

Nebraska Board of Engineers and Architects
Board Meeting Minutes – March 15, 2024 8:30 a.m.
5th Floor Large Conference Room, 215 Centennial Mall South, Lincoln, NE

CALL TO ORDER

The March 15, 2024, meeting of the Nebraska Board of Engineers and Architects was held in the fifth-floor conference room, 215 Centennial Mall South, Lincoln, Nebraska. Chair Kelly 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: Brian Kelly, Chair; Alan Wedige, Secretary; Jan Bostelman; Bruce Dvorak; Brett Foley, Dan Thiele;
Absent: Jason Suelter, Vice-Chair; Lenora Nelson

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

ELECTION OF OFFICERS

Motion by Thiele, second by Bostelman, to elect Suelter as Chair, Kelly as Vice-Chair, and Dvorak as Secretary. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

The new officer terms became effective immediately.

A. CONSENT AGENDA

February 16, 2024 Meeting Minutes

NCARB *Update* – January 2024

NCARB *Fast Facts* – January, February 2024

Motion by Thiele, second by Foley to approve the Consent Agenda. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

PUBLIC COMMENT

No members of the public were present.

B. MEETING REPORTS

NBEA Subcommittee Reports

A copy of the FY 2023-24 committee appointments and charges was provided.

Legislative Committee

A list of introduced legislation that may be of interest to the Board was provided.

LB1417 Update

Correspondence from Grant Latimer from the Governor's office with AM2739 attached was provided. The amendment removes the portion of the bill related to the Board and the Board of Examiners for Land Surveyors.

Tim Gay, Catalyst Public Affairs, summarized some of the bills the Board has been following.

- LB16 (Interior Designers Registry) was signed by the Governor on March 5th – The bill also revises the Occupational Board Reform Act, adding alternate licensing provisions for comity applicants and further defining what convicts may cause an applicant to be denied a credential. The Board received an exception from these provisions.
- LB43 (LB366, LB297, and LB637 amended into – related to public records) – On Final Reading

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Board Meeting Minutes – March 15, 2024 8:30 a.m.
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- LB164 (State Building Code Updates) – Still in Committee
- LB628 (LLC professional services) – Signed by the Governor on February 13th
- LB909 (changes rules promulgation reporting) – Signed by the Governor on March 11th
- LB947 (Virtual building permit inspections) – Still in Committee
- LB951 (Public Officials on Private Boards) – Still in Committee
- LB1219 (Building and energy code updates) – Still in Committee
- LB1240 (State employee public hearing testifying restrictions) – Still in Committee
- LB1417 (Consolidation/Elimination/Merging of Boards and Commissions) – Still in Committee – An interim study will most likely be done, and a new bill will most likely be introduced in 2025. The Board requested ED Wilbeck and Gay follow up with the Governor's office once the session ends. ED Wilbeck expressed the desire to meet with them before the Operational Planning meeting in May.

Other Meeting Reports – None

C. OLD BUSINESS

Database Replacement Project w/NCARB

ED Wilbeck updated the members on the progress of the database replacement project.

Governor's Executive Order 23-17 Update

A hearing was held before the Commission of Industrial Relations (CIR) on February 28-29, 2024, to hear arguments regarding NAPE's petition that the State violated the terms of the current labor contract. Written briefs are due by April 12, 2024. A final decision from the CIR is expected in the weeks that follow.

NCARB Regional Summit Recap

A recap of the NCARB Regional Summit held March 1-2, 2024, in Savannah, GA, was provided. Regional re-alignment was a big discussion topic. Under the proposed re-alignment described in Resolution 2024-H, all regions would have an equal number of jurisdictions and include one "large" jurisdiction. Under the resolution, Nebraska would remain in Region 5, joining Montana, North Dakota, Idaho, Wyoming, South Dakota, Minnesota, Nebraska, Colorado, Kansas, Oklahoma, and Texas. It appears at least one region has shown disapproval of the proposed regions. As a result, a new survey may be conducted, or a new proposal may be presented based on survey results.

ED Wilbeck reported a presentation given during the MBA Workshop was on Resolution 2024-F (Allowing a candidate of the ARE to begin taking the exam after receiving a high school diploma). Foley stated parties who do not understand that a high school graduate has little chance of passing the ARE appear to be the ones objecting to the idea.

Another presentation was on the impact of artificial intelligence (AI) on the design community. According to ED Wilbeck, it appears AI can now design a complete project from concept to construction phase to final drawings and documents. Foley informed the Board that AI had received higher-than-average pass rates on several ARE sections.

Kelly stated there may be copyright issues as the laws currently state a human must be involved in the design. A review of statutes and rules is needed to identify any conflicts or issues related to AI use. Foley stated the strongest regulatory control the Board has is the requirement of responsible charge and having sealed plans and documents.

Kelly reported there may be a revision to Resolution 2024-G that would require the president of the NCARB Board of Directors must be an architect.

Potential US-UK Memorandum of Understanding (MOU) for Engineering

ED Wilbeck provided an update on the US-UK Memorandum of Understanding. Bostelman reported that the NCEES Board of Directors has approved the MOU, with the UK body scheduled to sign it in August. There will be a signatory ceremony at the 2024 NCEES Annual Meeting for those jurisdictions who wish to participate.

D. NEW BUSINESS

Trade Name Requests

OTR Engineered Solutions Inc

A request to allow the use of the term “*Engineered*” in the organization's name was received from OTR Engineered Solutions Inc. The members directed ED Wilbeck to ask the organization to state on their website and all advertisements, estimates, and offers that they are not authorized to practice engineering in Nebraska and do not employ professional engineers.

Motion by Thiele, second by Dvorak, to approve the request from OTR Engineered Solutions Inc for the use of Engineered in the organization's trade name with the Secretary of State in accordance with Neb. Rev. Stat. § 81-3436. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

WesTech Engineering LLC

A request to use the term “*Engineering*” in an organization's name was received from WesTech Engineering LLC (WesTech).

Motion by Foley, second by Bostelman, to deny the request from WesTech Engineering LLC for the use of Engineering in the organization's trade name with the Secretary of State in accordance with Neb. Rev. Stat. § 81-3436. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

NCARB Board of Directors Candidate Information

Candidate packets for the NCARB Board of Directors openings were provided. Candidates may submit their application until the beginning of the Annual Business Meeting to be held June 13-15, 2024, in Chicago, IL.

Candidates include:

President-Elect: Ed Marley, AZ

2nd Vice President: John Rademacher, OH

Public Director: Stephanie Hopkins, MD

At-Large Director: Bobbi Jo Duneman, IA; Deveron Sanders PE, MI; Kevin Singh, LA; Catherine Fritz, AK; Kenneth Johnson, PA; Dmitriy Kazakov, CA; Coffee Polk, NV; Roark Redwood, DC; Jakiel Sanders, GA; Marcus Thomas, NC

There are two At-Large Director seats available. Each jurisdiction will be allowed one vote, with the top two candidates elected. Action was deferred until a later board meeting.

NCEES 2024 Annual Meeting Funding Summary

NCEES will fund the member board administrator, board members attending for the first time and appointed after August 15, 2022, three eligible delegates, and one law enforcement staff (must attend the Law Enforcement Forum and Workshop) to the Annual Meeting to be held August 14-17, 2024, in Chicago, IL. Bostelman will be funded as a member of the Board of Directors. No action was taken.

Nebraska Board of Engineers and Architects
Board Meeting Minutes – March 15, 2024 8:30 a.m.
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Emeritus Board Member Renewals

Emeritus board member terms were renewed for the following past board members: F. Fred Choobineh, Lori Krejci, Daniel Linzell, Roger Helgoth, Thomas Laging, Michael Conzett, Krista Kester, Mark Champion, Jennifer Klein, Randall Peters, and David Johnson.

Motion by Thiele, second by Bostelman, to renew the Emeritus board member terms of Fred Choobineh, Lori Krejci, Daniel Linzell, Roger Helgoth, Thomas Laging, Michael Conzett, Mark Champion, Jennifer Klein, Randall Peters, and David Johnson. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Outreach/Marketing Plan Update

PIO Bennett provided an update on the Marketing Plan. Highlights included:

- CO Habe spoke at the 2024 Lincoln Engineering Partnership Event on February 28th
- PIO Bennet attended the Nebraska Planning Conference as a sponsor March 6-8th in Kearney
- ED Wilbeck spoke at the Successful Buyer Workshop for the Omaha Land Bank in Omaha on March 7th
- ED Wilbeck will be speaking to a UNL Civil Engineering class on March 26th
- The next board-sponsored webinar is scheduled for March 27th at noon. The topics will include an overview of the Board and the E&A Act.
- ED Wilbeck will speak to the freshman class at Doane University on March 28th.
- A presenter proposal for the Nebraska Hospital Association's Annual Convention, October 16-18, 2024, has been submitted.
- A presenter proposal for the Nebraska Economic Development Association Annual Conference in Norfolk, June 12-14, 2024, has been submitted.

2024 Operational Planning Meeting Date/Location Discussion

The 2024 Operational Planning Meeting date was set tentatively for May 24th at 8:30 a.m. at the Thiele Geotech Training Center at 13460 Chandler Rd Omaha 68138.

Board Member Travel and Per Diem Requests

The following per diem and travel requests were approved:

- Dvorak – June 4, 2024 – NCEES Engineering Educational Awards Jury (Virtual)

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

Motion by Dvorak, second by Thiele, to go into executive session for the purpose of 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: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Executive session began at 10:11 a.m.

E. COMPLIANCE

Cases 23.15, 23.27, 23.28, 24.01, 24.02, 24.04, 24.05, and 24.06 were discussed in executive session.

Other Compliance Issues

Project Reviews 03-01, 03.02, and partner agency processes were discussed in executive session.

CE waiver for Mike Meckna was discussed in executive session.

Motion by Dvorak, second by Foley, to close the executive session for the purpose of 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: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Executive session ended at 12:10 p.m.

Motion by Dvorak, second by Thiele, to schedule a hearing in Case 23.15 at the May 2024 meeting. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Motion by Dvorak, second by Thiele, to approve the settlement agreement and authorize the chair to execute in Case 24.01. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Motion by Dvorak, second by Thiele, to dismiss Case 24.06 without disciplinary action based on the involvement of licensees after sending a letter of caution. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Motion by Dvorak, second by Thiele, to open a case against the licensee in Project 03-02 and schedule a hearing at the May 2024 meeting. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-20502 William Justin Adams, Civil; E-20510 Nicholas Lynn Bierle, Civil; Shawn Richard Block, Fire Protection; E-20496 Dustin Noel Bremmer, Mechanical; E-20494 Nathan James Chapman, Electrical and Computer; E-20501 Matthew Edward Ciarkowski, Civil; E-20507 Jeffrey John Cooley, Civil; E-20945 Kyle Daniel Crawford, Civil; E-20469 James Charles Dufinetz, Mechanical; E-20506 Madeline Kathleen Endris, Civil; E-20470 Barry Glen Fagan, Civil; E-20514 Brandon Christopher Fray, Mechanical; E-20513 Thomas Ronald Garriott, Civil; E-20464 Abigail Jeanne Heine, Agriculture and Biological; E-20473 Eric Joseph Herbert, Structural; E-20465 Jared Alan Higgins, Mechanical; E-20467 Joshua Ray Huenefeld, Structural; E-20499 Sara Khan, Electrical and Computer; E-20504 Alexander Jeffrey Kosis, Civil; E-20503 Christopher Michael Kuenzli, Structural; E-20500 Grant Gerard Landry, Mechanical; E-20463 Nathan Craig Long, Civil; E-20512 Joseph David March, Electrical and Computer; E-20471 Michael Ryan Moll, Mechanical; E-20509 Nicholas Andre Moriarty, Fire Protection; E-20472 Matthew Thomas Griffin Murphy, Civil; E-20515 Sylvia Nabil Nassif, Electrical and Computer; E-20511 Scott Robert Nelson, Mechanical; E-20497 Charles Joseph Olsen, Electrical and Computer; E-20466 Douglas Bruce Parke, Civil; E-20468 Alexander Brett Plum, Mechanical; E-20508 Michael Wayne Sanders, Mechanical; E-20498 Richard Scott Silvester, Civil; E-20475 Timothy Patrick Thayer, Civil; E-20505 Luis Gualberto Vargas Jr, Electrical and Computer; E-20493 Michael Joseph Weinbaum, Mechanical

Licensure of Architects by NCARB Certification

Approved: A-5625 Elisabeth Anne Lacey Battle, A-5632 James Quintin Biagi Jr, A-5634 Mark Brooke Brazee, A-5631 Ryan David Decker, A-5626 Michael Adam Dolan, A-5638 Amy Christine Garrett, A-5635 Benjamin David Gingrich, A-5636 Frank Ole Jacobson, A-5630 Matthew Seth Jeans, A-5637 Tanner Edwards Kinde, A-5639 Gary Michael Livermore, A-5628 Kenneth Owen Miller Jr, A-5622 Lee Patton Payne, A-5627 Randy Stuart Ripley, A-5633 Andrew Gary Stepp, A-5621 James Charles Thompson, A-5623 Denes Marton Zubcsek

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Temporary Permits – *None*

Engineer Intern Enrollment Certificates

Approved: Caleb Charles Allerheilgen, Tyler Vincent Camp, Alec Christian Eiseman, Abigail Anne Jacqmein, Jordan Lee Jurgens, Tonny Nguyen, Wylie Miles Oliver, Daniel Emmett Potts, Darin Joseph Schlautman, Emily Elizabeth Stratman, Gariela Yanez Gonzalez

Certificates of Authorization

Approved: CA5223 OneFourTwo Architecture PC, CA5224 Facility Advocates, CA5225 Gemini Engineering Group LLC, CA5226 G&K Engineering LLC, CA5227 Clark & Enersen Architecture PC, CA5228 Clark & Enersen Engineering PC, CA5229 OneFourTwo Strucrual PC, CA5230 Carter Engineering Consultants Inc, CA5231 Precision Engineering Solutions LLC, CA5232 CJD Engineering LLC, CA5233 Rose Rock Environmental Services LLC, CA5234 PPM Consulting LLC, CA5235 Aquatic Design & Engineering Inc, CA5236 SolAir Solutions LLC, CA5237 SWA Architecture PLLC

PE Exam Applications

Approved: Ali Meerali Jasim Al-Zamily, Control Systems; Anna Nadine Allen, Civil; Connor Terence Cloherty, Mechanical; Erik Alan Dickinson, Civil; Derek Nicholas Duin, Civil; Spencer Jackson Ellwanger, Civil; Jacob Lee Garder, Civil; Rebecca Dawn Hall, Civil; Collin Michael Hoffman, Control Systems; Austin Madisen Hoops, Civil; Tyler James Janecek, Mechanical; Caleb Jerome Kowalski, Mechanical; Rick Royce Malone, Civil; Robert David Neely, Civil; Michael Gabriel Shanahan, Structural; Mostafa Zahrooni, Civil

Licensure/Examination

Licensure of Professional Engineers by Comity and Initial

Approved Initial Applications: Jonathan Brito Mendoza, Architectural; Katherine Ellen Fickle, Strucrual; Abigail Donna Heli, Civil; Clay Thomas Hemphill, Civil; Jesse David Holmes, Mechanical; Zachary Martin Hurst, Civil; Merrett Paul Lane, Environmental; Winston Andrew Larson, Electrical and Computer; Steven Matthew Stella, Mechanical;

Approved Comity Applications: Natalya Victorouna Hunt, Structural; Daniel Matthias Thompson, Civil; Gabriele Sabine Walser, Civil

Licensure of Professional Engineers by Experience

Approved: William Andrew Bruketta, Civil; Gregory Alan Guyer, Civil

Licensure of Architects by Comity and Initial – *None*

Licensure of Architects by Experience – *None*

Licensure of Professional Engineers by Reinstatement – *None*

Licensure of Architects by Reinstatement

Approved: A-4688 Lindsay Marie Neemann

Special Cases

Engineer Intern Enrollment

Approved: Surya Subedi

Licensure of Professional Engineers by Initial

Approved: Connor Dylan Kaeding, Mechanical

Nebraska Board of Engineers and Architects
Board Meeting Minutes – March 15, 2024 8:30 a.m.
5th Floor Large Conference Room, 215 Centennial Mall South, Lincoln, NE

Licensure of Professional Architects by Reinstatement

Deferred: A-3466 David Edward Quade

License Disclosures

Other Issues/Information

Robert Nangia (E-12795) - Open a compliance case and offer a consent agreement to place the license on probation concurrent with the January 2024 Missouri order and assess administrative costs.

Manochehr Hakhamaneshi (E-19092) - Open a compliance case and offer a consent agreement to suspend the license concurrent with the probation of the December 2023 California order and access administrative costs.

BranchPattern Inc (CA0740) – No action was taken

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

Motion by Thiele, second by Bostelman, to accept the staff recommendations on applications except David Quade (A-3466). Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Motion by Thiele, second by Bostelman, to open a compliance case against Robert Nangia and offer a consent agreement. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

Motion by Thiele, second by Dvorak, to open a compliance case against Manouchehr Hakhamaneshi and offer a consent agreement. Voting Yes: Wedige, Bostelman, Dvorak, Foley, Thiele, Kelly; Voting No: None; Absent: Suelter, Nelson

G. FINANCIAL MATTERS

Financial Reports – February 2024

FY2023-24 Financial Profile

Budget Status

Fund Summary

MTD General Ledger Detail

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

Other Financial Matters – None

H. GENERAL INFORMATION

A schedule of upcoming meetings and national events was provided. The next regular board meeting is scheduled for April 19, 2024, at 8:30 a.m. in the fifth-floor conference room, 215 Centennial Mall South, Lincoln.

Licensure and Certificate Trends

Numbers as of March 6, 2024

Professional Engineers	9,030
Architects.....	1,899
Certificates of Authorization	2,479
Temporary Permits.....	15

Examination Information/Statistics

The March ARE Open Eligibility report and the January ARE Pass/Fail report were provided.

Other Information

The FY23-24 Marketing Plan was provided.

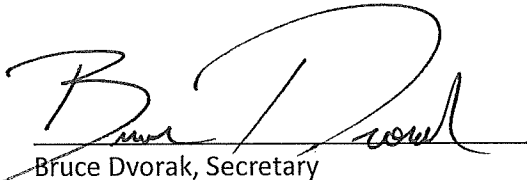
The Facebook Analytics for February 2 to February 29, 2024, was provided. There was a total of 61 visits with 264 reaches. There were thirteen posts during the period. The post regarding CO Habe presenting at the Lincoln Engineering Partnership Conference received the most reaches, with 431 reaches and 106 engagements. There are currently 600 followers.

The Website Analytics report for February was provided. There were 2,600 total visits during the month.

The Board's approved policies as of February 16, 2023, were provided.

ADJOURNMENT

Vice-Chair Kelly adjourned the meeting at 1:16 p.m.



Bruce Dvorak, Secretary