

Nebraska Board of Engineers and Architects
Board Meeting Minutes
December 11, 2015

CALL TO ORDER

The meeting was held at Hearing Room 1126, State Capitol, 1445 K St, Lincoln, Nebraska. Chair Krejci called the meeting to order at 9:00 a.m. and noted the location of the Public Meeting Statutes. Notice of the meeting was published on the Board's website and in the Lincoln Journal Star in compliance with the Open Meetings Act.

Roll Call: Lori Krejci, Chair; Krista Kester, Vice-Chair; Roger Helgoth; Secretary; Mark Champion; Michael Conzett; Jennifer Klein, Tom Laging, Dan Linzell. Absent: None.

Staff Present: Steve Masters, Executive Director (ED); Sandra Weaver, Administrator (AD); Rachel Fetterman, Public Information Officer (PIO), Jean Lais, Administrative Assistant (AA).

Public Present

Robin Kilgore, Budget Management Analyst, State of Nebraska
Jon Wilbeck

The following will appeared before the Board:

10:15 a.m. – Visitor, Compliance Case 15.17

Agenda Items

A Consent Agenda

Meeting Minutes

November 20, 2015 meeting minutes
December 4, 2015 emergency meeting minutes

Approval of Consent Agenda

Action Motion by Conzett, second by Laging to approve the consent agenda. Voting Yes: Laging, Linzell, Champion, Conzett, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: None.

B Committee Reports

2015-16 Board committee assignments and charges

Executive Committee Report – None

Education and Communication Committee Report

The Education and Communication Committee met on December 2, 2015. Linzell reported the Committee reviewed correspondence protesting Board Policy 14.09 concerning web-based continuing education. Some of the concerns given were not being able to identify courses to take, licensure in narrow fields that have no courses offered by IACET approved providers, and the inability to identify provided courses if the name of a specific course was unknown. The Committee discussed making licensees aware of other options for continuing education. Proposed Rule 9.4.2 was discussed by the Board and will be reviewed during the next rulemaking process since the hearing has already been set for the proposed rules. The Continuing Education event on ethics was successful although online registration was not able to be launched through the provider. Planning for the 2016 continuing education seminar is underway. PIO Fetterman reported the Board's new website was soft launched. A link can be found on the homepage of the current website. The current website will be removed after the new website is hard launched.

Enforcement Committee Report

Committee Chair Klein reported the Committee would meet after the new compliance officer begins employment with the Board.

Legislative Committee Report

Committee Chair Kester reported the December 11th public rulemaking hearing was cancelled because of conflict with Rules 8.4.2 through 8.4.3.2. These rules required State agencies and political subdivisions to report projects to the Board that did not meet the Engineers and Architects Regulation Act. A public rulemaking hearing on rules with 8.4.2 through 8.4.3.2 removed has been scheduled on January 15, 2016. Dialogue on exemptions in the rules will begin with organizations early in 2016 to find middle ground and begin drafts on exemption language. In accordance with Neb. Rev. Stat §§ 81-3449 & 81-3453, a negotiated rulemaking session will be carried out for final language.

Strategic Plan

2015-16 Strategic Plan review

Chair Krejci reminded the Board committees to review the 2015-16 Strategic Plan quarterly.

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C Old Business

Update on staff vacancies

ED Masters reported Jon Wilbeck had accepted an offer to fill the Compliance Officer position. The first day of employment will be December 18th. The application period for the Accounting Clerk II position ended on December 7th and interviews will be held during the week of December 14th through December 18th.

Applications will be accepted for the Public Information Officer I position through December 21st. Applications will be reviewed and interviews will be scheduled.

D New Business

Engineering Items

Pearson Vue Credential Manager System Data Breach

Notification was received from NCEES about a recent press release concerning a breach of the Pearson VUE Credential Manager (PCM) system. Fortunately, NCEES does not utilize Pearson VUE's PCM system since it developed its own candidate management system. The limited biographical data that NCEES captures from each applicant resides within the NCEES data management system and is never transmitted to a third party.

Authorization for Travel

2015 regional and national meeting travel authorization

Helgoth noted he would be traveling December 14th and 16th for the NCEES Financial Reserves Task Force Meeting, Portland, OR, on December 14-15, 2015.

2016 regional and national meeting travel authorization

Conzett was authorized to attend the following meetings funded by NCEES:

- ICOR Meeting, January 28, 2016, Phoenix, AZ (travel will occur on the 27th & 29th)
- NCEES MBA Meeting, February 6, 2016, Atlanta, GA (travel will occur on the 5th & 7th)
- POLC Meeting, March 5, 2016, in Atlanta, GA (travel will occur on the 4th & 6th)
- NCEES Southern Zone Meeting, April 7-9, 2016, in Nashville, TN (travel will occur on the 7th & 10th)
- NAE Convocation/AAES Board Meeting, April 18-19, 2016, in Washington, DC (travel will occur on the 17th & 19th)
- NCEES Northeast Zone Meeting on April 21-23, 2016, in Burlington, VT (travel will occur on the 21st and 24th)

Conzett will travel on January 10th after the NCEES Emerging Leaders Task Force Meeting in Charleston, SC on January 8-9, 2016, and travel February 18th & 21st for the NCEES Board of Directors Meeting in Maui, HI, on February 19-20, 2016.

ED Masters was approved to attend the NCEES MBA Meeting, February 6, 2016, in Atlanta, GA.

Conzett reported the National Council of Examiners for Engineering and Surveying (NCEES), the National Council of Architectural Registration Boards (NCARB) and the Council of Landscape Architectural Registration Boards (CLARB) would be discussing interests in common at the ICOR meeting on January 28, 2016. The Board discussed concerns that could be taken to the meeting by Conzett.

Other New Business

Request for eligibility letter to use "architectural" in organization name – 81-3436(7)

Action

Motion by Kester, second by Conzett to send an eligibility letter to the Secretary of State to allow Architectural Technology, Inc. to use "architectural" in its name and to register its organization as per Neb. Rev. Stat. § 81-3436(8). Voting Yes: Laging, Linzell, Champion, Conzett, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: None.

E Compliance

Logs

Open cases

History of closed cases

Executive Session – Commenced at 9:41 a.m.

Action

Motion by Kester, second by Linzell to go into closed session for compliance case discussion 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 Krejci. Voting Yes: Laging, Linzell, Champion, Conzett, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: None.

Cases

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15.04 – Summary & Documentation

Reviewed in Executive Session.

15.16 – Summary & Documentation

Reviewed in Executive Session.

15.17 – Summary & Documentation

Reviewed in Executive Session.

15.18 – Summary & Documentation

Reviewed in Executive Session.

15.24 – Summary & Documentation

Reviewed in Executive Session.

15.25 – Summary

Reviewed in Executive Session.

15.26 – Summary

Reviewed in Executive Session.

Executive Session – Concluded at 11:03 a.m.

Action Motion by Klein, second by Laging to close executive session for discussion of compliance cases not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Laging, Linzell, Champion, Conzett, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: None.

Approval of Compliance Disposition

Action Motion by Klein, second by Kester to close Case 15.16 without disciplinary action. Voting Yes: Laging, Linzell, Champion, Conzett, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: None.

Action Motion by Klein, second by Kester to dismiss Case 15.17 without disciplinary action and direct counsel to send a cautionary letter concerning the practice of architecture as an engineer. Voting Yes: Laging, Linzell, Champion, Conzett, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: None.

Action Motion by Helgoth, second by Linzell to close Case 15.18 without disciplinary action. Voting Yes: Laging, Linzell, Champion, Conzett, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: None.

Helgoth left the meeting at 11:11 a.m.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-15859 Steven Lee Adams, Electrical; E-15845 Matthew Earl Armstead, Mechanical; E-15858 Aaron Kent Batchellor, Civil; E-15847 Ryan Joseph Blocker, Civil; E-15849 Joseph Lloyd Forsee, Civil; E-15856 Andrew Thomas Fowler, Mechanical; E-15857 Sean Michael McFarling, Civil; E-15848 Kye Matthew Reece, Civil; E-15846 Matthew James Tesch, Electrical and Computer; E-15843 James Frederick Thurman, Mechanical; E-15844 Robbie Lee Veurink, Civil; E-15842 Todd Douglas Williams, Civil.

NCARB Certification – Architects

A-4625 Kristi Lynn Ahlstrom-Volskis; A-4618 Jeremy Michael Reding; A-4619 Gonzalo Villares.

Temporary Permits

T-520 Ruofei Sun, Structural Engineering, MO; T-521 David Scot Crowfoot, Electrical Engineering, CA.

Engineer Intern Enrollment

Benjamin Peter Lorenzen, NE; Ryan Rhys Tuazon Ontal, NE.

Architect Registration Examination/Re-approvals

Bradley John Brooks, NE; Evan Kardell Lamprecht, IA; Ann Marie Marcum, NE; Kylie Anne Von Seggern, NE.

Organizational Practice – Certificates of Authorization

CA3476 Power of Design Group LLC; CA3477 Reese Tower Services Inc; CA3478 Clear Creek Architects PC; CA3479 Gould Evans PA; CA3480 Wolterman Architecture; CA3481 Midwest Engineering LLC; CA3482 Republic Refrigeration Inc; CA3483 Cannon Design Inc; CA3484 Jacob & Hefner Associates Inc; CA3485 Control Technology & Solutions LLC.

Licensure/Examination

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Applications for licensure of Engineers by Comity

Approved: Thomas James Dowse, Civil, MO; Nathan D. McBride, Civil, WA.

Applications for licensure of Engineers by Experience

Approved: Daniel Pierce Allen, Civil, OH; Ruofei Sun, Structural, IL.

Applications for licensure of Architects by Experience - None

Applications for licensure by Reinstatement

Approved: E-11414 Warren Keith Lucas, Civil.

Applications to take the PE Exam

Approved: Jesse Morgan Brown, NE, Civil; Nicholas William Dayer Scott, NE, Electrical & Computer; Yuebin Yu, NE, Mechanical.

Special Cases – Applications for licensure of Engineers by NCEES MLE

Approved: Joseph Scott Tonneson, Structural.

Special Cases – Applications for licensure of Architects by NCARB Certification

Approved: Linda G Snapp.

Special Cases – License Renewal Disclosure

Approved for license renewal: E-15614 Robert DuVall; E-13942 Patrick O'Neill Fiedler; A-2628 James French; E-9507 Greg Greenlee; E-9314 Rickert Henriksen.

Approval of Applications and License Renewals

Action Motion by Kester, second by Klein to accept staff recommendations for applications with the exception of the license application of Thomas Dowse and the license renewal for James French. Voting Yes: Laging, Linzell, Champion, Conzett, Kester, Klein, Krejci. Voting No: None. Absent: Helgoth.

Action Motion by Kester, second by Laging to approve Thomas Dowse for a professional engineer license by comity. Voting Yes: Laging, Linzell, Champion, Conzett, Kester, Klein, Krejci. Voting No: None. Absent: Helgoth.

Action Motion by Kester, second by Klein to renew license A-2628 for James French. Voting Yes: Laging, Linzell, Champion, Conzett, Kester, Klein, Krejci. Voting No: None. Absent: Helgoth.

G Financial Matters

Reports

FY 2015-16 Financial Profile, November 2015

Budget Status Report, November 2015

MTD General Ledger Detail Report, November 2015

Fund Summary Report, November 2015

ED Masters reviewed the financial reports with the Board and reported expenditures were on track. In an effort to reduce upcoming expenses, adding more links to the electronic law book on the website and printing and mailing fewer law books was discussed.

Approval of Financial Reports

Action Motion by Laging, second by Conzett to approve the financial reports as presented. Voting Yes: Laging, Linzell, Champion, Conzett, Kester, Klein, Krejci. Voting No: None. Absent: Helgoth.

H General Information

Public meeting notice publication

An ad for the December 11, 2015 meeting was publicized in the Lincoln Journal Star.

Board meetings and schedule

A schedule of upcoming meetings and events was provided for review. A public rulemaking hearing and the next meeting is scheduled on January 15th at 215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, Nebraska. The public rulemaking hearing will begin at 8:30 a.m. and the regular meeting will begin no earlier than 9:00 a.m. or after the public hearing has ended.

Roster of Board members

A current roster of the Board was provided.

Travel Reimbursement Policy

The agency travel reimbursement policy was provided.

Licensing and Certification Trends

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Trends in Licensure

Trends in Renewals

Trends in Certificates of Authorization

Database reports reflecting licensure trends, renewal statistics, and active certificates of authorization were provided for Board review.

Examination Information/Results

ARE Open Eligibilities Report – December 1, 2015

One hundred thirteen Nebraska ARE candidates have open exam eligibilities as of December 1, 2015.

Other information

Approved Board policies

Approved Board policies were provided for review.

Recognition of PIO Fetterman

The Board expressed appreciation to Public Information Officer Rachel Fetterman, for her outstanding service to the Board. Ms. Fetterman accepted a position with the Nebraska Department of Education as the Marketing and Communication Specialist as of December 14th.

Adjournment

The meeting adjourned at 11:45 a.m.



Roger M. Helgoth, Secretary