

Nebraska Board of Engineers and Architects
Board Meeting Minutes
February 15, 2013

CALL THE MEETING TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor, Large Conference Room, Lincoln, Nebraska. Chair Helgoth 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 the Lincoln Journal Star in compliance with the Open Meetings Act.

Roll Call: Present: Roger Helgoth, Chair; Jennifer Klein, Secretary; Fred Choobineh; Michael Conzett; Lori Krejci. Absent: Mark Champion; Krista Kester; Tom Laging, Vice Chair.

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

Open Meetings Act Overview

Notes taken at an Independent Agency Meeting on the Open Meetings Act were provided.

Public Comment/Appointments

9:15 a.m. – Bob Bartle, Special Assistant Attorney General

Agenda Items

A Consent Agenda

Meeting Minutes

January 11, 2013 meeting minutes were approved as presented.

Licensure/Examination Applications

NCEES MLE – Engineers

E-14559 Benjamin Paul Boyt, Mechanical; E-14532 Bryan Michael Burger, Civil; E-14550 Warren Douglas Carlson, Electrical and Computer; E-14555 James Hudson Costley, Jr, Electrical; E-14551 Bryan James Coussens, Civil; E-14533 Micha Brian Eccles, Civil; E-14538 Lance Carl Eybers, Civil; E-14570 Brian Michael Flynn, Mechanical; E-14569 Kenneth Dean Gilbert, Electrical and Computer; E-14558 Benjamin John Henderson, Civil; E-14556 John Bowman Kerr, Mechanical; E-14560 Mark Albert Lowery, Mechanical; E-14567 Michael Joseph Lyden, Environmental; E-14534 Andrew David Mieler, Civil; E-14564 Brett Anthony Napier, Civil; E-14554 Russell Mark Pearson, Civil; E-14552 Douglas Lee Powell, Electrical; E-14568 Dennis Lamar Rasco, Electrical and Computer; E-13431 Richard Louis Remillard, Electrical and Computer; E-14566 Nathaniel Henry Viste, Civil; E-14565 Larry Wesley Walker, Electrical and Computer; E-14561 Scott Lowell Wilson, Electrical; E-14562 Joseph Paul Zari, Fire Protection; E-14557 Stacy Lynn Zerr, Mechanical.

NCARB Certification – Architects

A-4320 Brian Lynn Billingsley; A-4310 Michael Trey Brady; A-4318 Patrick J. Burke; A-4309 Michael Colombo; A-4319 William Arnold Corcoran; A-4317 Michael E. Graves; A-4316 James Wootton Lewis; A-4311 Choan David Liewer; A-4315 Sarah Kay Mannes Homstad; A-4313 Michael Wane Ostlie; A-4314 James Eugene Wilkerson.

Temporary Permits

T-497 Malcolm G. Russo, FL, Engineering.

Organizational Practice – Certificates of Authorization

CA2914 Burns and Roe Enterprises Inc; CA2915 Burger Engineering LLC; CA2916 SEMA Construction Inc; CA2917 MTech Mechanical Technologies Group Inc; CA2918 Environmental Air Systems LLC; CA2919 John T Staub & Associates PC; CA2920 Resolution Engineering Inc; CA2921 Marsulex Environmental Technologies Corporation; CA2922 Cator Ruma & Associates Co; CA2923 RLC LLC; CA2924 Simpson Strong-Tie Company Inc; CA2925 Olson Engineering Inc; CA2926 Deppenbusch Architecture PC; CA2927 Environ International Corporation; CA2928 FFKR Architects/Planners II; CA2929 R4 Architects Inc.; CA2930 Mannes Architects LLC; CA2931 Michael Graves & Associates; CA2932 GP Architecture LLC; CA2933 KCL Engineering LLC; CA2934 Olson Kundig Architects; CA2935 2WR of Colorado Inc; CA2936 The Adkins Association Inc Architects; CA 2937 Newcomb & Boyd; CA2938 Clean Energy.

Engineer Intern Enrollment

Gregory Gene Ammon, NE; Jichong An, NE; Raad Saeed Chfat, NE; James Joseph Coit, NE; Joseph William Galvin, NE; Chris Donghyun Kim, CA; Travis Frank Konda, MN; Ryan Jon Larsen, NE; Mark Dion Trumble, IA; Thomas Edward Wildy, NE; Anna Irene Willett, VA.

Fundamentals of Engineering Examination

Kelvin Van Arent, NE; Eric Joel Bodlak, NE; John Andrew Brandt, NE; Heath Conrad Brockman, NE; Kevin Marshall Brown, MO; Jamie Lynn Burbach, NE; Kevin Andrew Davis, NE; Mikkail Lee Dexter, NE; Jordan Thomas Dostal, NE; Todd Anthony Earl, NE; Jared Allen Forbes, NE; Todd Allen Ford, NE; Daniel Joseph French, NE; George William Giese, III, NE; Levi Nathaniel Hawkins, NE; Bradley Joseph Hugenroth, NE; Wade Amos Hunt, NE; Nathaniel Christian Jensen,

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NE; Robert William Johnson, NE; Alison Cathryn Kathol, NE; Tyler Christopher Ketchem, NE; Laura Elizabeth Knapp, NE; Joseph Daniel Logue, NE; Ekram Zakher Louka, NE; Adam R. Mace, NE; Matthew James Markham, NE; Aldo Martinez, NE; Justin O'Riley McKain, NE; Jeremiah D. Meints, NE; Joshua Meyer, NE; David Michael Mortensen, NE; Arthy Muthukumarappan, SD; Ruth Nan, NE; Abdulaay Sow Ndiaye, NE; Son Phuc Nguyen, NE; Victor Aleksandrovich Nurbabayev, NE; Joseph Vincent Olson, NE; David Theoldore Ortiz, IA; Jared Paul Ostdiek, NE; Tyler Edwin Paulsen, NE; Christopher Joseph Peterson, NE; Kyle Christopher Pokorny, NE; Daniel David Reiff, NE; Andrew Christopher Reinke, NE; Frederick William Rinne, III, NE; Brandon Scott Roesler, NE; Malick Sarr, NE; Simon Michael Schacher, NE; Jordan Michael Schmidt, NE; Jacob Percival Sison-Martinez, NE; Katherine Michelle Smith, NE; Scott Phillip Speicher, NE; Sydney Paige Stone, CA; Andrew Allen Stover, NE; Joshua Andrew Trowbridge, NE; Nolan Tyler Wilken, CO; Kyle Weston Wroblewski, NE; Shu Wu, NE.

Approval of Consent Agenda

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

B Financial Matters

FY 2012/2013 Financial Profile, January 2013

Budget Status Report, January 2013

MTD General Ledger Detail Report, January 2013

Fund Summary Report, January 2013

ED Wilbeck reviewed the January 2013 financial reports with the Board. Two printers will be purchased for the office and the leased Lanier copier/fax/scanner is being replaced by a newer model. Travel expenditures will increase in the second half of the fiscal year with national and regional meeting attendance. The optimal balance for the cash fund will be discussed at the strategic planning meeting in May 2013.

Governor's appropriation recommendation for 2013-2015 biennium budget request

The Governor's recommendation for the Board's 2013-2015 biennium budget request was reviewed. The preliminary budget will be determined by the Appropriations Committee before the budget hearing on February 26.

Approval of Financial Matters

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

C Applications

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Kevin Wayne Beck, Civil, KS; Cody Benjamin Bohall, Civil, CO; Michael A. Dora, Jr. Civil, CO; Eric Alan Drews, KS, Mechanical; Jeremy Lee Forsting, Civil, CO; Fernando Andres Garcia Cordoba, Electrical and Computer, MI; Liv Bleifuss Haugen, Civil, CA; Teby Vincent Herrero, Structural, CO; Jason Edward Keeney, Electrical and Computer, IL; Ashley Marie Slominski, Civil, MN; Robert Christian Estes, Electrical and Computer, IL.

Applications for licensure of Engineers by Experience

Approved: David Eugene Eckmann, Structural, IL; Robert Lee Ellis, Electrical, OK; Lynda Marie Erdbrink, Mechanical, NH; Donita Kay Fredricks, Civil, IA.

Applications for licensure of Architects by Experience - None

Applications for licensure by Reinstatement

Approved: E-9668 Dimitrios Zavrados.

Defer: E-12510 Ehab Musa Elqqaq – Need transcript for continuing education submittal to determine if it meets requirements.

Applications to take the ARE Exam - None

Applications to take the PPE Exam

Approved: Jichong An, Structural VL, NE; Ella Daoud Bahwawsi, Civil, NE; Michael Patrick Boyle, Civil, NE; Stephen Andrew Brogan, Electrical & Computer, MO; Derek William Bryant, Electrical & Computer, NE; Benjamin Lee Carlson, Civil, NE; John Jackson Cejka, Mechanical, NE; James Joseph Coit, Civil, NE; Mary Nicole Cominoli, Civil, NE; Shannon Leslie DeVivo, Environmental, NE; Travis Peter Fitzgerald, Civil, NE; Rick Alan Friesen, Civil, NE; Joseph William Galvin, Civil, NE; Eric John Gehringer, Industrial, NE; Jennifer Lee Lechner Gitt, Civil, NE; Benjamin Adam Grummert, Electrical & Computer, CO; Brian Andrew Isley, Architectural, CO; Chris Donghyun Kim, Civil, CA; William Patrick Kirby, Civil, MO; Travis Frank Konda, Structural VL, MN; Brandon Paul Landis, Civil, NE; Coleman Drew Larsen,

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Structural VL, NE; Erick Steven Lee, Chemical, NE; Matthew Dennis Martz, Architectural, NE; Christopher Michael Masek, Industrial, NE; Todd Jacob McDevitt, Mechanical, NE; Christopher John Meyers, Mechanical, NE; Bhaven Thakorbbhai Nalk, Civil, NE; Douglas Vernon Neutzling, Civil, NE; Emily Ann Palik, Civil, NE; George Patrick Parizek, Civil, NE; Quinton Gene Patzlaff, Structural VL, NE; Andrew Peyton Proffitt, Mechanical, NE; Matthew Roy Reed, Mechanical, NE; William Michael Rice, Mechanical, NE; Curtis Andrew Rickertsen, Mechanical, NE; Simone Angelique Rock, Civil, NE; Allen Michael Roelfs, Mechanical, NE; Matthew James Scarborough, Civil, IA; Timothy Stephen Seberger, Mechanical, NE; Scott Stephen Sevick, Mechanical, NE; Alexander Benjamin Skillman, Mechanical, NE; Jessica Lynn Smith, Civil, NE; Jeffrey Paul Soula, Civil, NE; Nathan Miles Timm, Architectural, NE; Trevor Michael Tonniges, Civil, NE; Mark Dion Trumble, Civil, IA; Brian Joseph Twombly, Civil, NE; Matt Steven Walker, Mechanical, NE; Alexander Paul Wehbe, Civil, NE; Thomas Edward Wildy, Mechanical, NE; Anna Irene Willett, Environmental, VA; Jeremiah Todd Wright, Structural VL, NE; Kyle William Zillig, Civil, NE.

Special Cases – Applications for Fundamentals of Engineering Exam

Approved: Michal Jarzab, NE.

Special Cases – Applications to take the PPE Exam

Approved: Musa Rida Alawneh, Civil, NE; Scott Amin Birney, Civil, NE; Todd Michael Feldman, Structural VL, NE;

Defer: Uladzimir Zhuromski, Civil, NE – Need more detail for work experience.

Special Cases – Applications to take the ARE Exam

Approved: Tyson Hendricks, NE.

Request for Emeritus Status Reinstatement

Approved: E-10481 Tony Fulton, NE (with payment of fees in arrears).

Approval of Licensure/Examination/Emeritus Reinstatement Applications

Action Motion by Krejci, second by Klein to approve or defer licensure, examination and emeritus reinstatement application requests as discussed. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

Licensing Information

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

D Compliance

Logs

Current complaints presented.

History of closed complaints presented for Board information only.

Executive Session – Commenced at 9:22 a.m.

Action Motion by Choobineh, second by Klein to enter into executive session for discussion of Compliance Case 11.04 not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

Executive Session – Concluded at 10:06 a.m.

Action Motion by Klein, second by Krejci to close executive session for discussion of Compliance Case 11.04 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 Helgoth. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

Pending Cases

11.04 – Summary

Reviewed in the initial executive session.

Approval of Compliance Case Disposition for Case 11.04

Action Motion by Krejci, second by Klein to authorize Special Assistant Attorney General Bartle to analyze and prepare a proper response to the judge's decision that the Board exceeded its authority, provide legal briefings, collaborate with the City of Hastings and Attorney General for the Court of Appeals concerning Compliance Case 11.04. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

Special Assistant Attorney General Bartle left at 10:07 a.m.

Executive Session – Commenced 10:08 a.m.

Action Motion by Klein, second by Krejci to enter into executive session for discussion of pending and new compliance cases (except pending Compliance Case 11.04) not a matter of public information to prevent needless injury to the

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reputation of those involved. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

Executive Session – Concluded at 10:21 a.m.

Motion by Klein, second by Krejci to close executive session for discussion of pending and new compliance cases (except Compliance Case 11.04) 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 Helgoth. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

Pending Cases

09.20 – Summary

Reviewed in executive session.

12.10 – Summary

Reviewed in executive session. Investigation will be continued.

New Cases

12.11 – Summary

Reviewed in executive session. Investigation will be continued.

12.12 – Summary

Reviewed in executive session. Investigation will be continued.

Approval of Compliance Case Disposition for Case 9.20

Action Motion by Conzett second by Krejci to release Compliance Case 9.20 from probationary status. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

E Committee Reports

Board Committee Appointments and Assignments

Committee appointments as implemented in the 2012 Strategic Planning Session and 2012-2013 committee assignments.

Executive Committee Report

No report at this time.

Education and Communication Committee Report

An updated activity report for the Board's Facebook account was presented by PIO Fetterman. Committee Chair Conzett reported the Committee met on January 29th. Discussion focused on ethics, software engineering and social media issues. An ethics webinar was suggested and a possible host for a webinar will be sought.

Enforcement Committee Report

No report at this time.

2014 NCEES Zone Meeting Planning Committee Report

Committee Chair Helgoth reported a promotional video for the 2014 NCEES Zone Meeting in Lincoln, NE, will be shown at the 2013 Western and Central Zone meetings. The Planning Committee is continuing to finalize plans for 2014.

Legislative Committee Report

The Legislative Committee met January 17th and January 30th. A transcript draft of the LB 7 public hearing held January 23, 2013, was presented to the Board for review. Senator Bob Krist, ED Wilbeck, Terry Atkins, on behalf of the American Council of Engineering Companies (ACEC), Joe Kohout, lobbyist on behalf of the Professional Engineers Coalition, Sara Kay, ED of the Nebraska Chapter of the American Institute of Architects (AIA), and Jay Davis, Assistant Planning Director and Superintendent of the Division of Permits Inspection for the City of Omaha, testified in support of LB 7. The bill was placed on Select File on February 11, 2013. ED Wilbeck reported LB 91, which included an amendment to revise seal language for professional geologists similar to seal language revision included in LB 7 for the Board of Engineers and Architects, had passed on the final reading and was awaiting the Governor's signature. The Legislative Committee continues to work on drafts for future statute and rule changes. A suggestion was made to dedicate a strategic planning meeting for legislative changes.

F Old Business – None at this time

G New Business

Engineering Items

Spring 2013 Exam information

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Spring exams will be administered on April 12 and 13, 2013. The Principles and Practice exams and Vertical Forces component of the Structural exam will be administered on Friday, April 12. The Fundamentals exams and the Lateral Forces component of the Structural exam will be administered on Saturday, April 13.

NCEES notice of initiation of computer-based testing

NCEES is scheduled to complete the transition of the Fundamentals of Engineering (FE) to computer-based testing (CBT) on January 1, 2014. The transition to CBT involves significant changes to the format of the exams and the procedures for administering them. NCEES will continue to post updates to the CBT website, which can be accessed from the NCEES homepage at ncees.org/cbt.

Issues with FE exam move to computer-based testing

ED Wilbeck reported there would be two types of approval models for administration of computer based exams. The automatic model would not require an examinee to gain the Board's approval prior to taking the exam. The manual model would require the Board to manually approve examinees for each exam attempt at prospective meetings. Examinees will be able to take the FE exam in any NCEES jurisdiction. There would be no compelling reason to apply to a state using manual approval. The deadline to notify NCEES of the Board's choice for an approval model is June 1, 2013. Another issue is the \$50 reimbursement as allowed in Neb. Rev. Stat. § 81-3432.01. Statute would need to be revised if Nebraska selects the automatic approval model. Approval models will be discussed at the NCEES Board of Directors meeting in March and the NCEES Zone meeting in April. The Board discussed taking a tour of the testing area when exams are not in session.

Action

Motion by Choobineh, second by Krejci to participate in the auto enrollment approval model for admission to the FE exam provided the candidates have either graduated from ABET accredited programs or are in the fourth year of such programs, and such eligibility is assured by NCEES. Voting Yes: Conzett, Klein, Krejci, Choobineh, Helgoth. Voting No: None. Absent: Champion, Kester, Laging.

NCEES Board Presidents' Assembly agenda – February 9, 2013

An agenda for the NCEES Board Presidents' Assembly in Atlanta, GA, on February 9, 2013, was presented for review. Discussion will include allowing examinees to take the PE exam immediately after passing the FE. It was reiterated that progressive experience would need to be closely monitored if this type of testing was allowed. It was suggested that the Education Committee consider an option for offering a Part 1 & 2 and then a practice exam. ED Wilbeck announced that electronic verification through the NCEES website was now being used in Nebraska.

NCEES Central/Southern Zone Meeting information and agenda – April 4-6, 2013

Registration information and the agenda were provided for the 2013 Central/Southern Zone Joint Interim meeting in Biloxi, MO, on April 4-6, 2013. The registration deadline is March 1, 2013. Choobineh was authorized by the Board to attend as the funded delegate.

Delivery of the 2014 NCEES Central/Western Zone meeting invitation

An invitation for the 2014 Zone Meeting in Lincoln, NE, will be issued at the 2013 Western Zone meeting in San Francisco, CA, April 18-20, 2013. Helgoth was authorized to attend to present a promotional video to be created by PIO Fetterman.

Architecture Items

2013 NCARB Joint Regional Meeting agenda – March 7-9, 2013

The schedule for the 2013 NCARB Regions 4 and 5 Joint meeting in Charleston, SC, on March 7-9, 2013, was presented for review.

Other

2013 regional and national meeting travel authorization

Helgoth was authorized to attend the NCEES Engineering Award Jury Meeting on June 4, 2013, at Clemson, SC. Travel expenses will be paid by NCEES.

Choobineh, Conzett, and Helgoth were authorized to meet with Dick Hayter on February 20, 2013, in Omaha, NE. Travel expenses will be funded by NCEES for Helgoth and Conzett as part of the NCEES Education Committee.

Based on Neb. Rev. Stat. § 81-3431 and the election of Board officers, the Board discussed sending the Vice Chair to the Board Presidents Assembly meeting in the future.

H General Information

Public meeting notice publication

A public notice request was sent to the Lincoln Journal Star for the February 15, 2013 meeting.

Board meetings and schedule

A current schedule was provided for board meetings and events.

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Roster of Board members

Helgoth suggested Board members use a different footer when using work email for Board business. The email address for Klein will be updated.

Travel Reimbursement Policy

Agency travel reimbursement policy provided for review.

Licensing and Certification Trends

Trends in Licensure

Trends in Renewals

Trends in Certificates of Authorization

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

Other information

Current Board policies were provided for review.

Adjournment

Motion by Krejci to adjourn the meeting at 11:08 a.m.

Jennifer Klein, Secretary