CALL TO ORDER

The August 9, 2019 meeting of the Nebraska Board of Engineers and Architects was held in the 5th floor large conference room, 215 Centennial Mall South, Lincoln, Nebraska. Chair Isom called the meeting to order at 8:34 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: Lenora Isom, Chair; Jan Bostelman, Vice Chair; Brett Foley, Secretary; David Johnson; Brian Kelly, Jennifer Klein; Randy Peters; Daniel Thiele. Absent: None.

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 Comment

The following appeared before the Board:

Julie Erickson, American Communications Group, Inc.

Hearing on Nebraska Board of Engineers and Architects v. Schipporeit Farms LLC, 18.17

Executive Session – Commenced at 9:00 a.m.

Motion by Klein, second by Thiele to enter into executive session for discussion of new information concerning the scheduled hearing for Case 18.17 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 Isom. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

Executive Session – Concluded at 9:15 a.m.

Motion by Klein, second by Bostelman to close executive session for discussion of new information concerning the scheduled hearing for Case 18.17 not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

Motion by Thiele, second by Peters to close Case 18.17 with no disciplinary action based on remediation. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

The hearing for Case 18.17 was cancelled due to Board action above.

A. CONSENT AGENDA

June 14, 2019 meeting minutes

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

B. MEETING REPORTS

Ad Hoc Committee Reports

Legislative Report

Julie Erickson spoke to the Board on behalf of its Legislative Liaison, Rich Lombardi, and noted she has been a partner at American Communications Group for 34 years. Erickson stated that Lombardi asked her to increase work with the Board since its future legislative bill would likely be reviewed by the Health and Human Services Committee, which she has often worked with.
Lists of interim studies and carryover bills of interest to the Board were distributed and summarized. On October 25, 2019, a hearing will be held for LR9 to examine and compare the processes for adopting, promulgating, and eliminating rules and regulations in Nebraska and other states. The study may examine cost efficient methods for reducing the number of rules and regulations. LB299 adopted the Occupational Board Reform Act and was approved by the Governor on April 23, 2018. The Health and Human Services Committee has a large number of occupations to review. Determining ways to carry out the law is in process. A public hearing will be held if a statutory change is needed to change the process outlined in the original bill (LB299, 2018). Erickson noted LB130, a bill to revise the Professional Landscape Architect Act, was placed on general file and will be dealt with early in the 2020 legislative session. ED Wilbeck requested LR163 and LR187 be added to the list of monitored interim studies.

Legislative Committee Report

ED Wilbeck reported meeting with the Executive Directors from the Nebraska Society of Professional Engineers (NSPE-NE) and the American Council of Engineering Companies of Nebraska (ACEC/N) on July 31, 2019, to discuss their organization’s position on decoupling. It was indicated that neither NSPE-NE nor ACEC/N were likely to oppose decoupling provisions. ACEC/N is in the process of conducting another survey to confirm its position. Securing a senator to carry the bill will be the next step. A legislative draft will be requested from the Revisor of Statutes and Bill Drafting Office. When the draft is prepared, a letter detailing the proposed changes in depth and discussing the advantages of decoupling along with other changes will be sent to stakeholders. The Board’s Legislative Committee will meet on August 12.

Professional Services Committee Report

Thirteen proposals were received from potential legislative liaison vendors. The deadline to submit was Thursday, August 1, 2019. The Professional Services Committee met on Friday, August 2, to do a preliminary review of the proposals. The Committee will bring the list of responses to the September Board meeting for review. During the October Board meeting, selected candidates will be invited to give a brief 10-minute presentation. After the presentations, the Board will select a candidate to enter into contract negotiations for FY 2020-21 legislative liaison services.

Executive Committee Report

Chair Isom reported that the Executive Committee would meet later in August 2019 to discuss the performance and propose the FY 2019-20 salary for the Executive Director.

C. OLD BUSINESS

FY 2019-20 Marketing Plan draft


FY 2019-20 Marketing Plan update

PIO Mayhew reported a LinkedIn site was set up for the Board.

FAQ sections for licensees and the public were added on the Boards website and new FAQs are being reviewed for publication on the website and distribution to professors and students at the University of Nebraska.

The audio for an education video based on the new construction flow chart on the Board’s website is finished and animation will be added. The flowchart helps the public and related professions determine when an architect or professional engineer is required for new construction projects in Nebraska as set forth in the Engineers and Architects Registration Act and Title 110, NAC, Rules and Regulations (excludes single family and four family dwellings).
On June 25, 2019, Chair Isom presented the first honorary license certificate issued by the Board to the family of Thomas Rogers Kimball following Kimball’s induction to the Nebraska Hall of Fame. Kimball served as the professional advisor for the Nebraska Capitol Commission created in 1919.

Upcoming presentations will be made to the National Association of Women in Construction, Omaha Chapter (NAWIC) and League of Nebraska Municipalities (LNMM).

An additional 54 handbooks and 228 brochures were sent to five cities and eight counties. A total of 543 handbooks and 618 brochures have been sent to 63 towns/cities and 34 counties since May 2019. A map was provided to the Board to show where materials were sent across Nebraska. PIO Mayhew will look at ways to update the map to connect to other groups.

In July, 77 county engineers and planning/zoning officials were notified about the adjusted public works exemption amount.

Board positions for NCEES August 2019 annual meeting motions

Committee motions to be presented at the NCEES Annual Meeting, August 14-17, 2018, in Washington, D.C. were reviewed and discussed. Foley voiced a concern with language in Education Motion 1 which stated, “...until the initial results have been released.” If results of an exam were not released due to an irregularity, it might result in a candidate not being able to take a future exam. It was agreed that the release language in EAP1 should mirror language in EAP 8. ED Wilbeck will discuss the issue with the Manager of Compliance and Security at NCEES. The Board authorized delegates to vote in support of the motions with the following exceptions:

- Education Motion 1: Oppose
- EPP Motion 1: Remove from consent agenda; propose revised language.
- Bylaws Motion 2: Remove from consent agenda; oppose
- Surveying Exam Module Task Force Motion 1: Consult with Nebraska Surveyor Board; voting delegate discretion
- NCEES Financial Policy 7, Motion 1: Voting delegate discretion

Motion by Foley, second by Thiele to authorize the voting delegates to vote on motions at the NCEES annual meeting as directed by the Board. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

Central Zone meeting coordination for 2019 NCEES annual meeting

Central Zone Vice President Marlon Vogt provided a summary of the central zone meeting focus at the 2019 NCEES annual meeting. It was noted Central Zone would be electing a new vice president and zone officer at the annual meeting.

New Licensee Capitol Ceremony update

PIO Mayhew noted the ceremony for new licensees would be held at the Warner Chamber of the State Capitol on November 15, 2019 at 3:00 p.m. A reception will follow at the Scottish Rite. A Save the Date notice was mailed in mid-July to 132 licensees. Representatives from the Nebraska Society of Professional Engineers (NSPE-NE) and the American Institute of Architects (AIA Nebraska) will attend. The Board Chair will act as the master of ceremonies. Kelly and Klein will present license certificates to the architects and professional engineers.

D. NEW BUSINESS

Executive Director performance evaluation and compensation

Tabled until the September 13, 2019 meeting.
Proposed change to licensee wall certificate specifications

The Board was requested by staff to consider changing the licensee wall certificate size from 11" x 14" to 8 1/2" x 11." The change would simplify printing procedures, eliminate the need for a dedicated certificate printer, and reduce costs for envelopes and postage. A suggestion was made by a member to use digital signatures on wall certificates and certificates of authorization. After discussion, the Board agreed to use electronic signatures on certificate of authorizations and licensee wall certificates except those for initial licensees, which will continue to be personally signed by the Board.

Motion by Thiele, second by Kelly to change the licensee wall certificate size to 8 1/2" x 11" effective after November 15, 2019, and authorize electronic signatures on wall certificates for comity licensure, duplicate wall certificates, and new certificates of authorization, but have the Board manually sign wall certificates for initial licensure of an architect or professional engineer. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

2019 and 2020 Travel and per diem authorization

Authorization requests included:

- Isom for per diem only for work for the NCARB AXP Portfolio Sunset Review Audit Committee done on August 5, 2019.
- Isom noted the September 13-14, 2019, and March 27-28, 2020 NCARB meetings authorized at the June Board meeting should be for the Examination Committee rather than the Education Committee. The meeting in September will be held in Washington, D.C.
- Bostelman to change the dates for the NCEES Examinations for Professional Engineers (EPE) Committee meetings requested at the June Board meeting to November 22-23, 2019, in Atlanta, GA, and January 17-18, 2020, in Clemson, SC. Travel expenses will be funded by NCEES.
- ED Wilbeck to attend the NCARB Committee Summit Meeting on December 6-7, 2019, in Oklahoma City, OK. Travel expenses will be funded by NCARB.

Motion by Kelly, second by Thiele to authorize travel and/or per diem as requested. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

E. COMPLIANCE

Summary of Open Cases

Executive Session – Commenced at 10:25 a.m.

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

Active Cases: Summary & Documentation

Case 17.13, Case 17.26, Case 18.02, Case 18.13, Case 18.15, Case 18.17, Case 18.20, Case 18.21, Case 19.01, Case 19.03, Case 19.05, Case 19.09, and Case 19.10 were reviewed in executive session.

Other Compliance Issues

The Partner-Agency Process Summary and the State Fire Marshal MOU annual meeting were discussed in executive session.
Due to a conflict of interest, Special Assistant Attorney General Sean Minahan left the meeting before discussion of Compliance Case 19.01 and returned to executive session when discussion ended.

Executive Session – Concluded at 11:58 a.m.

Motion by Kelly, second by Bostelman to close executive session for 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: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

Motion by Thiele, second by Foley to initiate formal proceedings for Case 19.01 and hold a hearing on October 18, 2019. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

Motion by Thiele, second by Foley to dismiss Case 19.09 with no disciplinary action and send a cautionary letter to both parties. Voting Yes: Klein, Peters, Thiele, Bostelman, Foley, Johnson, Kelly, Isom. Voting No: None. Absent: None.

F. APPLICATIONS

Administered Approved

Licensure of Professional Engineers by NCEES MLE Designation

Approved: E-17755 Drew Morris Alexander, Civil; E-17720 Brandon David Alley, Civil; E-17725 Jonathan Michael Barry, Civil; E-17733 William Douglas Belle, Chemical; E-17756 Thomas Patrick Bergquist, Civil; E-17753 Rebecca Lind Brooks, Civil; E-17759 Kolby Kevin Burke, Structural; E-17734 Jason Edward Christoff, Mechanical; E-17730 Anthony Paul Corcoran, Mechanical; E-17713 Robert Paul Dalluge, Civil; E-17758 Jared Marshall Davis, Civil; E-17736 Robert Alexander Dick, Mechanical; E-17728 Christopher Joseph Douglas, Civil; E-17721 Joshua Adam Everett, Mechanical; E-17737 Angela Marie Fante, Civil; E-17751 Kristin Leigh Glikbarg, Chemical; E-17762 Heather Lynn Heidenreich, Structural; E-17735 Nicholas Ryan Hershberger, Civil; E-17740 John Michael Higgins, Civil; E-17746 David Dale Highfield, Jr, Civil; E-17707 Lisa Manon Holliday, Civil; E-17748 Patrick Thomas Kaminski, Civil; E-17739 Matthew Greco Kaynish, Electrical and Computer; E-17719 Stephen Roger Kelley, Electrical and Computer; E-17743 Jay Kline Kelly, Mechanical; E-17731 Dong Won Kim, Mechanical; E-17722 Robert Damien Lisi, Civil; E-17760 George John Burton Manning, Structural; E-17750 Brian Michael Martin, Mechanical; E-17749 Craig Eugene Metzger, Civil; E-17710 Andrew Henry Miller, Civil; E-17732 Hannah Elizabeth Mishriki, Civil; E-17738 Colin Allan Moran, Civil; E-17727 Leo Joseph Noker, III, Civil; E-17757 Phillip James O'Regan, Civil; E-17712 James Stephen Parks, Jr, Civil; E-17742 Benjamin Lyttle Pidek, Electrical and Computer; E-17741 James Mark Privette, Civil; E-17711 Matthew Robert Pross, Electrical and Computer; E-17761 Matthew Paul Schumacher, Civil; E-17763 Christopher Robert Schwarz, Mechanical; E-17726 Jerod Michael Shaw, Electrical and Computer; E-17723 Jeremiah Mathew Smith, Mechanical; E-17752 Robert Anthony Sullivan, Electrical; E-17754 Todd Daniel Szymkowski, Civil; E-17745 Gregory Wayne Thome, Jr, Civil; E-17729 Ross Eugene Waters, Architectural; E-17747 David Alan Weeks, Environmental; E-17744 Samuel James Wilke, Structural.

Licensure of Architects by NCARB Certification

Temporary Permits

Approved: T-605 Francis Allen Comer, Engineer, MO; T-606 David Marchese, Engineer, PA; T-607 Dennis LeRoy Batty, Architect, MN; T-608 Kevan James Cooper, IL.

Engineer Intern Enrollments

Approved: Keegan Tanner Bell, Teresa Christine Blankman, Anna Christine Cole, Andrew Jacob Fields, Brendan Christopher Findall, Michaela Mae Heimes, Ashley Maria Jasso, Awiegbu Miracle Kanu-Asiegbu, Caprianna Noelle Keeler, Pascual Mauricio, Jr, John Steven Meyers, Nam Hoai Nguyen, Benjamin James Nixa, Sarah Marie Ostrander, Santos Eduardo Ramos, Adam Jacob Schlotthauer, Samuel David Sobczyk, Hannah Jane Stanek, Jena Rose Wilson, Nathan Allen Wulf.

Certificates of Authorization


Licensure/Examination

Initial Licensure of Professional Engineers (None)

Licensure of Professional Engineers by Comity

Approved: Justin James Elliott, Structural, OR; Matthew Lynn Garder, Civil, KS; Peter Anthony Gorney, Electrical and Computer, FL; Matthew Steven Hawes, Civil, IA; Garlet Charles Hocke, Civil, SD; Paul Michael Plouzek, Mechanical, CA; Luis Adrian Sanchez-Herrera, Sr, Civil, FL; Matthew Philip Schmitt, Civil, MN; Derek Michael Tompkins, Civil, MN; Jeremy Kuiken Wooster, Civil, CA.

Licensure of Professional Engineers by Experience

Approved: Martin Ernest Gagnon, Civil, MT; Murari Lal Kamra, Civil, LA; Yinhong Ma, Civil, TX; Scott Ron Mahnke, Electrical, WI; Nathaniel James Marcoe, Civil, MT; William Andrew Ratekin, Civil, WI; Michael Lawrence Zappone, Mechanical, WA.

Initial Licensure of Architects (None)

Licensure of Architects by Comity (None)

Licensure of Architects by Experience (None)

Licensure of Professional Engineers by Reinstatement

Approved: E-8549 Kevin Arthur Kuhl, Civil.

Licensure of Architects by Reinstatement (None)

ARE Exam Approvals

Approved: Kory Thomas Randa.
PE/SE Exam Approvals

Approved: Aislyn Rose Anderson, Structural VL; Braulio Italo Araya, Civil; Christopher Lee Bears, Civil; Carolyn Marie Becker, Structural VL; Casey Alan Behrends, Electrical and Computer; Kylie Rae Berger Civil, Alexandra Rose Berney, Civil; Edward John Bjorling, Civil; Ernest Henry Bless, III, Civil; Brandon Ray Boosalis, Mechanical; Nathan William Bowman, Mechanical; Linsey Ann Brown, Civil; Anthony Rowen Cameli, Civil; Kyle Thomas Christensen, Civil; Lucus Tyler Christensen, Civil; Eric Leigh Cutler, Fire Protection; Benjamin Anthony Watson DeGagne, Civil; Benjamin Scott Drews, Civil; Mark Preston Fischer, Control Systems; Jonathan Bernard Fischer, Civil; Nicole Marie Carr Frankl, Civil; Jessica Lynn Frehse, Civil; Daniel Joseph French, Civil; Joseph Myles Gardner, Civil; Tamara Lynn Haglund, Mechanical; Christie Jo Hasenkamp, Civil; Joel Daniel Hassebrock, Metallurgical & Materials; Kyle Everett Heddens, Civil; Michael Cheves Holton, Civil; Hannah Christine Jones, Civil; Guemba Yaovi Katawara, Civil; Mitchell Joseph Kowalewski, Civil; Brent Anthony Kraay, Mechanical; Elizabeth Rose Kreher, Civil; Maxwell Joseph Kreuzberg, Civil; Austin Thomas Kuecher, Civil; Otto James Lapointe, Civil; Timothy Keith Leiferman, Electrical & Computer; Weston Thomas Loehr, Civil; Benjamin Peter Lorenzen, Civil; Mark Ray McCormick, Electrical & Computer; Owen Lewis McGregor, Structural VL; Gustavo Adolfo Mena, Civil; Trenten John Meyer, Mechanical; Abby Elizabeth Montiel, Electrical & Computer; Nathan Daniel O’Keefe; Connor Jacob Olberding, Civil; Moses Rene Pacheco, Structural VL; David Lance Pitlor, Mechanical; Noah Anton Pitts, Civil; Rose Marie Quail, Civil; Andrew Christopher Reinke, Electrical & Computer; Jonathan Lee Richter, Structural VL; Sara Rose Robbins, Mechanical; Kaitlyn Elizabeth Rohloff, Control Systems; Andrew Joseph Rudeen, Civil; Timothy Garett Saner, Structural VL; Tyler Leo Schmidt, Civil; Kristin Rose Schmit, Civil; Paige Marie Schneider, Civil; Rachel Anne Schulz, Civil; Pranav Man Shakya, Civil; Jason Robert Sindelar, Civil; Christopher Allen Skeen, Civil; Steven Tyler Stauffer, Structural VL; Michael Patrick Steffensmeier, Civil; Wyatt Dean Suddath, Mechanical; Jared Lee Svagera, Civil; Kurt Bryan Thomsen, Civil; Michael David Tocek, Mechanical; Christopher Michael Volnek, Sr, Civil; Matthew George Welker, Civil; Katherine Michelle Werner, Civil; Austin Paul White, Civil; Michael Louis Whitten, Structural VL: Benjamin Rhea Williams, Electrical & Computer; Joshua John Wilson, Electrical & Computer.

Special Cases

Engineer Intern Enrollments

Deferred: Seyyed Shahab Hosseinian - Defer enrollment until education deficiencies are removed. A new application will be required one year after the original deferral on May 17, 2019.

Certificates of Authorization

Approved: DSPC Engineers PC, Dungan Design Group LLC, Structural Edge Engineering PLLC.

Licensure of Professional Engineers by Comity

Approved: Jawad Hussain Gull, Civil, CA.

PE/SE Exam Approvals

Approved: Brandon Paul Landis, Civil.

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

G. FINANCIAL MATTERS

Financial Reports

FY 2018-19 Financial Profile, as of June 2019
FY 2019-20 Financial Profile, as of July 2019
ED Wilbeck reviewed the June and July 2019 financial reports with the Board. The amount of appropriation not spent for the biennium was noted. The June reports reflect the end of FY 2018-19, and the second year of the biennium budget. The July reports reflect the first month of FY 2019-20.

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

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next board meeting is scheduled on September 13, 2019, at 8:30 a.m. in the office conference room, 4th floor, 215 Centennial Mall South, Lincoln, Nebraska.

Individuals and organizations authorized to practice as of July 22, 2019:

Professional Engineers ........................................ 8,225
Architects ............................................................. 1,942
Certificates of Authorization .................................. 2,226
Temporary Permits .................................................. 21

Examination Information/Results

The ARE Monthly Pass/Fail Report for May 2019 showed 11 exams taken and 6 exams passed and the June 2019 Report showed 12 exams taken and 9 exams passed.

There were 85 ARE candidates with open eligibilities on July 1, 2019 and 83 ARE candidates with open eligibilities on August 1, 2019.

The 2019 Nebraska 5.0 Yearly Pass/Fail Report as of June 30, 2019, showed an overall pass rate of 69.1%.

Other Information

Facebook Analytics Report showed 770 people reached from June 28, 2019 to July 25, 2019.

Mailchimp Analytics Report indicated an email was sent on August 1, 2019, to 28 architects and professional engineers who have served as remediation professional on projects.

The June 2019 Website Dashboard Report indicated the Board’s website had 2,717 total visits.

The July 2019 Website Dashboard Report indicated the Board’s website had 2,629 total visits.

Board policies approved as of May 17, 2019, were provided.
ADJOURNMENT

Motion by Thiele, second by Peters to adjourn the meeting at 1:03 p.m.

[Signature]

Appointed Secretary