

Nebraska Board of Engineers and Architects  
Board Meeting Minutes  
August 15, 2014

**CALL TO ORDER**

The meeting was held at 215 Centennial Mall South, 5<sup>th</sup> Floor, Large Conference Room, Lincoln, Nebraska. Chair Klein called the meeting to order at 8:30 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:** Jennifer Klein, Chair; Lori Krejci, Vice-Chair; Michael Conzett, Secretary; Mark Champion; Fred Choobineh; Roger Helgoth, Krista Kester. Absent: Tom Laging.

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

**Public Present**

Robin R. Kilgore, Budget Management Analyst, State of Nebraska

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**Agenda Items**

**A Consent Agenda**

**Meeting Minutes**

June 13, 2014 strategic planning session minutes

June 27, 2014 strategic planning session minutes

June 27, 2014 meeting minutes

**Approval of Consent Agenda**

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

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**B Committee Reports**

**2014-2015 Board committee appointments and assignments**

Chair Klein presented the 2014-2015 Board committees and assignments for review. An Education and Communication Committee chair will be appointed in the future. Board staff will ensure meetings are held. ED Masters will proceed with the next steps in securing a replacement for Laging so the Governor is able to make an appointment.

**Action** Motion by Kester, second by Krejci to approve the Board committee assignments without a successor for Laging being named on the list. Voting Yes: Kester, Krejci, Champion, Choobineh, Conzett, Helgoth, Klein. Voting No: None. Absent: Laging.

**Contract Ad Hoc Committee Report**

Committee Chair Helgoth reported the Ad Hoc Committee met and a process was identified to select a legal services candidate. After Board discussion, the Committee accepted a position that the selection process would only be used as a spring board and not for every contract. Choobineh voiced discomfort with the selection process and suggested a policy should be created for contract selections with the same weight as other policies to ensure impartial selections. Additional concern was expressed that the Board was delegating responsibility for candidate selection to the Ad Hoc Committee without candidates or background information being forwarded to the Board. A policy could allow the Committee to bring two names to the Board for assessment. Committee Chair Helgoth voiced sensitivity to Choobineh's concerns and reported a recommendation for a candidate would be withdrawn and the selection process would be altered so the Board could review the candidate information. A motion will be made for the final candidate selection at the next meeting in September after a policy statement is created for future use. ED Masters will transmit the resumes of all candidates to the Board for review.

Champion, Helgoth, and Kester noted their unavailability for the meeting scheduled on September 19<sup>th</sup>. The meeting will be moved to September 26<sup>th</sup>. The New Licensee Ceremony will be held on November 7. A Board meeting will be scheduled the same day. The December meeting date will be reviewed. A suggestion was made to send Outlook meeting requests to members when setting up Board meeting dates.

**Executive Committee Report**

*No report at this time.*

**Education and Communication Committee Report**

A Facebook Activity Report tracking activity from June 19, 2014, to August 6, 2014, was presented by PIO Fetterman.

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**Enforcement Committee Report**

*No report at this time.*

**Legislative Committee Report**

ED Masters distributed an email from Rich Lombardi, the Board's legislative liaison. The Nebraska Legislature just completed a massive upgrade to their internal software that includes their bill drafting services. The bill drafter is estimating a bill will be drafted by the end of August. Circulation of the bill draft to interested groups is anticipated prior to September 1 with a response deadline of September 30, 2014.

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**C Old Business**

**Governance Items**

**Review of Strategic Plan**

The Board reviewed the draft of the Strategic Plan and made recommendations for edits. ED Masters stated the plan would be continually reviewed at each meeting and more dates would be added as issues evolve. The plan will be brought back to the next meeting. Upcoming events will be reviewed. The plan will be attached to the 2015-2017 biennium budget request due on September 15, 2014, as a "draft strategic plan." PIO Fetterman updated the Board on IT issues.

**Other Old Business**

**NCARB survey responses**

NCARB is seeking Member Board comments on proposed changes to the Intern Development Program (IDP), the Broadly Experienced Architect Program (BPEA), and the Broadly Experienced Foreign Architect Program (BEFA). Tentative responses to the feedback document supplied by NCARB were agreed upon by the architect Board members and AIA-Nebraska.

**Action** Motion by Krejci, second by Kester to have ED Masters complete the NCARB survey with responses as reviewed concerning the Intern Development Program changes. Voting Yes: Kester, Krejci, Champion, Choobineh, Conzett, Helgoth, Klein. Voting No: None. Absent: Laging.

**Before You Build - brochure draft**

PIO Fetterman presented a draft of an updated "Before You Build" brochure for Board review. The draft will be brought back to the September meeting after suggested revisions are made. It was noted that extra brochures can be printed as needed for distribution in public offices.

**Certificate of Authorization tiered fees**

As directed at the June 13, 2014, Strategic Planning Session, CO Mathews presented three options for a tiered fee structure for organizations requiring certificates of authorization. After review and discussion, Option A was chosen by the Board for implementation. Option A includes fees for certificates of authorization based on the number of the organization's employed architect and professional engineer licensees as follows:

- 1-5 licensees, Application - \$100; Renewal - \$50
- 6-10 licensees, Application - \$200; Renewal - \$150
- 11-49 licensees, Application - \$300; Renewal - \$250
- 50+ licensees, Application - \$400; Renewal - \$350

The Board reiterated its position to not enhance revenue through changes to the certificate of authorization fees.

**Action** Motion by Helgoth, second by Krejci to approve Option A for a tiered fee structure for certificates of authorization. Voting Yes: Kester, Krejci, Champion, Choobineh, Conzett, Helgoth, Klein. Voting No: None. Absent: Laging. A friendly amendment was made by Kester and accepted by Helgoth to implement the fee change as of January 1, 2015. Since there were no objections, Chair Klein declared the amendment as adopted.

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**D New Business**

**Governance Items**

**New Policy 14.05 – Engineering Examination Definition**

With respect to Rule 2.4.1.7, "engineering examination" is interpreted as being the (1) Fundamentals of Engineering exam or (2) a component of the structural exam or any other Principles and Practice of Engineering exam discipline offered by NCEES.

**Action** Motion by Kester, second by Choobineh to adopt Policy 14.05 as edited concerning the engineering examination definition. Voting Yes: Kester, Krejci, Champion, Choobineh, Conzett, Helgoth, Klein. Voting No: None. Absent: Laging.

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**New Policy 14.06 – Approval of Continuing Education Audit Submittals**

The Executive Director is authorized to approve continuing education audit submittals for license renewals. Continuing education audit submittals that raise significant questions about acceptability will be forwarded to an assigned Board member.

**Action** Motion by Kester, second by Choobineh to adopt Policy 14.06 as edited concerning approval of continuing education audit submittals. Voting Yes: Kester, Krejci, Champion, Choobineh, Conzett, Helgoth, Klein. Voting No: None. Absent: Laging.

**Engineering Items**

*None at this time.*

**Architecture Items**

*None at this time.*

**Other New Business**

**Language modifications to applications**

The Boards Enforcement Committee was tasked with vetting disclosure language for forms and to bring tentative language changes back to the September meeting. Conzett noted “design services” should be replaced with “professional engineering services” on the engineer forms and to “architectural services” on the architect forms.

**Western Nebraska continuing education opportunity**

CO Mathews asked the Board about partnering with a continuing education opportunity in Western Nebraska. CO Mathews will talk to the code officials to see if there is a way the Board could offer assistance this year and possibly play a larger role next year. No date has been set.

**2014 regional and national meeting travel authorization**

Kester stated she was unable to attend the NCEES Annual Meeting August 20-23 in Seattle. Conzett was authorized to attend the NCEES EPE Committee Meeting, October 23-25, 2014, in Atlanta, GA, the NCEES Board of Directors Meeting, October 30-November 1, 2014, in Las Vegas, NV, and the NCEES Leadership meetings, November 3-5, 2014, in Reston, VA. Helgoth and Conzett were authorized for a NCEES Education Committee meeting in Scottsdale, AZ, in December. The dates for the meeting will be verified later. Conzett reported on issues for model law language that would be addressed at the NCEES Annual meeting during the next week.

ED Masters reported meeting with Roger Figard, Lincoln City Engineer and Dennis Bryers, Chairperson, and JoAnne Kissel, board member, of the State Board of Landscape Architects (NSBLA) concerning right of way work. The NSBLA will continue the discussion with Mr. Figard at a later date.

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**E Compliance**

**Logs**

Current complaints provided to the Board.

History of closed complaints provided to the Board.

**Executive Session - Commenced at 10:37 a.m.**

**Action** Motion by Kester second by Krejci to enter into executive session for discussion of compliance cases 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: Kester, Krejci, Champion, Choobineh, Conzett, Helgoth, Klein. Voting No: None. Absent: Laging.

**Cases**

**13.01 – Summary & Documentation**

Reviewed in Executive Session.

**14.03 – Summary & Documentation**

Reviewed in Executive Session.

**14.05 – Summary & Documentation**

Reviewed in Executive Session.

**14.09 – Summary & Documentation**

Reviewed in Executive Session.

**Other Compliance Issues**

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**Submitted complaint request**

Reviewed in Executive Session.

**Executive Session - Concluded at 11:15 a.m.**

**Action** Motion by Helgoth, second by Krejci to close executive session for discussion of pending cases not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Kester, Krejci, Champion, Konzett, Helgoth, Klein. Voting No: None. Absent: Choobineh (temporarily stepped out of the meeting), Laging.

**Approval of Compliance Case Disposition**

**Action** Motion by Kester, second by Konzett to dismiss Compliance Case 14.05. This is not considered to be a disciplinary action by the Board. Voting Yes: Kester, Krejci, Champion, Choobineh, Konzett, Helgoth, Klein. Voting No: None. Absent: Laging.

Helgoth departed the meeting at 11:29 a.m.

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**F Applications**

**Administratively Approved**

**NCEES MLE – Engineers**

E-15255 Benjamin Joseph Biada, Mechanical, OH; E-15271 Paul Francis Biersmith, Mechanical, KS; E-15235 Charlene Ann Bocek, Electrical, CO; E-15266 Timothy Daniels Cassell, Mechanical, VA; E-15265 Brent Davis Chesnut, Civil, KS; E-15257 Lester Gene Crawford, Civil, CO; E-15264 Adam Marshall Crutchley, Structural, IL; E-15251 Kathryn Elizabeth Duytschaever, Mechanical, IL; E-15263 Vaughn Jamahl Godet, Civil, GA; E-15259 John Mark Graupman, Civil, MN; E-15262 James Cook Hohmann, Civil, CO; E-15268 Gregory Bryan Holman, Electrical and Computer, OH; E-15254 Anthony Steele Johnson, Electrical and Computer, TN; E-15269 Paul Leroy Kinton, Electrical and Computer MO; E-15236 Matthew Anthony Lascola, Civil, OH; E-15233 Trenton Wayne Lindsley, Architectural, CO; E-15272 Brandon Michael Marzley, Mechanical, OH; E-15267 Zachary John Matyja, Civil, CO; E-15234 Timothy Patrick McCarthy, Civil, CA; E-15270 John Ndunda Mutiso, Civil, KS; E-15253 Paul Christopher Paulus, Mechanical, TX; E-15256 Michael Allen Ratliff, Electrical, TN; E-15250 Stephen James Roedel, Civil, MN; E-15225 Wade Ray Sticht, Civil, CA; E-15261 John Carl Tanaka, Environmental, IL; E-15252 Clay Henry Willis, Structural, TX; E-15228 Eric Michael Wolf, Mechanical, AL.

**NCARB Certification – Architects**

A-4465 Benjamin Thomas Bell, TX; A-4473 Jack Own Boarman, MN; A-4468 Mark Oliver Cahoon, AR; A-4467 Ryan Robert Geiser, OH; A-4469 Jack Aubrey King, NJ; A-4471 Robert Allen Plichta, WI; A-4472 Paul David Waltz, OH.

**Temporary Permits - None**

**Engineer Intern Enrollment**

Nathaniel Philip Burnett, NE; Jerald Douglas Farke, NE; Cesar Augusto Garcia-Godos Gutierrez, NE; David Anthony Geck, NE; Carlos Francois German Guzman, NM; Amber Marie Harley, NE; Michelle Marie McGuire, MO; Benjamin Andrew Mitchell, NE; Jeffrey Steven Morrison, KS; Sarah Lee Navarro, MO; Shawn Troy Peck, NE; Andrew Louis Rech, NE; Evan Jon Schmitz, NE; Zachary Kale Seier, NE; Erick Michael Showalter, NE; Brandon James Simrell, KS.

**Architect Registration Examination/Re-approvals**

Andrew Morrison Konzett, NE; Harrison Beck Staab, NE.

**Organizational Practice – Certificates of Authorization**

CA3217 B & K Mechanical Contractors LLC; CA3218 Westwood Professional Services; CA3219 Energy Management and Services Company; CA3220 Tower Engineering Solutions LLC; CA3221 Vector Structural Design PC; CA3222 Strategic Structural Design LLC; CA3223 Structural Components LLC; CA3224 Sheats Structural Consulting Inc; CA3225 Pickering Firm Inc; CA3226 Conway & Owen Inc; CA3227 Calder Richards Consulting Engineers LLC; CA3228 SKS Engineers LLC; CA3229 A Epstein and Sons International Inc; CA3230 CDI-Infrastructure LLC; CA3231 BBJ Group LLC; CA3232 Deerns America LLC; CA3233 Clawson Consulting Engineers LLC.

**Licensure/Examination**

**Applications for licensure of Engineers by Comity**

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**Applications for licensure of Engineers by Experience**

**Approved:** Philip Joseph Golden, Mechanical, WI.

**Applications for licensure of Architects by Experience - None**

**Applications for licensure by Reinstatement - None**

**Applications to take the PPE Exam**

**Approved:** Zachary James Becker, Civil, NE; Darren Randall Betz, Civil, NE; Aaron John Booker, Structural VL, NE; Nathaniel Philip Burnett, Civil, NE; Christopher John Burton, Mechanical, NE; Jeffrey James Buttermore, Electrical & Computer, NE; Blane Edward Chesnut, Electrical & Computer, NE; Cameron James Collingsworth, Civil, NE; Tyler Drew Cramer, Civil, NE; Barbara Kathleen Cunningham, Civil, NE; John Joseph Daly, Jr, Civil, KS; Sean Alan Denning, Structural VL, NE; Nathan Jon DeWit, Civil, NE; Robert Michael DuVall, Civil, NE; Matthew Patrick Dworak, Environmental, NE; Luke John Ferguson, Civil, NE; Kyle Joe Fitch, Civil, NE; Alexander J. Flanigan, Civil, NE; Andrea Lee Folck, Civil, NE; Adam James Franzluebbbers, Structural VL, NE; David Anthony Geck, Metallurgical, NE; Carlos Francois German Guzman, Mechanical, NM; Daniel Charles Haggerty, Civil, NE; Clinton Christopher Halley, Electrical & Computer, NE; Amber Marie Harley, Civil, NE; Christopher Donald Hennings, Civil, NE; Garrett Douglas Hummel, Civil, NE; Craig Peter Johnson, Mechanical, NE; Matthew Ray Johnson, Electrical & Computer, NE; Kyle Gene Keller, Civil, NE; Lauren Rebecca Kennedy, Electrical & Computer, MO; Randall Ray Kuszak, Civil, NE; Nicholas William Lovelace, Electrical & Computer, NE; Jed Allen McInerney, Civil, SD; Brian John Meissner, Civil, NE; Corbin Edward Mundt, Civil, NE; Sarah Lee Navarro, Structural VL, MO; Channing Alexander Navis, Electrical & Computer, NE; Curtis Daniel Nolan, Structural VL, NE; Shawn Troy Peck, Mechanical, NE; Beth Ann Redding, Mechanical, NE; Clinton John Rhodes, Electrical & Computer, NE; Craig Travis Rothluebber, Civil, NE; Kevin Michael Sasse, Civil, NE; Travis Michael Schafer, Civil, NE; Evan Jon Schmitz, Civil, NE; Brandon Michael Sellers, Civil, NE; Kathlene Isabel Shook, Civil, NE; Erik Michael Showalter, Fire Protection, NE; Brandon James Simrell, Control Systems, KS; Nathan Al Staroscik, Mechanical, NE; Joshua Mark Tungland, Chemical, NE; James Donald Underwood, Electrical & Computer, NE; Nathan William Witte, Electrical & Computer, NE.

**Special Cases - Applications to take the PPE Exam**

**Approved:** Travis Scott Morgan Young, Environmental, KS.

**Special Cases - Applications for licensure of Engineers by Comity**

**Approved:** Vinay Joseph Thottunkal, Civil, TX.

**Special Cases - Applications for licensure of Engineers by NCEES MLE**

**Approved:** James Michael King, Civil, TX.

**Special Cases - Applications for licensure of Architects by NCARB Certification**

**Approved:** Thomas Francis Tedrow, CO.

**Approval of Applications**

**Action** Motion by Kester, second by Choobineh to approve the applications as reviewed. Voting Yes: Kester, Krejci, Champlon, Choobineh, Conzett, Klein. Voting No: None. Absent: Helgoth, Laging.

**Licensing Information**

Comparison of ABET-EAC Accredited Programs and NCEES Education Standard provided.

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**G Financial Matters.**

**Reports**

**FY 2013-14 EOY Financial Profile, June 2014**

**FY 2014-15 Financial Profile, July 2014**

**Budget Status Report, June 2014**

**Budget Status Report, July 2014**

**MTD General Ledger Detail Report, June 2014**

**MTD General Ledger Detail Report, July 2014**

**Fund Summary Report, June 2014**

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**Fund Summary Report, July 2014**

ED Masters reported a large rollover of appropriated funds that were unspent because of unforeseen events. FY 2014-15 will be monitored to track expenditures.

**Approval of Financial Reports**

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

**Contracts**

**Robert F. Bartle, Esquire – Amendment to Agreement**

In July, notification was received that Robert F. Bartle was appointed by the Attorney General to serve the Board as their Special Assistant Attorney General on a month-to-month basis. An amendment was created to extend the FY 2013-14 contract dated January 14, 2013, between the Board of Engineers and Architects and Robert F. Bartle on a month-to-month basis. Compensation would be paid by the Board in accordance with the FY 2013-14 agreement and would continue to be subject to the supervision and direction of the Attorney General. The amendment to the agreement is subject to termination any time prior to June 30, 2015.

**Action** Motion by Krejci, second by Choobineh to approve the amendment to extend the contract dated January 14, 2013, for Robert F. Bartle, on a month-to-month basis. Voting Yes: Kester, Krejci, Champion, Choobineh, Conzett, Helgoth, Klein. Voting No: None. Absent: Helgoth, Laging.

**Other Financial Items**

**2015-2017 biennium budget preliminary narrative**

The preliminary agency and program narrative for the 2015-2017 Biennium budget was presented to the Board for review. The final budget request must be submitted in the budget request system by 5:00 p.m. on September 15, 2014.

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**H General Information**

**Public meeting notice publication**

The August 15, 2014 meeting ad was sent and published in the Lincoln Journal Star.

**Board meetings and schedule**

A schedule of upcoming meetings and events was provided for review.

**Roster of Board members**

A current roster of Board members was provided.

**Travel Reimbursement Policy**

The agency travel reimbursement policy was provided.

**Licensing and Certification Trends**

**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.

**Nebraska Exam Results**

**ARE June 2014 Pass/Fail Report**

Seventeen examinees sat for various sections of the ARE exam in June 2014. Seventeen exams were passed.

**CBT FE Exam Pass Rate History**

Fifty-eight FE exams were taken through computer based testing from January 2014 to May 2014. The pass rate was 63.8%.

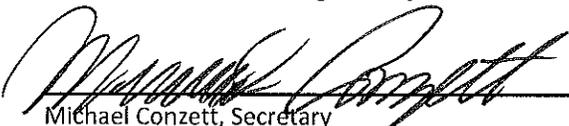
**Other information**

Approved Board policies were provided for review.

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**Adjournment**

The meeting was adjourned at 12:22 p.m.

  
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Michael Conzett, Secretary