

Nebraska Board of Engineers and Architects
Board Meeting Agenda – December 7, 2018, 8:45 a.m.
5th Floor Large Conference Room, 215 Centennial Mall South, Lincoln, NE

CALL TO ORDER

Open Meeting and Public Agenda Information

Public meeting notice publication 1-3

Public Comment

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ADJOURNMENT

Nebraska Board of Engineers and Architects
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CALL TO ORDER

The December 7, 2018 meeting of the Nebraska Board of Engineers and Architects was held at 215 Centennial Mall South, 5th Floor Conference Room, Lincoln, Nebraska. Chair Klein called the meeting to order at 8:54 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; Lenora Isom, Vice-Chair; Mark Champion; Brett Foley; Brian Kelly; Randy Peters; Daniel Thiele. Absent: Jan Bostelman, Secretary.

Motion by Isom, second by Thiele to appoint Peters as acting secretary for the December meeting in the absence of Bostelman. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

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 (*None*)

Engineers Without Borders Presentation (*New Business*)

Susana Wiese Lizcano, PhD, President EWB-Nebraska; Jennifer Christensen, P.E.; Matt Dworak, P.E.; Barbara Johnston, Engineer Intern

A. CONSENT AGENDA

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

B. MEETING REPORTS

Ad Hoc Committee Reports

Decoupling Committee Report

Ed Wilbeck reported speaking to the chapters of the Nebraska Society of Professional Engineers (NSPE) with the most recent in Columbus, NE, on November 5th. A printout of the PowerPoint presentation on decoupling was provided to the Board. The presentation covers licensure threats, what the decoupled model of licensure would look like, and a history of legislative efforts for decoupling. NSPE expressed appreciation that the Board is not planning to carry a legislative bill until 2020. ED Wilbeck will present to the NSPE Eastern Chapter on January 17, 2019, and Thiele will attend. Bostelman delivered a presentation on decoupling to the OPPD Engineers Club on October 23, 2018. The Decoupling Committee met on November 16, 2018, and will continue to seek support from primary and secondary related stakeholders. Proposed language will be drafted after approval of the concept of decoupling is achieved.

C. OLD BUSINESS

Marketing Plan Progress Report

PIO Mayhew reported the Nebraska Brewers Guild Conference will be held in Lincoln on January 14, 2019, and she and CO Rauscher will attend. The Nebraska Center for Rural Affairs will distribute NBEA brochures and handbooks to its lead specialists. An ad was placed for the second year in the League of Municipalities' 2019 LMN Directory. The directory is sent to over 1,000 offices (permitting, zoning, code officials, contractors, firms, etc.) across the state of Nebraska. The Board will receive a copy of the directory in March. PIO Mayhew reported

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working on video concepts and targeted information brochures. A follow-up call will be given to colleges with drafting programs to offer presentations or materials.

Mailchimp Email Analytics Report

PIO Mayhew reported sending an email notice to 10,386 architects, professional engineers and emeritus members on November 7, 2018. The intent was to announce more communications to be provided via email, confirm email addresses, and ask for updated contact information if needed. Over 100 emails were updated and there was one report of a deceased licensee. On November 16, 2018, all architects, professional engineers, emeritus members, related societies, certified organizations, and non-licensee subscribers received an email with a link to *The Nebraska Professional* newsletter. On November 27, 2018, a license renewal reminder was sent to 3,078 architects and professional engineers with licenses expiring on December 31, 2018. Changes in the Board's Google Analytics Report were summarized and an increased use of the website after the emails were sent was noted.

NCEES Board Presidents' Assembly information and preliminary schedule of events

A preliminary schedule of events was provided for the 2019 NCEES Board Presidents' Assembly at Atlanta, GA, on February 8-9, 2019. ED Wilbeck and Isom will be attending. The registration deadline is January 4, 2019.

NCARB Fast Facts

The October 2018 addition of *NCARB Fast Facts* contained a section highlighting the outreach efforts of the Nebraska Board of Engineers and Architects. The Board and staff are seeking effective and efficient ways to increase awareness of the Board. A "Letter to the Editor" was sent to 124 newspapers in the state introducing readers to the Board and explaining how it protects health, safety, and welfare. The letters have a potential to reach 30,000 readers across Nebraska.

D. NEW BUSINESS

Adoption of proposed revisions of Title 110, NAC, Rules and Regulations

The Board discussed written comments provided at the public rulemaking hearing. It was noted that efforts to separate structural from other disciplines at an NCEES annual meeting did not pass. Proposed language to remove the period in Rule 2.4.1.2.1 for four attempts to pass the PE or SE examination is probably no longer relevant because of computer based testing. Board staff can review the exam attempts in the NCEES system.

The Board decided not to change proposed language concerning continuing education in Chapter 9 because of the lengthy discussions held previously between the Board, its Legislative Committee, and its stakeholders.

Language proposed in Rule 5.2.2 is NCARB model law language.

Motion by Isom, second by Foley to adopt the proposed changes to Title 110, NAC, Rules and Regulations, Chapters 1-10 (Chapter 11 deleted and language moved to Rule 1.6.2) as presented at the public rulemaking hearing. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Engineers Without Borders presentation and discussion

At the 2018 NCEES Annual Meeting, a motion was passed by member boards to authorize a contribution of three million dollars over a three-year period beginning October 1, 2018, to Engineers Without Borders USA in a partnered campaign to promote the benefits and value of licensure as a professional engineer and professional surveyor. To assist the Board in learning more about Engineers Without Borders (EWB) Susana Wiese Lizcano, PhD, President EWB-NE was invited to provide a presentation. Jennifer Christensen, P.E., Matt Dworak, P.E., and Barbara Johnston, Engineer Intern, accompanied Susana Wiese Lizcano to explain the mission of EWB and describe recent projects in Uganda and Columbia. EWB is a non-profit organization committed to improving the quality of life in developing communities through the implementation of environmentally and

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culturally sustainable, equitable, and economical engineering projects that are community driven. The three basic needs around the world are potable water, adequate sanitation, and access to electricity. Although not everyone has a license for projects, members that are in charge or subject matter experts are licensed. Some positions are in management. The presentation indicated:

- 80% of EWB membership consists of licensees
- 60% received their license during membership with EWB (55 – 65% consulting)
- Most professional engineers involved are in the civil and environmental engineering fields
- EWB programs have been identified as a source of engineering experience

University of Nebraska-Lincoln graduates are actively recruited to work after licensure. Contributions from NCEES will be targeted to campaigning and countries most in need. Ms. Wiese Lizcano stated each EWB chapter would need to apply to the national organization for funding.

NCEES Advisory Committee on Council Activities (ACCA) proxy voting questions

The ACCA is exploring proxy voting, at both the zone meeting and the annual meeting. An MBA member of ACCA has asked other MBAs specific questions on Basecamp concerning proxy voting. After discussion, the Board concurred that they were not in favor of proxy voting. Changes of motions on the floor and issues with travel approval in some jurisdictions were cited.

Motion by Peters, second by Isom to direct ED Wilbeck to respond “no” to the proxy-voting question on Basecamp. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Candidate for NCARB Council officer election

The Board received a letter from Jon Alan Baker, FAIA, LEED AP, announcing his candidacy and qualifications for the office of Secretary of the NCEES Council.

Request for eligibility letter to use “engineering” in trade name – 81-3436(8)

Motion by Thiele, second by Isom to approve the request for an eligibility letter to allow Engineering Change Lab-USA to use the word “Engineering” in its trade name. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

2018 and 2019 Travel and per diem authorization

Authorization requests:

- Bostelman to serve as an official observer for the Chemical Engineer examination cut score development at Clemson, SC, for the NCEES Examinations for Professional Engineers (EPE) Committee on February 22-23, 2019 (per diem only). Travel will be funded by NCEES.

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

E. COMPLIANCE

Information

December 2018 Compliance Cases

Summary of Open Cases

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Executive Session – Commenced at 10:33 a.m.

Motion by Thiele, second by Peters to enter into executive session for discussion of compliance investigations, partner-agency processes, and license renewal disclosures 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: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Active Cases: Summary & Documentation

Case 17.20, Cases 14.03 & 14.13, Case 17.13, Case 17.15, Case 17.26, 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, Case 18.15, Case 18.16, Case 18.17, Case 18.18, Case 18.20, Case 18.21, and Case 18.22.

Klein recused herself from the review of Case 17.20 at 10:33 a.m. and returned to the meeting after discussion was completed at 10:35 a.m.

Other Compliance Issues

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

Disciplinary actions disclosed on license renewals were reviewed in executive session.

Executive Session – Concluded at 12:03 p.m.

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

Motion by Thiele, second by Isom to dismiss Case 17.20 with no disciplinary action. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom. Voting No: None. Abstain: Klein. Absent: Bostelman.

Motion by Thiele, second by Kelly to close Case 17.15. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Motion by Thiele, second by Isom to approve the settlement agreement in Case 17.26 and authorize the Chair to sign the Board approval. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Motion by Thiele, second by Peters to approve the draft petition for disciplinary action and the notice of formal hearing on January 11, 2019, subject to a quorum; if not, will notice hearing for February meeting for Case 18.17. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Motion by Thiele, second by Isom to dismiss Case 18.22 as an exempt project with no disciplinary action. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Motion by Thiele, second by Isom to renew licenses A-4484, A-3512, A-2873, E-12736, E-11581, E-14840, E-12142, E-14847, E-6861, and E-7313. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

Motion by Thiele, second by Peters to decline renewal of license E-16060 based on the license renewal disclosures and to extend an opportunity to the licensee to show cause as to why the license should be renewed. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-17357 Todd Boyd Bahney, Mechanical; E-17344 James Randall Basinger, Mechanical; E-17329 Arian Cala, Electrical and Computer; E-17316 Richard Leon Cannyn, Chemical; E-17356 Willy Max Chen, Structural; E-17324 Eugene Crever, Mechanical; E-17359 Daniel James Cronin, Civil; E-17333 Wesley Steven Cullumber, Civil; E-17342 Joseph Anibal Dos Santos, Civil; E-17325 Alan Michael Downes, Electrical; E-17355 Thomas Lee Doyle, Electrical; E-17354 David Robert Gerdeman, Electrical and Computer; E-17315 Nicholas David Gingerich, Mechanical; E-17350 Erik Robert Hall, Electrical and Computer; E-17339 Steven Richard Hamers, Mechanical; E-17343 Dale Curtis Hansen, Fire Protection; E-17347 Eric Andreas Hanson, Structural; E-17351 David James Hartmann, Civil; E-17340 Larry Edward Hebert, Electrical; E-17358 Scott Patrick Higinbotham, Structural; E-17349 Justin Hosseininejad, Electrical and Computer; E-17352 Casey Jordan Howard, Civil; E-17317 Richard David Jensen, Mechanical; E-17334 Matthew Joseph Jones, Civil; E-17341 Scott Allen Kelley, Electrical; E-17337 Elijah Edward Knight, Electrical; E-17328 Gabriel George Laber, Civil; E-17336 Seth James Lange, Civil; E-17348 Robert Guy Longseth, Mechanical; E-17353 Jay Duane O'Dell, Civil; E-17313 Christopher Dean Obermark, Structural; E-17326 David Keith Oshins, Mechanical; E-17345 Andrew Lee Pennekamp, Industrial; E-17330 Edward Joseph Radziszewski, Electrical; E-17360 Frank Thomas Ramps, Civil; E-17312 Nathan David Rau, Structural; E-17338 Alex Sestak, Civil; E-17346 John Richard Sewell, Civil; E-17314 Gregory Huffman Shoss, Electrical and Computer; E-17327 Patrick John Stiemke, Civil; E-17332 Matthew John Van Hoof, Civil; E-17335 Wesley Reed Weir, Civil; E-17331 Kaitlin Towle Warner, Civil; E-17361 Samuel Francis Wojciechowski, Mechanical.

Licensure of Architects by NCARB Certification

Approved: A-4994 Rebecca Arlene Ahlers, A-4990 Joshua Wells Carrell, A-4988 Eric John Eshback, A-5001 Adam Lawrence Fishbein, A-4998 Michael Roy Gruetzmacher, A-4991 Stuart Harris, A-4993 Nathaniel Briscoe Hudson, A-4996 Jeffry John Koch, A-4995 Molly Strayer Kollock McGowan, A-4990 Gregory Victor Nagel, A-4997 Taal Rachel Safdie, A-4989 Elizabeth Margaret Suina, A-4992 Judith Etelka Szabo-Stull.

Temporary Permits - *None*

Engineer Intern Enrollment

Approved: Mitchell Andrew Baker, Timothy Jacob Chavez, Joseph Timothy Malloy, Trenten John Meyer, Riley Andrew Palsma, Thomas Pershing Roustio, Tiffany Trevino-Medina, Tory Alexander Weeder, Kyle Joseph Wengel, Brett Allen Whorley.

Certificates of Authorization

Approved: CA4078 Nagel Architects A Series of Nagel Services LLC, CA4079 Buescher Frankenberg Associates Inc, CA4080 MRBRAZ & Associates PLLC, CA4081 Ramsey Industrial LLC, CA4082 Novus Architects Inc, CA4083 CEC Group LLC, CA4084 David L Jensen & Associates Engineering Inc, CA4085 Hamers Engineering LLC, CA4086 Polaris Consulting Engineers PC, CA4087 Jorgenson Ag Engineering LLC, CA4088 Hoerauf Consulting Inc, CA4089 Ennead Architects LLP, CA4090 Austin Building and Design Inc, CA4091 Elevation Structural Design LLC, CA4092 Formgrey Studio LLC, CA4093 Planning Design Research Corporation, CA4094 Dos Santos International LLC, CA4095 ABP Engineering LLC, CA4096 CMC Professional Services LLC.

Licensure/Examination

Licensure of Professional Engineers by Comity

Approved: Kelden Lee Boren, Electrical and Computer, ID; William Scott Godfrey, Structural, IL; Joseph Ted Kolanko, Civil, TX; Michael Eugene Nightingale, Fire Protection, CA; Matthew Joseph Schmidt, Structural, CO.

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Licensure of Professional Engineers by Experience

Approved: John Stephen Carr, Civil, IL; Gary Michael Scott, Mechanical, PA; Dennis Michael Wittry, Structural, GA; Stanley Eugene Zuravel, Jr, Mechanical, IL.

Licensure of Architects by Comity - *None*

Licensure of Architects by Experience - *None*

Licensure of Professional Engineers by Reinstatement - *None*

Licensure of Architects by Reinstatement - *None*

ARE Exam Approvals - *None*

PE/SE Exam Approvals

Approved: Daniel Robert Erdman, Civil; Carlie Lynn Hively, Civil; Joshua Todd Maurer, Civil; Matthew Frederick Williams, Environmental; Jingtao Zhang, Civil.

Special Cases

Certificates of Authorization

Approved: Safdie Rabines Architects

Kelly temporarily left meeting at 12:13 p.m.

Request for exemption of continuing education for license renewal as per Rule 9.6.1.3

Approved: A-4037 Thomas N. Smith

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

Kelly returned to the meeting at 12:15 p.m.

Motion by Thiele, second by Peters to waive the continuing education requirement for the renewal of license A-4037 based on written request for the 2017-2018 renewal period. Voting Yes: Kelly, Peters, Thiele, Champion, Foley, Isom, Klein. Voting No: None. Absent: Bostelman.

G. FINANCIAL MATTERS

Financial Reports

FY 2018-19 Financial Profile, as of November 29, 2018

Budget Status Report, October 2018

Budget Status Report, as of November 29, 2018

MTD General Ledger Detail Report, October 2018

MTD General Ledger Detail Report, as of November 29, 2018

Fund Summary Report, October 2018

Fund Summary Report, as of November 29, 2018

ED Wilbeck reviewed the financial reports as of November 29, 2018, with the Board.

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

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H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next meeting is scheduled on January 11, 2019, in the large conference room, 5th floor, 215 Centennial Mall South, Lincoln, NE. Champion, Kelly, and Klein will not be able to attend. ED Wilbeck will check with Bostelman to make sure she is available to ensure a quorum is present. If not, ED Wilbeck will send out available dates for the next meeting.

Individuals and organizations authorized to practice as of November 27, 2018:

Professional Engineers.....	8,234
Architects	1,958
Certificates of Authorization.....	2,214
Temporary Permits	24

Examination Information/Results

The Monthly Pass/Fail Report for October 2018 for the ARE 5.0 showed 13 exams taken and 7 exams passed.

There were 88 ARE candidates with open eligibilities on November 1, 2018.

Other Information

The Board's Facebook Analytics Report showed 959 individuals engaged from October 28, 2018, to November 24, 2018.

The October 2018 Dashboard Report indicated the Board's website had 4,759 visitors and the November 2018 Dashboard Report indicated 5,009 visitors.

Approved Board policies as of September 14, 2018, were provided.

ADJOURNMENT

The meeting was adjourned at 12:23 p.m.



Jan L. Bostelman, Secretary