CALL TO ORDER

The September 11, 2020, meeting of the Nebraska Board of Engineers and Architects was held in the 5th floor conference room, 215 Centennial Mall South, Lincoln, Nebraska. Chair Bostelman called the meeting to order at 8:31 am and noted the location of the Public Meeting Act. Notice of the meeting was published in the Lincoln Journal Star in compliance with the Open Meetings Act.

Member Roll Call: Jan Bostelman, Chair; Daniel Thiele, Secretary; Bruce Dvorak; David Johnson; Brian Kelly, Jason Suelter; Absent: Brett Foley, Vice Chair; Lenora Isom

Staff Present: Jon Wilbeck, Executive Director (ED); Amy Habe, Compliance Officer (CO); Jean Lais, Business Manager (BM); Mia Azizah, Public Information Officer (PIO)

Public Comment

No members of the public were present.

A. CONSENT AGENDA

August 7, 2020 meeting minutes

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

B. MEETING REPORTS

Ad Hoc Committee Reports

Interior Design Committee Report

ED Wilbeck provided a copy of the correspondence received from Jessica Doolittle confirm they had received Wilbeck's letter dated July 23, 2020.

Rules Changes Committee Report

ED Wilbeck reported the committee met on August 30, 2020. A legislative and clean copy of the proposed changes was provided. There was discussion in the committee regarding possible changes to Chapter 10, specifically to Rule 10.2 and 10.4. The members believe the two rules can be revised to clarify what is meant by *built area* and *adversely affected*. As the language in this chapter was originally drafted through Negotiated Rulemaking, care needs to be taken that the revisions would create issues with the stakeholders. ED Wilbeck will draft language with the committee and send it to the stakeholders for comment. The resulting revisions will be presented at the October meeting for Board approval.

Budget Committee Report

ED Wilbeck reported the Budget Committee met on August 21, 2020 to review the status of the FY2021-23 biennial budget submission. Further discussion on the submission occurred during the Financial Matters portion of the meeting.

Catalyst Report

Tim Gay from Catalyst provided an updated on the interim studies hearings schedule. A lower number of interim studies are anticipated due to the shortened timeframe and health precautions related to COVID-19. None of the interim studies related to occupational licensing have had hearings scheduled to date.

Several letters of intent to run for legislative committee chair have been submitted in the last few weeks. These include: Senator Steve Halloran for the Agriculture Committee; Senator Matt Williams for the Banking, Commerce, and Insurance Committee; and Senator Tim Gragert for the Natural Resource Committee. There are several vacancies due to term limits, including Speaker and Health and Human Services Committee.

Gay reported he is scheduled to meet with Senator Carol Blood to discuss LB 1068 (Interior Designers Regulation Bill). In addition to discussing the bill with her, he will share a copy of ED Wilbeck's letter submitted to Marilyn Hansen and continue to strengthen the relationship with Senator Blood.

Kaitlin Reece and ED Wilbeck are scheduled to meet later this month to discuss the current licensure pathways available to military members, veterans, and their spouses who relocate to Nebraska and wish to begin, resume, or continue work as an engineer or architect. Energy around reform often situates itself among senators focused on the experience of military members, veterans, and their spouses and tends to be introduced by senators who are either military or veterans themselves or senators with large military and veteran populations in their districts. With ED Wilbeck's input, Catalyst Public Affairs will develop a one-pager for the board's review and approval to use in meetings with military friendly senators and candidates to increase senator's awareness of flexibility already inherent in the practice act.

C. OLD BUSINESS

FY 2020-21 Marketing Plan

PIO Azizah updated the Board on the 2020-21 Marketing Plan.

- The Nebraska Association of County Officials (NACO) will be holding a meeting at the end of the year or beginning of next. She is currently waiting to see if they would like the Board to do a presentation.
- DHHS/Daycare Division will be holding training with their staff covering the requirements of the E&A Act. They have created a handbook for project owners which includes other agency/statutory requirements that may need to be followed during the project. They have added the E&A Act and the Board to handbook.
- The League of Municipalities will be holding their annual meeting virtually – Still waiting to see if they will have a spot for the Board.
- ED Wilbeck will be reaching out to faculty with information on educational reimbursements and the upcoming changes from LB 755. Wayne State has requested handouts on licensure to give to their students.
- There has been a rise in compliance cases related to school projects – PIO Azizah will be reaching out to the related organizations and will be contact the Nebraska Association of School Boards (NASB) this month as to whether they will still be holding their annual meeting and the possibility of the Board doing a presentation.
- ED Wilbeck will be doing a presentation to the Omaha Society of Engineers on the COVID-19 related continuing education revisions and the upcoming statute changes.

New Licensee Ceremony Planning

As discussed and approved at the August meeting, staff is moving forward with planning this year's ceremony. Recommended Directed Health Measures and social distancing guidelines will be followed. No reception will be held afterwards.

Responses have been received from all eligible licensees. Twenty-one engineers and five architects have confirmed their plans to attend with forty-eight engineers and two architects will not be attending and will have their certificates mailed to them.

The will be a limit of 140 attendees and will be held on November 6, 2020, at 3:00pm. Each licensee will be allowed up to three guests. The maximum number of licensees and guest will be limited to ninety-two. Taking into consideration staff and board members, members of the professional societies, and any additional licensees that may become eligible to attend between now and late October, staff is currently planning on a total of one hundred total attendees.

Chairs will be set in groups per the RSVPs with the name of the licensee on the back of the chairs.

Anderson Photography has been selected as the photographer for the event. The photographer will take photos as each licensee receives their certificate. The taking of the large group photo is undetermined at this time. In the past, the Board has paid to have 4x6 photos of each licensee printed and mailed.

As Board Chair, Bostelman will emcee the ceremony. Kelly will read the names of the architects and Dvorak will read those of the engineers. Suelter requested authorization to also attend the ceremony.

Database Update

ED Wilbeck reported the scope of work (SOW) has been sent to inLumon. They have reviewed and communicated that they estimated a 12-month timeline from kickoff to final deployment in production. The SOW is currently being inserted into their planning tools to produce a schedule with milestones to insert into the draft agreement. Preliminary estimates are for database costs during both implementation, delivery, and support phases to be $7,000 per month.

NCARB Exam Eligibility Services Agreement

The signed NCARB Exam Eligibility Services Agreement was provided and will go into effect on November 14, 2020, in conjunction with the effective date of LB 755.

Summary of 2020 NCEES Annual Meeting Actions

Voting results from the NCEES Annual Meeting held on August 27, 2020, are as follows:

- NCEES President-elect: Brian Robertson, P.E. (term: 2020–21; will serve as president in 2021–22)
- NCEES Treasurer: Paul Tyrell, PE, PLS (term: 2020–23)
- Central Zone vice president: Michael Drewyor, P.E., P.S. (term 2020–22)
- Central Zone assistant vice president: Janice Bostelman, P.E. (term: 2020–22)

D. NEW BUSINESS

Request to consider one-year experience credit for UNL MAE degree

ED Wilbeck posted an inquiry to other states on NCEES' Basecamp asking if they grant experience for graduate degrees, do they grant the experience for an EAC/ABET-accredited Master's degree when the undergraduate degree is not the accredited degree. Ohio, Texas, North Carolina, and Wyoming had responded that they do not.

NCEES Model Language allows for one year of experience to be credited for the Master's degree regardless to the accreditation status. As the Board does not want to jeopardize comity and/or MLE status of an application, ED Wilbeck will reach out to NCEES to clarify it does only require three years of experience with an accredited Master's degree. If this the case, he will revise Rules 2.3.4.1 and 2.3.4.2 to incorporate the Model Language allowing one year of experience to be credited for a graduation from any engineering non-accredited or accredited Master's program.

NCEES Regional PE Civil Exam administration in January 2021

Information regarding the addition of a Civil exam administration to be given on January 26, 2021, at eleven regional sites was provided for review. As the nearest exam site is in Topeka, KS, the Board and staff do not foresee any difficulties with accepting exam results for individuals who chose to test at one of these sites.

NCEES Central Zone Update

Correspondence from Marlon Vogt, Central Zone Vice-President, giving a summary of key discussion points from the August NCEES Board meeting was provided. These included discussions related to exam development committees meeting remotely, exam scheduling/capacity challenges, remote exam proctoring including California closing all its sites and moving the exams to Nevada, CBT exam backlog with Pearson VUE.

EAS Board Visitors for October 2020 Exams

Communication from NCEES regarding board visitors to the October exam sites was provided. Members were asked to let ED Wilbeck if they were interested in visiting and he would communicate such to NCEES. Requests need to be received by September 18, 2020.

NCARB Rolling Clock Extension

NCARB announced an additional 6-months rolling clock extension was added to all valid exam results and adjusted candidates Test Activity Status at the end of August. This was in response to the backlog of candidate appointments yet to be made up as a result of test center closures due to COVID-19 and to ensure eligibilities will not inadvertently close before additional testing opportunities are made available.

NCARB ARE Online Proctoring Update

NCARB announced candidates will be able to schedule online (remote)-proctored appointments in mid-November 2020. This will allow for testing to take place in a private location that meets specific requirements. Appointment scheduling for remote proctoring will be available November 16, 2020.

The content, format, and resources will be in the same format as those given at test centers. Updated resources and additional information related to remote proctoring are scheduled to be released in October.

2020 travel and per diem authorization

Isom to attend the NCARB Policy Advisory Committee meeting on September 18, 2020, to be held virtually. Suelter to attend the Structural SE Committee Scoring Workshop on December 2-5, 2020, to be held virtually. Ed Wilbeck and Foley to attend the NCARB Member Board Chair/Executive Summit on October 21, 2020, to be held virtually.

> *Motion by Thiele, second by Johnson to authorize travel and/or per diem as requested. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom*

Executive Session – Commenced at 10:13am

> *Motion by Thiele, second by Suelter 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 Bostelman. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom*

E. COMPLIANCE

Summary of Open Cases

Active Cases: Summary & Documentation

Cases 19.05, 20.02, 20.06, 20.07, 20.08, 20.09, 20.12, 20.14, 20.20, 20.22, 20.24, 20.26, 20.27, 20.29, 20.30, 20.31, 20.32, 20.33 were reviewed in executive session.

Other Compliance Issues

Partner agency processes were reviewed in executive session.

Executive Session – Concluded at 11:03am

Motion by Thiele, second by Kelly to close the 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: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

Motion by Thiele, second by Suelter to dismiss Case 20.08 with no disciplinary action based on successful completion of architectural and engineering remediation. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

Motion by Thiele, second by Suelter to dismiss Case 20.09 without prejudice. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

Motion by Thiele, second by Kelly to dismiss Case 20.12 after sending a letter of caution. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

Motion by Thiele, second by Suelter to dismiss Case 20.31 after sending a letter of caution. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

Motion by Thiele, second by Suelter to open a case against the project owner and authorize architectural and engineering remediation and request a response within 30 days and a remediation plan within 60 days on Project Review 09-01. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-18322 Manan Jayant Bhalja, Structural; E-18303 Ryan Keith Brookhard, Electrical and Computer; E-18318 Kevin Joel Bruxvoort, Electrical and Computer; SE-18323 Sarah Anne Carr, Electrical and Computer; E-18038 Cameron Tweed Carroll, Structural; E-18306 Christopher Douglas Cash, Civil; E-18299 Patrick Nolan Cassity; E-18304 Yiannoulla Christou Charalambous, Civil; E-18313 Shawn Douglas Cochran, Mechanical; Kevan James Cooper, Civil; E-18307 Timothy Allen Cullen, Civil; E-18315 Timothy Charles Dinkins, Civil; E-18297 Andrew Scott Ferdon, Civil; E-18321 Damon LeRon Garrett, Civil; E-18298 Austin Marion Gay, Civil; E-18291 Robert Martin Germany, Civil; E-18305 Wesley Cole Hardin, Structural; E-18310 Mark Adams Harriman, Civil; E-18320 Charles Alan Haynes, Civil; E-18296 John Tyler Henning, Civil; E-18309 Joshua Alan Kingery, Civil; E-18317 Chris Edward Lopez, Civil; E-18314 Scott Arthur Mack, Mechanical; E-18290 Jeremy Wayne Magelky, Mechanical; E-18277 Jeffrey Michael Miller, Civil; E-18312 Nancy Ellen Mills, Mechanical; E-18319 Matthew John O'Boyle, Architectural; E-18276 Patrick Owen Parker, Civil; E-18294 Michael Henderson Parker, Mechanical; E-18292 Jaron Rogers, Civil; E-18311 Michael Patrick Rogers, Mechanical; E-18316 William Harold Romines Jr, Civil; E-18302 Ryan James Seavert, Structural; E-18293 Kevin Morteza Seddighzadeh, Civil; E-18278 Michele Dionne Small, Civil; E-18275 Nicholas John Staroski, Structural; E-18324 Trent Winston Thatcher, Civil; E-18301 Richard Rottana Touch, Electrical; E-18295 Paul John Villaluz, Civil

Licensure of Architects by NCARB Certification

Approved: A-5211 Oswaldo Alberto Cajas Jr, A-5212 Elvis Josip Cale, A-5209 Blake Cameron Clarson, A-5210 Jamie Michelle Doran, A-5208 Jennifer Rea Kaeding, A-5205 Terry Leraan Phillips, A-5206 Joshua Wade Winston Stewart, A-5207 Mirek Edward Szadkowski

Temporary Permits

T-618 Todd Alan Birkel, IL, Engineering; T-619 John Kelly Stevens II, FL, Architecture; T-620 Manan Jayant Bhalja, CA, Engineering

Engineer Intern Enrollments

Benjamin Joseph Baugher, Jamie Lee Curtis, Riley Lane Glause, Ekram Zakher Louka, Colin Mathis Miller, Mohammad Mustafa Qudsi, Riley Joseph Ruskamp, Jessica Ann Satiroff, Steven Matthew Stella

Certificates of Authorization

CA4394 KP Engineering LP, CA4395 Torgerson Design Partners LLC, CA4396 Weaver Sherman PC, CA4397 Lloyd Engineering Inc, CA4398 Modjeski and Masters Inc, CA4399 Stanclift Group Limited, CA4400 Hagstrom Engineering PLLC, CA4401 Shephard Harvey and Associates Inc, CA4402 JDH Engineering Inc, CA4403 Kaeding Architecture LLC, CA4404 SW Bridge Engineers LLC, CA4405 Auth Consulting & Associates Inc, CA4406 Design Resources Group LLC, CA4407 Rice Companies Inc, CA4408 Eagle Engineering Group LLC, CA4409 Sims Engineering LLC, CA4410 Dimensions Dallas Inc, CA4411 Metro Consulting Associates LLC

Licensure/Examination

Initial Licensure of Professional Engineers *(None)*

Licensure of Professional Engineers by Comity

Approved: Patrick Daniels Carlson, Civil, MN; Valerie Sue McCaw, Civil, MO; Mircea Niculescu, Electrical and Computer, VA

Licensure of Professional Engineers by Experience

Approved: James Fox Lightfoot Jr, Mechanical, OK

Initial Licensure of Architects *(None)*

Licensure of Architects by Comity *(None)*

Licensure of Architects by Experience *(None)*

Licensure of Professional Engineers by Reinstatement

Approved: E-12346 Robert William Chilson, Civil, MN; E-14648 Matthew Wayne Loser, Civil, NV; E-14811 Anna Willett Benton, Environmental, VA

Licensure of Architects by Reinstatement *(None)*

ARE Exam Approvals

Approved: Abigail Leigh Nelson

PE/SE Exam Approvals

Approved: Garrett Paul Barbari, Mechanical; Brianna Christine Brass, Mechanical; Chandana Chickamagalur Balakrishna, Civil

Special Cases

Licensure of Professional Engineers by Comity

Deferred: Jerry Miller – Board requested one additional reference as one of the submitted references did not indicate good reputation or ethical character

Other Applications

Engineer Renewal

Approved: E-16068 John E Anderson

Motion by Suelter, second by Johnson to approve the applications and renewal of John Anderson as recommended by staff. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

G. FINANCIAL MATTERS

Financial Reports

FY 2020-21 Financial Profile, August 2020

MTD General Ledger Detail Report, August 2020

Fund Summary Report, August 2020

Budget Status Report, August 2020

ED Wilbeck reviewed the August financial reports with the Board.

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

Other Financial Matters

2021-2023 Biennial Budget Draft

A draft of the 2021-2023 Biennial Budget Request was provided for review. The total requested operation costs for FY2021-22 is $807,152 and $810,084 for FY2002-23. ED Wilbeck reviewed each of the Issue items. These were identified as:

- **Budget Adjustments** – These take into account changes in trends over the last two bienniums. The Board has moved to publishing the newsletter electronically, reducing the print and postage expenses. The Board has also seen a reduction in legal services expenses.
- **DAS & OCIO Rate Changes** – These reflected projected changes in rates charged by DAS and OCIO for services they provide the Board.
- **E-Commerce Adjustment** – This reflects anticipated changes in transaction fee expense related to the online application and renewal systems.
- **Licensee Database** – This reflects expenses related to converting and maintaining the new database system.
- **Projected Rent Increase** – This reflects projected increases in the Board's office lease and subsequently the Building Division's maintenance fee.
- **Teammate Health Insurance** – DAS is projecting a 4% increase in each fiscal year for health insurance costs.
- **Teammate Salary Increase** – DAS is projecting a 2% increase in each fiscal year for salary raises.

Projected revenues are based on a 10% reduction in renewals each year. With the requested appropriation and projected revenue, the Cash Fund is projected to be at $413, 465 at the end of the biennium.

Motion by Johnson, second by Kelly to approve the 2021-23 Biennial Budget Request pending minor adjustments. Voting Yes: Suelter, Thiele, Dvorak, Johnson, Kelly, Bostelman; Voting No: None; Absent: Foley, Isom

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next board meeting is scheduled on October 16, 2020, at 8:30am in the fifth floor large conference room, 215 Centennial Mall South, Lincoln, Nebraska.

Licensing and Certification Trends

Numbers as of 9/2/2020

Professional Engineers	8,466
Architects	1.953
Certificates of Authorization	2,253
Temporary Permits	16

There were 89 ARE Candidates with open eligibilities s of August 1, 2020.

Other Information

The Facebook Analytics Report showed 115 people were reached July 2-29, 2020, and 1,402 August 4-31, 2020.

The Website Dashboard Report indicates the Board's website had 2,492 total visits in August

Board Polices approved as of March 13, 2020, were provided.

ADJOURNMENT

Motion by Kelly, second by Suelter to adjourn the meeting at 11:56 am.

Daniel J Thiele, Secretary