

Nebraska Board of Engineers and Architects
Board Meeting Minutes
May 30, 2014

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 8:30 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: Jennifer Klein, Chair; Lori Krejci, Vice-Chair; Michael Conzett, Secretary; Mark Champion; Fred Choobineh; Roger Helgoth, Krista Kester. Absent: Tom Laging.

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

8:30 a.m. – Michael Armstrong, CEO, and Kathy Hillegas, Director, Council Relations, NCARB

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

11:00 a.m. – Jim Heine, State Fire Marshal & Doug Hohbein, Chief Plans Examiner

Public Present

Peter Hind, AIA, Associate Professor, UN-L College of Architecture

Sharon Kuska, PhD, Professor, UN-L College of Architecture

Sara Kay, Executive Director, AIA Nebraska

Matt Kuhn, AIA, AIA Nebraska NCARB Liaison

Robin R. Kilgore, Budget Management Analyst, State of Nebraska

8:30 a.m. - NCARB Issues and Discussion

Michael Armstrong, CEO of the National Council of Architectural Registration Boards (NCARB), reported his four year goal to physically visit every member board as an outreach initiative to understand each one's issues and culture and address specific areas of interest and concern. NCARB currently has 54 licensing board members and to date he has personally visited approximately two thirds. Mr. Armstrong described his background serving in executive roles for nonprofit, government, and for-profit organizations. He has been with NCARB since June 2011. NCARB has offered Architect registration examinations since 1919 and computer exams since 1987. Every US jurisdiction requires interns to pass the Architect Registration Exam (ARE) to satisfy its examination requirement. Through the years, some changes have been made to the intern program and the structure of the exams. In 2016, ARE 5.0 will go into effect. Currently, NCARB is looking at the IDP program to see if changes need to be made. Mr. Armstrong assured the Board that services would continue to be reviewed and improved.

Kathy Hillegas, Director of NCARB Council Relations, reported listening to various board issues has helped NCARB better understand how its services may assist member boards. Since many jurisdictions are examining the same issues, the Council has created a research library for all Member Boards to reference. Examples include research and legislative support. NCARB goals include:

- Facilitation of licensure
- An information exchange on examining and licensing, and
- Fostering uniformity in licensing and practice laws.

NCARB would like to create a database of all licensed architects. A resolution is currently on the floor for the Annual Meeting to freeze board membership dues. Other resolutions to be addressed are mostly housekeeping. Blake Dunn is finishing his term as First President of NCARB. He is the first president to have gone through the IDP process. The Annual Meeting will be held in Philadelphia, PA, June 18-21, 2014. In the coming years, NCARB will fund two delegates and would like to fund the executive director as well to attend.

9:00 a.m. - Public Comment - None

Agenda Items

A Consent Agenda

Meeting Minutes

April 18, 2014 meeting minutes

Approval of Consent Agenda

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

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B Committee Reports

Board committee appointments and assignments

Committee appointments and assignments provided.

Contract Ad Hoc Committee Report

Chair Klein stated Helgoth, Kester, and Champion were selected for the Contract Ad Hoc Committee with herself and ED Masters. The Committee will meet in the next couple of weeks. The contract for Robert Hanna, Robert Hanna Studios will be brought to the June meeting for review.

Executive Committee Report

Chair Klein reported the Board would discuss ED Master's performance evaluation and salary recommendation in the Financial section of the agenda.

Education and Communication Committee Report

A Facebook Activity Report tracking activity from April 9, 2014, to May 21, 2014, was presented by PIO Fetterman.

Enforcement Committee Report

CO Mathews noted the Enforcement Committee met April 18, 2014, after the Board meeting. Licensees "reusing" or "incorporating" another's work was discussed. The Committee will continue to research and discuss how the Board can recognize plan stamping and distinguish unlawful practice from acceptable practice.

2014 NCEES Zone Meeting Planning Committee Report

PIO Fetterman presented a report of final attendance for the NCEES Central/Western Zone Meeting. Twenty four states and Guam were represented. Mike Conzett reported good feedback from NCEES staff concerning the NCEES Zone Meeting held in Lincoln. An online survey will be sent out for attendees to complete.

Legislative Committee Report

Kester reported the Committee was waiting for Senator Krist's distribution of a letter to stakeholders concerning proposed legislative changes.

The Board reviewed the definition of "incidental practice" created by The Missouri Division of Professional Registration (APELSLA). Its legislation successfully passed in the Missouri Legislature in 2014 and will become effective August 28, 2014.

C Old Business

Governance Items

2014 Strategic Session Planning

Strategic Planning Sessions will be held June 13, 2014, at the Marriott Courtyard II Boardroom, La Vista, NE, from 9 a.m. to 4:30 p.m. and resume after the regular board meeting on June 27, 2014, at the Downtown Lincoln Association Board Room.

Since Kester will not be able to attend the meeting on June 27, it is essential that the legislation portion of strategic planning occurs on June 13.

Expiration of Laging Board member term

ED Masters reported Peter Hind has been recommended to replace Laging on the Board. Although, Laging's term as the Architect Educational Member expired on February 28, 2014, he will serve until a new member is appointed which will likely be in January 2015.

D New Business

Engineering Items

Future changes to NCEES exams and supporting materials

The PE Petroleum exam will have revised specifications starting in October 2014. The Structural Engineering 16 hour exam and the PE Civil exam will be revised and the PE Agricultural and Biological Engineering exams will have new specifications starting in April 2015. Registration for the fall exams will open on June 16, 2014 and close at 3:00 p.m. eastern time on August 28, 2014.

Comments on early PE Testing by SD Board of Technical Professions

The Board reviewed a list of concerns about early PE testing from the South Dakota Board of Technical Professions. It was noted NCEES still was in support of early PE testing.

NCEES Annual Meeting Information, August 20-23, 2014, Seattle, WA

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The 93rd NCEES Annual Meeting will be held in Seattle, WA, on August 20-23, 2014. The deadline to register is July 7, 2014.

Architecture Items

NCARB Fast Facts – ARE Transition

On May 7, 2014, the ARE 5.0 transition plan was released to interns and collateral partners. ARE 5.0 will launch late in 2016. The ARE 4.0 will retire on June 30, 2018.

NCARB Annual Meeting Information, June 18-24, 2014, Philadelphia, PA

The NCARB 2014 Annual Business Meeting will be held in Philadelphia, PA, on June 18-21, 2014. The deadline for early bird registration or to obtain a hotel reservation is May 19, 2014. The final deadline for registration is June 10, 2014.

Other New Business

Coordination of Board and Fire Marshal programs - 11:00 a.m.

Jim Heine, State Fire Marshal, handed out an organizational chart of the Nebraska State Fire Marshal's Office and outlined divisions and duties. He reported the 2000 Safety Code is being used for inspections since it is currently approved by the Federal Government. The process to get the 2012 Safety Code adopted has begun. Switching codes is costly and a lengthy process.

Doug Hohbein, Chief Plans Examiner, reported he began employment with the Fire Marshal's Office in 1985. Since the North Platte office closed, all plans must come through the Lincoln office. All occupancies are inspected. Mr. Hohbein expressed appreciation for the working relationship with engineers and architects and guidance from the Board of Engineers and Architects. Discussion included a question about creating an opportunity for CO Mathews to periodically review plans sent to the Fire Marshal. The Board offered support as needed and thanked Jim Heine and Doug Hohbein for attending the meeting.

2014 Newsletter draft

PIO Fetterman presented a draft of the 2014 Newsletter and requested members to review the newsletter over the weekend and let her know if any changes were needed. A suggestion was made by the Board to change the language concerning licensee expiration during an audit. The time during a license renewal that a licensee is notified of a continuing education audit will be added to the continuing education discussion at the Strategic Planning session.

2014 regional and national meeting travel authorization

Kester will not attend the Board meeting on June 27, 2014. Klein was authorized to attend the NCEES Annual meeting in Philadelphia, PA, June 18-21, 2014.

E Compliance

Logs

Current complaints provided.
History of closed complaints provided.
Krejci departed the meeting at 10:04 a.m.

Action

Executive Session - Commenced at 10:04 a.m.

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

Cases

13.01 – Summary & Documentation

Reviewed in Executive Session

13.08 – Summary & Documentation

Reviewed in Executive Session

13.15 – Summary & Documentation

Reviewed in Executive Session

14.05 – Summary & Documentation

Reviewed in Executive Session

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14.07 – Summary & Documentation

Reviewed in Executive Session

14.08 – Summary & Documentation

Reviewed in Executive Session

Executive Session - Concluded at 10:42 a.m.

Action Motion by Choobineh, second by Champion 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: Helgoth, Kester, Champion, Choobineh, Conzett, Klein. Voting No: None. Absent: Krejci, Laging.
Champion temporarily stepped out of meeting after conclusion of Executive Session at 10:43 a.m.

Approval of Compliance Case Disposition

Action Motion by Kester, second by Conzett to direct Special Assistant Attorney General, Bob Bartle, to implement steps for cease and desist beginning with discussion with the respondent's attorney in Compliance Case 13.01. Voting Yes: Helgoth, Kester, Choobineh, Conzett, Klein. Voting No: None. Absent: Champion, Krejci, Laging.

Action Motion by Kester, second by Conzett to revise the draft letter in Compliance Case 13.08 to emphasize the problem of presenting self as an architect and send the letter upon approval of Chair Klein and ED Masters. Voting Yes: Helgoth, Kester, Choobineh, Conzett, Klein. Voting No: None. Absent: Champion, Krejci, Laging.

Action Motion by Kester, second by Conzett to dismiss Compliance Case 13.15. This is not to be considered a disciplinary action for purposes of the Board. Voting Yes: Helgoth, Kester, Choobineh, Conzett, Klein. Voting No: None. Absent: Champion, Krejci, Laging.

Action Motion by Kester, second by Conzett to dismiss Compliance Case 14.07. This is not to be considered a disciplinary action for purposes of the Board. Voting Yes: Helgoth, Kester, Choobineh, Conzett, Klein. Voting No: None. Absent: Champion, Krejci, Laging.

Action Motion by Kester, second by Conzett to dismiss Compliance Case 14.08. This is not to be considered a disciplinary action for purposes of the Board. Voting Yes: Helgoth, Kester, Choobineh, Conzett, Klein. Voting No: None. Absent: Champion, Krejci, Laging.

Champion returned to the meeting before the review of the applications section of the agenda.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-15140 Ryan Takeshi Allaire, Electrical and Computer, CO; E-15134 Anthony James Barnes, Civil, WI; E-15104 Timothy Sean Brown, Civil, MI; E-15130 Robert Gilbert Brown, Mechanical, OH; E-15127 Kent Timothy Dyck, Mechanical, KS; E-15128 William Crawford Farish, IV, Civil, GA; E-15105 Thomas Shelley Farrell, Jr, Electrical, CO; E-15135 Brian Joseph Fortin, Civil, MN; E-15132 Dangelo Anthony Gale, Electrical and Computer, MN; E-15133 John Andrew Jacobson, Structural, ND; E-15101 Kevin Michael Juhl, Mechanical, KS; E-15137 Timothy James Martin, Civil, TX; E-15106 Kenneth David Meline, Mechanical, TX; E-15129 Craig Matthew Perry, Electrical, CO; E-15131 Jay J. Przybyla, Civil, IL; E-15126 Gaylord Rick Ransom, Structural, CA; E-15141 Tamara Dawn Schurian, Environmental, FL; E-15103 William Daniel Stewart, Mechanical, IA; E-15138 Brian William Stratton, Electrical and Computer, KS; E-15139 Douglas Kent Van Meter, Electrical, KS; E-15136 John Moss Woodson, Civil, MO.

NCARB Certification – Architects

A-4450 John James Langham, AR; A-4451 Paul Thomas McManus, MI; A-4452 Kile Robert Morrison, KS; E-4455 Kevin Duane Mousty, OH; A-4448 Nathan Paul Rapp, MO; A-4447 Aaron Matthew Rodebaugh, OH; A-4454 James Selinka, NJ; A-4449 Eric Lee Styer, IL; A-4446 Christopher John Wand, IA; A-4453 Michael Wayne Wright, MO.

Temporary Permits

Engineering: T-505 James Douglas Galinsky, Structural, IN; T-506, David A. Bradshaw, Electrical, TX.

Engineer Intern Enrollment

Travis Fielder Lynn, NE; Ashley Christine Matkin, NE; Michael Anton Rau, NE.

Architect Registration Examination/Re-approvals - None

Organizational Practice – Certificates of Authorization

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CA3174 Civil Design Inc; CA3175 Animal Arts Design Studios Inc; CA3176 Chemical & Industrial Engineering Inc; CA3177 Local Government Solutions LLC; CA3178 Twin Rivers Testing & Environmental LLC; CA3179 Continental Consulting Engineers Inc; CA3180 CSO Architects Inc; CA3181 Upland Architects Inc; CA3182 JS Smith Consulting Engineers PC; CA3183 Delta Airport Consultants Inc; CA3184 Primus Companies Inc; CA3185 EiCon Services; CA3186 The Equity Engineering Group Inc; CA3187 Aaes Engineering Inc; CA3188 Insight Design Architects LLC; CA3189 Envirobusiness Inc; CA3190 Elevation Architects Inc; CA3191 Ward Engineering Inc; CA3192 KGI Wireless Inc; CA3193 Drietz Natural Resource Engineering PLLC; CA3194 Franklin Engineering Group Inc; CA315 Horizon Envirotech LLC, CA3916 RDG NE PC; CA3197 EVstudio LLC; CA3198 GN Kuhn Engineering LLC; CA3199 Industrial Ally LLC.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Derek Alan Brown, Environmental, CO; Morgan Wayne Bush, Mechanical, KS; Sarah Beth Campbell, Civil, IA; Jillian Lee Davis Civil, ME; James Douglas Galinsky, Structural, IL; Carl Bernard Kohler, Civil, MO; Carl Bernard Kohler, Civil, MO; Fecky Djolly Langi, Civil, CO; David Raymond Lippe, Mechanical, TX; Bryan John Remer, Civil, MN; Stephen Brian Schmitt, Jr, Civil, IL; Robert Kercher Simmering, Civil, IA; Michael James Shannon, Civil, ID; Philip William Struble, Civil, CO.

Applications for licensure of Engineers by Experience

Approved: Robert Anthony Dudek, Structural, IL; Randy Karl Hagens, Structural, TX; Richard Lee Krivy, Environmental, OK; Robert John Vescovi, Civil, PA.

Applications for licensure of Architects by Experience

Approved: Paul Francis Biersmith, MO.

Applications for licensure by Reinstatement

Approved: E-9976 Michael Eugene Barry, Civil; E-11866 Paul John Luoma, Jr, Electrical; E-10142 Lyle Scott Mackay, Mechanical; E-3808 Stephen Humphreys, Civil.

Applications to take the PPE Exam

Approved: Brian Scott Larson, Civil, NE; Quinton Gene Patzlaff, Civil, NE; Michael Jonathan Shumpert, Fire Protection, NE.

Special Cases - Applications to take the PPE Exam

Approved: Ryan Michael Luedders, Software, NE; Ian Davis Peterson, Mechanical, NE.

Special Cases - Applications for licensure of Engineers by Comity

Approved: Smitha Baiju Thattankandy, Structural, IA.

Special Cases - Applications for licensure of Architects by Experience

Approved: Mohammad Reza Mirmiran, NM.

Special Cases - Organizational Practice - Certificates of Authorization - None

Approval of Applications

Action Motion by Kester, second by Champion to approve the applications in Section F of the agenda as discussed. Voting Yes: Helgoth, Kester, Champion, Choobineh, Conzett, Klein. Voting No: None. Absent: Krejci, Laging.

Licensing Information

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

G Financial Matters

Reports

FY 2013-14 Financial Profile, April 2014

Budget Status Report, April 2014

MTD General Ledger Detail Report, April 2014

Fund Summary Report, April 2014

ED Masters reviewed the financial reports with the Board. ED Masters reported meeting with Building Code Officials in Ogallala, North Platte and Gothenburg the previous week. He noted examples of code officials in smaller cities working together on plan reviews.

Approval of Financial Reports

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

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Other Financial Matters

Fee Review

The Board reviewed the fees listed on the fee schedule as of May 30th, 2014. No fee changes were made.

Executive Director job performance evaluation and salary recommendation

Chair Klein reported the Executive Committee had completed a job performance evaluation for Executive Director Steve Masters.

Executive Session - Commenced at 11:45 a.m.

Action Motion by Choobineh, second by Kester to enter into executive session for discussion of the job performance evaluation of the executive director to prevent needless injury to his reputation. The limitation for going into executive session was restated by Chair Klein. Voting Yes: Helgoth, Kester, Champion, Choobineh, Conzett, Klein. Voting No: None. Absent: Krejci, Laging.

Executive Session - Concluded at 12:10 p.m.

Action Motion by Kester, second by Conzett to close executive session for discussion of the job performance evaluation of the executive director to prevent needless injury to his reputation. Voting Yes: Helgoth, Kester, Champion, Choobineh, Conzett, Klein. Voting No: None. Absent: Krejci, Laging.

On behalf of the Board, Klein commended ED Masters for doing a good job as Executive Director since he began employment in January. The Executive Committee made a recommendation to increase the annual salary of the Executive Director 2 % for FY 2014-15.

Action Motion by Choobineh, second by Conzett to accept the recommendation of the Executive Committee and approve a 2 % increase for the annual salary of the Executive Director effective on July 1, 2014. Voting Yes: Helgoth, Kester, Champion, Choobineh, Conzett, Klein. Voting No: None. Absent: Krejci, Laging.

H General Information

Public meeting notice publication

A request was sent to the Lincoln Journal Star to publish a notice for the May 30, 2014 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.

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.

Nebraska Exam Results

ARE April 2014 Pass/Fail Report

Sixteen examinees sat for various sections of the ARE exam in April 2014. Thirteen exams were passed.

Other information

Approved Board policies were provided for review.

Adjournment

The meeting was adjourned at 12:11 p.m.



Michael Conzett, Secretary