

Nebraska Board of Engineers and Architects
Board Meeting Minutes
May 15, 2015

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, Nebraska. Chair Krejci 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: Lori Krejci, Chair; Krista Kester, Vice-Chair; Roger Helgoth; Secretary; Mark Champion; Jennifer Klein, Tom Laging. Absent: Michael Konzett.

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

Public Present: Daniel Linzell, Ph.D., FASCE - Voelte-Keegan Professor and Chair, UN-L Department of Engineering

A Agenda Items

Chair Krejci welcomed Dr. Daniel Linzell on behalf of the Board. Dr. Linzell gave the board a summary of his background and noted he was attending the meeting to observe and would join the Board as a voting member after completion of his application for Nebraska licensure. Dr. Linzell will replace former engineering education member Dr. Fred Choobineh.

Consent Agenda

Meeting Minutes

April 17, 2015 meeting minutes

Approval of Consent Agenda

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

B Committee Reports

Executive Committee Report

Committee Chair Krejci reported the strategic plan draft would be reviewed later on the agenda.

Education and Communication Committee Report

A Facebook Activity Report tracking activity on the Board's site from April 9 to May 6, 2015, was presented for review.

Enforcement Committee Report

Committee Chair Klein reported the Enforcement Committee met on May 5th. The terms "complaint" and "case" were discussed since the Board is treating them as separate items. Using "complaints" and "investigations" was suggested since these terms are in statutes and rules. Klein reported other states were using the same number for complaints and resulting cases. After discussion, the Board agreed with the Committee's recommendation to use the same number. An updated copy of the complaint/enforcement process flow chart was submitted for Board review. Concern was expressed about including mediation in the compliance process since the decision to go into mediation is made by the two parties and not by the Board. The Committee will revise the flow chart and bring it back to the next meeting.

Legislative Committee Report

Committee Chair Kester reported the Legislative Committee is continuing to work on proposing changes for the rules and regulations. AD Lais will attend the next Committee meeting to go over the licensure sections. The Committee will bring a draft of the rule revisions to the Board for review on July 15. ED Masters stated the Downtown Lincoln Association boardroom was reserved for the meeting.

Strategic Plan

2015 Strategic Plan draft review

The Executive Committee projected the current Strategic Plan to discuss possible strategic plan changes for 2015 with the Board. Completed tasks were removed and new tasks were added. The Enforcement Committee will work on possible wording on Issue 4 – Tower Cranes, and bring it back to the Board. A strategic planning session will be scheduled with the full Board once every two years. The next planning session will be scheduled in 2016.

Action

2015-2016 Board committee assignments review

Each committee was tasked to look at the current charges and bring back any revisions to the June meeting. Dr. Linzell will be appointed to one of the Board committees by the Chair.

C Old Business

Disciplinary History Verifications

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LexisNexis Accurint for Government quote and information on service

CO Mathews reported the process to gain access to LexisNexis was almost complete and information would be brought to the June meeting. Assistant Attorney General John Jelkin will be contacted to discuss disclosure questions and the intended use of LexisNexis.

Engineering Items

Selection of 2015 NCEES Annual Meeting funded voting delegates

Kester was selected as a funded delegate. Klein will be named as the second funded delegate if travel issues can be worked out with NCEES.

Other Old Business

Recognition of former Board member

The Board continued discussion about ways to honor Dr. Fred Choobineh in recognition of his service to the Board. ED Masters reported a plaque had been created. Laging will plan a gathering to honor incoming member Dr. Linzell and retiring member Fred Choobineh.

D New Business

Architecture Items

ED Masters distributed a press release from NCARB concerning the debate of the term "intern." The National Council of Architectural Registration Boards (NCARB) will embark on a new initiative to sunset the usage of the term "intern" as a way to describe those working to become architects versus those already licensed. The term "intern" is currently defined in the Engineers and Architects Regulation Act.

Engineering Items

None at this time.

Other New Business

2015 regional and national meeting travel authorization

No additions at this time.

E Compliance

Logs

List of open cases provided to the Board.

History of closed cases provided to the Board.

Executive Session – Commenced at 10:05 a.m.

Motion by Klein, second by Champion to go into closed session for discussion of compliance cases and the complaint recommendations brought to the Board by the Enforcement Committee 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 Krejci. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.

Cases

14.03 – Summary & Documentation

Reviewed in executive session

14.13 – Summary & Documentation

Reviewed in executive session

Complaint Review

Complaints with Panel (Enforcement Subcommittee) recommendations

C15.005

Reviewed in executive session

C15.006

Reviewed in executive session

C15.009

Reviewed in executive session

Executive Session – Concluded at 10:58 a.m.

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- Action** Motion by Klein, second by Champion to close executive session for discussion of compliance cases and complaint recommendations brought to the Board by the Enforcement Committee not a matter of public information. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.
- Approval of Compliance Case Disposition**
- Action** Motion by Kester, second by Klein to authorize the Executive Committee to enter into a contract with a potential outside investigator for Compliance Cases 14.03 and 14.13. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.
- Approval of Complaint Review Disposition**
- Action** Motion by Kester, second by Klein to accept the panel recommendation to dismiss Complaint C15.005. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.
- Action** Motion by Kester, second by Klein to accept the panel recommendation to dismiss Complaint C15.006. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.
- Action** Motion by Kester, second by Klein to move Complaint C15.009 to the informal process for unauthorized practice of architecture in Nebraska and any other violations found in the investigation. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.
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F Applications

Administratively Approved

NCEES MLE – Engineers

E-15588 Alexander Karol Babel, Structural; E-15585 Zachariah Joseph Ballard, Civil; E-15575 Joel David Bartlett, Mechanical; E-15590 Daniel Dale Beckmann, Civil; E-15573 Thomas Earl Boutaugh, Mining and Mineral; E-15570 James Thomas Calderone, Civil; E-15567 Charles Duane DeBerg, Mechanical; E-15586 David Lloyd Flum Civil; E-15572 Paul Brian Fry, Chemical; E-15596 Mohammad Bilal Hasan, Mechanical; E-15568 Mark Stephen Johnson, Civil; E-15587 Thomas Henry Jutras, Jr, Fire Protection; E-15595 Stephen Fred Kowkabany, Fire Protection; E-15574 Scott L. Mallek, Electrical and Computer; E-15594 Derek James Manwill, Structural; E-15592 Daniel Whitson McCormack, Civil; E-15576 Eliborio Pena, Civil; E-15591 Charles Christopher Rutter, Civil; E-15569 Mark Leo Schemmel, Structural; E-15571 Bruce Alan Straughan, Mechanical; E-15593 Thomas Arthur Trabue, Civil; E-15589 Ronnie Williams, Agricultural.

NCARB Certification – Architects

A-4556 Bryan Edward Hulst; A-4553 Jeffrey Keith Mandyck.

Temporary Permits

T-510 Gregory Robert Reilly, IL, Electrical and Computer; T-511 Vickie A. Crenshaw, TX, Civil.

Engineer Intern Enrollment

Eric Norman Klein, NE; Charles Lee Pritchard, NE.

Architect Registration Examination/Re-approvals - None

Organizational Practice – Certificates of Authorization

CA3380 Cowles Murphy Glover & Associates; CA3381 WET Engineering Inc; CA3382 KW Mission Critical Engineering DPC; CA3383 Bennett Trenchless Engineers; CA3384 Engineering Planning and Management Inc; CA3385 Boxwood LLC; CA3386 Triteq Inc; CA3387 DLF Engineers Inc; CA3388 Point Consulting LLC; CA3389 Soils & Structure Inc; CA3390 ZAP Engineering & Construction Services Inc; CA3391 Magnolia River Services Inc.

Licensure/Examination

Applications for licensure of Engineers by Comity

Bradley Francis Fisher, Civil, CO; Crystal Marie Garstang, Civil, UT; Gerald Lee Hatch, Civil, AL; Frederick Joseph Noelke, III, Structural, AZ; Nicholas Clint Pedersen, Electrical and Computer Engineer, MO.

Applications for licensure of Engineers by Experience

Nasser Karimzadeh, Mechanical, WI.

Applications for licensure of Architects by Experience – None

Applications for licensure by Reinstatement – None

Applications to take the PPE Exam – None

Special Cases – Applications for licensure by Comity

Denied: William Toney, WV, Civil – Due to practice restrictions against his licenses to practice by other state boards; Thomas Schirmer, CO, Electrical – Due to non-full disclosure of criminal and disciplinary issues.

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Special Cases - Request for Emeritus Status

Approved: James C. Hille, A-1841 - Emeritus status approved with payment of fees in arrears of \$200

Approval of Applications

Action Motion by Kester second by Klein to approve or deny applications and the Emeritus status request as recommended by staff. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.

Licensing Information

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

G Financial Matters

Reports

FY 2014-15 Financial Profile, April 2015

A bar chart report showing a comparison of monthly expenditures for the current and last three fiscal years was projected for the Board. The current fiscal year's appropriation and expenditures to date were compared.

Budget Status Report, April 2015

MTD General Ledger Detail Report, April 2015

Fund Summary Report, April 2015

ED Masters reviewed the March financial reports with the Board.

Approval of Financial Reports

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

H General Information

Public meeting notice publication

The May 15, 2015 Board meeting was publicized in the Lincoln Journal Star.

Board meetings and schedule

The meeting schedule was provided. AD Weaver will add the 2016 NCARB Regional Summit meeting to the Board calendar.

Roster of Board members

Dr. Daniel Linzell was appointed by the Governor to replace Dr. Fred Choobineh as the education member representing the engineering professional faculty at the University of Nebraska.

Action Motion by Laging, second by Helgoth to designate former Board member Dr. Fred Choobineh as an Emeritus member. Voting Yes: Laging, Champion, Helgoth, Kester, Klein, Krejci. Voting No: None. Absent: Conzett.

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 Information/Results

ARE Candidates with Open Eligibilities – May 1, 2015

One hundred twenty-three Nebraska ARE candidates have open exam eligibilities as of May 1, 2015.

ARE Monthly Pass/Fail Report – March 2015

Twenty-six examinees sat for various sections of the ARE in March 2015. Twenty-two exams were passed.

CBT FE Exam Registration Numbers and Pass Rate History Report

Forty-nine examinees have sat for the FE examination since January 1, 2015, with an overall pass rate of 87.8%.

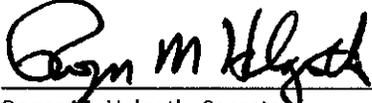
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Other information

Approved Board policies were provided for review. Kester will review the suggested changes with the Legislative Committee.

Adjournment

The meeting adjourned at 11:40 a.m.



Roger M. Helgoth, Secretary