

Nebraska Board of Engineers and Architects
Board Meeting Agenda – June 14, 2019, 8:30 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 PG.1-3

Public Comment

The following will appear before the Board:

8:30 a.m. – Rich Lombardi, Legislative Liaison, American Communications Group, Inc

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Administratively Approved

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ADJOURNMENT

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CALL TO ORDER

The June 14, 2019 meeting of the Nebraska Board of Engineers and Architects was held in the 5th floor large conference room, 215 Centennial Mall South, Lincoln, Nebraska. Chair Isom 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: Lenora Isom, Chair; Jan Bostelman, Vice Chair; Brett Foley, Secretary; David Johnson; Brian Kelly, Jennifer Klein; Randy Peters. Absent: Daniel Thiele.

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

Public Attendance

Ann Linneman, DAS Budget Management Analyst (*No Comment*)

Brian Wieseler, PE

Public Comment

Brian Wieseler provided comments related to Case 18.15. The Board thanked Mr. Wieseler for his comments and stated the matter would be reviewed in executive session.

A. CONSENT AGENDA

May 17, 2019 meeting minutes

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

B. MEETING REPORTS

Ad Hoc Committee Reports

Legislative Report

A list of legislative bills and their 2019 Legislative session results and legislative resolutions authorizing interim studies of issues were reviewed. ED Wilbeck summarized additional legislative studies of possible interest, including LR92, LR163, LR187, and LR231.

Legislative Committee Report

A list of proposed changes to the Engineers and Architects Regulation Act based on new suggestions made by the Legislative Committee was reviewed. Provisions were added to draft language to accept degrees from programs accredited by the Canadian Engineering Accreditation Board and the Canadian Architectural Certification Board. ED Wilbeck reported the Nebraska Society of Professional Engineers may take a neutral position on decoupling since there appears to be many differing opinions in its board and membership. At the NeSPE Annual Meeting, NeSPE officials contacted ED Wilbeck and advocated that references be required as part of the PE application and the license application. ED Wilbeck noted he would follow up with NeSPE to make sure their questions were addressed.

Professional Services Committee Report

The Professional Services Committee met on May 20, 2019. A request for proposal (RFP) for legislative liaison services was finalized. The Committee identified 20 organizations registered with the Nebraska Legislature and

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RFPs were mailed out. ED Wilbeck reported five responses have been received. The deadline to notify the Board of intent to submit a proposal is June 20, 2019. The Board anticipates selecting a vendor at its September 13, 2019 meeting for the FY 2020-21 contract.

Executive Committee Report

The Executive Committee report will be deferred to the August Board meeting.

Other Meeting Reports

C. OLD BUSINESS

Marketing progress report and FY 2019-20 Marketing Plan draft

ED Wilbeck reported no major changes were made to the FY 2019-20 Marketing Plan. Efforts will continue to focus on keeping the public informed through increased social media, website presence and creation of applicable videos. The Marketing Plan draft will be brought back to the August Board meeting for approval.

Updated handbooks and brochures were recently mailed with a letter to 242 Nebraska school superintendents.

The spring issue of *The Nebraska Professional* was the second newsletter emailed to recipients via Mailchimp. Approximately a dozen requests were received for paper regulation handbooks.

Proposed NCEES Bylaws changes and motions to be presented at the 2019 NCEES Annual Meeting

Motions to be presented at the NCEES Annual Meeting to be held August 14-17, 2019, in Washington, DC, were reviewed and discussed. Reviewed motions. Emeritus Board member, Michael Conzett may attend the August meeting to discuss Education Motion 1. The Board was in favor of motions except as follows:

- Education Motion 1: Oppose
- Bylaws Motion 2: Request removal from consent agenda; oppose
- Surveying Exam Module Task Force Motion 1: Check with Surveyors in early August to determine their position
- EPP Motion 1: Foley expressed concern with the word “releasing” since it might compel NCEES to release results too soon. A suggestion was made to replace “releasing” to “until irregularity has been resolved.” Suggested language will be brought back to the Board for consideration.

At its August meeting, the Board will review bylaws changes and determine how to authorize its delegates to vote on motions at the annual business meeting.

Thomas R. Kimball Hall of Fame induction ceremony

The Thomas R. Kimball Hall of Fame induction ceremony will take place Tuesday, June 25, 2019, from 2:00 p.m. to 3:00 p.m. at the Warner Chamber of the Nebraska State Capitol Building. A reception will follow at the Governor’s residence from 3:00 to 4:00 p.m. Chair Isom will present an honorary license certificate for Thomas R. Kimball and a letter from the Board to the Kimball family at the reception.

Termination of database development project

ED Wilbeck reported the Office of the Chief Information Officer (OCIO) would not be refunding expenditures for the database development project. The Board terminated the project on May 17, 2019. A part-time temporary IT Support Analyst has been hired to make essential changes to the current database and assist in determining the best database solutions.

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Continuity Plan update

A meeting with AmyLynn Creaney, the Enterprise Continuity Manager, will occur on June 18, 2019. An update will be given at the August Board meeting.

D. NEW BUSINESS

Public Works Exemption Level Determination

In accordance with N.R.S. §§ 81-3445, 3449(4), and 3453(4), the exemption level for public works projects must be adjusted every fifth year. The last adjustment was effective on July 1, 2014. The Level Adjustment Chart was reviewed by the Board and is attached to these minutes. The Board's website will be updated with the new exemption level and a notification will be sent to applicable state agencies and political subdivisions. The new exemption level will be considered for an inclusion in the 2019 fall issue of *The Nebraska Professional* newsletter.

Motion by Peters, second by Bostelman to approve the adjustment of the exempted public works expenditures for the next five years from \$109,000 to \$118,000, beginning on July 1, 2019. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

NCEES Annual Meeting information

An agenda with travel and registration information was provided for the NCEES Annual Meeting to be held in Washington, DC, on August 14-17, 2019. The registration deadline is July 5.

NCEES Board of Directors meeting summary

A summary update of the NCEES Board Meeting in Boise, ID, on May 19-20, 2019 was reviewed, provided by Central Zone Vice President Marlon Vogt of Iowa. The non-consent agenda for the NCEES annual meeting will include technology degrees and one board/one vote/proxy voting. President-Elect Dean Ringle has completed the next year's NCEES committee assignments.

FY 2019-20 meeting agenda review authorization for Chair

Motion by Klein, second by Bostelman to authorize travel and per diem for attendance of agenda review meetings during FY 2019-20. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

FY 2019-20 in-state travel authorization for Executive Director

Motion by Bostelman, second by Kelly to authorize ED Wilbeck for all in-state travel during FY 2019-20 for official Board business. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

2019 Travel and per diem authorization

Authorization requests:

- Kelly to attend the NCARB Licensing Advisors Summit on August 1-3, 2019, in Minneapolis, MN. The request is for per diem only since funding will be provided by NCARB.
- Isom to attend the Thomas R. Kimball Hall of Fame Induction in the Warner Chamber at the State Capitol and reception at the Governor's mansion on June 25, 2019, to present an honorary license certificate for Thomas R. Kimball and a letter from the Board of Engineers and Architects to the family.
- Isom to attend the NCARB Education Committee meetings on September 13-14, 2019, December 6-7, 2019, and March 27-28, 2020. Locations will be determined at a later date. The request is for per diem only since funding will be provided by NCARB.

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- Bostelman to attend the NCEES Examinations for Professional Engineers (EPE) Committee meetings, tentatively on October 24-27, 2019 and January 23-26, 2020. The location will be determined at a later date. The request is for per diem only since funding will be provided by NCEES.

Motion by Klein, second by Foley to authorize travel and/or per diem as requested. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

E. COMPLIANCE

Summary of Open Cases

Executive Session – Commenced at 9:39 a.m.

Motion by Klein, second by Kelly to enter into executive session for discussion of compliance investigations and 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 Isom. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

Active Cases: Summary & Documentation

Case 17.13, Case 17.26, Case 18.02, Case 18.13, Case 18.14, Case 18.15, Case 18.17, Case 18.20, Case 18.21, Case 19.01, Case 19.02, Case 19.03, Case 19.05, Case 19.06, Case 19.07, Case 19.08, Case 19.09, and Case 19.10 were reviewed in executive session.

Due to a conflict of interest, Special Assistant Sean Minahan left the meeting before discussion of Compliance Case 19.01 and returned to executive session when discussion ended. Board member Bostelman recused herself from discussion of Case 19.06 due to a conflict of interest and returned to executive session when discussion for the case ended.

Other Compliance Issues

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

Executive Session – Concluded at 11:13 a.m.

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

Motion by Foley, second by Klein to dismiss Case 18.14 with no disciplinary action. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

Motion by Foley, second by Bostelman to approve the settlement agreement in Case 18.15 and authorize the Chair to sign the agreement. Voting Yes: Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Abstain: Kelly. Absent: Thiele.

Motion by Foley, second by Bostelman to dismiss Case 19.02 with no disciplinary action based on remediation. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

Motion by Foley, second by Peters to dismiss Case 19.06 with no disciplinary action and send a letter concerning sealing projects. Voting Yes: Kelly, Klein, Peters, Foley, Johnson, Isom. Voting No: None. Absent: Thiele. Bostelman recused.

Motion by Foley, second by Kelly to dismiss Case 19.07 with no disciplinary action since the allegations are outside the Board's jurisdiction. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

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Motion by Foley, second by Bostelman to dismiss Case 19.08 with no disciplinary action since the allegations are outside the Board's jurisdiction. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-17704 Adam Mark Luther Adams, Civil; E-17639 Khalid Nabil Arafeh, Civil; E-17692 Peter Michael Barth, Electrical and Computer; E-17643 Kim Marie Carvalho, Structural; E-17641 Maria Louise Chesnut, Structural; E-17685 Scott Thomas Ercole, Mechanical; E-17691 Valerie Tripp Eskelsen, Civil; E-17640 Mark Joseph Ferraresi, Fire Protection; E-17687 Nathan Richard Frankenhoff, Structural; E-17697 John David Gallagher, Civil; E-17703 Jeffrey David Geurian, Civil; E-17684 Anthony Dale Gipson, Electrical; E-17637 Travis Paul Grutsch, Structural; E-17698 Rustin Simmons Hartman, Mechanical; E-17686 Jed Bradford Larsen, Civil; E-17699 Anthony Ronald Neer, Civil; E-17706 Michelle Ann Riedman, Structural; E-17701 Brian Edward Santori, Mechanical; E-17634 Thomas Michael Slattery, Mechanical; E-17700 Ryan Coe Van Voast, Electrical and Computer; E-17635 Stephan Paul Wood, Electrical and Computer; E-17642 Casper Jay Wynn, Civil.

Licensure of Architects by NCARB Certification

Approved: A-5063 William Samuel Buzard, A-5060 Rodney Allen Coker, A-5061 Christopher Anthony Jackson, A-5056 Frank Thomas Small, A-5062 Carlos Tornelli.

Temporary Permits (*None*)

Engineer Intern Enrollments

Approved: Nicholas James Clifford, Nicholas Jorge Garaycochea, Elizabeth Anne Homes, Andrew Scott Kingman, Isaac Beau Kreikemeier, Beau Michael Litz, Emma H. Martin, Gage Nathaniel Parsons, Saide Fae Reinig, Matthew Josiah Rennau.

Certificates of Authorization

Approved: CA4186 SMG Engineers Inc, CA4187 Williams & Associates Architects Inc, CA4188 Brown Design Associates Inc, CA4189 Tisley Architects LLC, CA4190 Fiebig Architecture PLLC, CA4191 Frankenhoff Consulting Inc, CA4192 Pacheco Ross Architects PC, CA4193 B&J HBK Inc, CA4194 Environmental Works Inc, CA4195 The Small Group LLC, CA4196 Yaeger Architecture Inc, CA4197 FoleyShald Engineering, CA4198 Architectural Development Sources LLC.

Licensure/Examination

Initial Licensure of Engineers (*None*)

Licensure of Professional Engineers by Comity

Approved: Durak Evrim Ercan, Electrical and Computer, NY; Kathryn Ann Gruver, Civil, OH; Nathanael Occenad, Electrical and Computer, NC; Xuebing Zheng, Civil, FL.

Licensure of Professional Engineers by Experience

Approved: Richard Ray Adams, Civil, CA.

Initial Licensure of Architects (*None*)

Licensure of Architects by Comity (*None*)

Licensure of Architects by Experience

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Approved: Samuel Robert Estes, MO.

Licensure of Professional Engineers by Reinstatement (*None*)

Licensure of Architects by Reinstatement

Approved: A-3041 Gregory Robert Beste.

ARE Exam Approvals

Approved: Rex Thomas Sandquist, Ilja Raphael Sanio (*Reapproval*)

PE/SE Exam Approvals

Approved: Nathan John Williams, Civil; Michael Sean Zelensky, Mechanical.

Special Cases

Engineer Intern Enrollments

Deferred: Seyyed Shahab Hosseinian – Waiting on further documentation of education.

Approved: Kanchan Devkota.

ARE Exam Approvals

Approved: Nicholas Eugene Beaty

PE/SE Exam Approvals

Approved: David Lola Aderemi, Electrical & Computer; Dayangnewende Anselme Nassa, Civil.

Deferred: Mackenzie Ashton Jaeger, Structural VL – Course taken does not meet additional relevant formal instruction as outlined in Rule 2.4.1.7.

Motion by Bostelman, second by Foley to approve applications as recommended by staff except to defer Seyyed Shahab Hosseinian's education re-evaluation request for Engineer Intern Enrollment and approve Nicholas Eugene Beaty's application to sit for the ARE with the stipulation that if there are any new violations or charges, an appearance would be required before the Board once all divisions of the ARE are passed. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

G. FINANCIAL MATTERS

Financial Reports

FY 2018-19 Financial Profile, as of May 2019

Budget Status Report, May 2019

MTD General Ledger Detail Report, May 2019

Fund Summary Report, May 2019

ED Wilbeck reviewed the May 2019 financial reports with the Board.

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

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Other Financial Matters

Fee schedule review

Motion by Foley, second by Bostelman to continue with the current fee schedule and review fees again at the end of the next fiscal year. Voting Yes: Kelly, Klein, Peters, Bostelman, Foley, Johnson, Isom. Voting No: None. Absent: Thiele.

Fees will remain as follows for FY 2019-20:

Architect / Professional Engineer Comity 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
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
Initial Emeritus Status (No renewal fee).....	\$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

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next board meeting is scheduled on August 9, 2019, at 8:30 a.m. in the large conference room, 5th floor, 215 Centennial Mall South, Lincoln, Nebraska.

Individuals and organizations authorized to practice as of June 3, 2019:

Professional Engineers.....	8,169
Architects	1,913
Certificates of Authorization.....	2,234
Temporary Permits	20

Examination Information/Results

There were 85 ARE candidates with open eligibilities on June 1, 2019.

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Other Information

The Board's Facebook Analytics Report showed 206 individuals reached and 46 engaged from May 7, 2019, to June 3, 2019.

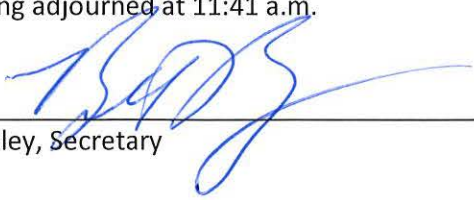
The Mailchimp Analytics Report showed the latest edition of *The Nebraska Professional* emailed to 10,119 architects and professional engineers, 1,020 licensed organizations, 491 emeritus status members, 67 societies/agencies and 7 others who requested to be on the email list.

The May 2019 Dashboard Report indicated the Board's website had 3,344 visits during the month.

Approved Board policies as of May 17, 2019, were provided.

ADJOURNMENT

The meeting adjourned at 11:41 a.m.



Brett P. Foley, Secretary

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(See "Public Works Exemption Level Determination" in the minutes under New Business)

Public Works Exemption Level Adjustment

In accordance with N.R.S. §§ 81-3445, 3449(4), and 3453(4), the exemption level for public works projects must be adjusted every fifth year, equal to the then current amount adjusted by the cumulative percentage change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounded up to the next highest thousand. The last such adjustment was made at the Board's June 2014 regular meeting and effective July 1, 2014. Staff recommends that the Board adjust the exemption level to \$118,000 as calculated below.

Previous Level

Effective 7/1/2014: \$ 109,000.00

2014	\$ 109,000.00	1.6%	\$ 1,744.00	\$ 110,744.00
2015	\$ 110,744.00	0.1%	\$ 110.74	\$ 110,854.74
2016	\$ 110,854.74	1.3%	\$ 1,441.11	\$ 112,295.86
2017	\$ 112,295.86	2.1%	\$ 2,358.21	\$ 114,654.07
2018	\$ 114,654.07	2.4%	\$ 2,751.70	\$ 117,405.77
2019	\$ 117,405.77			

New Level

Effective 7/1/2019: \$ 118,000.00

Source: <https://data.bls.gov/pdq/SurveyOutputServlet>

Data extracted on: May 23, 2019 (3:47:45 PM)

CPI-All Urban Consumers (Current Series)

12-Month Percent Change

Series Id: CUUR0000SA0

Not Seasonally Adjusted

Series Title: All items in U.S. city average, all urban consumers, not seasonally adjusted

Area: U.S. city average

Item: All items

Base Period: 1982-84=100

Download: [XLSX](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2009	0.0	0.2	-0.4	-0.7	-1.3	-1.4	-2.1	-1.5	-1.3	-0.2	1.8	2.7	-0.4	-0.6	-0.1
2010	2.6	2.1	2.3	2.2	2.0	1.1	1.2	1.1	1.1	1.2	1.1	1.5	1.6	2.1	1.2
2011	1.6	2.1	2.7	3.2	3.6	3.6	3.6	3.8	3.9	3.5	3.4	3.0	3.2	2.8	3.5
2012	2.9	2.9	2.7	2.3	1.7	1.7	1.4	1.7	2.0	2.2	1.8	1.7	2.1	2.3	1.8
2013	1.6	2.0	1.5	1.1	1.4	1.8	2.0	1.5	1.2	1.0	1.2	1.5	1.5	1.5	1.4
2014	1.6	1.1	1.5	2.0	2.1	2.1	2.0	1.7	1.7	1.7	1.3	0.8	1.6	1.7	1.5
2015	-0.1	0.0	-0.1	-0.2	0.0	0.1	0.2	0.2	0.0	0.2	0.5	0.7	0.1	-0.1	0.3
2016	1.4	1.0	0.9	1.1	1.0	1.0	0.8	1.1	1.5	1.6	1.7	2.1	1.3	1.1	1.5
2017	2.5	2.7	2.4	2.2	1.9	1.6	1.7	1.9	2.2	2.0	2.2	2.1	2.1	2.2	2.0
2018	2.1	2.2	2.4	2.5	2.8	2.9	2.9	2.7	2.3	2.5	2.2	1.9	2.4	2.5	2.4
2019	1.6	1.5	1.9	2.0											