

Nebraska Board of Engineers and Architects
Board Meeting Minutes
February 13, 2015

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, Nebraska. Chair Klein called the meeting to order at 8:35 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 Konzett, Secretary; Mark Champion; Krista Kester; Tom Laging. Absent: Fred Choobineh; Roger Helgoth.

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:

William Austin, Special Assistant Attorney General

10:00 a.m. – Rich Lombardi, American Communications Group, Inc.

8:45 a.m. - Public Comment

Robert Torson, an applicant for an architect license by reinstatement, spoke to the Board about an inadvertent lapse of his Nebraska license, which expired on December 31, 2012, and his organization's certificate of authorization, which expired on November 19, 2012. He stated his continuing education was kept up to date and he would answer any questions from the Board. After questions were answered, Chair Klein thanked Mr. Torson for coming to the meeting and stated his application would be acted upon under the Applications section of the agenda.

9:00 a.m. - Compliance Case Hearing – Postponed until the March board meeting.

Agenda Items

A Consent Agenda

Meeting Minutes

January 16, 2015 meeting minutes

Approval of Consent Agenda

Action

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

B Committee Reports

2014-2015 Board committee appointments and assignments

Committee appointments and assignments as assigned.

Executive Committee Report

No report at this time.

Education and Communication Committee Report

The Education and Communication Committee met on January 20, 2015. Discussion included plans for a Continuing Education Seminar to be held in November, the new website template, seal education, and newsletter topics. The Committee created a list of groups for outreach.

Website update

The website review was tabled until the March meeting.

PIO Fetterman presented a Facebook Activity Report tracking activity on the Board's site from January 8, 2015 to February 5, 2015.

Enforcement Committee Report

The Enforcement Committee met on January 12, 2015, and a February meeting will be scheduled.

The Legislative Committee Report was deferred until Legislative Liaison Lombardi's appointment at 10:00 a.m. The Board proceeded to the Strategic Plan Update in the agenda.

Legislative Committee Report

Legislative Liaison Lombardi reported the 104th Legislature finished its first quarter. LB 23 is on select file with no contesting parties and no offered amendments. After an enrollment and review process, some technical and grammatical amendments were sent for Board review. The Board's Legislative Committee will review the amendments and report to ED Masters. If any issues are found, ED Masters will contact Senator Krist. Lombardi will check to see if the E&R amendments

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could slow the progression of the bill. If not, the bill could be approved by the Governor as early as March 2015.

Action Motion by Conzett, second by Krejci to give the Board's Legislative Committee discretion with the review of the E&R amendments to LB 23. Voting Yes: Kester, Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth.

The Board reviewed LB 606, which revises the Office of Inspector General of the Nebraska Correctional System Act. Concern was expressed about section 36(2) because of the definition of rule or regulation. All State agencies could be impacted because of proposed procedural changes for policies or guidelines. LB 606 will be monitored to make sure the concerns are addressed. The hearing will be held on February 20th. As Legislative Committee Chair, Kester will oversee any action if needed. Lombardi will monitor the bill and let the Board know if there are any updates. Lombardi handed out and summarized a list of legislative bills of interest to the Board. It was noted that LB 138, which provides a code of practice for land surveyors, was placed on General File.

Strategic Plan

Strategic Plan Update

An updated Strategic Plan with recent tasks was provided.

C Old Business

Governance Items

Policy 15.01 – Issuance of Temporary Permit with Certificate of Authorization

A temporary permit may be issued to a qualifying applicant practicing under an organization when the associated organization obtains a certificate of authorization. The permit holder will be listed on the certificate as the licensee in charge of the project.

Action Motion by Kester, second by Krejci to approve a new policy addressing a temporary permit with a certificate of Authorization with the word "conditional" stricken. Voting Yes: Kester, Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth.

Other Old Business

Continuing education event for 2015

ED Masters reported the Governor's recommendation for the 2015-2017 Biennial Budget did not include the budget request for the continuing education events. After the Appropriations Committee preliminary review of the Governor's recommendation, the fiscal office indicated the request for continuing education events would be added to the appropriations bill. Once the appropriation bill has passed, the Governor will have five calendar days to veto the bill as a whole or line-item veto items of appropriation. PIO Fetterman asked the Board if plans should be continued for the Continuing Education Event. She noted that the penalty would be substantial for a cancelled event once a contract is signed. After discussion, the Board decided to proceed with the event. ED Masters will contact the speaker to let her know appropriation is not final but the Board is going ahead with planning. A concern was expressed with the schematics of the venue for the event. The Communication and Education Committee will keep concerns in mind before any contract is signed for the facility.

Action Motion by Conzett, second by Krejci to approve the Education and Communication Committee to move forward with a contract and venue for the 2015 continuing education event. Voting Yes: Kester, Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth. After discussion of the continuing education event, the Board returned to the Legislative Report section of the agenda before finishing Old Business.

3-26

Communication concerning web-based continuing education

The Board reviewed various emails concerning the limit on web-based continuing education in Policy 14.09. PIO Fetterman handed out a list of organizations providing continuing education that were included in email received. A list of frequently asked questions published on the Board's website was provided. Societies offering continuing education that are acceptable in item three of Policy 14.09, will be added to the website. Continuing education provided by a government agency will not be limited to 25% of the required hours for an architect or professional engineer. Other jurisdiction criteria for continuing education will be accepted in Nebraska as long as it is identical to Nebraska's licensure period.

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Action Motion by Kester, second by Krejci to amend Board Policy 14.09 to replace the term "state" on item number four with "governmental." Voting Yes: Kester, Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth.

D New Business

Governance Items – None at this time.

Engineering Items

1-2 **NCEES - Proposed solutions for reporting CPC requirements across state lines**
The Committee on Member Board Administrators (MBAs) met for two days in January and addressed aligning continuing professional competency (CPC) processes and/or requirements for all NCEES member boards to assist engineers licensed in multiple states. A hurdle licensees face is trying to comply with multiple states' CPC requirements and differing renewal cycles and trying to match CPC hours with different renewal periods. Conzett noted one option would be to have licensees certify with NCEES that they have met either the state or the NCEES standard of a minimum of 15 hours per year. They would have free access to upload their logs and information on the NCEES website. Member licensees would receive this service without charge. Jurisdictions would be able to check information for an audit. The MBA Committee will continue to work with the Education Committee to move the best solution forward nationally.

3-7 **NCEES Central/Northeast Zone Interim Meeting information**
The NCEES Central/Northeast Zone Interim meeting will be held April 30 – May 2, 2015, at Hershey, PA. A meeting agenda was provided. Klein and Helgoth will serve as funded delegates. The registration deadline for funded delegates was January 30th. The registration deadline for other delegates and guests is March 23.

Architecture Items

8 **NCARB Regional Summit Meeting Agenda**
Then NCARB Regional Summit Meeting will be held March 12-14, 2015, in Long Beach, CA. A proposed agenda was provided. Krejci and Champion will serve as funded delegates. The Board reviewed information received from candidates running for NCARB offices and agreed on a recommendation for the voting delegates.

16-18 **2015 regional and national meeting travel authorization**
Authorization was addressed as follows:

- Helgoth and ED Masters were authorized for a luncheon and presentation concerning engineering issues at the Engineers Club of Lincoln at the Imperial Palace on February 17, 2015.
- Klein was authorized to attend the Roundtable Engineers' Week Banquet at the Strategic Air and Space Museum, in Ashland, NE, on February 19, 2015.
- Klein was authorized to attend the NCEES Central/Northeast Zone Meeting in Hershey, PA, on April 30-May 2, 2015. Funding will be provided by NCEES.
- ED Masters was authorized to attend the NCARB Annual Meeting in New Orleans, LA, on June 17-20, 2015. Funding will be provided by NCARB.
- ED Masters, Champion, Laging, and Kester were authorized to attend the NCEES Annual Meeting in Williamsburg, VA, on August 20-23, 2015, in Williamsburg, VA. Funding will be provided by NCEES for two members and a board executive.

Action Motion by Krejci, second by Laging to approve authorization for meetings and travel as requested. Voting Yes: Kester, Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth.

E Compliance

Logs

Current complaints provided to the Board.
History of closed complaints provided to the Board.

Executive Session - Commenced at 11:24 a.m.

Action Motion by Krejci, second by Laging 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

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involved. The limitation for going into executive session was restated by Chair Klein. Voting Yes: Kester, Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth.

Cases

13.01 – Summary & Documentation

Reviewed in Executive Session.

15.02 – Summary & Documentation

Reviewed in Executive Session.

Kester left the meeting at 11:33 a.m.

Executive Session - Concluded at 11:34 a.m.

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

Approval of Compliance Case Disposition

Action Motion by Krejci, second by Laging to dismiss Compliance Case 13.01 based on evidence presented. Voting Yes: Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth, Kester.

Action Motion by Laging, second by Conzett to continue Compliance Case 15.02. Voting Yes: Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth, Kester.

Other Compliance Case Action

Action Motion by Krejci, second by Champion to not allow the respondent in Compliance Case 15.02 to participate in the hearing by phone. Voting Yes: Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth, Kester.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-15490 Steven Michael Baldrige, Structural, IL; E-15493 Bryce Lee Barkus, Civil, KS; E-15491 Theodore Arthur Beltavski, Civil, OH; E-15492 David Allen Ellermann, Civil, MO; E-15488 John David Enochs, Civil, CO; E-15494 Andrew Joseph Fanozzi, III, Civil, OH; E-15496 Jason Christopher Faulkner, Structural, IL; E-15497 Stephen Mark Fisher, Electrical, MD; E-15476 Sean Isaac Ford, Mechanical, MN; E-15499 Curtis Raymond Helfrich, Electrical, TN; E-15487 Jeremy Michael Hohnbaum, Civil, CA; E-15498 Trevor Matthew Kirkley, Civil, CO; E-15489 Edward Grafton McGavran, III, Electrical, NC; E-15474 Timothy John Robben, Electrical, KS; E-15495 Derrick Duane Roorda, Structural, CA.

NCARB Certification – Architects

A-4537 Tamim El Haje, TX; A-4535 Fritz Thalman Hengge, IL; A-4529 Thomas Gene Jolly, IN; A-4531 Matthew Christopher Lamont, AZ; A-4534 Michael Jon McMahon, WI; A-4526 Steven Jay Riojas, MI; A-4528 Regina Marie Smith, IA; A-4536 William Rogers Thomas, Jr, KS; A-4530 Kenneth Ronald Van Tine, MI.

Temporary Permits - None

Engineer Intern Enrollment

Nicholas Paul Grindrod, NE; Nicholas Andrew Charles Johnson, NE; Amanda Lynn Maish, NE; Philip Anthony Niewohner, NE; Carolyn Alyce Schwafel Fritzsich, NE.

Architect Registration Examination/Re-approvals

Marissa Christian Miller, NE.

Organizational Practice – Certificates of Authorization

CA3317 DeVita & Associates Inc; CA3318 Bostelman Engineering LLC; CA3319 David Anderson Construction Engineering LLC; CA3320 Tim C. Schaller – Architect; CA3321 Wilson Water Group; CA3322 Baron Design & Associates LLC; CA3323 Array Architects Inc; CA3324 Schwan Consulting SE LLC; CA3325 eConstruct USA LLC; CA3326 KCE Ltd; CA3327 Silvestri Architects; CA3328 Ferrell Engineering; CA3329 Sequoia Engineering & Environmental Inc; CA3330 Scanlon Engineering LLC; CA3331 Proficient Engineering Inc; CA3332 ARC International Inc; CA3333 Hope-Amundson Inc;

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CA3334 Robinson Engineering Inc; CA3335 Frevert Ramsey Kobes Architects Engineers PC;
CA3336 Frontwater Engineering LLC; CA3337 Vinton + William Architecture Studio LLC; CA3338
McGavran Engineering PC; CA3339 Tower Technology Inc; CA3340 Advanced Technology
Engineering Group LLC; CA3341 Structurally Sound Engineering LLC; CA3342 inFORM studio pc;
CA3343 Warren Johnson Architects Inc.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Armando Ungab Bawan, Jr, Civil MO; Lokman Ng, Civil, CA; Ryan Steven Schmidt, Civil, UT; Zachary Matthew Wheat, Civil, IA.

Applications for licensure of Engineers by Experience - None

Applications for licensure of Architects by Experience

Approved: Kim Roger Clawson, WI.

Applications for licensure by Reinstatement

Approved: E-5087 Neil Claire Smith, Agricultural.

Applications to take the PPE Exam

Approved: Nicholas John Vanous, Civil, NE.

Special Cases – Applications for licensure of Engineers by Comity

Approved: Eduard Catalin Badiu, Civil, FL.

Approval of Applications

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

Special Cases – Applications for licensure by Reinstatement

Approval: A-1906 Robert Alan Torson, Architect – reinstate license after license renewal and certificate of authorization renewal fees are paid in arrears

Action Motion by Krejci, second by Laging to reinstate the license of Robert Torson when license renewal fees and Certificate of Authorization renewal fees are paid in arrears as overseen by staff. Voting Yes: Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth, Kester.

Other Licensure Issues

Renewal applications with disclosure action

Alan Money - Action deferred to the March 2015 meeting.

Licensing Information

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

G Financial Matters

Reports

1 **FY 2014-15 Financial Profile, January 2015**

2-5 **Budget Status Report, January 2015**

6-14 **MTD General Ledger Detail Report, January 2015**

15-17 **Fund Summary Report, January 2015**

ED Masters reviewed the January financial reports with the Board.

Approval of Financial Reports

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

Other Financial Matters

18-29 **Governor's Biennium Budget recommendation**

Governor Ricketts budget recommendation for the Board of Engineers and Architects was provided. ED Masters reported the Appropriations Committee had met with the Fiscal Office and the preliminary recommendation included all of the budget request issues for the 2015-2017 Biennium. The budget hearing will be held on February 24th. After the appropriations bills are passed, the Governor will have a chance to veto the bills in total or line-item veto items of appropriation.

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Proposed Contracts for FY 2015-16

30 **NEBOG Administrative Services Contract**
The Board reviewed the proposed FY 2015-16 contract to provide administrative services for the Board of Geologists, beginning July 1, 2015, and ending June 30, 2016. The fee will be \$13,861 for the fiscal year. Payments will be made quarterly.

31 **NSBLA Administrative Services Contract**
The Board reviewed the proposed FY 2015-16 contract to provide administrative services for the State Board of Landscape Architects, beginning July 1, 2015, and ending June 30, 2016. The fee will be \$14,008 for the fiscal year. Payments will be made quarterly.

Approval of Contracts

Action Motion by Laging, second by Krejci to approve the FY 2015-16 administrative service contracts as presented for the Board of Geologists and the State Board of Landscape Architects. Voting Yes: Krejci, Laging, Champion, Conzett, Klein. Voting No: None. Absent: Choobineh, Helgoth, Kester.

H General Information

Public meeting notice publication

The February 13, 2015 Board meeting was publicized in the Lincoln Journal Star.

Board meetings and schedule

Roster of Board members

A meeting schedule and a current roster of Board members were provided.

Travel Reimbursement Policy

The agency travel reimbursement policy was provided.

Licensing and Certification Trends

8 **Trends in Licensure**

9 **Trends in Renewals**

10-11 **Trends in Certificates of Authorization**

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

Examination Information/Results

12 **ARE Candidates with Open Eligibilities Report**

A report showing the total number of Nebraska ARE candidates with open exam eligibilities as of February 1, 2015, was reviewed.

13-14 **ARE Monthly Pass/Fail Report – December 2014**

Eleven examinees sat for various sections of the ARE in December 2014. Nine exams were passed.

15-16 **NBEA CBT FE Exam Pass Rate History**

One hundred and ten Nebraska examinees have sat for the FE exam since January 2014 with an overall pass rate of over 65%.

Other information

17-18 **Former Board member John Olsson obituary**

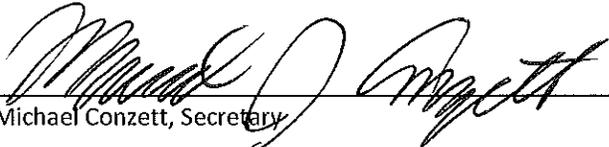
John E. Olsson, a retired founder of Olsson Associates and former Board member who served from 1988 to 1993, passed away on January 28, 2015. ED Masters will send a personal letter to the family expressing appreciation for Mr. Olsson's contributions to engineering and service on the Board.

19-26 **Approved Board policies**

Approved Board policies were provided for review.

Adjournment

The meeting was adjourned at 11:56 am.



Michael Conzett, Secretary