

Nebraska Board of Engineers and Architects  
Board Meeting Minutes – October 19, 2018

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## CALL TO ORDER

The October 19, 2018 meeting of the Nebraska Board of Engineers and Architects was held at 215 Centennial Mall South, 5<sup>th</sup> Floor Conference Room, Lincoln, Nebraska. Chair Klein called the meeting to order at 8:41 a.m. and noted the location of the Public Meeting Statutes. Notice of the meeting was published in the Lincoln Journal Star in compliance with the Open Meetings Act.

Member Roll Call – Jennifer Klein, Chair; Lenora Isom, Vice-Chair; Brett Foley; Brian Kelly; Daniel Thiele. Absent: Jan Bostelman, Secretary; Mark Champion; Randy Peters.

*Motion by Thiele, second by Isom to appoint Foley as acting secretary for the October meeting in the absence of Bostelman. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

Staff Present – Jon Wilbeck, Executive Director (ED); Lindy Rauscher, Compliance Officer (CO); Sandra Weaver, Business Manager; Jean Lais, Administrative Assistant; Molly Mayhew, Public Information Officer (PIO).

Public Present: Jawad Gull - Public comment under Special Cases in the Application section

## A. CONSENT AGENDA

September 14, 2018 meeting minutes

*Motion by Isom, second by Thiele to approve the consent agenda. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

## B. MEETING REPORTS

### Ad Hoc Committee Reports

Decoupling Committee Report

ED Wilbeck stated the Decoupling Committee report would be given during the Marketing Plan Progress Report in the Old Business section of the agenda.

## C. OLD BUSINESS

Rules promulgation status

Clean and legislative versions of proposed revisions to Title 110, NAC, Rules and Regulations were mailed to stakeholders on October 3, 2018. A letter was included to summarize the highlights of the changes. Staff provided copies of documents for rules promulgation submitted to the Governor's Policy Research Office, Secretary of State and the Executive Board of the Legislative Council. The public rulemaking hearing for proposed revisions will be held at 8:30 a.m. on December 7, 2018.

ED Wilbeck reported receiving neutral feedback from several stakeholders on the proposed rules. Primary stakeholders who have not responded will be contacted.

Marketing Plan Progress Report

PIO Mayhew updated the Board on upcoming events, meetings and presentations outlined in the marketing plan. Contacts with organizations that may see projects needing an architect or professional engineer were summarized for the Board. UN-L's PARK(ing) Day, a collaborative project between second year UN-L architecture students, AIA-NE, and downtown businesses was held September 21, 2018, along P Street in downtown Lincoln. PIO Mayhew attended and spoke with approximately 60 students and UN-L architecture staff members. Bostelman attended the event, distributed the Board's business cards and encouraged students to obtain

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licensure. A suggestion was made to visit UN-L second-year architecture students during the spring semester to answer questions. PIO Mayhew noted software for email management will be ordered soon.

ED Wilbeck reported attending the Nebraska Society of Professional Engineers (NeSPE) Continuing Education Seminar on September 21, 2018, at the Hillcrest Country Club in Lincoln with board member Thiele. A presentation on decoupling engineering experience prior to taking the PE Exam was provided by ED Wilbeck. The history of decoupling, what model law is and how states use model law was explained to attendees. Awareness of the issue and building consensus was emphasized. At this time, supporting a bill is not anticipated until the 2020 legislative session. Thiele noted the presentation was well received. ED Wilbeck also spoke to the Eastern NeSPE Chapter last week and plans to present to the Midstate NeSPE Chapter on November 1 and the Northeastern NeSPE Chapter on November 5.

#### Fall newsletter draft

PIO Mayhew presented a draft of the November newsletter for Board review. Continuing education credit for .25 hours will be awarded to those reading and answering three questions on the certificate correctly.

#### New licensee ceremony update / program

PIO Mayhew reported the new licensee ceremony would be held in the Warner Chamber at the State Capitol since renovation work is completed. The speakers for the ceremony have been confirmed and refreshments have been ordered for the reception after the ceremony. As of October 19<sup>th</sup>, at least 249 people plan to attend. AIA Nebraska and NeSPE will staff tables outside the Warner Chamber. The ceremony will be held at 3:00 p.m. on Friday, November 2, 2018. The reception will be held after the ceremony at the Scottish Rite Masonic Center event room. PIO Mayhew will provide Chair Klein with information on the group picture and reception so an announcement may be made at the end of the ceremony.

#### NCARB MBC/MBE Leadership Summit

Isom and ED Wilbeck attended the NCARB MBC/MBE Leadership Summit in St. Louis, MO, on October 12-13, 2018, and provided highlights of the meetings. The summit included a preview and discussion of NCARB's 2019 Strategic Plan. Breakout sessions concerning the use of data to communicate the value of licensing boards, best practices of board chairs, and conducting investigations to ensure licensing board can uphold their mission to protect the health, safety, and welfare of the public, were attended.

## **D. NEW BUSINESS**

#### Call for nominations for NCEES National Service Awards

The NCEES Committee on Awards is soliciting nominations for the awards to be presented at the 98<sup>th</sup> annual meeting in Washington, DC, on August 14-17, 2019. The awards will recognize individuals who have made exceptional contributions and provided outstanding service to NCEES. The national awards include the Distinguished Service Award with Special Commendation (DSA/SC), the Distinguished Service Award (DSA), the Meritorious Service Award (MSA), and the Distinguished Exam Service Award (DESA). The completed nomination package must be received at NCEES Headquarters no later than January 31, 2019.

#### 2019 NCEES Board Presidents Assembly delegate selection

The NCEES Member Board Administrators (MBA) meeting will be held on February 8 and the Board President's Assembly (BPA) will be held on February 9, 2019, in Atlanta, GA. Isom and ED Wilbeck will serve as the Nebraska delegates. Notification of delegates is due to NCEES no later than November 9, 2018. Registration opens on November 19, 2018.

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NCEES Central Zone Call for Zone Committee Service

The Central Zone will be appointing new committee members for the Mobility and Outreach committees. Names of candidates from individual boards for the committees are requested by October 19, 2018.

Request for waiver of continuing education

A civilian employee of the US Army Corps of Engineers requested a waiver of continuing education for the 2019-2020 renewal period because of a large workload when deployed overseas. Work hours are expected to be a minimum of ten to twelve hours per day for seven days per week. A *Request and Authorization for TDY Travel of DOD Personnel* was provided.

*Motion by Thiele, second by Isom to waive 12 hours of continuing education for William Workman (A-2200) and if additional documentation is provided of deployment beyond March 31, 2020, will waive additional 12 hours. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

2018 Travel and per diem authorization

Authorization requests:

- Isom to attend the NCEES 2019 Board Presidents' Assembly on February 9, 2019, in Atlanta, GA (per diem only). Travel will be funded by NCEES.

ED Wilbeck will attend the Member Board Administrators meeting on February 8-9, 2019. Travel will be funded by NCEES.

*Motion by Thiele, second by Foley to approve travel and per diem authorization as requested. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

## E. COMPLIANCE

### Information

#### October 2018 Compliance Cases

#### Summary of Open Cases

Executive Session – Commenced at 10:15 a.m.

*Motion by Kelly, second Isom to enter into executive session for discussion of compliance investigations, project reviews, partner-agency processes, and license renewal disclosures 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 Klein. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

#### Active Cases: Summary & Documentation

Cases 14.03 & 14.13, Case 17.13, Case 17.15, Case 17.26, Case 18.04, Case 18.10, Case 18.11, Case 18.12, Case 18.13, Case 18.14, Case 18.15, Case 18.16, Case 18.17, Case 18.18, Case 18.19, and Case 18.20 were discussed in executive session.

No updates were provided for Cases 17.20, 18.02, 18.06, and 18.09.

#### Other Compliance Issues

Project Reviews 10-01 and 10-02 were reviewed in executive session.

The Partner-Agency Process Summary and agreement was reviewed in executive session.

A disciplinary action disclosed on a license renewal was reviewed in executive session.

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Executive Session – Concluded at 11:35 a.m.

*Motion by Kelly, second by Thiele to close executive session for discussion of compliance investigations, project reviews, partner-agency processes, and licensure renewal disclosures not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to waive engineering remediation in Case 18.13 and monitor completion of architectural remediation. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to authorize remediation of architecture and engineering in Case 18.16 and require a plan of action within 60 days or a reply within 30 days if not intending to remediate. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to direct counsel to draft a petition for disciplinary action and notice of hearing for Case 18.17. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to authorize engineering remediation in Case 18.19 and require a plan of action within 60 days or a reply within 30 days if not intending to remediate. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to authorize architecture and engineering remediation in Case 18.20 and require a plan of action within 60 days or a reply within 30 days if not intending to remediate. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to open a compliance case for Project Review 10-01 and authorize architecture and engineering remediation and require a plan of action within 60 days or a reply within 30 days if not intending to remediate. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to open a compliance case for Project Review 10-02 and authorize architectural and engineering remediation and require a plan of action within 60 days or a reply within 30 days if not intending to remediate. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

*Motion by Thiele, second by Isom to renew license E-16015. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

## **F. APPLICATIONS**

### **Administratively Approved**

Licensure of Professional Engineers by NCEES MLE Designation

**Approved:** E-17304 Robert Christopher Aeck, Structural; E-17299 Steven Allan Alstadt, Civil; E-17296 Michael Daniel Arnett, Mechanical; E-17307 Jesse Babb, Electrical and Computer; E-17297 Daniel Carl Brewer, Electrical and Computer; E-17279 Ryan Errickson Burkert, Mechanical; E-17290 Erik Joseph Elmstrand, Mechanical; E-17301 Edward Patrick Geraghty, Mechanical; E-17292 Michael Patrick Gillespie, Mechanical; E-17291 Michael Chad Griffith, Mechanical; E-17293 Robert Thomas Herd, Jr, Electrical; E-17288 Luis Alfredo Hernandez, Civil; E-17305 David Christopher Hernandez, Electrical and Computer; E-17302 James Kent Higgins, Civil; E-17309 H Andrew Holtom, Electrical; E-17295 Jong Tae Hwang, Electrical and Computer; E-17277 Peter Sterling Jackson, Nuclear; E-17306 Allen James McNutt, Mechanical; E-17298 Thomas Anthony Moore, Civil; E-17278 Phillip Ignacio Parra, Electrical; E-17280 Daniel Ryan Peterson, Mechanical; E-17294 Christina Brooke Preszler, Environmental; E-17311 Joel Roger Ramsey, Civil; E-17310 Joshua Paul Richards, Structural; E-17308 Richard

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Maurice Thibeault, Structural; E-17303 Timothy Michael Thomason, Civil; E-17289 Thomas Gerard White, Electrical; E-17300 Vincent Joseph Zink, Civil.

Licensure of Architects by NCARB Certification

**Approved:** A-4986 Andrew Scott Akerhielm, A-4981 Jeffrey Kendall Baker, A-4972 Mark Allan Carnicelli, A-4983 Anthony Cassata, A-4976 Debra McFalls Chitwood, A-4980 Brett Michael Delmez, A-4984 Joshua Keith Herrman, A-4979 Kyle Justin Matthews, A-4978 Jon Kevin Pickard, A-4987 Thomas Robert Reder, A-4971 Veli-Matti Tomi Roinila, A-4985 Daniel Roy Swift, A-4975 Lyman Michael Treadway.

Temporary Permits

**Approved:** T-593 Robert Joseph Schmitz, OH, Architect; T-594 Mark Philip Harrig, WI, Engineer; T-595 Shane Alan Sigle, CO, Engineer.

Engineer Intern Enrollment

**Approved:** Connor Michael Adamsick, Nicholas Anthony Bohlim, Garrett Kieth Scott, Bradley Dalton Shaner, Tyler Joseph Sondag, Jacob Andrew Wolff.

Certificates of Authorization

**Approved:** CA4063 HBK Engineering LLC, CA4064 BDS Structural PLLC, CA4065 Environmental Information Logistics LLC, CA4066 Klute Engineering LLC, CA4067 Land & Water Sustainable Design LLC, CA4068 Tetra Engineering Group Inc, CA4069 CMC Architecture PC, CA4070 Pinnacle Engineering of Ohio Inc, CA4071 Van Boerum & Frank Associates Inc, CA4072 BNA LLC, CA4073 Allen & Hoshall Inc, CA4074 SFCS Inc, CA4075 Pickard Chilton Architects Inc, CA4076 PFDA Architects Inc, CA4077 Telgian Engineering & Consulting Inc.

**Licensure/Examination**

Licensure of Professional Engineers by Comity

**Approved:** Thomas David Bradka, Civil, AZ; Dmitry Lomachenko, Civil, KS; Brett Michael Louk, Civil, KS; Jerome James Malone Jr, Electrical and Computer, CO.

**Deferred:** Jeffrey John Salvagin, Electrical, NY – Does not have an ABET-accredited engineering degree and does not meet the NCEES Education Standard as determined by the NCEES Credentials Evaluation.

Licensure of Professional Engineers by Experience

**Approved:** Kelsey Felland Brown, Structural, MN; Jeffrey Shawn Cessna, Civil, MO.

ARE Exam Approvals

**Approved:** Ricardo Daniel Camio, Darin John Hanigan, Ryan Lee Plager.

PE/SE Exam Approvals

**Approved:** Zev Aaron Rohloff, Mechanical.

**Special Cases**

Licensure of Professional Engineers by Comity

At 11:49 a.m. Jawad Gull came before the Board to request a waiver for the math and science education deficiencies found in the NCEES Credentials Evaluation. Gull currently holds a professional engineering license in three states. Gull summarized high-level math and science courses completed before beginning his Bachelor's degree program. The Board responded that Nebraska law does not allow the Board to waive or evaluate the math and science deficiencies found in a NCEES Credentials Evaluation. Removal of those deficiencies may only

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be accomplished as per subsections of Rule 2.2.5. The Board suggested considering the CLEP exams in Rule 2.2.5.3. Gull was thanked for presenting his case before the Board.

**Deferred:** Jawad Hussain Gull, Civil, CA – Does not hold an accredited degree and educational deficiencies are cited in the NCEES Credentials Evaluation.

*Motion by Thiele, second by Isom to approve or defer applications as recommended by staff. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

**Other Application Issues**

Emeritus status request

The Board reviewed the emeritus request of Terry Wipf, E-5075. As per Rule 1.13.4.1, only professional engineers subject to license renewal may elect emeritus status. Because the license expired in 2016 and may no longer be renewed, the Board cannot grant the request under current state law.

**G. FINANCIAL MATTERS**

**Financial Reports**

FY 2018-19 Financial Profile, as of September 2018

Budget Status Report, as of September 2018

MTD General Ledger Detail Report, September 2018

Fund Summary Report, September 2018

*Motion by Isom, second by Thiele to approve the financial reports as presented. Voting Yes: Isom, Kelly, Thiele, Foley, Klein. Voting No: None. Absent: Bostelman, Champion, Peters.*

**H. GENERAL INFORMATION**

A schedule of upcoming meetings and events was provided for review. On December 7, 2018, a public rulemaking hearing will be held at 8:30 a.m. with the regular meeting following the hearing no earlier than 8:45 a.m. The hearing and regular meeting will be held in the large conference room, 5th floor, 215 Centennial Mall South, Lincoln, NE.

The February 8, 2019 Board meeting was moved to February 15, 2019, because of conflict with the NCEES 2019 Board Presidents' Assembly in Atlanta, GA. The meeting will be held in the Board office conference room, 4<sup>th</sup> Floor, 215 Centennial Mall South, Lincoln.

Individuals and organizations authorized to practice as of October 9, 2018:

Professional Engineers.....	8,194
Architects.....	1,940
Certificates of Authorization.....	2,209
Temporary Permits .....	29

**Examination Information/Results**

The Monthly Pass/Fail Report for August 2018 for the ARE 5.0 showed 14 exams taken and 8 exams passed.

The Monthly Pass/Fail Report for September 2018 for the ARE 5.0 showed 10 exams taken and 6 exams passed.

The Nebraska ARE 5.0 Yearly Pass/Fail Report as of September 30, 2018, showed an overall average pass rate of 56.2%.

There were 87 ARE candidates with open eligibilities on October 1, 2018.

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**Other Information**


The Board's Facebook Analytics Report showed 163 individuals engaged from September 10, 2018, to October 7, 2018.

The September 2018 Dashboard Report indicated the Board's website had 2,451 visitors.

Approved Board policies as of September 14, 2018, were provided.

**ADJOURNMENT**

The meeting was adjourned at 12:30 p.m.

  
Appointed Secretary