

CALL TO ORDER

The June 7, 2024 meeting of the Nebraska Board of Engineers and Architects was held in the 5th-floor conference room, 215 Centennial Mall South, Lincoln, Nebraska. Vice-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, Vice-Chair; Bruce Dvorak, Secretary; Jan Bostelman; Brett Foley; Lenora Nelson; Dan Thiele; Absent: Jason Suelter, Chair; Alan Wedige

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

A. CONSENT AGENDA

[May 17, 2024, Meeting Minutes](#)

[May 24, 2024, Operational Planning Minutes](#)

[NCARB Update – April 2024](#)

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

PUBLIC COMMENT

B. MEETING REPORTS

NBEA Subcommittee Reports

[Proposed FY2024-25 Board Committees](#)

The FY2024-25 Board committee members and charges are as follows:

Legislative – Jan (Chair), Dan, Jason

- Assist the Executive Director (ED) in preparing talking points, public hearing testimony, fiscal notes, and other statements as needed related to bills impacting the Board in FY2024-25.

Professional Services – Bruce (Chair), Brian, Lenora

- Make a recommendation to the Board in August 2024 to either continue services with the current special counsel in FY2025-26 or initiate a competitive selection process, per Policy 14.08.
- Develop a list of invited individuals/organizations to submit proposals for FY2025-26 legislative liaison services, evaluate all proposals submitted, and select at least two proposals for final consideration by the Board at its September 2024 meeting.

Ethics – Dan (Chair), Brett, Alan

- Develop an agenda for an ethics-based Board webinar to be given by staff in September/October 2024.

Compliance – Brett (Chair), Lenora, Jan

- Develop guidelines for determining appropriate penalties when an individual is found to have been practicing on an expired license.

Executive – Jason (Chair), Brian, Bruce

- Meet with the ED in May or June 2024 to review and discuss performance, consider adjustments in the ED's salary for the upcoming fiscal year, and recommend salary adjustments to the Board at the June 2024 meeting; and
- Meet to review and discuss the ED's performance in November 2024.

Other Meeting Reports

The information provided during the ICOR Overlapping Practice Task Force webinar on May 23, 2024, was discussed. The Task Force will not be making a recommendation for model language development to its member organizations. It will develop a matrix that will identify how each organization defines its related profession, the areas that can only be done by each profession, and areas of practice overlap. Foley reported that there has been some pushback from member boards that general descriptions in the areas of overlap will not be sufficient to develop statutory and regulatory language. The information needs to be more specific. It may be problematic from a legislative perspective to adopt a national guideline versus model language in statute. Legislatures may see this as giving up power to a third party.

C. OLD BUSINESS

[Database Replacement Project w/NCARB](#)

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

[Draft Opinion Request re: LB16](#)

ED Wilbeck provided a draft letter to the Attorney General's office requesting an opinion on how the ID Act interacts with the E&A Act with the revisions discussed at the Operational Planning meeting on May 24, 2024.

Motion by Nelson, second by Thiele, to authorize ED Wilbeck to submit the opinion request to the Attorney General's office after meeting with the board's Attorney General representative. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

[Recap of Proposed Statute and Rules Revisions Discussion](#)

A list of staff-recommended statutes and rules revisions based on discussion at the Operational Planning meeting on May 24, 2024, was provided.

[Revised CE Audit Flowchart](#)

The revised CE Audit Flowchart based on discussion at the Operational Planning meeting on May 24, 2024, was provided. The members requested further revisions on the lower portion of the flowchart. Staff will bring the revised chart to the August meeting.

D. NEW BUSINESS

[Public Works Exemption Level Determination](#)

Per Neb. Rev. Stat. §§ 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 to the next highest thousand. The last adjustment was made at the Board's June 2019 regular meeting and effective July 1, 2019. Staff provided the following computation of the new level and recommended the Board adjust the exemption level to \$144,000, per the provided calculations.

Nebraska Board of Engineers and Architects
Board Meeting Minutes – June 7, 2024 8:30 a.m.
 NBEA Offices, 215 Centennial Mall South, Suite 400, Lincoln, NE 68508

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 2019 regular meeting and effective July 1, 2019. Staff recommends that the Board adjust the exemption level to \$144,000 as calculated below.

Previous Level

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

Year	Exemption Lvl	% Δ	\$ Δ	Cumulative Lvl
2019	\$ 118,000.00	1.8%	\$ 2,124.00	\$ 120,124.00
2020	\$ 120,124.00	1.2%	\$ 1,441.49	\$ 121,565.49
2021	\$ 121,565.49	4.7%	\$ 5,713.58	\$ 127,279.07
2022	\$ 127,279.07	8.0%	\$ 10,182.33	\$ 137,461.39
2023	\$ 137,461.39	4.1%	\$ 5,635.92	\$ 143,097.31
2024	\$ 143,097.31			

New Level Effective

7/1/2024: \$ 144,000.00

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

Data extracted on: May 17, 2024 (4:59:55 PM)

Consumer Price Index for All Urban Consumers (CPI-U)

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
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	1.8	1.6	1.8	1.7	1.7	1.8	2.1	2.3	1.8	1.7	1.9
2020	2.5	2.3	1.5	0.3	0.1	0.6	1.0	1.3	1.4	1.2	1.2	1.4	1.2	1.2	1.2
2021	1.4	1.7	2.6	4.2	5.0	5.4	5.4	5.3	5.4	6.2	6.8	7.0	4.7	3.4	6.0
2022	7.5	7.9	8.5	8.3	8.6	9.1	8.5	8.3	8.2	7.7	7.1	6.5	8.0	8.3	7.7
2023	6.4	6.0	5.0	4.9	4.0	3.0	3.2	3.7	3.7	3.2	3.1	3.4	4.1	4.9	3.4
2024	3.1	3.2	3.5	3.4											

Board Member Travel and Per Diem Requests

The following travel and per diem requests were approved:

- Lenora Nelson – July 9, 2024 – NCARB Leadership Roundtable – Virtual
- Brett Foley – May 23, 2024 – ICOR Practice Overlap Initiative Webinar – Virtual
Brian Kelly

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

Draft Motions to be Presented at NCEES 2024 Annual Meeting

A copy of the draft motions to be presented at the NCEES 2024 Annual Meeting on August 14-17, 2024, in Chicago, IL, was provided. The following proposed motions were discussed:

- EPP1 – Examination definition – This may be problematic as it uses the term exam in the definition as it may be interpreted that by passing only one section of the structural exam, a decision could be made as to whether or not the exam was passed. ED Wilbeck suggested the members consider pulling the motion from the consent agenda to discuss revisions to the language.
- ELFT1 – Engineering Experience for Comity Licensure – Adds a pathway based on seven years of licensed experience in good standing in another jurisdiction and passage of the PE exam.
- NZ1 – Addition of ETAC/ABET-accredited degrees as meeting the education requirement for engineer intern enrollment and licensure – Licensure applicants would be required to have six years of experience with an ETAC/ABET-accredited degree or five years with an engineering master's degree and ETAC/ABET-accredited degree.

Further discussion and action will be taken at the August 2, 2024, board meeting.

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

Executive Session began at 10:02 a.m.

Executive Director 2023 Performance Review and Compensation

The 2023 performance review and 2023 compensation of the executive director were discussed in executive session.

E. COMPLIANCE

Cases 23.15, 24.02, 24.04, 24.05, 24.07, 24.08, 24.12, 24.13, 24.14, 24.15, 24.17, 24.18, 24.19, 24.20, and 24.21 were discussed in executive session.

Other Compliance Issues

Project Reviews 01, 02, and 03 were discussed in executive session along with partner-agency processes.

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

Motion by Thiele, second by Dvorak, to approve the adjustment of the exempted public works expenditures for the next five years to \$144,000 beginning on July 1, 2024. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter; Wedige

NAAB Collaterals Joint Statement to Members

A copy of the *Joint Status Update from the NAAB Collaterals* was provided. The status update was jointly signed by the *American Institute of Architects (AIA)*, *American Institute of Architecture Students (AIAS)*, *Association of Collegiate Schools of Architecture (ACSA)*, and *National Council of Architectural Registration Boards (NCARB)*. The memorandum of Understanding between these organizations and the *National Architectural Accreditation Board (NAAB)* expired in December 2023. These four organizations comprise the majority of the NAAB funding. The update re-emphasized the organizations' support of the NAAB's accreditation services and continued to strive toward a working arrangement with the NAAB.

Outreach & Marketing Update

PIO Bennett provided an update on the FY2023-24 Marketing Plan and Outreach. Highlights included:

- The latest edition of *The Nebraska Professional* was released on May 23rd.
- Updated E&A handbooks and *Before You Build* brochures were mailed out to recently visited jurisdictions.
- Information regarding the educational debt reimbursement will be mailed to the 2024 engineering and architectural graduates from the University of Nebraska and Doane University.
- Discussion is taking place on avenues to communicate the Board Rule 6.5 requirements for technical submissions, as non-compliance continues to be an issue.
- The next *Lunch and Learn* webinar is scheduled for June 26th and will cover the recent changes to the Rules and Regulations.

Proposed FY2024-25 Marketing Plan

The proposed FY2024-25 Marketing Plan was provided based on discussion at the Operational Planning meeting on May 24, 2024.

FY24-25 Executive Director In-State Travel Authorization

The Board approved all FY2024-25 in-state travel for ED Wilbeck.

Motion by Nelson, second by Bostelman, to authorize/approve all in-state travel for official Board business for the executive director during FY2024-25. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

FY24-25 Chair/Designee Agenda Review Per Diem Authorization

The Board approved travel and per diem for the Chair or representative for attendance of agenda review meeting during FY2024-25.

Motion by Nelson, second by Thiele, to authorize travel and per diem for the Board chair or representative for attendance of agenda review meetings during FY2024-25. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

Executive session ended at 11:25 a.m.

Motion by Thiele, second by Nelson, to increase the Executive Director's salary by 6% effective July 1, 2024. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

Motion by Dvorak, second by Thiele, to close Case 24.07. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

Motion by Dvorak, second by Bostelman, to dismiss Case 24.17 without disciplinary action after sending a letter of caution. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

Motion by Dvorak, second by Foley, to open a case against the project owner in Project Review 01 for the unlicensed practices of architecture and engineering and request a response within 30 days and a remediation plan within 90 days. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

Motion by Dvorak, second by Foley, to close the complaint and send a letter of caution to the employer in Project Review 02. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

Motion by Dvorak, second by Thiele, to open a case against the project owner in Project Review 03 for the unlicensed practices of architecture and engineering and request a response within 30 days and a remediation plan within 90 days. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

F. APPLICATIONS

Administratively Approved

Licensure of Professional Engineers by NCEES MLE Designation

E-20690 Hunter Thomas Antley, Mechanical; E-20680 John Peter Bastardo, Electrical and Computer; E-20698 Marvin Louis Brown Jr, Civil; E-20683 Aaron Thomas Cvar, Civil; E-20679 Matthew Dominic Darnell, Mechanical; E-20704 John Weston Davis, Mechanical; E-20676 Dean Hazim El-Baz, Civil; E-20697 Ryan James English, Civil; E-20678 Michael Andrew Faulk, Civil; E-20675 Carolyn Ann Erny Greenwell, Civil; E-20677 Bradley Joseph Hillebrenner, Mechanical; E-20658 Jeffrey Mack Hruby, Civil; E-20701 Jeremiah Lawrence Janssen, Electrical and Computer; E-20699 Jacob Roy Jeffcoat, Structural; E-20687 Colten Wayne Johnson, Civil; E-20659 Ian Joseph Kobler, Mechanical; E-20691 Timothy Michael Krehbiel, Mechanical; E-20660 Ginger Ivy Jo L'Heureux, Civil; E-20692 Rebecca Jean Keller Limesand, Civil; E-20694 Amy Kay Lueking, Civil; E-20686 Jeffrey Nile Mitchell, Structural; E-20689 Michel Alan Mitchell, Civil; E-20661 Tung Ngoc Nguyen, Electrical and Computer; E-20702 Mark Kenneth Nyhoff, Civil; E-20685 Robert Kurt Race, Civil; E-20705 Matthew John Rolfes, Chemical; E-20707 Shannon Ray Rasmussen, Mechanical; E-20700 Travis Ryan Short, Mechanical; E-20682 Kyle Steven Swenson, Structural; E-20681 Shaylon Darby Vaughn, Civil; E-20696 Marsha Lynn Villareal, Electrical and Computer; E-20684 Rebecca Lee Watkins, Electrical and Computer; E-20693 Luke Anthony Weyer, Electrical and Computer; E-20703 Kuokhong Wong, Civil; E-20706 Augustine Francis Wuertz, Civil; E-20695 Richard Allen Young, Civil; E-20688 Salim Zniber, Electrical and Computer

Licensure of Architects by NCARB Certification

A-5671 Steven Louis Baker, A-5674 Kevin William Halbach,, A-5668 Creig Bernard Hoskins, A-5666 Chad Dustin Ingram, A-5676 Radwan Madani, A-5673 Kimberly Day McCann, A-5677 Martin Anthony Rangel, A-5670 Jane Marie Rohde, A-5665 Jeffrey Arthur Roloson, A-5672 Jinger Amber Tapia, A-5678 Brian Edward White, A-5675 James Patrick Yost

Temporary Permits

T-659 Muftah Mannaa Muftah, Engineering

Engineer Intern Enrollment Certificates

Destiny Marie Hrabik, Owen Scot Jansen, Izayah Jahde Morris, Matthew Thomas Pelak

Certificates of Authorization

CA5266 Blastect Consulting LLC, CA5267 Michael A James and Associates, CA5268 FND Engineering LLC, CA5269 The Westervelt Co, CA5270 Kadric Engineering Inc, CA5271 J Scott MacKay Architect Inc, CA5272 Miller Dunwiddie Architecture Inc, CA5273 Pioneer Engineering Services LLC, CA5274 Cornerstone Structural Engineering Inc, CA5275 Basecamp AEC LLC, CA5276 Sadler Consulting Group LLC, CA5277 Platt Architecture PA, CA5278 UtilityEngineering LLC

PE Exam Applications

Marijo Christine Bosiljevac, Electrical and Computer; Chad Curtis Crawford, Civil; Nathan Timothy Dowler, Mechanical; Eric Thomas Goodbard, Civil; James Edward Johnson, Civil; Colton John Knust, Civil; Colin Mathis Miller, Architectural; Christopher Joseph Urkoski, Civil

Licensure/Examination

Licensure of Professional Engineers by Comity and Initial

Initial License, Staff Recommendation to Approve: Blake Michael Casper, Civil; Jacob Anthony Dubbelde, Civil; Benjamin Francis Ficenec, Civil; Tyler James Janecek, Mechanical; Matthew Joel Marra, Civil; Matthew Alan Moore, Electrical and Computer; Gage Nathaniel Parsons, Civil; Jacob Porter Sellin, Civil; Geoffrey Bernard Spain, Mechanical

Comity License, Staff Recommendation to Approve: Naji Najib Khoury, Civil; Ketul Vinodchandra Shah, Electrical and Computer

Licensure of Professional Engineers by Experience

Staff Recommendation to Approve: Robert Brandon Aillet, Civil; David Christopher Young, Civil

Licensure of Professional Engineers by Reinstatement

Staff Recommendation to Approve: E-12237 Tylor James Bottorff, Civil; E-17885 Aaron Osmun Burkner, Civil; E-15698 Michael Daniel Matthews, Mechanical

Licensure of Architects by Comity and Initial - *None*

Licensure of Architects by Experience - *None*

Licensure of Architects by Reinstatement - *None*

Other Issues/Information - *None*

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

G. FINANCIAL MATTERS

Financial Reports – May 2024

FY2023-24 Financial Profile

Budget Status

Fund Summary

MTD General Ledger Detail

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

Other Financial Matters

Fee Schedule Review

The Board reviewed the fee schedule and determined no adjustments are needed at this time.

Motion by Nelson, second by Dvorak, to maintain the fees at existing levels for FY2024-25. Voting Yes: Foley, Nelson, Thiele, Bostelman, Dvorak, Kelly; Voting No: None; Absent: Suelter, Wedige

H. GENERAL INFORMATION

A schedule of upcoming meetings and national events was provided. The next regular board meeting is scheduled for June 7, 2024, at 8:30 a.m. at 215 Centennial Mall South Ste 400, Lincoln.

Licensure and Certificate Trends

Numbers as of May 31, 2024

Professional Engineers	9,247
Architects.....	1,952
Certificates of Authorization	2,453
Temporary Permits.....	16

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

Examination Information/Statistics

The April ARE Pass/Fail and May ARE Open Eligibility reports were provided.

Other Information

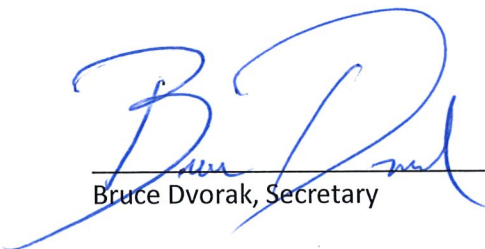
The FY23-24 Marketing Plan was provided.

The Facebook Analytics for May was provided. There were 46 visits with 334 reaches. Three new followers were added for a total of 609. Seventeen posts were made, with the post congratulating the recent Doane graduates receiving 171 reaches and 20 engagements. The post congratulating the UNL engineering graduates received 101 reaches and seven engagements.

The Board’s approved policies as of April 19, 2024, were provided.

ADJOURNMENT

Vice-Chair Kelly adjourned the meeting at 11:49 a.m.



Bruce Dvorak, Secretary