

Nebraska Board of Engineers and Architects
Board Meeting Minutes
March 14, 2014

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 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: Tom Laging, Chair; Jennifer Klein, Vice-Chair; Lori Krejci, Secretary; Mark Champion; Fred Choobineh; Mike Conzett.

Absent: Roger Helgoth, Krista Kester. Helgoth entered meeting at 8:40 a.m.

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).

Appointments

8:45 a.m. - Tanveer R. Sahoo, Omaha (*Comment concerning application in Section C - Special Applications*)

9:15 a.m. - Rich Lombardi, American Communications Group, Inc (*Section E - Legislative Committee*)

10:00 a.m. - Bob Bartle, Special Assistant Attorney General (*Section D - Compliance*)

Election of Officers

Board Policy 00.01 - 3/17/2000

Chair Laging noted the Board policy for election of officers and called for nominations for Secretary of the Board.

Action Motion by Choobineh, second by Krejci to nominate Conzett as Secretary of the Board. Voting Yes: Choobineh, Conzett, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Helgoth, Kester.

The Board unanimously agreed to elect Conzett as Secretary of the Board. Klein assumed the position of Chair and Krejci assumed the position of Vice Chair as set forth in Board Policy 00.01.

Action Motion by Choobineh, second by Conzett to thank Tom Laging for his service as Chair on the Board. Voting Yes: Choobineh, Conzett, Krejci, Laging, Champion, Klein. Abstain: Laging. Voting No: None. Absent: Helgoth, Kester. Laging will continue serving the Board until a replacement is appointed.

Helgoth entered the meeting at 8:40 a.m.

8:45 a.m. - Public Comment

Tanveer R. Sahoo, an applicant for a civil engineer license by comity, asked the Board to consider his experience and education and waive the humanities deficiency on the NCEES Education Standard evaluation. Additional documentation was distributed to the Board. Chair Klein thanked Mr. Sahoo for his comments and stated his application would be considered by the Board during review of the Application section of the agenda.

Agenda Items

A Consent Agenda

Meeting Minutes

February 14, 2014 meeting minutes

Approval of Consent Agenda

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

B Financial Matters

Reports

FY 2013-14 Financial Profile, February 2014

Budget Status Report, February 2014

MTD General Ledger Detail Report, February 2014

Fund Summary Report, February 2014

ED Steve Masters reviewed the financial reports with the Board. Expenditures continue to be on track. The current appropriation is projected to be adequate to cover plans for strategic planning and the 2014 Central/Western Zone meeting during FY 2013-14.

Approval of Financial Reports

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

Proposed Contracts for FY 2014-15

Robert F. Bartle, Esquire

Richard A. Lombardi, American Communications Group, Inc.

Robert Hanna, Robert Hanna Studios

ED Masters outlined conversations held with the Assistant Attorney General. Decisions on contracts will be sought at

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the May Board meeting to assure continuation of services into the next fiscal year.

Action Motion by Helgoth, second by Laging that the review of contracts be tabled with a provision to allow members to submit written concerns regarding contractor performance to the Executive Director. Voting Yes: Choobineh, Conzett, Helgoth, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Kester.

C Applications

Administratively Approved

NCEES MLE – Engineers

E-15030 Emily Catherine Allen, Civil; E-15022 Christopher David Antoni, Civil; E-15024 Brian James Bahns, Mechanical; E-15945 Gregory Duane Bridenbaugh, Electrical; E-15052 Stacy Gordon Brocka, Civil; E-15049 David Grayson Carter, Electrical and Computer; E-15057 Jaime Alfredo Castro, Electrical and Computer; E-15055 Timothy D. Caveny, Structural; E-15041 Bradley Frank Cheshire, Civil; E-15025 Andrew Joseph Dailey, Mechanical; E-15047 Christopher Ray Duncan, Mechanical; E-15046 Rene Rolando Garcia-Alanis, Civil; E-15029 Cody Alexander Geisendorfer, Civil; E-15050 Adam Brian Goldberg, Civil; E-15042 Jacob Allen Hamilton, Electrical and Computer; E-15053 Ryan Wesley Hanemann, Electrical; E-15026 Michael Jonathan Hayes, Civil; E-15054 Carl Scott Henson, Electrical; E-15051 Tanya Lynn Kwiatkowski, Civil; E-15056 Donald Eugene Lasley, Civil; E-15040 Michael Ronald Muehrer, Civil; E-15027 Scott Andrew Mueller, Electrical; E-15039 Jon Lexis Peterson, Electrical and Computer; E-15048 Graham Wight Rossano, Mechanical; E-15028 Richard Scott Springer, Electrical and Computer; E-15044 Keedran Ann Thorpe, Architectural; E-15023 Martin Joseph Wendel, Jr, Mechanical; E-15043 Melissa Anne Zeis, Civil.

NCARB Certification – Architects

A-4434 Weldon Jordao Bowman; A-4424 Kenneth Don Graham; A-4432 Lisa Marie Kalaher; A-4431 Andrew Michael Reich; A-4429 John Edward Rigsbee; A-4430 Michael Shawn Sjoholm; A-4433 Stephen Michael Vedral; A-4427 Robert Emmett Walker, IV; A-4425 Mark Eugene Watford.

Temporary Permits - None

Engineer Intern Enrollment - None

Architect Registration Examination/Reapprovals

Ryan Joseph Huber, NE; Jason Robert Jarecke, TX.

Organizational Practice – Certificates of Authorization

CA3132 Hendrick Associates Inc; CA3133 Jeffrey A Scott Architects PC; CA3134 Judd Allen Group; CA3135 David Pontia & Associates; CA3136 Shepley Bulfinch Richardson and Abbott Inc; CA3137 Quality Engineering LLC; CA3138 JW Sims & Associates Engineering Co; CA3139 Forensic Consulting Group LLC; CA3140 McComas Engineering Inc; CA3141 Shermco Industries; CA3142 Ryan & Associates Inc; CA3143 Rick Berry & Associates PC; CA3144 Honeywell International Inc; CA3145 Brown Reynolds Watford Architects; CA3146 STV Energy Services Inc; CA3147 Jax Refrigeration Inc; CA3148 Unified Investigations & Sciences Inc; CA3149 LaRose & Duncan Engineering; CA3150 Code Consultants Professional Engineers PC; CA3151 W Design LLC; CA3152 EN Engineering LLC.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: James Daniel Arthur, Petroleum, OK; Nathan Lee Boone, Civil, CO; Michael Charles Hall, Civil, CA; Gary Thomas Iwata, Civil, CO; John Michael Koltick, Jr, Mechanical, TX; Joseph John Kulikowski, Civil, CA; Jared Daniel Lock, Civil, KY; John Crary Moore, III, Civil, CO; Shane E. Swope, Civil, IL.

Applications for licensure of Engineers by Experience

Approved: Mark Eugene Goodson, Electrical and Computer, TX; Eric Hankinson, Civil, CA; Kashi Nath Mullick, Electrical, KS; Bruce Elliott Randall, Structural, IL; Jesus Francisco Sierra, Structural, CA.

Applications for licensure of Architects by Experience

Approved: Keow Chai Lim, MN.

Applications for licensure by Reinstatement

Approved: E-11035 Terry Christopher Jones; E-10422 Walter Mathews Prather.

Applications to take the PPE Exam - None

Special Cases - Applications for licensure of Engineers by Comity

Approved: Tanveer Raza Sahoo, Civil, MI.

Deferred: Robert Dudek, Structural, IL - Application review tabled to next meeting

Special Case - Request for Emeritus Status

Approved: Emeritus Status for E-12327 Christine Swanson

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Approval of Licensure/Examination Applications

Action Motion by Krejci, second by Laging to approve or defer licensure, certificate of authorization, examination and Emeritus status applications above as discussed. Voting Yes: Choobineh, Conzett, Helgoth, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Kester.

Other Special Cases - Application for licensure of Engineers by Comity

Approved: April Beth Hock, Architectural, CO - License to be issued on April 14, 2014.

Action Motion by Helgoth, second by Krejci to approve April Beth Hock by a variance and issue an architectural engineering license on April 14, 2014. Voting Yes: Choobineh, Conzett, Helgoth, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Kester.

Licensing Information

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

D Compliance

Logs

Current complaints provided.

History of closed complaints provided.

Executive Session - Commenced at 10:27 a.m.

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

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 - Helgoth was recused for the review of Case 13.08 and left the meeting room from 10:46 a.m. to 11:20 a.m.

13.13 – Summary & Documentation

Reviewed in Executive Session

13.15 – Summary & Documentation

Reviewed in Executive Session

14.02 – Summary & Documentation

Reviewed in Executive Session

Other Compliance Issues

Special Case - Application for licensure of Engineers by Comity

Reviewed in Executive Session

Executive Session - Concluded at 11:39 a.m.

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

Action Approval of Compliance Case Disposition

Motion by Choobineh, second by Laging to refer Compliance Case 13.08 to legal counsel for violation of a prior settlement agreement. Voting Yes: Choobineh, Conzett, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Kester. Helgoth recused from discussion so did not vote.

Action Motion by Conzett, second by Krejci to accept the negotiated settlement and close Compliance Case 13.13. Voting Yes: Choobineh, Conzett, Helgoth, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Kester.

Action Motion by Helgoth, second by Champion to refer Compliance Case 13.15 to legal counsel for a recommendation because of professional misconduct. Voting Yes: Choobineh, Conzett, Helgoth, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Kester.

Action Motion by Helgoth, second Laging to defer the license renewal for the respondent in Compliance Case 14.02 until the December 2014 meeting to review a full listing of disciplinary history. Voting Yes: Choobineh, Conzett, Helgoth, Krejci,

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Laging, Champion, Klein. Voting No: None. Absent: Kester.

Choobineh and Champion left the meeting at 11:52 a.m.

E Committee Reports

Board committee appointments and assignments

Committee appointments and assignments provided.

Executive Committee Report

None at this time.

Education and Communication Committee Report

A Facebook activity report tracking activity from February 5, 2014, to March 5, 2014, was presented by PIO Fetterman.

Enforcement Committee Report

None at this time.

2014 NCEES Zone Meeting Planning Committee Report

Zone meeting planning update as of 3/5/2014

Fetterman reported the 2014 NCEES Zone Committee met last month after the Board meeting. As of March 14th, eighty members and twelve guests have registered. An attempt will be made to order all shirts by next week. A confirmation was received that Clay, President of Speedway Motors and son of "Speedy" Bill, will be available to speak. Bob Ripley has agreed to give private tours of the Capitol early afternoon on Saturday, May 17th. The book, *Oracle and Omaha*, chronicling Warren Buffett and the City of Omaha will be utilized for a door prize. An attempt will be made to obtain Warren Buffet's signature.

Legislative Committee Report

The Legislative Committee will be asked to do a debriefing on efforts to change the Act. Committee Chair Kester and members Choobineh and Champion were absent from the discussion.

Legislative Update - 9:15

Lombardi passed out a tracking document of legislative bills and a list of 28 organizations that have an interest in changes to the Engineers and Architects Regulation Act. He stated Senator Krist had reservations about proceeding with LB 665 this year, but would be willing to carry a legislative bill for the Board next year. A meeting was held with Senator Krist to talk about follow-up steps. Lombardi commended ED Masters on his mediation skills and stated this may be a transitional time for the Board to review the American Communications contract. Choobineh announced he planned to go off the Legislative Committee and recommended Helgoth as a replacement. Champion suggested utilizing the strategic planning session to decide what steps need to be taken next on legislative issues.

F Old Business

Governance Items

Public Works Exclusion/Consumer Price Index (CPI) Adjustment and other rule changes

The Board was in agreement to hold off with rule and regulation changes until new legislation is passed so all changes can be processed at the same time.

2014 Strategic Session Planning Proposal

ED Masters presented a strategic planning proposal to the Board. Support was voiced to hire a facilitator. Proposals will be reviewed and a contract will be brought to the April Board meeting for approval. A list of issues will be completed before the June sessions. ED Masters asked the Board to submit ideas for discussion.

Action

Engineering Items

None at this time

Other Items

Discussion/Summary of Fire Marshal Issues - 11:00 a.m.

ED Masters stated the Fire Marshal would be willing to come to the next Board meeting. Discussion will be tabled until the April meeting.

Letter from Senator Krist concerning LB 665

Senator Krist sent a letter to the Board thanking members for work expended in communicating with all the organizations affected by LB 665. Since the short session was fraught with filibuster and long debates, LB 665 will not make it to the floor for full debate or ultimately pass during the 2014 legislative session. During the interim in 2014, Senator Krist expressed interest in meeting with the Board and any organization that proposed changes to LB 665 to work out any issues before a new bill is brought to the 2015 Session.

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G New Business

Engineering Items

Governance Items

PE and/or certificate of authorization requirement for a federal project in leased space

CO Mathews stated this issue no longer needed to be addressed by the Board.

Response letter concerning ethics class for engineering students

ED Masters and CO Mathews presented to a UNL Ethics class on February 24, 2014. A congratulatory letter was sent to Dean Wei concerning the creation of curriculum initiated through Professor Karen Stelling to assist in the preparation of future engineers.

Request for eligibility letter to use engineering in organizational name - 81-3436(5)

Action Motion by Konzett, second by Krejci to approve the request from Jeremy Ramos to allow *The Engineering Paper Company* to use the word "engineering" in its organizational title. Voting Yes: Choobineh, Konzett, Helgoth, Krejci, Laging, Champion, Klein. Voting No: None. Absent: Kester.

Architecture Items

None at this time

Other Items

Expiration of Emeritus Board member terms

Action Motion by Helgoth, second by Konzett to renew Board member Emeritus terms for Dale Sall and Albert Hamersky for one year as long as they desire to continue serving. Voting Yes: Konzett, Helgoth, Krejci, Laging, Klein. Voting No: None. Absent: Champion, Choobineh, Kester.

2014 regional and national meeting travel authorization

Board staff was authorized to attend the 2014 NCEES Central/Western Zone Meeting on May 15-17, 2014, in Lincoln, NE.

Helgoth was authorized to serve as the Central Zone member board representative on the 2014 NCEES Engineer Award Jury to be held June 2-3, 2014, in Clemson, S.C. The jury will leave Clemson on June 4.

Helgoth and Masters were authorized to attend the NCEES Annual Meeting, August 20-23, 2014, in Seattle, WA. As the NCEES Education Committee Chair, Helgoth will meet with the two co-chairs in Seattle on August 19 and lead a workshop on August 20th.

Helgoth will not be able to attend the September 19, 2014 Board meeting.

H General Information

Public meeting notice publication

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

Board meetings and schedule

A current roster of Board members was provided.

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.

Other information

Approved Board policies were provided for review.

Adjournment

The meeting was adjourned at 12:16 p.m.


Mike Konzett, Secretary