

Nebraska Board of Engineers and Architects
Board Meeting Agenda
October 27, 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 publication 1-3

PUBLIC COMMENT

A. CONSENT AGENDA

September 22, 2017 Meeting Minutes.....A.1-7

Action: Approval of Consent Agenda

B. MEETING REPORTS

Ad Hoc Committee Reports

2017-18 Board committee assignments and chargesB.1

Software.....Klein

Decoupling.....ED Wilbeck

Other Meeting Reports

C. OLD BUSINESS

Draft response to Governor's Executive Order No. 17.04.....C.1-20

Action

SOW1062-001 Project Change Order for databaseC.21-24

D. NEW BUSINESS

Rules and Regulations promulgation update.....ED Wilbeck

NCARB Fast Facts – *September 2017*.....D.1-5

Tri-National Mutual Recognition Agreement for International Practice.....D.6-10

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NCEES Emeritus member term limit surveyD.17-19

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Fall Newsletter draftD.25-32

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Travel Authorization

2017 Travel and per diem authorizationD.33-35

2018 Travel and per diem authorizationD.36-37

Action: Approval of Travel and Per Diem

E. COMPLIANCE

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October 2017 Compliance CasesE.1-3

Summary of Open CasesE.4-5

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Case 17.06	E.81-87
Case 17.09	E.91-99
Case 17.13	E.101-110m
Case 17.15	E.111-118
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Case 17.18	E.151-156
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Action: Approval of Compliance Case Disposition

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F. APPLICATIONS

Administratively Approved

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Licensure by Reinstatement	F.111
ARE Exam	F.121
PE Exam	None

Special Cases

Engineer Intern Enrollment	F.141-144
Certificates of Authorization	F.151
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Summary of license renewal disclosures	F.171

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Action: Approval of Applications

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MTD General Ledger Detail Report, September 2017.....	G.6-13
Fund Summary Report, September 2017.....	G.14-16

Action: Approval of Financial Reports

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Action: Approval of Board Emeritus Status for Laging

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ADJOURNMENT

Nebraska Board of Engineers and Architects
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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 8:32 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; Mark Champion; Michael Conzett; Randy Peters. Absent: Jan Bostelman; Lenora Isom, Secretary.

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

Architect Jack Green, addressed the Board with some concerns related to completing projects in rural Nebraska. He reported seeing work which in his opinion constituted the practice of engineering often being completed by unlicensed persons. In addition, he expressed concerns related to regulation and approval of these projects by local jurisdictions and other state agencies.

In the absence of Isom, Kester appointed Conzett as Secretary for the October meeting.

A. CONSENT AGENDA

September 22, 2017 Meeting Minutes

Action: Approval of Consent Agenda

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

Chair Kester announced Tom Laging resigned from the Board effective October 24, 2017. ED Wilbeck noted Laging had been speaking to the Dean at the UN-L College of Architecture about appointment of an architect education board member to replace him.

B. MEETING REPORTS

Ad Hoc Committee Reports

Klein reported the Software Committee would bring a report to December meeting.

ED Wilbeck reported the Decoupling Committee is attempting to set up a meeting with the Nebraska Society of Professional Engineers (NSPE-NE) in November 2017.

Other Meeting Reports

Peters reported giving a series of engineering ethics workshops, as a representative of the University of Nebraska, to the American Council of Engineering Companies of Nebraska (ACEC-N) and the Nebraska Department of Transportation.

C. OLD BUSINESS

Draft response to Governor's Executive Order No. 17.04

ED Wilbeck provided a report draft for the Board in response to the Governor's Executive Order No. 17.04. The report is due by November 15, 2017. ED Wilbeck stated he had attended an Independent Agency meeting at the Governor's Mansion concerning the order and how agencies should comply with it. Lauren Kintner, Director of the Governor's Policy Research Office, was the speaker. ED Wilbeck will continue to refine the document before submittal.

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Action:

Motion by Klein, second by Konzett to authorize ED Wilbeck to complete the draft response at staff discretion, and submit it to the Governor's Office. Voting Yes: Klein, Peters, Champion, Konzett, Kester. Voting No: None. Abstain: None. Absent: Bostelman, Isom.

SOW1062-001 Project Change Order for database

ED Wilbeck reported a project change order for the database was approved by the Director of the OCIO on October 16, 2017. The change will allow the OCIO to complete the out of scope items determined by agency analysis. The estimated cost is \$6,300 and the projected completion date is December 29, 2017.

D. NEW BUSINESS

Rules and Regulations promulgation update

ED Wilbeck announced the Governor approved the proposed changes for Title 110, NAC, Rules and Regulations on October 27, 2017. After being filed with the Secretary of State, the revised rules and regulations will become effective November 1, 2017.

NCARB Fast Facts – September 2017

ED Wilbeck noted the U.S. House of Representatives Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing in Washington DC on occupational licensing. Prior to the hearing, NCARB signed a joint statement with other associations and organizations representing state professional licensing boards. Through the statement, the group urged the subcommittee to consider the unique role of state licensing boards in the system of state government, as well as their mission to protect the public from harm.

The September issue also contained a request for a signed Letter of Undertaking for the Tri-National Mutual Recognition Agreement for International Practice. In February 2014, NCARB implemented the agreement developed by leaders and regulators of architecture in Canada, Mexico, and the United States to facilitate mutual recognition of licensure credentials across all three countries.

Tri-National Mutual Recognition Agreement for International Practice of Architects

Action:

Motion by Konzett, second by Champion to accept the Tri-Mutual Recognition Agreement for International Practice and authorize Chair Kester to sign the Letter of Undertaking on behalf of the board. Voting Yes: Klein, Peters, Champion, Konzett, Kester. Voting No: None. Abstain: None. Absent: Bostelman, Isom.

Communication concerning continuing education requirements in Rule 9.2.3

ED Wilbeck reported communicating with an online provider concerning requirements in Rule 9.2.3. A grievance letter was received from the provider concerning continuing education regulations for architects and professional engineers in Nebraska. The Board discussed the clarity of the language in the rule, and decided that Rule 9.2.3 needed no modification.

NCEES Emeritus member term limit survey

The Advisory Committee on Council Activities (ACCA) was charged to review *Bylaws* 3.022, Emeritus Members, and determine if a term limit should be placed on how long an individual may serve as an NCEES emeritus member. A survey was completed by the October 20, 2017 deadline. Board reviewed the responses.

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New Licensee Recognition Ceremony planning update

PIO Mayhew updated the Board on plans for the 2017 New Licensee Ceremony to be held at the Warner Chamber in the State Capitol on November 3, 2017, at 3:00 p.m. Champion will present the new architect licensees. New activities will be added to the reception to keep licensees and guests engaged.

Fall Newsletter draft

PIO Mayhew provided a draft of the Fall Newsletter and reviewed it with the Board. Updates will be made as discussed.

2017-2018 Travel Authorization

Isom notified staff that the NCARB Continuing Education Committee Video/Conference Call was cancelled for October 12, 2017, and was tentatively moved to November 3, 2017.

E. COMPLIANCE

Information

October 2017 Compliance Cases

Summary of Open Cases

Executive Session – Commenced at 10:00 a.m.

Action:

Motion by Klein, second by Konzett to enter into executive session for discussion of compliance investigations 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: Klein, Peters, Champion, Konzett, Kester. Voting No: None. Abstain: None. Absent: Bostelman, Isom.

Active Cases: Summary & Documentation

Case 17.20, Cases 14.03 & 14.13, Case 16.02, Case 17.03, Case 17.06, Case 17.09, Case 17.13, Case 17.15, Case 17.16, Case 17.17, Case 17.18, Case 17.19, Case 17.22, Case 17.23, Case 17.24, Case 17.25, and Case 17.26 discussed in executive session.

Klein recused herself from the meeting at 10:01 a.m. before discussion of Case 17.20 and returned to executive session after discussion ended at 10:24 a.m.

Other Compliance Issues

The Partner-Agency Process summary was discussed in executive session.

Executive Session – Concluded at 11:45 a.m.

Action:

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

Action: Approval of Compliance Case Disposition

Motion by Klein, second by Konzett to close Case **17.22** with no disciplinary action. Voting Yes: Klein, Peters, Champion, Konzett, Kester. Voting No: None. Abstain: None. Absent: Bostelman, Isom.

F. APPLICATIONS

Administratively Approved

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Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-16776 Christopher Charles Abramo, Mechanical; E-16815 John Benjamin Arnette, Civil; E-16819 Todd Howard Atkins, Mechanical; E-16822 James Brian Barbour, Civil; E-16820 Matthew Ryan Bardol, Civil; E-16807 Anthony Edward Cantu, Civil; E-16799 Thomas Allan Castle, Structural; E-16803 Christopher Kip Constant, Fire Protection; E-16816 Jared Mark Dains, Civil; E-16791 Jason Lee Daubert, Mechanical; E-16818 Ryan William Dorn, Chemical; E-16782 Jonathan Robert Duncan, Mechanical; E-16790 Nicholas Jon Erpelding, Civil; E-16806 Daniel Ward Frank, Mechanical; E-16811 Jason Bradley Fukuda, Structural; E-16813 Michael Charles Grapperhaus, Mechanical; E-16792 Gerald Bowen Bump, Chemical; E-16808 Sara Ann Hamill, Electrical and Computer; E-16797 Todd Ian Hollingsworth, Mechanical; E-16817 Richard Andrew Ivins, Electrical; E-16798 Curtis Russell Janssen, Agricultural; E-16809 Andrew Thomas Johnson, Civil; E-16814 David Bruce Keeley, Mechanical; E-16800 Jeffrey Mark Klaiman, Civil; E-16774 Bryan Keith Lanier, Structural; E-16805 In Jue Cho Larson, Civil; E-16775 Luke Jeremy Leising, Civil; E-16810 Robert Ford Lisenba, Jr, Mechanical; E-16824 Lucas Lowell Lorenzen, Civil; E-16795 Bryant Eric McDonnell, Civil; E-16823 Aaron Benjamin Morse, Electrical and Computer; E-16796 Margaret Ann Panatera, Environmental; E-16801 Steven John Petrcek, Structural; E-16812 David Kory Price, Environmental; E-16821 Lee Routt Shaw, Civil; E-16784 Dustin Anton Simmons, Civil; E-16804 Jamie Joseph Stahulak, Civil; E-16802 Melinda Ann Steckmest, Civil; E-16789 Herbert Max Volk, Mechanical; E-16794 Michael John Wagner, Civil; E-16793 Christopher Michael Wilburn, Civil.

Licensure of Architects by NCARB Certification

Approved: A-4839 Jack Vanarb Berry, Jr; A-4828 Scott Franklin Dicus; A-4835 Michael Anthony Heitsman; A-4829 William Salvatore Mandara, Jr; A-4837 James Nowlin Medley; A-4840 Mark William Schmidt; A-4842 Edwin Ernest Smart; A-4841 Wesley Arthur Steele; A-4834 David Nathan Tracz.

Temporary Permits

Approved: T-572 Timothy William Bolan, NY, Engineer; T-573 Matthew Charles Fuller, NY, Engineer.

Engineer Intern Enrollment

Approved: Timothy James Adams, NE; Sam Allen, NE; Kai Yueh Chin, NE; Raif Farkouh NE; Kyle Cassius Huntley Hall, NE; Angoua Kouassi Boley Konan, NE; Mallory K Morton, NE; Ana Patricia Salgado Ocampo, NE; Andrew Josiah Wicks, NE.

Certificates of Authorization

Approved: CA3865 Hatch Engineering LLC; CA3866 Stratagem Design LLC; CA3870 Steven Ginn Architects LLC; CA3871 Sebesta Inc; CA3872 FDR Engineers PLLC; CA3873 Quanta Utility Engineering Services Inc; CA3874 EmNet LLC; CA3875 RJH & Associates Inc; CA3876 ANF Architects Inc; CA3877 FLSmidth Inc; CA3878 Ecodyne LLC; CA3879 Sage Engineering Inc; CA3880 Argus Consulting Inc; CA3881 Miller Architects & Builders LLC; CA3882 Sustainable Environmental Consultants LLC; CA3883 Visioneering Studios Architecture Inc.

Certificates approved for issuance at 9/22/2017 meeting: CA3867 Tomarco Contractor Specialties; CA3868 Energyneering Solutions Inc; CA3869 Crawford Architects LLC.

Licensure/Examination

Licensure of Professional Engineers by Comity

Approved: Jeffrey Curtis Holste, Civil, CO; Dustin Jacob Maier, Electrical and Computer, ND; Andrew Ryan Venzke, Electrical and Computer, IA.

Licensure of Professional Engineers by Experience - None

Licensure of Architects by Experience - None

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Licensure of Architects by Initial License

Approved: Brent William Wollenburg, NE.

Licensure by Reinstatement

Approved: E-13386 Michael Thomas Sandene, Civil.

ARE Exam

Approved: Andrew William Meyer, NE.

PE Exam – None

Special Cases

Engineer Intern Enrollment

Approved: Darshan Baral, NE.

Certificates of Authorization

Approved: Guidon Design Inc.

ARE Exam

Approved: Adam Joel Sitzman, NE.

Summary of license renewal disclosures

Approved for renewal: E-5240 Myron H Gust.

Action: Approval of Applications

Motion by Klein, second by Konzett to approve applications as recommended by staff. Voting Yes:

Klein, Peters, Champion, Konzett, Kester. Voting No: None. Abstain: None. Absent: Bostelman, Isom.

G. FINANCIAL MATTERS

Financial Reports

FY 2017-18 Financial Profile, September 2017

Budget Status Report, September 2017

MTD General Ledger Detail Report, September 2017

Fund Summary Report, September 2017

Ed Wilbeck reviewed the September financial reports with the Board.

Action: Approval of Financial Reports

Motion by Peters, second by Konzett to approve the financial reports as presented. Voting Yes: Klein,

Peters, Champion, Konzett, Kester. Voting No: None. Abstain: None. Absent: Bostelman, Isom.

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The December Board meeting was tentatively moved from the 8th to December 15, 2017, at 8:30 a.m. in the 5th floor large conference room. ED Wilbeck will check with Bostelman and Isom to make sure they can attend.

A roster of Board members was provided. ED Wilbeck noted since Tom Laging was no longer a member, he was eligible to be appointed as an Emeritus member.

Action:

Motion by Klein, second by Konzett to appoint Tom Laging as an Emeritus Board member. Voting

Yes: Klein, Peters, Champion, Konzett, Kester. Voting No: None. Abstain: None. Absent: Bostelman, Isom.

The Travel Reimbursement Policy was provided.

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Database reports reflecting licensure trends, renewal statistics, and active certificates of authorization were provided.

Individuals and organization authorized to practice as of October 13, 2017:

Professional Engineers: 7,983

Architects: 1,896

Certificates of Authorization: 2,193

Temporary Permits: 26

The License Renewal Notice History Report showed 3,850 professional engineer and 966 architect renewal notices mailed for licenses expiring on December 31, 2017. The total number of renewal notices mailed for architect and professional engineer licensees has increased approximately 38% since 2001.

A total of 86 ARE candidates had open eligibilities as of October 1, 2017.

The Monthly Pass/Fail Report for September 2017 for the Nebraska ARE 4.0 and 5.0 divisions showed 12 exams attempted and five exams passed.

The 2017 Nebraska ARE 4.0 Yearly Pass/Fail Report showed 98 exams attempted and 66 exams passed as of September 2017.

The 2017 Nebraska ARE 5.0 Yearly Pass/Fail Report showed 45 exams attempted and 22 exams passed as of September 2017.

Other information

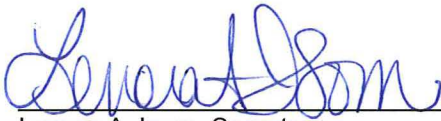
The Facebook activity report provided by PIO Mayhew, showed 327 people reached between September 18 and October 15, 2017.

The September 2017 Website Dashboard Report indicated 2,528 total visits to the Board's website.

Approved Board policies as of September 22, 2017, were provided.

ADJOURNMENT

The meeting was adjourned at 11:51 a.m.



Lenora A. Isom, Secretary