. A list to address arguments against decoupling was provided. It was noted PE computer-based exams will begin in 2018 with the chemical examination.

Exemptions Ad Hoc Committee Report

The Exemptions Committee met on June 12, 2017. Kester reported the challenge of developing a flow chart that works with both statutes and rules to determine if a built project requires the involvement of architects and professional engineers. The Committee will bring flow charts for new construction, renovations, and additions to talk through hypotheticals at the August Board meeting.

Software Engineering Ad Hoc Committee Report

The Software Committee met on June 19, 2017. Klein reported the Committee wants to foster a better understanding of the difference between software and computer engineering. A list of tasks and communication plans were provided. The goal is to ensure the definition for software engineering encompasses changing technology and protects the public. The Committee will reach out to Iowa State University since they have a specific software engineering program. Touchstones were listed in the report for consideration.

Nebraska Board of Engineers and Architects
Board Meeting Minutes
Thursday, June 29, 2017

C. OLD BUSINESS

Washington Post Opinion Column - Oregon State Board vs Jarlstrom

The Board read an opinion column published on June 7, 2017, in the Washington Post concerning an unlicensed engineer in Oregon who researched timing on yellow traffic lights and after giving advice to the Oregon licensing board, was fined \$500. A lawsuit was filed stating the government's behavior was a breach of the First Amendment right of speech. Oregon law requires an engineering license to discuss engineering publicly or call yourself an engineer.

NSPE response to 6/07/17 Washington Post Opinion Column

NSPE (National) relayed hopefulness that the action by the Oregon board would bring greater public attention and awareness to what it means to be a professional engineer and the critical role professional engineers play in protecting public health, safety, and welfare. Conzett commented the Engineers and Architects Regulation Act protects the term "professional engineer" but not "engineer."

OCIO licensing database project update

ED Wilbeck provided a licensing database project report from the OCIO Project Manager and updated the Board on the development of the new database. Testing and staff feedback may begin as early as July 2017.

D. NEW BUSINESS

Board staff changes

ED Wilbeck reported a new Accounting Clerk, Tara Scott, has been hired and will begin employment on July 5, 2017.

FY 2017-18 in-state travel authorization for Executive Director

Action: Approval of In-State Travel for ED

Motion by Isom, second by Bostelman to authorize all necessary in-state travel for official Board business for the Executive Director for FY 2017-18. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

ED Wilbeck was asked to keep a log of in-state travel for Board business.

FY 2016-17 and 2017-18 agenda-review meeting authorization

Action: Approval of Agenda-Review Meetings

Motion by Conzett, second by Peters to authorize the Board Chair or designated member to attend agenda review meetings in FY 2016-17 and FY 2017-18. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Voting No: None. Abstain: Kester. None. Absent: Laging.

2017 travel and per diem authorization

Authorization requests:

- Champion to attend the NCARB Model Law Task Force meeting November 10-11, 2017, in Washington D.C.
- Isom to take part in the NCARB Continuing Education virtual meetings to be held July 20, August 16, October 12, and November 17, 2017 (per diem request only). Isom will let the Board know how many hours of work are done outside the virtual meetings.

Peters reported he might be unable to attend NCEES Annual Meeting in Miami Beach, FL, because of class-planning and teaching responsibilities at UN-L.

Nebraska Board of Engineers and Architects
Board Meeting Minutes
Thursday, June 29, 2017

Action: Approval of Travel and Per Diem

Motion by Klein, second by Bostelman to approve travel and per diem authorization as requested. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

E. COMPLIANCE

Information

June 2017 Compliance Cases

Summary of Open Cases

Summary of Recently Closed Cases

Executive Session – Commenced at 9:53 a.m.

Action:

Motion by Bostelman, second by Conzett to enter into executive session for discussion of compliance investigations, case evaluations, and the partner-agency processes 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: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Active Cases: Summary & Documentation

Cases 14.03 and 14.13, Cases 15.04 and 16.06, Case 15.14, Case 16.02, Case 17.03, Case 17.06, Case 17.09, Case 17.10, Case 17.13, Case 17.14, Case 17.15, and Case 17.16 were reviewed in executive session.

Other Compliance Issues

The case evaluations and the partner-agency process summary were reviewed in executive session.

Executive Session – Concluded at 11:58 a.m.

Action:

Motion by Conzett, second by Peters to close executive session for discussion of compliance investigations, case evaluations, and the partner-agency processes not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Action: Approval of Compliance Case Disposition

Motion by Klein, second by Isom to authorize the Chair to sign the settlement agreement and close Cases 15.04 & 16.06. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Motion by Klein, second by Conzett to authorize remediation in Case 17.15 and require a plan of action within 30 days. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Motion by Klein, second by Conzett to authorize remediation in Case 17.16 and require a plan of action within 30 days. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Motion by Klein, second by Conzett to authorize remediation for the case outlined on page E.211 of the agenda and require a plan of action within 30 days. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Motion by Klein, second by Conzett to authorize remediation for the case outlined on page E.217 of the agenda and require a plan of action within 30 days. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Nebraska Board of Engineers and Architects
Board Meeting Minutes
Thursday, June 29, 2017

Motion by Klein, second by Conzett to authorize remediation for the case outlined on page E.220 of the agenda and require a plan of action within 30 days. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-16349 Peter Martin Babaian, Structural; E-16593 Kyle Stephen Bowell, Mechanical; E-16638 Dustin John H Dale, Civil; E-16637 Gary Wayne Thomas Deibert, Civil; E-16669 James Samuel Depew, Mechanical; E-16650 Michael Edward Ebert, Electrical; E-16666 Jonathan Edward Emenheiser, Structural; E-16583 Theodore Earle Feenstra, Jr, Civil; E-16596 Jeffrey James French, Civil; E-16667 Daniel Matthew George, Civil; E-16651 Tirzah Roshaneh Gregory, Civil; E-16602 Michael Eric Haas, Structural; E-16653 Steven Thomas Harm, Structural; E-16600 Daniel James Hillner, Civil; E-16597 Eric Michael Hobson, Civil; E-16656 Andrew Herren Mathis, Structural; E-16659 Natalie Ann McCombs, Structural; E-16644 Mark Jason McKlin, Civil; E-16639 Jack Edward McNeely, Jr, Electrical; E-16663 Jennifer Michelle Melendez, Mechanical; E-16652 Andrew Richard Minogue, Civil, E-16598 Timothy Lee North, Mechanical; E-16646 David Joseph Perkins, Mechanical; E-16595 Nathan Matthew Porbeck, Mechanical; E-16584 Cory Walter Pritchard, Electrical and Computer; E-16581 Bill Logan Riehl, Chemical; E-16661 Tyler Brandon Sease, Structural; E-16582 David Ryan Smith, Architectural; E-16599 Caleb Michael Speiser, Electrical and Computer; E-16655 Cory John Stroh, Electrical and Computer; E-16640 Akash Govindbhai Surani, Civil; E-16592 William Ted Tumblin, Jr, Electrical; E-16645 Aaron Robert Vienot, Electrical and Computer; E-16591 John Henry Waldron, Electrical and Computer; E-16657 Courtney Olivia Wassom, Architectural; E-16601 Casey James Wittkop, Electrical and Computer, E-16594 Larry Shao Wu, Civil.

Licensure of Architects by NCARB Certification

Approved: A-4803 Paul Thomas Bergner; A-4801 Rhet Lincoln Fiskness; A-4799 Richard James Hauptman; A-4805 Robert Christopher Keane; A-4800 Sanders Lamar Lee; A-4802 James Talmadge Reese, III; A-4797 John Franklin Schlagger; A-4798 Daniel Joseph Sirk.

Temporary Permits

Approved: T-562 Jacob Allen Kowalski, ND, Engineer; T-563 Daniel Gerard Parolek, CA, Architect; T-564 Matthew Warren Craig, KY, Engineer; T-565 Evan Leroy Erskine, SC, Engineer; T-566 Joseph Alan Towns, Engineer.

Engineer Intern Enrollment

Approved: Jonathan David Bergren, NE; Elizabeth Ann Boschult, NE; Bryan Walter DeHerder, MN; Eric Marvin Derickson, SD; Xin Ding, NE; Blake Alan Eisenmann, NE; Rafael Estrada Moncada, NE; Benjamin Terryl Fischer, NE; John Paul Flaxbeard, NE; Elliott Otis French, NE; Derek Brian Harris, NE; Alexa Kay Hazelton, NE; Justin David Insinger, NE; Devin Lee Jensen, NE; Dakota James Kilzer, NE; Mehdi Mehrabi, NE; Sean William Murphy, NE; Jacob Jon Olson, NE; Robert John Truman, NE; Jordan Dale Vietz.

Certificates of Authorization

Approved: CA3785 Berridge Manufacturing Company; CA3786 CLS Engineering Inc; CA3787 AHA Consulting Engineers Inc; CA3788 Geo-Energy Services LLC; CA3789 Acts 29 Consulting; CA3790 Sellon Forensics Inc; CA3791 GSI Engineering LLC; CA3792 SP-ai Inc; CA3793 Design Plus + Inc; CA3794 V3 Companies of Illinois Ltd; CA3795 Sand Steel Building Co; CA3796 K-Plus Engineering Services LLC; CA3797 Pickett Kelm & Associates Inc; CA3798 Martin/Martin Wyoming Inc; CA3799 Sky Design Inc; CA3800 Rhet Fiskness Architect LLC; CA3801 Sagrolip LLC; CA3802 Porbeck Engineering Corporation; CA3803 Halo Architects Inc; CA3804 RE/SPEC Inc; CA3805 Bryant Consultants Inc; CA3806 GPD Group Inc; CA3807 Automation & Electronics Inc; CA3808 The W-T Group LLC; CA3809 Southern Steel Engineers LLC.

Nebraska Board of Engineers and Architects
Board Meeting Minutes
Thursday, June 29, 2017

Licensure/Examination

Licensure of Professional Engineers by Comity

Approved: Daniel Joseph Cook, Civil, KS; Max Emilio Reiche, Structural, UT; Juleen Jo Rogness, Structural, WA; Derek John Schmitz, Electrical and Computer (*Initial Licensure*); Hongyu Wang, Structural, NV.

Licensure of Professional Engineers by Experience

Approved: Ali Hussein Alaman, Fire Protection, MO; Robert Stanley Harrison, Environmental, TX; Richard John La Fond, Civil, AK; Michael Smyth, Structural, TX; Gayle Graham Sturdivant, Civil, CO; John Becker Thiesse, Civil, MN; Joseph Ben Tinder, Civil.

Deferred one month: Scott Neal Rhine, Civil, PA – Does not hold an EAC/ABET-accredited engineering degree or 15 years of licensed experience; if application not withdrawn, will review at August 8, 2017 meeting.

Licensure of Architects by Experience (*None*)

Licensure by Reinstatement

Approved: E-8728 Arnold Jay Radloff, Civil.

ARE Exam

Approved: Michael Peter Gengler, NE; Naghmeh Pak, NE; Eric Mark Winkler, NE.

PE Exam

Approved: Raeanna Christine Doyle, NE, Civil; Brian Patrick Finn, NE, Civil; Sonja Simone Golembiewski, NE, Electrical & Computer; Ryan Andrew Kubr, MO, Structural VL; Alex Joseph Lindenstien, NE, Structural VL; Michael John Martin, NE, Civil; Temple Irene Overman, TN, Structural VL; Marina Komissarova Richards, NE, Environmental; Isaac Samuel Somogie, MO, Structural VL; Eric Michael Steele, NE, Electrical and Computer; Brian Charles Storm, NE, Structural VL; Maegan Marie Woolf, NE, Civil.

Special Cases

Engineer Intern Enrollment

Approved: Mohammed Fatoah Al Soufi, NE.

Licensure of Professional Engineers by Comity

Approved: Wayanda Siwauni Parkes, Electrical, NJ.

PE Exam

Approved: Foad Foolad, NE, Civil; Mehdi Mehrabi, NE, Mechanical.

Certificates of Authorization

Approved: Atwell, LLC; Johnson Spellman & Associates, Inc.

Action: Approval of Applications

Motion by Bostelman, second by Peters to approve applications as recommended by staff except for the application of Scott Neal Rhine. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Motion by Klein, second by Bostelman to defer the application of Scott Neal Rhine until the August meeting. Voting Yes: Bostelman, Champion, Conzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

G. FINANCIAL MATTERS

Financial Reports

FY 2016-17 Financial Profile, May 2017

Budget Status Report, May 2017

MTD General Ledger Detail Report, May 2017

Nebraska Board of Engineers and Architects
Board Meeting Minutes
Thursday, June 29, 2017

Fund Summary Report, May 2017

ED Wilbeck reviewed the May financial reports with the Board.

Action: Approval of Financial Reports

Motion by Bostelman, second by Peters to approve the financial reports as presented. Voting Yes: Bostelman, Champion, Konzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Other Financial Matters

State employee pay increase effective July 1, 2017

A memorandum was released from the Divisions of State Personnel, State Accounting, and Employee Relations announcing a 1% increase on July 1, 2017 to the base pay and pay ranges, for all State employees, including temporary staff, covered by the Classified Personnel System, except for identified exceptions.

Fee schedule review

Action: Approval of Current Fees

Motion by Isom, second by Konzett to continue with the current fee schedule and review fees again at the end of the next fiscal year. Voting Yes: Bostelman, Champion, Konzett, Isom, Klein, Peters, Kester. Voting No: None. Abstain: None. Absent: Laging.

Fees will remain as follows:

Architect / Professional Engineer License Application, Reinstatement Application - \$150
Architect / Professional Engineer License Renewal - \$80
Monthly Penalty for Late License Renewal - \$8 (*maximum of \$80*)
Architect / Engineer Temporary Permit Application - \$300
Engineer Intern (EI) Enrollment Application - \$30
Principles and Practice of Engineering (PE) Examination Application - \$30
PE Examination Re-take Application - \$30
Architect Registration Examination (ARE) Application - \$0
Architect Registration Examination (ARE) Re-approval Application - \$30
Certificate of Authorization, 1-5 Licensees - Application - \$100 / Renewal - \$50
Certificate of Authorization, 6-10 Licensees - Application - \$200 / Renewal - \$150
Certificate of Authorization, 11-49 Licensees - Application - \$300 / Renewal - \$250
Certificate of Authorization, 50+ Licensees - Application - \$400 / Renewal - \$350
Emeritus Status / Renewals - \$25
Duplicate Wall Certificate (Licensee or Engineer Intern) - \$25
Returned Check Fee - \$30
Roster and/or Public Information Requests - As allowed by N.R.S. § 84-712
Verification of Examination and Licensure - \$0

Office renovation update

ED Wilbeck reported installation of the new office stations would begin Friday, June 30th. Construction in the office has been completed.

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next Board meeting date was moved to Tuesday, August 8, 2017, at 8:00 a.m. at 215 Centennial Mall South in the 5th floor large conference room.

Board member roster

A roster of the Board was provided.

Nebraska Board of Engineers and Architects
Board Meeting Minutes
Thursday, June 29, 2017

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

A total of 87 ARE Candidates had 448 open eligibilities on June 1, 2017.

Eleven ARE exams were attempted for various divisions in May 2017. Seven exams were passed.

Registration numbers and pass rate history for the PE exams from April 2014 to April 2017 were provided by NCEES.

Other information

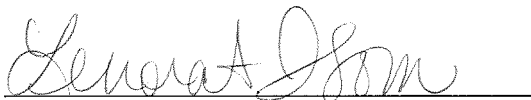
A report tracking the Board's Facebook activity from June 12, 2017 to June 18, 2017, was provided by PIO Molly Mayhew.

The May Website Dashboard Report showed 3,251 total visits to the Board's website.

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

ADJOURNMENT

Motion by Conzett to adjourn at 12:34 p.m.



Lenora A. Isom, Secretary