

Nebraska Board of Engineers and Architects
Board Meeting Minutes
September 22, 2017

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor Conference Room, Lincoln, Nebraska. Vice-Chair Klein 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 in the Lincoln Journal Star in compliance with the Open Meetings Act.

Member Roll Call: Jennifer Klein, Vice-Chair; Lenora Isom, Secretary; Jan Bostelman; Mark Champion; Michael Conzett; Tom Laging; Randy Peters. Absent: Krista Kester, Chair.

Staff Present: Jon Wilbeck, Executive Director (ED); Lindy Rauscher, Compliance Officer (CO); Sandra Weaver, Business Manager (BM); Jean Lais, Administrative Assistant (AA); Molly Mayhew, Public Information Officer (PIO).

PUBLIC COMMENT - None

A. CONSENT AGENDA

August 8, 2017 Meeting Minutes

Action: Approval of Consent Agenda

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

B. MEETING REPORTS

Ad Hoc Committee Reports

The Applications/Experience Committee met on August 30, 2017. ED Wilbeck reported the Committee put much thought into the suggested revisions for the experience section of PE Exam applications. The Committee believes a reference's technical competence evaluation helps to establish "good reputation" and is consistent with statutes. Peters reported the suggested revisions would promote easier completion and review of progressive experience. The revised instructions will help applicants understand what the Board is seeking on the experience portion of their application.

Action:

Motion by Conzett, second by Peters to approve the Applications/Experience Committee work relative to the experience section and incorporate it into the PE exam application. Voting Yes: Conzett, Isom, Laging, Peters, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester.

The Software Engineering Committee met on September 1, 2017, with the UN-L Software Engineering Program director. The software program was implemented at UN-L because of industry demand, and is the first program of its kind in the Big Ten. A large knowledge base is available to be tapped. There does not appear to be industry exemptions in the Engineers and Architects Regulation Act specific to software engineering. The Committee will submit a final report at the October 2017 board meeting.

The Exemptions Committee met on August 18, 2017. ED Wilbeck reported the Committee agreed on two flowcharts dealing with exemptions to assist understanding as to how the statutes relate to the rules. Visual examples will be developed and added to clarify "addition" versus "renovation." Ways to communicate exemption information to licensees and the public will be considered. The Committee will determine if it is necessary to go back to the rules for discussion. A code officials meeting will be attended in December.

The Decoupling Committee met on September 6, 2017. The Committee provided an overview of decoupling engineering experience from the PE exam for the Nebraska Society of Profession Engineers

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of Nebraska (NSPE-NE) in advance of its September 8th meeting. ED Wilbeck reported efforts to coordinate a meeting between NSPE-NE and the Committee by early November.

Other Board Member Reports for Authorized Meetings

Vice-Chair Klein noted a place was added in the agenda for Board members to report on authorized meetings attended.

Conzett reported presenting a brief power point to the Society of American Military Engineers (SAME) meeting in Omaha on August 10th. It addressed how technology is affecting professional practice. Decoupling experience with the engineering examination was discussed. SAME unites public and private sector individuals and organizations from across the architecture, engineering, construction, environmental and facility management, cyber security, project planning, contracting and acquisition and related disciplines in support of national security. Conzett noted one meeting a year is dedicated to licensure.

Isom reported attending a virtual meeting for the NCARB Continuing Education Committee on August 16th. Courses offered for continuing education credit will be reviewed. The Committee looked at NCARB's mini-monographs and added new questions. The Committee is tasked with overseeing the development, delivery, and assessment of NCARB's education policies and programs relating to continuing education standards.

Champion reported attending a Model Law Task Force Meeting on August 25-26th in Wichita, KS. Concepts for defining architecture are being debated. The purpose of the Task Force is to conduct a review of existing model law language for current relevance, ease of access, and degree of compatibility with evolving programs and NCARB services to Member Boards.

C. OLD BUSINESS

2017 NCEES Annual Meeting summary of actions

The Board reviewed actions the Council took at the NCEES Annual Meeting business sessions on August 24 and 25. The Council elected James Purcell, P.E., of New Jersey to the position of 2017-18 President-Elect. ED Wilbeck reported the Western Zone resolution to amend the NCEES voting structure failed. The NCEES Treasurer's term was modified from two to three years.

Board motion concerning NCEES emeritus member service on Committees

At the NCEES Annual Meeting in August 2017, the Nebraska Board of Engineers and Architects introduced a motion asking for a change in Bylaws concerning service of NCEES Emeritus members. Although the motion did not pass, much discussion occurred on the floor.

Draft response to Governor's Executive Order No. 17.04

ED Wilbeck prepared a preliminary response to the Governor's Executive Order 17.04. The order addresses the regulatory framework in Nebraska. Each state agency was asked to conduct a review of their rules and regulations and submit a report addressing all existing and pending regulations to the Office of the Governor by November 15, 2017. ED Wilbeck will bring a final draft to the Board at the October meeting for approval.

Database replacement update

At a weekly database development meeting, ED Wilbeck was informed that the Nebraska Office of the Chief Information Officer (OCIO) had put a hold on the database replacement project. The original agreement was for OCIO to produce a solution by June 30, 2017. A misunderstanding occurred concerning available appropriation for the new database. On September 14, ED Wilbeck and AA Jean Lais met with OCIO representatives to discuss the issue. The date for completion of the database has

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been pushed back to January 1, 2018 with concurrence from both OCIO and Board staff in order to minimize impacts to the 2017 license renewal process. The Board reviewed a Change Order to the original Statement of Work prepared by OCIO staff.

Action:

Motion by Isom, second by Konzett to authorize the Executive Director to negotiate a project change order with OCIO for database development not to exceed \$15,000. Voting Yes: Konzett, Isom, Laging, Peters, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester.

D. NEW BUSINESS

Rules and Regulations promulgation update

ED Wilbeck reported contacting Melissa Ficke at the Governor's Policy Research Office. The proposed rules and regulations, submitted to the Governor on July 24, 2017, have not been acted upon.

Election and nomination of officers at NCEES Central Zone Meeting

A Zone Vice President and Assistant Zone Vice President will be elected at the NCEES Central Zone Meeting in May 2018. A motion will also be entertained for a nominee for the position of NCEES President-Elect. NCEES asked boards to submit other nominations if there was interest. Central Zone is searching for candidates. Konzett gave an update on interested candidates he was aware of.

UN-L ABET accreditation visit

ABET/EAC is conducting an accreditation visit to the University of Nebraska-Lincoln on September 24-27. ED Wilbeck volunteered to serve as an Observer representing the Board and has contacted the ABET Team Chair to coordinate.

Action:

Motion by Konzett, second by Laging to authorize ED Wilbeck to represent the Board as an observer at the ABET/EAC accreditation visit. Voting Yes: Konzett, Isom, Laging, Peters, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester.

2017 New Licensee Ceremony planning update

PIO Mayhew reported the State Capitol's Warner Chamber had been booked for the 2017 New Licensee Ceremony to be held on November 3, 2017, at 3:00 p.m. Laging will present new architects and Bostelman will present new professional engineers. A reception will follow the ceremony at the Lincoln Community Foundation, 5th floor large conference room.

Board brochure drafts

PIO Mayhew submitted drafts for an updated *Before You Build* brochure and new *Becoming an Architect/Professional Engineer* brochures. The new brochures will provide a checklist for students to refer to when becoming licensed in Nebraska. After review, removing "Maintaining" from the title was suggested. Mayhew asked members to send her any additional feedback.

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

Action:

Motion by Konzett, second by Bostelman to deny the request for an eligibility letter to allow Engineering Chemical Solutions to use the word "Engineering" in its trade name. Voting Yes: Konzett, Isom, Laging, Peters, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester.

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2017/2018 Travel and Per Diem Authorization

Champion noted the NCARB Model Law Task Force Meeting on February 16-17, 2018, is no longer planned to be held in Albuquerque, NM. The location will be changed to "TBA" in the authorization document until a location is determined.

E. COMPLIANCE

Information

September 2017 Compliance Cases
Summary of Open Cases

Executive Session – Commenced at 10:03 a.m.

Action:

Motion by Bostelman, 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 Vice Chair Klein. Voting Yes: Konzett, Isom, Laging, Peters, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester.

Active Cases: Summary & Documentation

Case 17.20, Cases 14.03 & 14.13, 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, Case 17.16, Case 17.17, Case 17.18, Case 17.19, Case 17.21, Case 17.22, Case 17.23, Case 17.24, Case 17.25.

Klein recused herself from the meeting at 10:04 a.m. before discussion of Case 17.20 and returned to the meeting after discussion ended at 10:41 a.m.

Peters left the meeting at 11:48 a.m.

Other Compliance Issues

The partner-agency process summary was reviewed in executive session.

Executive Session – Concluded at 12:01 p.m.

Action:

Motion by Konzett, second by Laging 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: Konzett, Isom, Laging, Bostelman, Champion, Klein, Peters. Voting No: None. Abstain: None. Absent: Kester.

Action: Approval of Compliance Case Disposition

Motion by Bostelman, second by Isom to offer the respondent two options in the settlement agreement for Case 14.03 & 14.13 as discussed in executive session. Voting Yes: Konzett, Isom, Laging, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester, Peters.

Motion by Konzett, second by Bostelman to dismiss Case 15.14. Voting Yes: Konzett, Isom, Laging, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester, Peters.

Motion by Bostelman, second Konzett to close Case 17.10 with no disciplinary action. Voting Yes: Konzett, Isom, Laging, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester, Peters.

Motion Konzett, second by Isom to close Case 17.14 with no disciplinary action. Voting Yes: Konzett, Isom, Laging, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester, Peters.

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Motion by Boselman, second by Isom to close Case 17.21 with no disciplinary action. Voting Yes: Conzett, Isom, Laging, Bostelman, Champion, Klein. Voting No: None. Abstain: None. Absent: Kester, Peters.

Champion left the meeting at 12:04 p.m.

F.APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-16771 Eric David Anderson, Civil; E-16726 Bret Thomas Budd, Civil; E-16754 David Wade Collins, Structural; E-16756 John Robert Cook, Electrical and Computer; E-16746 Scott M Deakins, Mechanical; E-16762 Alice Kay Erickson, Civil; E-16741 Luke Thomas Facemyer, Mechanical; E-16725 Michael John French, Civil; E-16755 Carla Marie Hansen, Civil; E-16750 Douglas Bernhardt Heller, Civil; E-16766 Thomas Lee Hendrick, Civil; E-16770 Heath Martin Hendrick, Civil; E-16744 Andrew Stephen Hoffman, Civil; E-16758 Nicholas James Hunt, Structural; E-16740 John Henry Huntley, Mechanical; E-16722 Alfred Eugene Johnson, III, Civil; E-16767 Christopher Doyle Jones, Civil; E-16760 David Michael Klaseus, Civil; E-16760 Amy Marie Koch, Mechanical; E-16747 Maureen Margaret Kozel, Mechanical; E-16768 Dustin Bret Krasneski, Civil; E-16748 Benjamin Joseph Kuenzel, Civil; E-16742 Yen Wai Lai, Civil; E-16761 Joseph Paul Maciejczyk, Mechanical; E-16772 Dennis Paul Maille, Civil; E-16728 Joshua James Makela, Civil; E-16723 Nathan Douglas Maxey, Electrical; E-16765 Wayne Sheridan Moore, Jr, Civil; E-16751 Keith Michael Mueller, Structural; E-16753 Peter Paul Perri, IV, Civil; E-16733 Jonathan Vincent Queen, Civil; E-16745 Joseph Allen Ricker, Civil; E-16749 Andrew James Schall, Agricultural; E-16764 Darin Lee Schriever, Civil; E-16769 Travis Blazier Smith, Mechanical; E-16763 Jeremiah Luke Stokdyk, Electrical and Computer; E-16757 Michael Dean Vair, Electrical and Computer; Travis Quin Vander Stouwe, Mechanical; E-16732 Brian Matthew Volpe, Structural; E-16727 Adam Case Ward, Electrical; E-16730 Victoria Ashley Webber, Civil; E-16743 Aaron Mitchell Kirk Woiwode, Civil; E-16773 Catherine Buckley Yang, Environmental.

Licensure of Architects by NCARB Certification

Approved: A-4825 Jack Christopher Ball; A-4822 David Dillard Cannon; A-4821 Brendan Michael Grady; A-4826 Scott Andrew Moore; A-4820 Kristie Marie Nelsen; A-4823 Angela Marie Odom.

Temporary Permits

Approved: T-569 Terrence David Shofner, MO, Engineer; T-570 Douglas Todd Fisher, OH, Architect.

Engineer Intern Enrollment Approved: Garrett Brady Bowmaster, NE; Amanda Jane Gilbert, NE; Carey Dennis Haefele, NE; Bailey Nicole Helmink, NE; Connor James Kelley, NE; Alison Cathryn Koch, NE; Mainor Odbaldo Martinez, NE; Mark Joseph Niechwiadowicz, NE; Edin Terzic, NE; Jordan John Vavrina, NE; Jordan Thomas Wipf, NE.

Certificates of Authorization

Approved: CA3839 Groundwater & Environmental Services Inc; CA3840 Global Risk Consultants Corp; CA3841 MSW Consulting Inc; CA3842 Babcock Services Idaho Inc; CA3843 jBH3 & Associates Inc; CA3844 Larson Design Group Inc; CA3845 The Equity Engineering Group Inc; CA3846 Gabelman Process Solutions LLC; CA3847 DAS Architects Inc; CA3848 The Johnson-McAdams Firm PA; CA3849 Randall Peters PE Consulting LLC; CA3850 Burgess & Niple Inc; CA3851 Southern Engineering Solutions Inc; CA3852 GeoStructural LLC; CA3853 Red Plains Professional Inc; CA3854 21 Design Group Inc; CA3855 EarthCon Consultants Inc; CA3856 SMD Engineering PLLC; CA3857 Nelson Engineering; CA3858 JMK Services PC; CA3859 Kardent, CA3860 Specialty Telecommunications Services LLC; CA3861 Ahern Fire Protection a division of JF Ahern Co; CA3862 Smith Engineering; CA3863 Jack Ball & Associates Architects PC; CA3864 Moore and Associates Engineering and Consulting Inc.

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Licensure/Examination

Licensure of Professional Engineers by Comity

Approved: William James Crowley, Civil, OH; John Boyd Ellis, Civil, KY; Matthew Kenneth Kroge, Civil, GA; Payton Daniel Seager, Civil, WV; Dung Duc Vu, Mechanical, TX; Bryan Evans Wickert, Structural, IL.

Licensure of Professional Engineers by Experience

Approved: Terrence David Shofner, Fire Protection, MO.

Licensure of Architects – Initial

Approved: John Tracy Connor, Architect.

Licensure of Architects by Experience – None.

Licensure by Reinstatement

Approved: A-3824 Douglas Todd Fisher.

ARE Exam

Approved: Alexander Dean Eastman, NE; Garrett Steven Peterson, NE; Scott Randolph Smith, NE.

PE Exam

Approved: Brian John Friedrichsen, NE, Civil; Anna Marie Mosier, NE, Mechanical.

Special Cases

Licensure of Architects by NCARB Certification

Approved: Kenneth James Mackenzie, David Merle Murphy.

Approved: Certificate of Authorization for Crawford Architects LLC, David Merle Murphy as "Architect in Responsible Charge."

Licensure of Professional Engineers by Comity

Approved: Robert Josef Hinojosa, Civil, TX.

Licensure of Engineers by Experience

Approved: Benjamin Benson, Mechanical, CA; Donald Wayne Deal, Civil, MO.

PE Exam

Approved: Emilie Hudon, NE, Civil.

Temporary Permits

Approved: Robert Josef Hinojosa, FL, Engineering.

Certificates of Authorization

Approved: Energyneering Solutions Inc; Tomarco Contractor Specialties Inc d/b/a International Seismic Application Technology.

Credentials Evaluation Request

Approved: Luke C. Ritz

Action: Approval of Applications

Motion by Conzett, second by Laging to approve applications as recommended by staff with the exception of the request from Luke Ritz. Voting Yes: Conzett, Isom, Laging, Bostelman, Klein. Voting No: None. Abstain: None. Absent: Champion, Kester, Peters.

Motion by Conzett, second by Isom to authorize ED Wilbeck to write a letter to NCEES requesting a credentials evaluation for Luke C. Ritz. Voting Yes: Conzett, Isom, Laging, Bostelman, Klein. Voting No: None. Abstain: None. Absent: Champion, Kester, Peters.

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G. FINANCIAL MATTERS

Financial Reports

FY 2017-18 Financial Profile, August 2017

Budget Status Report, August 2017

MTD General Ledger Detail Report, August 2017

Fund Summary Report, August 2017

ED Wilbeck reviewed the August financial reports with the Board.

Action: Approval of Financial Reports

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

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next Board meeting is scheduled for October 27, 2017, at 8:30 a.m. at 215 Centennial Mall South in the 5th floor large conference room.

A roster of Board members and the Travel Reimbursement Policy were provided.

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

Individuals and organization authorized to practice as of September 8, 2017:

Professional Engineers: 7,934

Architects: 1,881

Certificates of Authorization: 2,169

Temporary Permits: 24

A total of 86 ARE candidates had open eligibilities on August 1, 2017. On September 1, there were 84 open eligibilities.

The Monthly Pass/Fail Report for July 2017 for the Nebraska ARE 4.0 and 5.0 divisions showed 14 exams attempted and 10 exams passed. The August 2017 4.0 and 5.0 ARE Pass Report showed 21 exams attempted and 10 exams passed.

Other information

A report tracking the Board's Facebook activity from August 11, 2017 to September 7, 2017, was provided by PIO Mayhew. The report showed 2,158 people reached between August 10 and September 6, 2017.

The August 2017 Website Dashboard Report showed 2,864 total visits to the Board's website.

Approved Board policies as of August 8, 2017 were provided.

ADJOURNMENT

The meeting was adjourned at 12:18 p.m.


Secretary