

Nebraska Board of Engineers and Architects
Board Meeting Agenda – September 14, 2018, 8:00 a.m.
Hearing Room 4D, 1526 K St, Lincoln, NE

CALL TO ORDER

Open Meeting and Public Agenda Information

Public meeting notice publication 1-3

Public Comment

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B. MEETING REPORTS

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September 21 NeSPE Draft Presentation B.2-8

Legislative Committee Report..... ED Wilbeck

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and Kim Buckley 17.19**

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ADJOURNMENT

CALL TO ORDER

The September 14, 2018 meeting of the Nebraska Board of Engineers and Architects was held at Hearing Room 4D, 1526 K St, Lincoln, Nebraska. Chair Klein called the meeting to order at 8:00 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.

Member Roll Call – Jennifer Klein, Chair; Jan Bostelman, Secretary; Mark Champion; Brett Foley; Brian Kelly; Randy Peters; Daniel Thiele. Absent: Lenora Isom, Vice-Chair.

Isom arrived at the meeting at 8:34 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).

Public Comment – No members of the public were present.

A. CONSENT AGENDA

August 10, 2018 meeting minutes

Motion by Thiele, second by Bostelman to approve the consent agenda. Voting Yes: Foley, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: Isom.

B. MEETING REPORTS

Ad Hoc Committee Reports

Decoupling Committee Report

ED Wilbeck provided a draft presentation on decoupling the PE exam from experience for NSPE Nebraska on September 21, 2018, and Thiele will attend. Decoupling the experience would allow the examinee take the PE exam prior to gaining four years of progressive experience after graduation. The four years' experience would still be required as a condition of the Board granting individuals a PE license. A suggestion was made to explain NCEES Model Law to attendees. Bostelman will use this decoupling presentation when she presents to the OPPD Engineers Club on October 23, 2018.

Legislative Committee Report

ED Wilbeck stated the Legislative Committee might schedule a meeting after the presentation at NSPE Nebraska.

Other Meeting Reports

None.

Hearing on Nebraska Board of Engineers and Architects v. Buckley Steel Inc and Kim Buckley 17.19

The hearing was cancelled based on new information received.

C. OLD BUSINESS

Proposed rule changes as of August 22, 2018

ED Wilbeck pointed out sections of the proposed rules that have revisions and possibly needed further discussion. After review and discussion, the Board revised proposed language in Rule 9.2.3 for clarification.

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Motion by Thiele, second by Kelly to approve the proposed revisions to Title 110, NAC, Rules and Regulations and reflect the change in proposed language in Rule 9.2.3 as discussed. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Isom arrived at the meeting at 8:34 a.m.

NCEES communication regarding military basing and state reciprocity laws

An NCEES communication indicated statements made by the U.S. Air Force Secretary concerning state laws on reciprocity of professional licenses for military families may be a consideration when evaluating future military basing and mission decisions. NCEES advised its member boards that there is still a strong movement to reduce requirements imposed on individuals attempting to obtain licensure in another jurisdiction via comity provisions. The attempts appear to have support from a large number of the public who may not fully understand the licensure process and why it exists. ED Wilbeck stated the statement provided added justification for the Board's application performance charts prepared for the FY2019-21 biennial budget submission.

NCARB MBC/MBE Summit invitation

The NCARB Member Board Chairs/Member Board Executives Leadership Summit will be held October 12-13, 2018, at the Hyatt Regency in St. Louis, Missouri. Participants will have the opportunity to learn about NCARB initiatives affecting their licensing board and stay apprised of issues related to the national regulatory environment. ED Wilbeck and Vice-Chair Isom plan to attend.

Summary of actions at 2018 NCEES annual meeting

A summary of actions taken at the 2018 NCEES annual meeting was provided to the Board. All motions are available for download in the *2018 Action Items and Conference Reports* at <https://ncees.org/wp-content/uploads/Master-AICR-2018-final.pdf>.

The NCEES Board of Directors named Kentucky's David Cox as NCEES' Chief Executive Officer, effective October 1, 2018. Cox will replace Jerry Carter, who is retiring after 11 years as CEO. The Council elected Dean Ringle, P.E., P.S., of Ohio as the 2019-20 NCEES president.

2018 NCEES annual meeting report

ED Wilbeck summarized discussion topics at the 2018 NCEES Annual Meeting on August 15-18, 2018, in Scottsdale, AZ.

2018 NCEES Law Enforcement Program summary

CO Rausher reported attending the 2018 NCEES Law Enforcement Program on August 17-18, 2018, in Scottsdale, AZ. The Friday, August 17 afternoon session was an open forum focused on discussion of compliance and enforcement strategies. The Saturday, August 18 morning session was a presentation entitled *Communication Skills and the Art of Persuasion*; the afternoon session was a presentation entitled *Interviewing Techniques*. The Council on Licensure, Enforcement & Regulation (CLEAR) provided both presentations. CO Rausher summarized notable items from the sessions for the Board.

Marketing Plan Progress Report

PIO Mayhew provided an updated report on progress of the Marketing Plan. ED Wilbeck reported presenting to UNL fifth- and sixth-year architecture students about obtaining and maintaining an architect license, and suggested communicating with students earlier in their education. PIO Mayhew summarized recent communications with the Center of Rural Affairs, Nebraska Main Street Network, and the Nebraska Hotel and Lodging Association. Isom proposed additional outreach to the Nebraska Planning & Zoning Association (NPZA).

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An email service is being considered to help provide communications to licensees, examinees and other constituents.

New Licensee Ceremony update

PIO Mayhew reported 98 people are planning to attend the new licensee ceremony as of September 14. A reminder email will be sent to invitees yet to RSVP. The ceremony is scheduled at the State Capitol on November 2, 2018.

Proposed Revision of Policy 01.01- Salary Committee

A Salary Committee comprising the Chairperson, the Vice Chairperson, and the Secretary of the Board shall be formed for the purpose of preparing recommendations to the Board on staff salaries. The Committee will meet prior to the June Board Meeting to consider changes in salary for the Executive Director; the Chairperson will preside. The June meeting will correspond with the fiscal year end of June 30. Changes in salary of all but the Executive Director are generally mandated by the Legislature.

Motion by Thiele, second by Isom to approve the proposed revisions to Policy 01.01 – Salary Committee as provided. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

D. NEW BUSINESS

Engineers Without Borders outreach

Klein reported NCEES is financially supporting Engineers Without Borders (EWB) over a three-year-period. ED Wilbeck stated the Nebraska EWB professional chapter responded with interest to an invitation to attend a Board meeting to open dialogue. EWB is planning on attending the December 2018 board meeting.

Question regarding auditing college classes to meet continuing education requirements

After discussion, the Board determined a licensee could receive continuing education credit for a Construction Management course planned for the fall semester and it did not matter whether the class was audited, taken pass/fail, or for credit since it was ABET-accredited content. Kelly clarified that individuals auditing a class must have permission from the class instructor.

Letter to Editor drafts

Two *Letter-to-the-Editor* drafts for rural community newspapers to raise awareness about the Board and safe building practices were provided to the Board for review. PIO Mayhew and ED Wilbeck will use the Board's feedback to finalize the letter using elements from both drafts.

Potential newsletter content

PIO Mayhew provided a list of potential newsletter content for the fall edition of *The Nebraska Professional*. A draft of the newsletter will be provided at the October Board meeting.

2018 Travel and per diem authorization

Authorization requests:

- Bostelman to provide a presentation about the NBEA Board and current issues to the OPPD Engineers Club on October 23, 2018, at the Corporate Energy Plaza in Omaha, NE.
- Bostelman to attend the NCEES Examinations for Professional Engineers (EPE) Committee meeting on October 18-20, 2018, in Atlanta, GA. The meeting on October 20 is for new Committee members. Travel to and from the meeting will occur on October 17 and 20. NCEES will provide funding.

Motion by Thiele, second by Isom to approve travel and per diem authorization as requested. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

E. COMPLIANCE

Information

September 2018 Compliance Cases

Summary of Open Cases

Executive Session – Commenced at 10:04 a.m.

Motion by Thiele, second by Bostelman to enter into executive session for discussion of compliance investigations, project reviews, partner-agency processes, and disciplinary action disclosure 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 Klein. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Active Cases: Summary & Documentation

Cases 14.03 & 14.13, Case 17.13, Case 17.15, Case 17.19, Case 17.23, Case 17.26, Case 18.01, Case 18.02, Case 18.04, Case 18.06, Case 18.09, Case 18.10, Case 18.11, Case 18.12, Case 18.13, Case 18.14, and Case 18.15 were discussed in executive session.

No update provided for Case 17.20.

Other Compliance Issues

Project Reviews 09-01, 09-02, 09-03, 09-04, and 09-05 were reviewed in executive session.

The Partner-Agency Process Summary was reviewed in executive session.

Disciplinary Action Disclosure was reviewed in executive session.

Executive Session – Concluded at 12:07 p.m.

Motion by Isom, second by Thiele to close executive session for discussion of compliance investigations, project reviews partner-agency processes and disciplinary action disclosure not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Motion by Bostelman, second by Isom to approve the final order of disciplinary action as presented in Case 14.03 & 14.13. Voting Yes: Foley, Isom, Kelly, Peters, Bostelman, Champion, Klein. Voting No: None. Abstain: Thiele. Absent: None.

Motion by Bostelman, second by Thiele to direct Special Assistant Attorney General Minahan to issue a show cause letter for Case 17.13. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Motion by Bostelman, second by Isom to request a new letter with a signed seal from the remediation engineer, accept the remediation, and dismiss Case 17.19 without disciplinary action. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Motion by Bostelman, second by Thiele to dismiss Case 17.23 with no disciplinary action. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Motion by Thiele, second by Isom to offer to extend the payment term to 18 months with six-month milestones in the settlement agreement for Case 17.26. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Motion by Bostelman, second by Thiele to dismiss Case 18.01 with no disciplinary action. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Motion by Bostelman, second by Isom to open a compliance case for Project Review 09-02. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Motion by Bostelman, second by Isom to open a compliance case for Project Review 09-03 and authorize architectural and engineering remediation and require a plan of action within 60 days or a reply within 30 days if not intending to remediate. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-17241 Joseph Roy Barker, Structural; E-17266 Somphavanh Boualaphanh, Mechanical; E-17238 Alexander Jacob Burkart, Civil; E-17244 Ryan Jon Calahan, Mechanical; E-17239 Jared Paul Carlson, Mechanical; E-17273 Benjamin Lee Davis, Mechanical; E-17242 John Douglas Doering, Structural; E-17270 Emmy Maurine Dowden, Civil; E-17240 Vincent Frank Fratinardo, Structural; E-17268 Ryan Patrick Hardie, Structural; E-17245 Jerry Hartfield, III, Civil; E-17275 Brian Denver Hicks, Electrical and Computer; E-17274 David Ennis Joiner, Electrical and Computer; E-17264 Jason Edward Marshaiek, Structural; E-17271 Kyle Matthew McQuinn, Civil; E-17269 Angela Lynn Morgan, Civil; E-17272 Blake Lavern Nelson, Civil; E-17276 Sean Carson O'Hern, Mechanical; E-17267 Patrick Michael Plourde, Civil; E-17263 Randy Jay Robinson, Mechanical; E-17243 Melinda Christine Rogers, Civil; E-17265 Jon David Scarborough, Electrical; E-17246 Jason Edward Stebbins, Civil; E-17262 Max Harley Tsala, Civil.

Licensure of Architects by NCARB Certification

Approved: A-4969 Casey Loyd Adragna, A-4947 Patrick Neil Ankney, A-4967 Bruce Alan Barteldt, Jr, A-4966 Bradley Joel Davison-Rippey, A-4953 Todd Cameron DeGarmo, A-4962 John William Franz, A-4968 Denis Ireneus Goeser, A-4957 Craig Randal Hacker, A-4959 Scott Allen Hansche, A-4950 Russell Holden Hazzard, A-4955 Charles Arthur Hill, A-4964 Ronald Walz Jackson, A-4954 Jennifer Lynne Klund, A-4960 Chris Freeman La Shorne, A-4949 Michelle Lee McCullough, A-4965 Kevin Michael Meyer, A-4952 Nathan Alan Minch, A-4970 Robert Alan Pratt, A-4956 Melissa Cunningham Pritchard, A-4948 Thomas Peter Theobald, A-4961 Elizabeth Louise Turner.

Temporary Permits

None

Engineer Intern Enrollment

Approved: Rigoberto David Barragan Herrera, Jordan Jeffrey Bellar, Jacob Alexander DeLone, Dulitha Suwan Fredrick, Curtis Andrew Hallman, Matthew David Roth, Joshua Everett Siel, Jesse Taylor Walsh, Dean Lewis Whitfield.

Certificates of Authorization

Approved: CA4041 Magnusson Klemencic Associates, CA4042 JSG Engineering LLC, CA4043 Ankrom Moisan Associated Architects, CA4044 The Mollenkopf Design Group LLC, CA4045 S2o Design and Engineering Inc, CA4046 Finnegan Erickson Associates, CA4047 Storage Rack Engineering Inc, CA4048 Bordenet Civil Engineering, A4049 Mour Group Engineering + Design Inc, CA4050 Kendall/Heaton Associates Inc, CA4051 Case Engineering Inc, CA4052 TJP Inc, CA4053 Parallel Technologies Inc, CA4054 B2Lab Inc, CA4055 Scarborough Engineering Inc, CA4056 Home & Leisure Inc, CA4057 PEPm Group PLLC, CA4058 Hrivnak Associates LLC, CA4059 Safety Storage Inc, CA4060 Level Engineering LLC, CA4061 Studios Architecture, CA4062 Franz Jeanes Lazo Cora and Associates.

Licensure/Examination

Licensure of Professional Engineers by Comity

Approved: Bobby Dwain Allen, Civil, TN; Ardeshir S Goudarzi, Electrical and Computer, TX; Jacob Lee Nohl, Civil, MN; Tony A Tran, Civil, CA; Tyler Jordan Hazy, Electrical and Computer, CA.

Licensure of Professional Engineers by Experience

Approved: Nester James Houghton, Sr, Electrical, LA.

Licensure of Architects by Experience

Approved: Elwin John Dobson, MO; Albert Douglas Roberts, CO.

Licensure of Engineers by Reinstatement

Approved: E-5391 Michael David Coyle, Civil; E-9165 Edward Joseph Doyle, Civil; E-13203 Robert Gustav Hoerauf, Electrical and Computer; E-8974 Christopher John Sosnowski, Civil; E-9420 Aziz Aman, Civil.

ARE Exam Approvals

Approved: Abby Agnes Hegemann, Joseph Mitchell Johnson, Zebulun John Lund.

PE/SE Exam Approvals

Approved: Bradley Jewel Kennedy, Mechanical; Andrei Negoita, Structural VL.

Special Cases

None

Motion by Thiele, second by Foley to approve applications as recommended by staff. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Champion, Klein. Voting No: None. Absent: None.

Champion left the meeting at 12:30 p.m.

G. FINANCIAL MATTERS

Financial Reports

FY 2018-19 Financial Profile, as of August 2018

Budget Status Report, as of August 2018

MTD General Ledger Detail Report, August 2018

Fund Summary Report, August 2018

The August 2018 financial reports were presented to the Board.

Motion by Thiele, second by Isom to approve the financial reports as presented. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Klein. Voting No: None. Absent: Champion.

Other Financial Matters

NBEA 2019-2021 Biennium Budget request

ED Wilbeck summarized and reviewed the 2019-2021 biennium budget request and the performance measure charts with the Board. The request emphasizes the goal to strengthen outreach to better safeguard life, health and property in Nebraska. No increase in the overall funding request was reflected for the 2019-2021 biennium budget request.

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Motion by Thiele, second by Isom to approve the 2019-2021 biennium budget request for submittal to the State Budget Division. Voting Yes: Foley, Isom, Kelly, Peters, Thiele, Bostelman, Klein. Voting No: None. Absent: Champion.

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next regular monthly meeting will be held October 19, 2018, 8:30 a.m. in the large conference room, 5th floor, 215 Centennial Mall South, Lincoln, NE. Bostelman noted she would not be able to attend the October meeting.

An updated roster of Board members and the current travel reimbursement policy was provided.

Individuals and organizations authorized to practice as of September 4, 2018:

Professional Engineers.....	8,149
Architects.....	1,921
Certificates of Authorization.....	2,208
Temporary Permits.....	29

Examination Information/Results

The Monthly Pass/Fail Report for July 2018 for the ARE 4.0 and 5.0 showed 6 exams taken and 3 exams passed.

There were 84 ARE candidates with open eligibilities on September 1, 2018.

Other Information

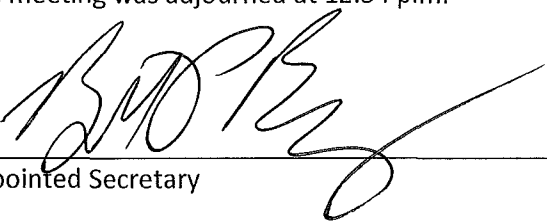
The Board's Facebook Analytics Report showed 336 individuals engaged from August 7, 2018 to September 3, 2018.

The August 2018 Dashboard Report indicated the Board's website had 2,775 visitors.

Approved Board policies as of August 10, 2018, were provided.

ADJOURNMENT

The meeting was adjourned at 12:34 p.m.



Appointed Secretary