

CALL TO ORDER

The April 8, 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 Thiele called the meeting to order at 8:30 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: Daniel Thiele, Chair; Brian Kelly, Vice-Chair; Jan Bostelman; Bruce Dvorak; Brett Foley; Lenora Isom; David Johnson; Absent: Jason Suelter, Secretary

Staff Present: Jon Wilbeck, Executive Director (ED); Amy Habe, Compliance Officer (CO); Jean Lais, Administrative Programs Officer (APO)

Kelly was appointed secretary in Suelter's absence.

PUBLIC COMMENT

[Melissa Ficke, Catalyst Public Affairs](#)

A. CONSENT AGENDA

[March 11, 2022, meeting minutes](#)

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

B. MEETING REPORTS

NBEA Subcommittee Reports

[Legislative Committee](#)

A copy of the bills being monitored by the Board and Catalyst Public Affairs was provided.

Copies of amendment AM2521 and AM2707 to AM1936 were provided. AM2521 would add an exemption for occupations regulated by the Board from the requirements of the bill.

AM2707 also adds the requirement that boards adopt and promulgate rules and regulations related to disqualifying offenses and report such to the standing committee of the Legislature with jurisdiction not later than January 1, 2024, and subsequent rules adopted and promulgated within thirty days after the adoption of said rules. It also extends the response time on a criminal history consideration request from sixty days after receipt of the request to within sixty days after the board's next regularly scheduled meeting if that board does not meet within sixty days after receiving the request.

Melissa Ficke from Catalyst Public Affairs informed the members Senator Flood will be pulling AM2521 with the introduction of AM2707. ED Wilbeck voiced concern that AM2707 does not appear to exempt the Board from the universal licensing portion of the bill. Ficke reported there is still opposition to the bill and is on today's agenda for first round debate.

[Interior Design Committee](#)

Proposed amendments to LB250 drafted by the Nebraska chapter of the American Society of Interior Designers (ASID) were provided. The proposed language was taken from a recent agreement between the American Society of Interior Designers (ASID), Iowa Interior Designers Association (IIDA), Iowa chapter of the American Institute of Architects (AIA-IA), and American Institute Architects (AIA). Correspondence between Sean Kelley, lobbyist for ASID-Nebraska, and ED Wilbeck was provided along with correspondence received by Kelly on the proposed language.

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

ED Wilbeck reported it appears LB250 will not be moving forward this session. He attended a meeting between AIA-NE and the Council for Interior Design Qualification (CIDQ) the previous week to discuss the willingness of the organizations to continue the interior design registration over the interim. ED Wilbeck conveyed the Board's willingness to do so.

Rules Revision Committee

The Rules Revision Committee provided the following revisions to the proposed rules and regulations as discussion at the March meeting.

Staff brought the following proposed amendments in Chapter 2 as they relate to the discipline in which an applicant may sit for the PE exam and required experience for initial licensure different than that of the application's engineering education. As applicants no longer submit their experience with their application to sit for the exam, the consensus of the members was to delete the rule during the next rules promulgation.

~~2.4.3.2 Applicants will be permitted to sit for the PE Examination in a discipline different from that of the applicant's education upon the Board's acceptance of evidence of four years of work experience in the discipline of the requested examination.~~

Renumber the section accordingly.

6.5 Technical Submissions

6.5.1 Technical submissions that constitute the practice of architecture or engineering shall include both (1) the name, and (2) either the address or location, of the project on each drawing and the cover page and/or first page of specifications, reports, studies, and other documents:

6.5.2 If the work shown on technical submissions is not being performed through an organization as provided in Neb. Rev. Stat. § 81-3436, the licensee's (1) name and (2) contact information shall be included on technical submissions.

6.5.3 If the work shown on technical submissions is being performed through an organization or organizations as provided in Neb. Rev. Stat. § 81-3436, (1) the organization(s) legal name or DBA, (2) contact information, and (3) the organization(s) certificate of authorization number(s) shall be included on technical submissions.

6.5.4 If sealed standards such as drawings, details, and specifications prepared by a jurisdiction are used in a project, the name of the jurisdiction which prepared the standards shall be noted on the technical submissions.

9.7 Audits

9.7.1 The Board may audit any licensee for compliance with continuing education requirements. In addition, the Board will establish a number of ~~architects and professional engineers~~ licensees, to be selected at random but not to exceed five percent of the total number of licensees, to submit documentation verifying compliance with the continuing education requirement of the ~~previous~~ current renewal period.

9.7.2 Board staff is authorized to review, verify, and approve continuing education audit submittals. Submittals that raise significant questions of acceptability will be forwarded to the Board for final determination.

9.7.3 If the Board disallows any of the continuing education hours claimed, the applicant must, within ~~120~~ 60 days after notification of disallowance, substantiate the original claim or to earn other credit to satisfy the continuing education requirement. Extension of time may be granted by the Board on an individual basis but must by licensee within 30 days after notification of disallowance, and may not exceed an additional 60 days.

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

No revisions were made to Rule 2.2.4.4 or 10.2.5.

The members agreed the proposed revisions were acceptable and instructed board staff to begin the promulgation process for the above rules.

Other Meeting Reports

Bostelman reported the NCEES EPE committee met on April 5, 2022, to discuss the development of a plumbing engineering exam. The committee approved recommending the process move to the next step to survey the profession to see if there is enough interest for NCEES to offer the exam. More information would be provided by NCEES at its upcoming Zone Meeting later this month.

C. OLD BUSINESS

[Database Update](#)

ED Wilbeck updated the members on the progress of the database conversion. He and APO Lais have begun meeting twice a week with inLumon to discuss the progress and review requested changes. All staff has been given access to the database to begin testing. ED Wilbeck provided an updated implementation schedule with estimated completion dates.

[May 12, 2022, Operational Planning Mtg Draft Agenda](#)

ED Wilbeck provided a draft agenda for the May 12, 2022, Operational Planning meeting to be held next month. Topics include:

- Rules Revisions
- PE Exam Direct Registration
- Other Legislative Items
- Continuing Education Compliance
- 2023-25 Biennial Budget
- Outreach Activities for FY 2022-23
 - Board corporation with NCARB regional outreach
- NCARB 2022 Motions and Elections
- NBEA FY 2022-23 Committee Formation and Charges

Isom requested a sub-topic be added under outreach activities to discuss the Board's corporation with NCARB Region IV as it develops and implements its outreach objectives in the coming year.

The meeting date was changed to May 9, 2022, starting at 12:00 p.m.

ED Wilbeck will work with Chair Thiele to finalize the agenda.

[NCARB 2022 Annual Business Meeting Information & Delegates](#)

Information on the NCARB 2022 Annual Business Meeting to be held June 2-4, 2022, in Austin, Texas was provided. The attendees will also be able to attend virtually. NCARB will fund two architect members, one public member, and one board executive.

Isom was selected as the voting delegate and Foley was selected as the alternate. The voting delegate's letter of credentials must be submitted to NCARB no later than May 6, 2022.

Motion by Johnson, second by Kelly to select Isom as the voting delegate and Foley as the alternate voting delegate to the NCARB 2022 Annual Business Meeting. Voting Yes: Bostelman, Dvorak, Foley, Isom, Johnson, Kelly, Thiele; Voting No: None; Absent: Suelter

Draft Consent Agreement for CE Non-Compliance

Per discussions at the February meeting, a draft settlement agreement related to non-compliance with the continuing education audit was provided. Further discussion was held as to what scenarios the agreement would be used. In most cases, it would apply to licensees who affirmed they had completed the required continuing education hours, but during an audit it was discovered they had not. It would not apply to a licensee who had affirmed they had met the requirement, but during the audit a portion of the submitted hours were disallowed. The members requested CO Habe compile a list of scenarios this could be used and continue the discussion during the Operational Planning meeting.

D. NEW BUSINESS

Marketing Plan Update

ED Wilbeck updated the on the status of the 2021-22 Marketing Plan. Highlights included:

- The League of Nebraska Municipalities (LNM) and Nebraska Association of County Officials (NACO) have agreed to publish articles in their associated magazine/newsletter whenever the Board would like to contribute.
- CO Habe and MCS Stowater presented at the Nebraska Rural Community Schools Association (NRCSA) conference in Kearney on March 17, 2022. The presentation focused on who the Board is and when a licensee is needed on a project.
- CO Habe and MCS Stowater hosted a webinar for building and code officials on March 9, 2022. There were about 35 individuals in attendance. A survey has been sent for feedback and comments on the webinar.
- MCS Stowater has created a new YouTube channel for posting videos and recordings of webinars.
- MCS Stowater is working on reserving the second-floor rotunda of the Capital for the new licensee ceremony in November as the Warner Chamber is booked through June 2023. The tentative date for the ceremony is November 4, 2022.
- May is Building and Safety month – MCS Stowater is reaching out to entities for webinars, presentations, conferences, and newsletters that the Board may be able to contribute to increase awareness of the Board.
- MCS Stowater reached out to the Latino Commission to translate the Remediation brochure. They are willing to assist, but do not have the time now.

Spring 2022 Newsletter Draft

A draft copy of the Board's Spring 2022 newsletter was provided. Articles include:

- Isom's election as Directed of NCARB's Region V
- Clarification on the Continuing Education Rules and Regulations
- Board outreach activities
- NCARB/NCEES news
- Resolved Compliance Cases

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

NCARB Fast Facts – February 2022

A copy of the NCARB February Fast Facts was provided. Articles included information on volunteer engagement, the Analysis of Practice Study, Diversity and Inclusion Study update, advocacy and external engagement, PSI Migration webinar series, and upcoming events.

NCARB February Update

A copy of the February NCARB Update was provided. Articles included a message from CEO Armstrong, organizational development, outreach, and department updates.

Emeritus Board Member Renewals

A list of former Board members eligible for Emeritus Board Member status as per Neb. Rev. Stat. § 81-3428(4) was provided.

Motion by Kelly, second by Isom to renew the Emeritus Board member status of Mark Champion, Fred Choobineh, Michael Conzett, Roger Helgoth, Krista Kester, Jennifer Klein, Lori Kreji, and Thomas Laging. Voting Yes: Bostelman, Dvorak, Foley, Isom, Johnson, Kelly, Thiele; Voting No: None; Absent: Suelter

Board member travel and per diem requests

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

- Bostelman – April 5, 2022 – NCEES EPE Committee Meeting (Virtual)
- Isom – March 31, 2022 – NCARB Region V Meeting (Virtual)
- Isom – April 6, 2022 – NCARB/CIDQ Webinar (Virtual)
- Isom – April 7, 2022 – NCARB Speech Prep Meeting (Virtual)
- Isom – April 11, 2022 – NCARB Region V Committee Meeting (Virtual)
- Isom – April 13, 2022 – NCARB Pre-Board of Directors Meeting (Virtual)
- Isom – April 14, 2022 – NCARB Speech Recording Meeting (Virtual)
- Isom – April 29, 2022 – NCARB Diversity Collaborative Meeting (Virtual)
- Isom – May 3 – NCARB Region V Meeting (Virtual)
- Isom – May 12 – NCARB Resolution Webinar (Virtual)
- Isom – May 16-17 – NCARB Board of Directors Orientation (DC) (travel 15 & 18)
- Isom – May 26 – NCARB Resolution Webinar (Virtual)
- Foley – June 2-4, 2022 – NCARB 2022 Annual Business Meeting (Virtual)
- Isom – June 2-5, 2022 – NCARB 2022 Annual Business Meeting and Board of Directors Meetings (In person-funded) (travel on the 1st and 6th)
- Wilbeck – June 2-4, 2022 – NCARB 2022 Annual Business Meeting (In person-funded) (travel on the 1st and 5th)
- New Architect Member – June 2-4, 2022 – NCARB 2022 Annual Business Meeting (in person-funded) (travel on the 1st and 5th)

Suelter was selected as the voting delegate for NCEES Central Zone meeting April 21-23, 2022, in Oklahoma City, OK; Thiele was selected as alternate.

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

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

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

Executive Session began at 10:25 a.m.

Dvorak left the meeting at 10:40 a.m.

E. COMPLIANCE

Cases 20.14, 21.11, 21.12, 21.24, 21.25, 21.29, 21.33, 21.35, 21.38, 21.39, 21.40, 21.41, 22.01, 22.02, 22.03, and 22.04 were discussed in executive session.

Other Compliance Issues

Project Review 04-01 was discussed in executive session.

Partner-agency processes were reviewed in executive session.

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

Executive Session closed at 12:11 p.m.

Motion by Kelly, second by Isom to authorize Special Assistant Attorney General Minahan to notice respondent of a hearing at the June 10, 2022, meeting in Case 21.33. Voting Yes: Bostelman, Foley, Isom, Johnson, Kelly, Thiele; Voting No: None; Absent: Dvorak, Suelter

Motion by Kelly, second by Bostelman to dismiss Case 22.03 with on disciplinary action. Voting Yes: Bostelman, Foley, Isom, Kelly, Thiele; Voting No: None; Absent: Dvorak, Suelter; Abstain: Johnson

Motion by Kelly, second by Isom to authorize architectural and engineering remediation in Case 22.04 and request a response within 30 days and written remediation plan within 60 days. Voting Yes: Bostelman, Foley, Isom, Johnson, Kelly, Thiele; Voting No: None; Absent: Dvorak, Suelter

Motion by Kelly, second by Isom to open a case against the property owner in Project Review 04-01 and authorize architectural remediation and request a response within 30 days and a written remediation plan within 60 days. Voting Yes: Bostelman, Foley, Isom, Johnson, Kelly, Thiele; Voting No: None; Absent: Dvorak, Suelter

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-19261 Arnel Prudencio Avila, Electrical and Computer; E-19229 Kevin James Baker, Electrical and Computer; E-19265 Brian Scott Bates, Electrical and Computer; E-19241 Cari Rae Beenenga, Civil; E-19253 Jason Matthew Bodart, Civil; E-19226 Carlos De La Cruz Briseno III, Mechanical; E-19220 Randall James Brodner, Civil; E-19263 Christopher James Campfield, Electrical and Computer; E-19257 Millard Alamath Carter, Mechanical; E-19248 Matthew Warren Craig, Structural; E-19244 John Clifton Cutright, Civil; E-19219 Thomas Lawrence Fergusson, Civil; E-19245 Jeffrey Jacob Friesen, Mechanical; E-19262 Gordon Scott Frost, Electrical and Computer; E-19239 Peter Andrew Giessel, Structural; E-19259 Eugene Gordin, Civil; E-19228 Benjamin Charles Gries, Mechanical; E-19252 Kevin Gene Groenenboom, Electrical and Computer; E-19240 Evan Scott Hall, Mechanical; E-19250 Ronald Owen Hamburger, Structural; E-19258 Joshua Robert Hough, Civil; E-19271 Thomas Franklin Ireland, Civil; E-19243 Michael Alan Krsnak, Mechanical; E-19268 Nathan Thomas Love, Architectural; E-19221 William Ray Lowe Jr, Electrical and Computer; E-19223 Tyson Jay Mauchley, Civil; E-19267 Andrew Erin McCann, Civil; E-19254 Benjamin Oddmund Medich, Electrical and Computer; E-19225 Dustin Keith Park, Civil; E-19251 Annalise Michelle Regan, Mechanical; E-19242 Christopher David Ressler, Civil; E-19266 Dennis Gerald Rich, Civil; E-19227 Benjamin Scott Rosenberg, Structural; E-19224 Manroj Singh Sangha, Architectural; E-19222 Allen Burton Schneider, Civil; E-19260 Russell John Sheets, Civil; E-19264 Craig Allen Thingvold, Electrical and Computer; E-19270 Brian Kerry Tri, Civil; E-19269 Steven Travis Truemper, Civil; E-19246 Daniel Wallace Tubb, Civil; E-19255 Brian Kenneth Tuck, Civil; E-19247 Kevin Charles Walker, Civil; E-19256 Stephen Michael Wright, Structural

Licensure of Architects by NCARB Certification

Approved: A-5402 Aaron Ray Haschel, A-5400 John Whitney Huber, A-5401 Jonathan Lee Kland, A-5398 Stephanie Richards McDaniel, A-5397 William Scott Nugent, A-5403 David William Remy, A-5399 Terri Jean Ulrick, A-5404 Sienna Rhea Wegehaupt

Temporary Permits

Approved: T-641 Christopher James Brozik, Engineering

Engineer Intern Enrollments

Approved: Samuel Edward Gerdes, Benjamin Scott Graham, Matthew Ryan Kuhlenengel, Cameron James Raszler, Tyler David Richling, Daniel Wallace Robertson, Andrew Scott Ruder

Certificates of Authorization

Approved: CA4761 Design 2 Function LLC, CA4762 SC Engineering LLC, CA4763 COR3 Design LLC, CA4764 Bora Architects Inc, CA4765 PECGA LLC, CA4766 Jill Brodersen Architect, CA4767 CCF LLC, CA4768 CW Collaborative LLC, CA4769 Shremshock Architects Inc, CA4770 Permit Solutions LLC, CA4771 Citrine LLC, CA4772 Minimus Energy Consulting LLC, CA4773 Houston Engineering Inc, CA4774 MC Dean Inc, CA4775 Tent Engineering LLC, CA4776 Empowered LLC, CA4777 MS Consultants Inc, CA4778 CSR Engineering Inc, CA4779 JW Huber Architect LLC, CA4780 Carter Associates Inc, CA4781 Industrial Accessories Company

PE Exam Approvals

Approved: Bridget Anne Drews, Civil; Alexander Davis Heywood, Civil; Neng Liang Huyhn, Civil; Michael Thomas Johansson, Civil; Matthew Oliver Juhnke, Electrical and Computer, Mahdiek Khedmati, Civil; Angoua Kouassi Boley Konan, Electrical and Computer; Ryan Scott Miller, Civil; Sean William Murphy, Civil; Alexander Taylor Nelson, Electrical and Computer; Jeremy Jay Nichols, Civil; Andrew Scott Ruder, Civil; Steven Conrad Rue, Civil; Kar Seng Sia, Civil; Jonathan Catlin Storm, Mechanical, Brian Paul Turner, Electrical and Computer

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

Licensure/Examination

Licensure of Professional Engineers by Comity and Initial

Approved Initial Applications: Lauren Elizabeth Cramer, Civil; Samuel William Fink, Civil; Philip John Gorospe, Mechanical; David Tyler Hansen, Chemical; Grady Mitchell Henrichs, Mechanical; Justin David Insinger, Civil

Approved Comity Applications: Andrew Domenic Leone, Civil; Greg Julius Peterson, Mechanical; Allen Richard Shafii, Mechanical; Douglas Brian Sharbono, Civil; Sudha Sikha, Mechanical; Hisham Tariq, Mechanical; Esayas Andemariam Zere, Civil

Licensure of Professional Engineers by Experience

Approved: Gary Thomas Fry, Civil

Licensure of Architects by Comity and Initial

Approved Initial Applications: Zachary Drew Lundgren

Approved Comity Applications: Matthew Michael Unger

Licensure of Architects by Experience – None

Licensure of Professional Engineers by Reinstatement – None

Licensure of Architects by Reinstatement – None

Special Cases – None

Other Issues

Education Evaluation Request

Declined: Mostafa Zharooni

Continuing Education Audit

Approved: Daniel Eyob, E-16446

Completed Application Statistics

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

Motion by Johnson, second by Kelly to accept the staff recommendations on applications and audits and to decline Zahrooni's education evaluation request. Voting Yes: Bostelman, Foley, Isom, Johnson, Kelly, Thiele; Voting No: None; Absent: Dvorak, Suelter

G. FINANCIAL MATTERS

Financial Reports

FY 2021-22 Financial Profile, March 2022

Budget Status Report – March 2022

Fund Summary Report – March 2022

MTD General Ledger Detail Report – March 2022

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

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

2021-2023 Mid-Biennium Budget Adjustment - Appropriations Committee Recommendation

A copy of the Appropriations Committee Mid-biennium budget increase was provided. The funds recommended are related to the July 1, 2022, pay increases and related agency expenses.

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided. The next regular board meeting is scheduled for May 13, 2022, at 8:30 a.m., in the fifth-floor conference room, 215 Centennial Mall South, Lincoln, Nebraska. The Board will also be holding its annual Operational Planning meeting on May 9, 2022, 12:00 p.m. at 13460 Chandler Rd Omaha.

Licensure and Certification Trends

Numbers as of March 31, 2022

Professional Engineers	8,514
Architects	1,862
Certificates of Authorization	2,310
Temporary Permits	14

Examination Information/Results

The February ARE Pass/Fail Report was provided.

Other Information

The 2021-22 Marketing Plan was provided.

The Facebook Analytics shows the Board's page reached 222 individuals with 41 page visits and 5 new likes. There are currently 483 followers.

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

ADJOURNMENT:

Chair Thiele adjourned the meeting at 12:34 p.m.



Jason Suelter, Secretary