

**Nebraska Board of Engineers and Architects  
Board Meeting Minutes  
December 6, 2013**

**CALL TO ORDER**

The meeting was held at 215 Centennial Mall South, 5th Floor, Large Conference Room, Lincoln, Nebraska. Chair Laging called the meeting to order at 8:30 a.m. and noted the location of the Public Meeting Statues. 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:** Tom Laging, Chair; Jennifer Klein, Vice-Chair; Fred Choobineh; Mike Conzett; Roger Helgoth; Krista Kester; Absent: Lori Krejci, Secretary; Mark Champion

**Staff Present:** Sandra Weaver, Interim Executive Director (ID); Lisa Mathews, Compliance Officer (CO); Jean Lais, Administrative Assistant (AA); Rachel Fetterman, Public Information Officer (PIO)

Chair Laging appointed Kester as secretary in Krejci's absence.

**Public Comment**

No public comments were made.

**Appointments**

8:30 a.m. - Rich Lombardi, American Communications Group, Inc - Legislative Committee Report

**Agenda Items**

**A Consent Agenda**

**Meeting Minutes**

October 18, 2013 public rule-making hearing minutes approved as presented

October 18, 2013 meeting minutes approved as presented

**Licensure/Examination Applications**

**NCEES MLE – Engineers**

E-14924 David L Barlow, Civil; E-14914 Robert Eugene Beacom, III, Civil; E-14918 Victor Gerardo Carsello, Structural; E-14897 Justin Joel Christensen, Civil; E-14920 Charles Scott Cummings, Civil; E-14910 Todd Gary Daily, Fire Protection; E-14923 Jeramy Bruyn Decker, Civil; E-14901 Jason Leigh Draper, Civil; E-14912 Thomas England Draur, Nuclear; E-14916 Tyler Paul Elder, Electrical and Computer; E-14888 Bora Erbilin, Structural; E-14900 Jeff Charles Ertelt, Electrical; E-14905 David Joseph Evers, Mechanical; E-14906 James Thomas Filippi, III, Electrical and Computer; E-14907 Guy Phillip Gentry, Civil; E-14929 William Armstrong Gillespie, Civil; E-14911 Farhad Golestan, Mechanical; E-14930 Andrew David Hager, Mechanical; E-14913 Gregory Robert Hanchar, Civil; E-14921 Brian William Kaspereit, Mechanical; E-14919 Jay Ronald Koester, Civil; E-14887 Truc Lac, Structural; E-14899 Biran Adam Moore, Electrical; E-14909 Aaron Robert Mueller, Electrical and Computer; E-14926 Michael Ladd Oglesby, Civil; E-14925 Gregory James Riley, Structural; E-14908 Christopher Michael Rosol, Architectural; E-14927 Thomas Norbert Rothermich, Civil; E-14917 Michael Allen Ruff, Electrical; E-14895 Jason Gary Saylor, Civil; E-14928 Bhrijesh Mukesh Shah, Electrical and Computer; E-14915 William Byron Smith, Fire Protection; E-14922 Matthew Alan Smith, Mechanical; E-14904 Lisa Jones Sombart, Mechanical; E-14902 Curtis Glenn Vernor, Electrical and Computer; E-14903 Terrence Edward Wolfe, Civil

**NCARB Certification – Architects**

A-4398 Michael Joseph Castro, A-4392 William Arthur Davies IV, A-4395 James Robert Draheim, A-4396 Robert Wayne Estopinal, A-4388 Joseph Michael Herzog, A-4390 Gary James Sadler, A-4393 Jeffery Armstrong Scott, A-4391 Lori Ann Top, A-4397 Carl David Toth, A-4394 Carl Joseph Yaeger

**Temporary Permits - None**

**Organizational Practice – Certificates of Authorization**

CA3068 Gastinger and Walker Architects Inc, CA3069 Barker Rinker Seacat Architecture, CA3070 SGS Engineering LLC, CA3071 The Neenan Company LLLP, CA3072 EGSci Consulting Inc, CA3073 BVA Systems Ltd dba Vibro-Acoustics, CA3074 Institute for Environmental Assessment Inc (IEA Inc), CA3075 Peters Tschantz & Associates Inc, CA3076 W-T Communication Design Group LLC, CA3077 Peace Studio Architects Inc, CA3078 Booz Allen Hamilton Engineering Services LLC, CA3079 RSM Consulting LLC, CA3080 FMHC, CA3081 Phoenix Design Group Inc, CA3082 HTM Construction Company, CA3083 Carlile Coatsworth Architects Inc, CA3084 Littlejohn Engineering Associates Inc, CA3085 Safway Group Holding LLC, CA3086 Hargrove and Associates Inc, CA3087 RISE Structural Associates, CA3088 DFW Consulting Group Inc, CA3089 Neil O Anderson & Associates Inc, CA3090 DFD Architects Inc, CA3091 Foresite Group Inc, CA3092 D'Amato Conversano Engineers, CA3093 CivTrans Engineering Inc, CA3094 TEG Architects LLC, CA3095 Carsello Engineering Inc, CA3096 f3 Inc, CA3097 JRK Design Inc, CA3098 Create Architecture Inc, CA3099 Sabre Communications Corp

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**Architect Registration Examination**

Thomas Raymond Berry, NE; Laura Caitlin Brodersen, NE; Zachary Wade Fredrickson, NE; Carl Laegreid, NE; Jordan Nathaniel Lake, NE; Kristopher Tourek, NE

**Engineer Intern Enrollment**

Andrew Lee Carpenter, NE; Paul Jeremy Morken, NE; Nicole Elizabeth Pettit, NE

**Approval of Consent Agenda**

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

**B Financial Matters**

**Reports**

**FY 2013-14 Financial Profile, as of November 25, 2013**

**Budget Status Report, October 2013**

**Budget Status Report, as of November 25, 2013**

**MTD General Ledger Detail Report, October 2013**

**MTD General Ledger Detail Report, as of November 25, 2013**

**Fund Summary Report, October 2013**

**Fund Summary Report, as of November 25, 2013**

ID Weaver reviewed the financial reports with the Board. The Cash Fund is at approximately the same level as it was this time last year, but will decline due to the reduction in license renewal fees. The overall budget is running under planned expenditures, due in part to vacant positions.

**Approval of Financial Matters**

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

**Other Financial Matters**

Implementation of online database for State of NE contracts

LB 429 related to the Taxpayer Transparency Act was passed and signed by the Governor during the 2013 legislative session. It requires the Department of Administrative Services (DAC) to create an online database for all State of Nebraska contracts. The database must include all contracts active on or after January 1, 2014, and will be available to the public by July 1, 2014. All agencies are required to provide DAS copies of contracts in electronic form.

**C Applications**

**Licensure/Examination**

**Applications for licensure of Engineers by Comity**

**Approved:** Kenneth Andrew Gilmore, Civil, KS; John Martin Karlberg, Civil, CO; Collin William Moriaty, Civil, SD; Dana Edward Snyder, Civil, OH

**Applications for licensure of Engineers by Experience**

**Approved:** Alaa I Ali, Civil, MN; William Stanley Jones Jr, Civil, GA

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

**Applications for licensure by Reinstatement - None**

**Applications to take the PPE Exam - None**

The Board asked for the comity application pages to be revised to reflect total pre and post PE exam engineering experience. Applications currently listed in the Consent Agenda will be moved to the Application Section of the agenda under "Administratively Approved." ID Weaver will develop a board policy and bring it to the January meeting for Board approval.

**Approval of Licensure/Examination Applications**

**Action** Motion by Konzett, second by Kester to approve the licensure and examination applications requests as discussed. Voting Yes: Klein, Choobineh, Konzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

**Other Licensure Issues**

**Request for waiver of continuing education (CE) for license renewal**

A request for waiver of past continuing education was approved by the Board for Dr. Bing Chen, PE. He had erroneously believed professors were exempt from the requirement and admitted to not documenting continuing education in the past. A summary of activities outside the classroom he attended or took part in was provided. Dr.

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Chen will be audited and required to submit documentation of 30 hours of engineer-related continuing education during the next renewal period in two years.

**Action** Motion by Kester, second by Conzett to approve the waiver request for Dr. Chen as recommended by staff and audit the continuing education submitted in two years for renewal of his professional engineering license. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

**Request for waiver and extension of continuing education (CE) for license renewal**

Roger Cassity requested a waiver for the CE requirement for 2010/2011 and an extension to complete his CE hours for 2012/2013 for his professional engineering license. The Board approved his 2010/2011 submittal with a 120 day extension to submit CE documentation for 2012/2013 for renewal of his license.

**Action** Motion by Klein, second by Conzett to grant Mr. Cassity a waiver for 2010/2011 continuing education and an extension of 120 days to correct and submit documentation of 30 hours of continuing education for 2012/2013. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

**Licensing Information**

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

**D Compliance**

**Logs**

Current complaints

History of closed complaints

**Executive Session - Commenced at 10:25 a.m.**

Motion by Choobineh, second by Conzett to enter into executive session for discussion of pending and new 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 Laging. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting: None; Absent: Krejci, Champion

**Pending Cases**

**11.04 – Summary & Documentation**

Reviewed in Executive Session

**13.01 – Summary & Documentation**

Reviewed in Executive Session

**13.08 – Summary & Documentation**

Reviewed in Executive Session

**13.09 – Summary & Documentation**

Reviewed in Executive Session

**13.10 – Summary & Documentation**

Reviewed in Executive Session

**New Cases**

**13.11 – Summary & Documentation**

Reviewed in Executive Session

**13.12 – Summary & Documentation**

Reviewed in Executive Session

**13.13 – Summary & Documentation**

Reviewed in Executive Session

**13.14 – Summary & Documentation**

Reviewed in Executive Session

**Executive Session - Concluded at 11:02 a.m.**

Motion by Helgoth, second by Conzett to close the executive session for discussion of pending and new cases not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Klein, Conzett, Choobineh, Helgoth, Kester, Laging; Voting: None; Absent: Krejci, Champion

**Compliance Case Disposition**

**Action** Motion by Kester, second by Conzett to dismiss Case 13.09. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

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- Action** Motion by Helgoth, second by Kester to deny the application for licensure as a professional engineer due to non-disclosure in Case 13.10. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion
- Action** Motion by Helgoth, second by Klein to assess \$375 for certificate of authorization fees in arrears in Case 13.11. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion
- Action** Motion by Conzett, second by Klein to deny the renewal of a professional engineering license for non-disclosure in Case 13.12. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion
- Action** Motion by Kester, second by Conzett to dismiss Case 13.14. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

**E Committee Reports**

**Board committee appointments and assignments**

Committee appointments and assignments were listed for 2013-2014 as reassigned on May 10, 2013.

**Executive Director Search Committee Report**

The Search Committee presented the names (in no particular order) of the final Executive Director candidates as Dennis Bryers, Russell Gasper, and Robert "Steve" Masters.

- Action** Motion by Kester, second by Conzett to give authority to the Executive Committee to negotiate and hire the Executive Director from the three candidates recommended by the Search Committee. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

**Executive Committee Report**

An activity report for the Board's Facebook account was provided by PIO Fetterman. A comment on the latest issue of the Newsletter was provided.

**Education and Communication Committee Report** - No report given

**Enforcement Committee Report**

October 18, 2013 Enforcement Committee meeting minutes were provided for review.

**2014 NCEES Zone Meeting Planning Committee Report**

The final meeting agenda is due to NCEES by December 13, 2013. The committee will hold a teleconference next week to finalize and attend a meeting on December 27, 2013.

**Legislative Committee Report**

Lombardi provided an updated matrix showing stakeholders responses and concerns regarding the upcoming statute revisions. He reported the Legislature is scheduled to convene on January 1, 2014, and dismiss on April 16, 2014.

Committee Chair Kester reported the Legislative Committee planned to do only one revision to the bill prior to the beginning of the session. The revisions will need to be submitted to the bill writers no later than the third week of December.

Professional stakeholder concerns and the direction the Committee should take on revisions was discussed.

**F Old Business**

**Governance Items**

**Forensic engineering clarification and policy**

During prior discussion, the Board determined the location of the lab doing testing is the applicable licensing jurisdiction. CO Mathews will draft a policy confirming the Board's discussion.

**Informal AG opinion on applicability of Engineers and Architects Act for federal employees**

Informal opinion #13012 was sent to the Board for review by Assistant Attorney General Jody Gittins.

**Other Items**

**2013 New Licensee Ceremony recap**

A recap of the ceremony was provided for review.

**G New Business**

**Governance Items**

**New Policy 13.05 - Reapproval to Sit for the ARE after Authorization is Terminated**

NCARB requires ARE candidates to re-establish their test authorization with the individual state licensing boards if they have not attempted a division of the test in a five year period. This policy requires the candidate to submit an updated application and applicable fee to have their test authorization re-established by the Board with NCARB. The

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word "test" will be changed to "sit" in the first sentence of the proposed policy.

**Action** Motion by Choobineh, second by Klein to approve Policy 13.05 as discussed. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

**Revision of Policy 13.01 - Consent Agenda Items Related to Licensure and Examinations**

With implementation of direct registration for the Fundamentals of Engineering (FE) Examinations, applications will no longer be submitted to the Board. Based on the discussion to move the applications currently in the Consent Agenda to the Application Section, the Board directed the staff to rewrite the policy and bring it to the January meeting.

**Establishment of ARE reapproval filing fee**

Currently, the filing fee is waived for new applicants taking the ARE. Candidates applying to have their test authorizations re-established as per Board Policy 13.05 will need to submit a fee similar to what is charged for retaking the engineering exam.

**Action** Motion by Choobineh, second by Conzett to establish a filing fee of \$30 for those submitting an ARE reapproval application. Voting Yes: Klein, Choobineh, Conzett, Helgoth, Kester, Laging; Voting No: None; Absent: Krejci, Champion

**Request for act interpretation for non-occupied and non-building structures**

Clarification on whether drawings for non-occupied and non-building structures are required by State law to be prepared and stamped by a professional engineer was requested. The scenario was for rural areas of Nebraska where no building official and/or building code has been adopted. Discussion was deferred to the January 2014 meeting.

**Engineering Items**

**Deadlines and future changes to NCEES exams**

Memo from NCEES outlining upcoming exam changes and deadlines was provided for review. Items to note:

- The PE Agricultural exam will not be offered in October 2014 and will be revised and renamed the PE Agricultural and Biological exam beginning in April 2015.
- NCEES will no longer collect social security numbers from candidates beginning with the 2014 exams.
- The fee for the PE exams will increase to \$250 with the April 2014 exams.

**Architecture Items**

**NCARB awards press release**

NCARB announced awarding \$75,000 to three architecture programs in a November 15, 2013 press release.

**Other Items**

**Continuing education issues with web-based courses**

Discussion was deferred to the January 2014 meeting.

**Continuing education guidelines comparison**

CO Mathews provided a comparison between the Board and NCEES continuing education guidelines. Discussion was deferred to the January 2014 meeting.

**E-Week activities**

A summary of currently known activities and sponsorship opportunities were provided for review. Discussion was deferred to the January 2014 meeting.

**2013 regional and national meeting travel authorization**

**2014 regional and national meeting travel authorization**

No additions at this time.

**H General Information**

**Public meeting notice publication**

A public notice request was sent to the Lincoln Journal Star for the December 6, 2013 meeting.

**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.

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**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. The Enforcement Committee will continue to measure data collected from certificate of authorization applications and renewals over the next couple of years to determine whether fees should be tied to the size of an organization.

**Other information**

The current approved Board policies were provided for review.

**Adjournment**

The meeting was adjourned at 12:00 p.m.

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Lori Krejci, Secretary

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Lori Krejci, Secretary