CALL TO ORDER

The February 18, 2022, meeting of the Nebraska Board of Engineers and Architects was held in the 5th floor conference room, 215 Centennial Mall South, Lincoln, Nebraska. Chair Foley called the meeting to order at 8:34 a.m. and noted the location of the Open Meetings Act. Notice of the meeting was published in the Lincoln Journal Star in compliance with the Open Meetings Act.

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

Staff Present: Jon Wilbeck, Executive Director (ED); Amy Habe, Compliance Officer (CO); Jean Lais, Administrative Programs Officer (APO); Kennedy Stowater, Marketing & Communications Specialist (MCS)

PUBLIC COMMENT

No members of the public were present.

A. CONSENT AGENDA

January 21, 2022, meeting minutes

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

B. MEETING REPORTS

NBEA Subcommittee Reports

Legislative Committee

A copy of bills monitored by the Board and Catalyst Public Affairs was provided. Catalyst provided a written summary of LB709 and LB1127 committee hearings.

Rules Revisions Committee

Revisions to Rules 2.2.4.4 and 10.2 along with new rules related to title blocks were provided as per discussion held at the January meeting.

Proposed Revisions to Rule 2.2.4.4 – With Board approval up to <u>nine-six</u> semester credit hours of deficiency in general education may be removed...

Proposed New Rule 7.3.9 - Title Blocks

- 7.3.9 The preparation of plans or prints that constitute the practice of architecture or engineering will be signed and sealed in accordance with the E&A Act.
 - 7.3.9.1 A title block will be used on each sheet of plans or prints and will contain:
 - 7.3.9.1.1 The name(s), contact information, and license number(s) of the licensee(s) in responsible charge of the work shown on the plans or prints;
 - 7.3.9.1.2 The name and address or location of the project to which the plans or prints pertain; and
 - 7.3.9.1.3 If the licensee(s) sealing the plans or prints are practicing through an organization holding a certificate of authorization, the title block will contain the legal name or DBA of the organization(s), the organization(s) address, and the certificate of authorization number(s) of the qualified organization(s).

Johnson entered the meeting at 8:49 a.m.

Regarding proposed new rule 7.3.9, Thiele provided alternate language for the Board to consider:

Rule 6.5 – Title Blocks (Thiele recommendation)

- 6.5.1 Technical submissions that constitute the practice of architecture or engineering shall include the following information on each drawing and the cover page and/or first page of specifications, reports, studies, and other documents.
 - 6.5.1.1 The name and address or location of the project to which the technical submission apply; and
 - 6.5.1.2 The legal name or DBA of the organization(s), or the name of the individual licensee(s) not practicing through an organization, that performed the work included in the technical submission or drawing along with the contact information for the organization(s) or licensee(s); and
 - 6.5.1.3 If the licensee(s) sealing the technical submission or drawing are practicing through an organization, the certificate of authorization number(s) of the qualified organization(s).

The committee recommended placing the rules in Chapter 7 as they originally were geared toward organizations. Thiele suggested they be moved to Chapter 6 to put the requirement on the licensee to include the information. This will also cover sole proprietors.

Dvorak suggested adding *jurisdiction* to 6.5.1.1 to cover those projects that may not have an address or exact location. It was also suggested to separate out the name and location of the project into two sections and change the section header to *Title Block or Letterhead*.

Finally, ED Wilbeck proposed an addition to Rule 9.3.4 to address the term "technical" that the rule uses, based on multiple inquiries he has received in the last couple of months. After discussion, the members felt no revisions or additions was needed and directed ED Wilbeck to develop a standard reply to use when an inquiry is received.

Chair Foley requested a report on the number of licensees audited, the number of licensees who marked their continuing education was completed and were found to be short when audited to see if there is a trend that needs to be addressed. Thiele believed it would also be beneficial to see the disallowed courses even if the licensee had additional hours to complete the audit. Kelly suggested it might be beneficial to other licensees if the results of the audits were published in the Board's newsletter.

Staff will bring data related to the 2020-21 renewal cycle's CE audits to the Board's March meeting.

C. OLD BUSINESS

Database Update

ED Wilbeck updated the members on the progress of the database conversion.

Remediation Pamphlet

A draft copy of the Remediation Pamphlet with the revisions discussed at the January meeting was provided. Two misspellings were pointed out. Staff will correct and bring a sample to the March meeting. Chair Foley suggested the pamphlet is a good candidate to be translated into Spanish once finalized.

D. NEW BUSINESS

Marketing Plan Update

MCS Stowater updated the members on the status of the 2021-22 Marketing Plan. Highlights included:

• Staff continues to reach out to various organizations listed in the 2021-22 Marketing Plan

- Staff will be hosting a webinar on February 23, 2022, to building and code officials via Webex. Currently there are 94 registrants out of the 223 invitees.
- MCS Stowater reached out to AIA Nebraska regarding posting notices of ethics continuing education courses on the Board's social media accounts. They replied that do not send this type of announcement outside their membership, but would be happy to share other types of events with the Board to be shared on the Board's sites.
- MCS Stowater has been working on the When You Need a Licensee short video
- Facebook currently receives the most traffic, though LinkedIn and Instagram are starting to see an increase with the development of the social media flyer which is included in all new licensing packets.
- Staff will be presenting at the NRCSA Spring Conference on March 17, 2022, in Kearney on when a licensee is required on a project.
- ED Wilbeck speaking to the ENG400 class on February 21, 2022.
- ED Wilbeck taking part in a discussion panel at the State Fire Marshall conference in Kearney on March 2, 2022.
- Updated compliance case tracking maps were provided.

CO Habe asked the members if they would like to see cases for unlicensed practice and where the individual is located on the tracking maps. Historically they have only showed where the project is located. The members would like to see this information to track jurisdictions that may need to be contacted regarding the E&A Act and Rules requirements.

NCARB FY23 Board of Director Candidacy Info, 2022 Meetings, and Proposing Resolutions

Information on the upcoming NCARB 2022 meetings was provided.

NCARB FY22 Draft Resolution Notice

The following draft resolutions are being presented to the member boards for consideration:

- **Resolution 2022-A** Ratification of the Mutual Recognition Arrangement (MRA) development between NCARB and the U.K.'s Architect Registration Board (ARB). The agreement is expected to be signed in Spring 2022, and if the agreement is ratified, it will be implemented by January 1, 2023.
- Resolution 2022-B updates the definition of responsible charge to reflect modern practice standards, including changing the term in *Model Law* to "responsible control". The proposed responsible control language expands the existing definition to bring regulation into alignment with current practice, while removing ambiguity and clearly defining the critical components and expectations of architects in responsible control.
- **Resolution 2022-C** sunsets examination-related resolutions passed between 1966-1999 by the membership that no longer align with how NCARB operates today.
- Resolution 2022-D sunsets resolutions passed by the membership that no longer align with how NCARB operates today. This batch of resolutions focuses specifically on membership, related organizations, and other misc. policies that were passed between 1980-2020.
- **Resolution 2022-E** turns the Diversity Collaboration into a standing advisory committee in the *NCARB Bylaws* to ensure the continuity of its important work. This update to the *Bylaws* would further demonstrate the Council's ongoing commitment to diversity, equity, and inclusion; send a clear signal that this work is a priority to the organization; and will allow the committee the opportunity to continue to serve.

- **Resolution 2022-F** updates the *NCARB Bylaws* to add the Northern Mariana Islands to Article VI; Section 2; make minor updates to Article VII; Section 5 for clarity and consistency for elections of like positions; and replace pronouns with gender-neutral alternatives.
- **Resolution 2022-G** is a holistic update to the Requirements for NCARB Certification in the *NCARB Certification Guidelines* for clarity, ease of use by applicants, and alignment with current processes. There are some recommended changes, including removing a five-year grace period for candidates in process as a blanket policy, aligning Section 5 with the Professional Conduct Committee's Rules of Procedure, and removing appendices A and B.

An updated on tabled Resolution 2021-H proposed by the Diversity Collaboration which would realign the positions on the Board was provided. Work on exploring these issues remains ongoing as a precursor to any new or reconsidered resolution and will continue into FY23.

No action was taken. Any actions needed will be taken at a future meeting prior to the NCARB Annual Meeting on June 2-4, 2022.

NCARB Board of Director Candidates

The following individuals have announced their intentions to run for positions on the NCARB Board of Directors:

- Jon Baker, CA First Vice President
- Kenneth Van Tine, MI Second Vice President
- Edward Marley, AZ Treasurer
- David Hornbeek, OK Treasurer
- Richard McNeel, MS Secretary
- John Rademacher, OH Secretary
- Gary Ey, MD Public Director

NCARB Region V Call for Nominations

A copy of NCARB Region V's call for nominations was provided. Nominations are due by February 11, 2022, and the vote will take place during the Regional meeting, March 3-5, 2022. There will also be a call for nominations from the floor during the meeting.

Isom has expressed interest in running for Regional Director and James Devine in running for Regional Chair.

NCARB Region V Proposed Bylaws Revisions

A copy of the proposed Region V Bylaws Revisions was provided. The revisions reorganize the Bylaws to be more concise. Election information is in the same place and the appointment information is in consistent locations and separated from the description of the various Executive Committee and Executive Director duties.

NCEES Central Zone Call for Nominations and Interim Meeting Update

A copy of NCEES's Central Zone call for nominations and information on the interim meeting to be held in Oklahoma City, OK April 21-23, 2022, was provided.

Bostelman is running for Vice President and requested the Board provided a letter of endorsement to NCEES. A draft copy of the letter was provided.

Motion by Isom, second by Thiele to submit the letter of endorsement for Bostelman for Zone Vice President to NCEES. Voting Yes: Thiele, Bostelman, Dvorak, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None

Board member travel and per diem requests

The following travel and per diem requests were approved by the Board:

- Isom January 28, 2022 NCARB Diversity Collaborative (Virtual)
- Isom February 14, 2022 NCARB Policy Advisory Committee (Virtual)
- Isom February 22, 2022 NCARB Policy Advisory Committee (Virtual)
- Isom February 25, 2022 NCARB Diversity Collaborative (Virtual)
- Bostelman April 21-23, 2022 NCEES Central Zone meeting (Oklahoma City) (per diem only)
- Suelter April 4-8, 2022 NCEES SE Exam Development (
- Kelly Feb 4, 2022 NCARB Ed Committee (virtual)
- Kelly March 11, 2022 NCARB Ed Committee (Virtual)
- Kelly March 7-8, 2022- NCARB Analysis of Practice Focus Group (Charlotte) travel day March 9th

Motion by Bostelman, second by Thiele to approve the travel and per diem requests. Voting Yes: Thiele, Bostelman, Dvorak, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None

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

Executive Session began at 10:11 a.m.

E. COMPLIANCE

Cases 20.14, 21.11, 21.12, 21.13, 21.24, 21.25, 21.29, 21.31, 21.33, 21.35, 21.38, 21.39, 21.40, 21.41, 21.42, 22.01, and 22.02 were discussed in executive session.

Dvorak left the meeting at 10:31 a.m.

Project Review 02-01 was discussed in executive session.

Partner agency processes were discussed in executive session.

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

Executive session ended at 11:40 a.m.

Motion by Kelly, second by Isom to dismiss Case 21.13 with no disciplinary action based on the successful completion of architectural and engineering remediation. Voting Yes: Thiele, Bostelman, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None; Absent: Dvorak

Motion by Kelly, second by Isom to dismiss Case 21.23 with no disciplinary action based on the successful completion of architectural and engineering remediation. Voting Yes: Thiele, Bostelman, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None; Absent: Dvorak

Motion by Kelly, second by Isom to direct the ED Wilbeck to send a letter accepting the voluntary surrender of the licensee's license in Case 21.42 with terms of surrender and acknowledgment of receipt with no disciplinary action. Voting Yes: Thiele, Bostelman, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None; Absent: Dvorak

Nebraska Board of Engineers and Architects **Board Meeting Minutes – February 18, 2022, 8:30 a.m.** 5th Floor Large Conference Room, 215 Centennial Mall South, Lincoln, NE

Motion by Kelly, second by Isom to authorize architectural and engineering remediation in Case 22.02 and request a response within 30 days and a written remediation plan within 60 days. Voting Yes: Thiele, Bostelman, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None; Absent: Dvorak

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-19167 Jason Christopher Adams, Electrical and Computer; E-19151 Kara Lyn Anderson, Civil; E-19164 Anthony Gianan Antonio, Civil; E-19152 Chad Christopher Banka, Civil; E-19169 Jeanine Teresa Bounds, Mechanical; E-19150 Thomas John Burke, Structural; E-19154 Douglas Elliott Chritton, Chemical; E-19145 Gregory Thomas Elvestad, Electrical; E-19153 Monica Stewart Farris, Control Systems; E-19157 Alexander Scott Hershey, Electrical and Computer; E-19146 John Joseph Hoenig, Civil; E-19173 Patrick Don Huff, Civil; E-19168 Randall Allen Jacobs, Electrical; E-19166 Aziz Kadric, Civil; E-19165 Preston Beau Kuntz, Civil; E-19149 Anthony Lonigro, Mechanical; E-19160 Jeffrey Charles Martin, Mechanical; E-19172 Ramon Martinez, Civil; E-19156 Jeremy Kenneth McKeon, Civil; E-19143 Steven Jay Myer, Civil; E-19174 Bradford Hays Rice, Electrical and Computer; E-19171 Christopher Michael Schabron, Civil; E-1947 Kevin Stanley Sigg, Civil; E-19162 Chase Allen Sly, Mechanical; E-19170 Tyson Lewis Stagner, Civil; E-19144 Ronald Wayne Steinhart, Mechanical; E-19159 Dwayne Paul Templet, Civil; E-19158 Rebecca Cathleen Thompson, Mechanical; E-19148 Thomas John Turrisi, Electrical and Computer; E-19175 Robert William Zuffi, Electrical and Computer

Licensure of Architects by NCARB Certification

Approved: A-5382 David Duane Bieberly, A-5377 Bryan Todd Bolin, A-5378 Douglas Cameron Johnston, A-5380 Alec Anh Luong, A-5381 Patrick John McKelvey, A-5379 Ryan David TerSteeg, A-5376 David Clint Wright

Temporary Permits - None

Engineer Intern Enrollments

Approved: Grace Anne Becker, Thompson Delon, Amanda Grace Fay, Hunter Ellis Miller, Murtaza Nuruddin Nalwala, Trevor Ray Nichelson, Suman Pusparajah, Jack Ryan Wilke

Certificates of Authorization

Approved: CA4692 Combustion Solutions Inc, CA4714 DPS Group Inc, CA4715 INVISION Architecture Ltd, CA4716 The Crossroads Group LLC, CA4717 Wheeler Kearns Architects Inc, CA4718 T-O Engineers Inc, CA4719 Uni-Systems Engineering Inc, CA4720 Gaskin Hill Norcross of Missouri Inc, CA4721 Taliaferro & Browne Inc, CA4722 Hafer PSC, CA4723 Prichard & Keller LLC, CA4724 Plan North PLLC, CA4725 JE Dunn Construction Company, CA4726 Hooker DeJong Inc, CA4727 Porbeck Engineering Corporation, CA4728 MDR Engineering LLC, CA4729 William Rawn Associates Architects Inc, CA4730 Interstate Engineering Inc, CA4731 EQL Engineering LLC, CA4732 ZFI Engineering Co, CA4733 Knowles-Cervenka Engineering LLC, CA4734 Process Automation and Simulation Services Inc, CA4735 Adam Wilmes PC, CA4736 Kylie Wilmes PC, CA4737 Orancap PC, CA4738 DPIS Engineering LLC, CA4739 Advanced Engineering Services Inc, CA4740 Boundless Engineering PLLC, CA4741 Hazelwood Engineering LLC

PE Exam Approvals

Lucy Owasua Ampaw-Asiedum, Civil; Nicole Elizabeth Aschoff, Civil; Joseph Michael Baratta, Civil; Blake Michael Casper, Civil; Matthew Lawrence Danielson, Civil; Rebekah Leigh DeFusco, Civil; Thompson Delon, Civil; Jacob Johan Glen Ellingson, Civil; Katherine Ellen Fickle, Structural; Brendan Christopher Findall, Civil; Francisco Garcia, Civil; Nathan Daniel German, Mechanical; Vanessa Anne Haberman, Structural; Bryce Allen Hallmark, Civil;

Nebraska Board of Engineers and Architects **Board Meeting Minutes – February 18, 2022, 8:30 a.m.** 5th Floor Large Conference Room, 215 Centennial Mall South, Lincoln, NE

Anton Charles Hassebrook, Mechanical; Elena Claire Hoff, Civil; Nicholas Brandon Jensen, Mechanical; Ted Benjamin Kocher, Civil; Vincent Douglas Kuppig, Environmental; Gabriel James Larsen, Civil; Amy Catherine Lehman, Mechanical; John Benjamin Massey, Mechanical; Cody Dean Myers, Civil; Murtaza Nuruddin Nalwala, Structural; Phuc Hong Pham, Environmental; Jacob Hershel Phillips, Mechanical; Ryan Gable Randall, Mechanical; David Michael Repair, Electrical and Computer; Marina Komissarova Richards, Civil; Jason Thomas Rueschoff, Mechanical; Austin Lee Seagren, Mechanical; John Joseph Wilmes, Mechanical

Licensure/Examination

Licensure of Professional Engineers by Comity and Initial

Approved Initial Applications: Anna Theodora Bakke, Civil; Alexander Thomas Bleyhl, Civil; Samantha Danielle Bloom, Electrical and Computer; Daniel Joseph Fechner, Civil; Christopher Glenn Klosterman, Civil; Jessica Ann Simonson, Civil; Elizabeth Noel Stagemeyer, Civil; Riley Shane Swope, Civil; Trevor Daniel Veskrna, Civil; Nicholas Allen Williams, Civil

Approved Comity Applications: Matthew Jerome Brockman, Electrical; Pete Albert Christos, Civil; Matthew James Cramer, Civil; Stan Milton Hanson, Civil; Ryan Leon Logan, Civil; Frank Joseph Marescalco III, Civil; Henry Sarmiento Perez, Electrical and Computer; Raed Ibrahim Shehata Tewadrous, Structural; Gareth Jon Young, Civil

Licensure of Professional Engineers by Experience

Approved: Fadjar Indhianto Kusumo-Rahardjo, Civil; Bakulesh Maganbhai Patel, Civil

Licensure of Architects by Comity and Initial – *None* Licensure of Architects by Experience

Approved: Nicholas Alan Pirkl

Licensure of Professional Engineers by Reinstatement - None

Licensure of Architects by Reinstatement - None

Special Cases

PE Exam Approvals

Approved: Smita Sharma, Civil

Other Issues

License Renewal Disclosures

Approved: A-5153 Paul Greco

CA2734 Expiration

Board assessed in-arrears fees and approved the issuance of the new certificate of authorization upon receipt of a new application and fees.

Completed Application Statistics

Charts and statistics regarding the number of applications, certificates of authorization, and other application by type were provided.

Motion by Thiele, second by Bostelman to accept the staff recommendations on applications and renewals. Voting Yes: Thiele, Bostelman, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None; Absent: Dvorak

G. FINANCIAL MATTERS

Financial Reports

FY 2021-22 Financial Profile, January 2022

Budget Status Report – January 2022

Fund Summary Report – January 2022

MTD General Ledger Detail Report – January 2022

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

Catalyst Public Affairs FY22-23 Contract

The contract between the Board of Engineers and Architects (NBEA) and Catalyst Public Affairs, beginning July 1, 2022, and ending June 30, 2023, provides for legislative liaison activities with the Nebraska Unicameral Legislature on behalf of NBEA. The total contract amount is \$18,000 to be paid on a quarterly basis. Any and all expenditures in connection with NBEA legislative activities is to have approval from the Board or Board Chair prior to services being rendered. Additional direct costs will be billed to the Board at Catalyst's cost.

Motion by Thiele, second by Johnson to approve the legislative liaison contract with Catalyst Public Affairs as presented. Voting Yes: Thiele, Bostelman, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None; Absent: Dvorak

Sean Minahan FY22-23 Contract

The contract between NBEA and Sean Minahan, Attorney at Law, Lamson Dugan & Murray LLP, beginning July 1, 2022, and ending June 30, 2022, provides for legal representation of the Board as Special Assistant Attorney General at a varied hourly rate of \$210 for attorney fees; \$175 for associate attorney fees, and \$110 for paralegals working under Mr. Minahan's supervision. Only one-half of the necessary travel time required to conduct the work of the Board will be billed.

Motion by Thiele, second by Johnson to approve the legal services contract with Sean Minahan as presented. Voting Yes: Thiele, Bostelman, Isom, Johnson, Kelly, Suelter, Foley; Voting No: None; Absent: Dvorak

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided. The next regular board meeting is scheduled for March 11, 2022, at 8:30 a.m., in the fifth-floor conference room, 215 Centennial Mall South, Lincoln, Nebraska. Kelly will not be at the June meeting

Licensure and Certification Trends

Numbers as of February 9, 2022

Professional Engineers	8,371
Architects	1,817
Certificates of Authorization	2,262
Temporary Permits	15

Examination Information/Results

The January 2022 ARE Pass/Fail report was provided along with the February 2022 ARE Open Eligibility Report.

Other Information

The 2021-22 Marketing Plan was provided.

The Facebook Analytics Report shows three posts from January 4-28, 2022. The post related to the Board hosting the webinar for building and code officials received the most traffic with 153 people reached and

fourteen engagements. The page has 475 followers as of February 9, 2022, with 67.1% being men and 32.9% women.

The LinkedIn Analytics showing the sites traffic from January 1-February 1, 2022, was provided.

The Website Dashboard Report indicates the Board's website had 4,031 total visitors in January. Facebook generated the most traffic from social media with 38 sessions.

The Board policies as of July 9, 2021, were provided.

ADJOURNMENT

Motion by Kelly, second by Suelter to adjourn the meeting at 12:04 p.m.

Secretary