

Nebraska Board of Engineers and Architects
Board Meeting Minutes
January 16, 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 8:32 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; Roger Helgoth; Krista Kester; Tom Laging. Absent: Fred Choobineh.

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

Public Present:

William Austin, Special Assistant Attorney General

Rich Lombardi, American Communications Group, Inc.

Robin Kilgore, Budget Management Analyst, State of Nebraska

Agenda Items

A Consent Agenda

Meeting Minutes

December 12, 2014 meeting minutes

Approval of Consent Agenda

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

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

Committee Chair Conzett reported the Education and Communication Committee would meet on Tuesday, January 20th.

PIO Fetterman presented a Facebook Activity Report tracking activity from December 4, 2014, to January 7, 2015.

Enforcement Committee Report

Enforcement Committee Chair Krejci reported the Committee met on December 12th. Procedures for compliance cases and disclosure language are under review. Special Assistant Attorney General Austin is working with CO Mathews to create a proposal for compliance case procedures. The Committee will bring proposals for compliance case procedures and disclosure language to the Board at the February meeting.

Legislative Committee Report

Legislative Liaison Lombardi reported the proposed revisions to the Engineers and Architects Regulation Act would be introduced under LB 23. The hearing for LB 23 is scheduled on Friday, January 23rd, during the first week of hearings. Meetings have been scheduled with members of the Health and Human Services Committee. Champion and ED Masters will meet with a senator on the Committee at 1:30 p.m. after the Board meeting. Lombardi reported ED Masters had filed the fiscal note and that discussion took place with Senator Krist's staff concerning LB23's statement of intent. Some stakeholders will be contacted to see if they will support the bill at the hearing. Lombardi will reach out to individuals and professionals for written support.

ED Masters distributed two suggested revisions for LB 23 received from stakeholders. After review and discussion of the suggested changes, the Board asked ED Masters to contact the stakeholders to let them know the majority of interested groups had already approved the current language and a last minute change would be problematic. The Board discussed the order and type of testimony members would be presenting at the hearing for the bill. Lombardi stated the pre-meetings would help with language needed for testimony. Lombardi will attempt to obtain written support from individuals, academia or organizations.

Nebraska Board of Engineers and Architects
Board Meeting Minutes
January 16, 2015

The Board reviewed and discussed the following legislative bills:

- LB 22 – Amends Neb. Rev. Stat. § 81-3401 of the Engineers and Architects Regulation Act to provide immunity to architects and professional engineers for certain professional services performed during an emergency.
- LB 28 – Adopts the Radon Resistant New Construction Act.
- LB 138 – Names the Land Surveyors Regulation Act and provides a code of practice.
- LB 141 – Changes provisions relating to the Public Entities Mandated Project Charges Act.

Strategic Plan

Strategic Plan Update

The Board reviewed recent tasks in the updated Strategic Plan. PIO Fetterman is making progress on the new website and mobile app. The testing phase has begun for the new database. IT Assistant Jeffrey Allen has provided support in migrating the data.

C Old Business

Governance Items

New Policy – Issuance of Temporary Permits when an Organization is Involved

The board discussed requiring a certificate of authorization for an organization involved with a temporary permit holder. The permit holder would be the “professional in charge” on the certificate of authorization. The organization would be notified when the permit is no longer valid and the organization would need to submit a “Change Form” with a Nebraska licensee to keep the certificate active. Staff will bring back a proposed policy to the February meeting. Because of the Board’s interpretation of the law concerning issuance of a certificate of authorization in association with a temporary permit, changes to the process will be implemented immediately.

Communication for changes to continuing education requirements in Policy 14.09

PIO Fetterman reported a postcard would be mailed to licensees regarding Policy 14.09 on qualifying web-based continuing education. Further clarification and answers to frequently asked questions have been made available on the Board’s website.

Other Old Business

Revisions to the legislative bill draft of the Professional Landscape Architects Act

A list of revisions to the original proposed changes for the Professional Landscape Architects Act was presented to the Board. ED Masters reported the State Board of Landscape Architects was still looking for a senator to carry its bill in the 2015 session. The deadline is January 20th.

Action

Motion by Kester, second by Helgoth that in the event a bill is introduced for the Professional Landscape Architects Act revisions as reviewed, a Board member would be authorized to appear at the hearing with carefully articulated support. Voting Yes: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.

D New Business

Governance Items

New Policy – Per diem for Meeting Preparation

A policy to include meeting preparation in per diem was not approved since preparation time is not addressed in the Board’s statutes.

Clarification of Rule 9.2.2 continuing education requirements

Staff requested the Board’s interpretation of Rule 9.2.1 and 9.2.2 pertaining to continuing education requirements. Very few states have the same period between license renewals and most have different requirements for continuing education. After discussion, the Board was in consensus that the Web-based Continuing Education Policy 14.09 could not be applied to continuing education submittals that were certified by another jurisdiction. The language on the online renewal and paper renewal forms will be updated to clarify the continuing education period requirements for those selecting another jurisdiction. Conzett reported he would be working with NCEES to propose a uniform continuing education standard for continuing professional competency.

Engineering Items

NCEES Central Zone Awards Committee request for nominations for Distinguished Service Award

An invitation was received from the Central Zone Awards Committee to submit a nomination for the *Distinguished Service Award*. The award will be presented at the 2015 Central Zone Interim Meeting in

Nebraska Board of Engineers and Architects

Board Meeting Minutes

January 16, 2015

Hershey, PA, for individuals who have given outstanding service to the Central Zone and/or NCEES. It was suggested that Helgoth be nominated for the award. ED Masters and Chair Klein will work on a nomination and cover letter. Conzett offered to assist by reviewing the documents before submittal.

Action Motion by Conzett, second by Krejci to nominate Roger Helgoth for the 2015 Distinguished Service Award to be presented at the 2015 Central Zone Interim Meeting. Voting Yes: Conzett, Kester, Krejci, Laging, Champion, Klein. Abstain: Helgoth. Voting No: None. Absent: Choobineh.

Architecture Items

None at this time

Other New Business

Compliance process review

Discussion of the compliance process was tabled to the next meeting.

2015 regional and national meeting travel authorization

Champion was authorized to meet with Nebraska Senators on January 16th and the 22nd and to attend the 2015 Legislative Forum and Luncheon with AIA Nebraska/ACEC/AGC – Nebraska Building Chapter on January 22, 2015, at the Cornhusker Marriott in Lincoln, NE.

Conzett and Helgoth were authorized to attend the 2015 Legislative Luncheon presented by the Nebraska Society of Professional Engineers (NeSPE) on January 20, 2015, at The Nebraska Club in Lincoln, NE.

Helgoth was authorized for a NCEES Education Committee Conference Call Meeting on January 22, 2015.

Champion, Helgoth, and Klein were authorized to attend the Legislative Hearing for LB 23 on January 23, 2015, at the State Capitol.

ED Masters was authorized to attend the NCARB MBE Workshop and Regional Summit Meeting on March 12-14, 2015, in Long Beach, CA. Funding for travel expenses will be provided by NCARB.

Conzett, Helgoth, and ED Masters were authorized to attend the NCEES Central/Northeast Zone Meeting on April 30-May 2, 2015, in Hershey, PA. Funding for travel expenses will be funded by NCEES for two attendees and a board executive.

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

The Board requested a list of meetings for professional organizations be created for review by the Board to determine which ones and how many should be attended by ED Masters over a course of a year.

The Board returned to the Legislative Committee Report section of the agenda for an update from Legislative Liaison Lombardi at 10:44 a.m.

E Compliance

Logs

Current complaints provided to the Board.

History of closed complaints provided to the Board.

Executive Session - Commenced at 11:25 a.m.

Action Motion by Krejci, second by Helgoth 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: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.

Cases

13.01 – Summary & Documentation

Reviewed in Executive Session.

14.02 – Summary & Documentation

Reviewed in Executive Session.

14.11 – Summary & Documentation

Reviewed in Executive Session.

14.18 – Summary & Documentation

Reviewed in Executive Session.

Executive Session - Concluded at 11:55 a.m.

Nebraska Board of Engineers and Architects

Board Meeting Minutes

January 16, 2015

- Action** Motion by Krejci, second by Helgoth 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: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.
- Approval of Compliance Case Disposition**
- Action** Motion by Kester, second by Conzett to have CO Mathews work with Assistant Attorney General Austin and contact the respondent or their attorney in Compliance Case 13.01 to let them know full compliance of the order is expected before the February meeting. Voting Yes: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.
- Action** Motion by Kester, second by Conzett to close Compliance Case 14.02 and inform the respondent that not renewing the license is not considered a disciplinary action. Voting Yes: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.
- Action** Motion by Kester, second by Krejci to dismiss Compliance Case 14.11. This is not to be considered a disciplinary action. Voting Yes: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.
- Action** Motion by Kester, second by Conzett to dismiss Compliance Case 14.18. This is not to be considered a disciplinary action. Voting Yes: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-15470 Brian Martin Armenta, Electrical, VA; E-15428 Stephen Allyn Brown, Civil, TN; E-15456 Casey Kent Christiansen, Civil, UT; E-15458 Brian Scott Davis, Electrical, VA; E-15409 Travis Lee Ford, Civil, CA; E-15410 Terry Scott Francis, Structural, OH; E-15411 Marsia Anne Geldert-Murphey, Civil, MO; E-15391 Derek Brandon Godwin, Civil, TN; E-15412 Jacob Ross Goralski, Civil, TX; E-15459 David Joseph Graser, Mechanical, VA; E-15392 Jay Larrimore Hall, Electrical, TN; E-15390 Brett William Herrmann, Structural, IL; E-15464 Joseph Robert Johnston, Civil, NC; E-15471 John Paul Kenney, Mechanical, GA; E15468 Stephen William Kent, Mechanical, IL; E-15395 Lisa Ann Larson, Civil, IA; E-15408 Reese Martin Lundgren, Civil, CO; E-15393 William Lee Palmer, Mechanical, TN; E-15469 Paul Stuart Prout, Mechanical, MN; E-15467 Kevin Scott Pulis, Civil, SC; E-15394 Brian Keith Stich, Electrical, MN.

NCARB Certification – Architects

A-4523 David Alan Briden, IA; A-4520 Christopher Louis Chiodini, MO; A-4521 John Joseph Cronin, WI; A-4525 Brian William Erickson, MA; A-4524 Warren Lee Johnson, IL; A-4519 Douglas Lee McCord, AZ; A-4517 Eric Paul Peterson, MN; A-4515 Debashis Sarkar, MD; A-4522 Julian Clyde Thompson, PA; A-4518 John Parrott Warren, NC.

Temporary Permits - None

Engineer Intern Enrollment

Shawn David Cooney, NE; Lawrence Robert Hufford, II, OH; Timothy Edward Lang, NE; Luke Isaac Lehman, IA; Derek James Matthies, IA; Luke Kennedy Osterberg, IA; Steven Larry Sanders, NE; Charles Jack Woods, KS.

Architect Registration Examination/Re-approvals

Daniel James Zegers, NE.

Organizational Practice – Certificates of Authorization

CA3284 Modern Design Inc.; CA3300 AGPRO Environmental Services LLC; CA3301 Lutz Daily & Brain LLC; CA3302 FK Engineering PLLC; CA3303 Structures Unlimited PC; CA3304 SMW Engineering Group Inc; CA3305 Hall Engineering LLC; CA3306 Rhoades Engineering Corporation; CA3307 Irish Tower LLC; CA3308 R&N Systems Design LLC; CA3309 Allen & Hoshall Inc; CA3310 Precision Engineering Group LLC; CA311 Ardent Geotechnical Consultants LLC; CA3312 SJ Ludlow Consulting Engineers Inc; CA3313 Hayes Consulting Company Inc; CA3314 Lynch Harrison & Brumleve Inc; CA3315 Dwyer Design Group PC; CA3316 CHA Consulting Inc.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Harry Raymond Allen, Structural Engineer, IL; Brian Robert Bartlett, Civil, IA; Michelle Lynn Eble-Hankins, Electrical, MI; Earl James Harrison, Jr., Civil, KS; Ahmed Seid Issahak, Civil, WI; Thomas James Lewin, Civil, MO; Allan Thomson MacDougall, Civil, CO; Jon Herbert Miller, Civil, MN; Michael Edward West, Structural, CA; James Bradford Worden, II; Civil AL.

Nebraska Board of Engineers and Architects
Board Meeting Minutes
January 16, 2015

Applications for licensure of Engineers by Experience

Deferred: Daniel Thomas Schultz, Civil, WA – Does not have an ABET/EAC-accredited degree or 15 years of licensed experience.

Applications for licensure of Architects by Experience - None

Applications for licensure by Reinstatement

Approved: E-8400 Dion Michael Andrew Quinn, Mechanical.

Applications to take the PPE Exam

Approved: Ablam Amavi, Electrical & Computer, NE; Patrick Scott Berge, NE; Environmental; Desiree Nichole Boger, Electrical & Computer, NE; Shonda Marlene Butler, Electrical & Computer, NE; Savio De Lemos Camara, Mechanical, IA; Bradley Alan Cameron, Structural VL; NE; Christine Katherine Cieslik, Civil, NE; Shawn David Cooney, Civil, NE; Christopher Paul Corr, Civil, NE; Andrew Levi Daro, Civil, NE; David Ryan Deets, Electrical & Computer, NE; Mark Thomas Dolechek, Civil, NE; Colby Vernon Folck, Civil, NE; Barbara Muhlbauer Gerbino-Bevins, Civil, NE; Kyle Thomas Gerking, Mechanical, NE; Joshua Donald Gifford, Mechanical, NE; Ryan David Goughnour, Mechanical, NE; Lawrence Robert Hufford, II, Civil, OH; Clayton Jon Kluender, Structural VL, NE; Timothy Edward Lang, Mechanical, NE; Kristopher Ryan Linstrom, Electrical & Computer, CA; Derek James Matthies, Structural VL, IA; Stephen Phillip Matychuk, Civil, NE; Jacob John Mayer, Agricultural and Biological, NE; Jeffrey Keith Mihulka, Civil, NE; Jamie Nichole Mikkleson, Civil, NE; Corbon Edward Mundt, Structural VL, NE; Ericka Marie Nienhuser, Electrical & Computer, NE; Katelyn Susannah Owens, Architectural, NE; Jeffrey Scott Payne, Structural VL, NE; Matthew Wayne Peterson, Civil, NE; Tuy Thanh Pham, Electrical & Computer, NE; Steven Larry Sanders, Civil, NE; Adam Joseph Schlautman, Civil, NE; Dwight Lynn Thompson, Software, NE; Abigail Quinn Visty, Mechanical, NE; John Edward Waltz, Structural VL, NE; Kevin Michael Wenninghoff, Structural VL, IA; Tracy Ann Wolz, Mechanical, NE; Charles Jack Woods, Structural VL, KS.

Deferred: Nicholas John Vanous, Civil, NE – Does not have four years of work experience under a professional engineer.

Approval of Applications

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

Other Licensure Issues

Request for Engineer Intern Enrollment

Deferred: Dawit Zerihun – Academic degrees must be evaluated by NCEES Credentials Evaluations to determine if they meet the NCEES Education Standard. An engineer intern enrollment certificate will be issued when it is determined the standard has been met.

Renewal applications with disclosure action

Action Motion by Laging, second by Krejci to temporarily suspend the license of Stephen P. Maslan until a hearing can be held at next Board meeting. Voting Yes: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.

Action Motion by Krejci, second by Champion to defer the license renewal application for Alan E. Money until his compliance case in Arizona is heard. Voting Yes: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.

Licensing Information

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

G Financial Matters

Reports

FY 2014-15 Financial Profile, December 2014

Budget Status Report, December 2014

MTD General Ledger Detail Report, December 2014

Fund Summary Report, December 2014

ED Masters reviewed the December financial reports with the Board.

Approval of Financial Reports

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

Other Financial Matters

Nebraska Board of Engineers and Architects
Board Meeting Minutes
January 16, 2015

Standard mileage rate for personal vehicles for 2015

Effective January 1, 2015, the standard mileage rate will be 57.5 cents for personal vehicles used on State business.

Staff evaluations and compensation

Executive Session - Commenced at 12:42 p.m.

Action Motion by Krejci, second by Laging to enter into executive session for discussion of staff evaluations and compensation 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: Conzett, Helgoth, Kester, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Choobineh.

Champion and ED Masters left the meeting at 1:05 p.m.

Executive Session - Concluded at 1:16 p.m.

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

H General Information

Public meeting notice publication

An ad for the January 16, 2015 Board meeting was publicized in the Lincoln Journal Star.

Board meetings and schedule

A schedule of upcoming meetings and events was provided for review. The next Board meeting is scheduled on February 13, 2015.

Roster of Board members

A current roster of Board members was provided.

Reappointment of Thomas Laging to the Board

Notification was received from the Office of Governor Heineman that Thomas Laging was reappointed to the Board. The new term will expire on February 28, 2019.

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 for Board review.

Examination Results

ARE Monthly Pass/Fail Report – November 2014

Twenty-four ARE exams were taken in November 2014. Twenty-two exams were passed.

PE Exam Registration Numbers and Pass Rate History Report

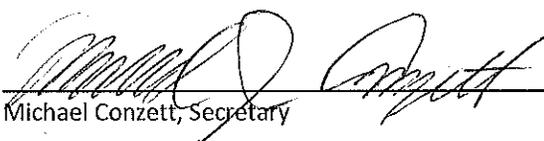
One hundred and twenty-nine examinees sat for the PE exam in Nebraska in 2014. Ninety-nine exams were passed.

Other information

Approved Board policies were provided for review.

Adjournment

The meeting was adjourned at 1:19 p.m.



Michael Conzett, Secretary