

Nebraska Board of Engineers and Architects
Board Meeting Minutes
October 17, 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 8:32 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; Fred Choobineh; Tom Laging. Absent: Roger Helgoth, Krista Kester.

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), Justin Anthony, IT Support Analyst

Public Present

9:00 a.m. – Rich Lombardi - American Communications Group, Inc.

9:30 a.m. – William Austin, Atty. - Baylor, Evnen, Curtiss, Grit & Witt, LLP

Agenda Items

A Consent Agenda

Meeting Minutes

September 26, 2014 meeting minutes

Approval of Consent Agenda

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

B Committee Reports

2014-2015 Board committee appointments and assignments

Committee appointments and assignments were provided by Chair Klein on August 15, 2014. It was noted that Conzett agreed to Chair the Education and Communication Committee.

Executive Committee Report

No report at this time.

Education and Communication Committee Report

The Education and Communication Committee met on Tuesday, October 14. ED Masters reported the Committee discussed the licensee recognition event, fall newsletter, outreach, the new website development, and continuing education seminar options. A half-day continuing education seminar focusing on ethics is tentatively targeted for 2015 and a longer seminar focused on project delivery is targeted for 2016. Software engineering issues and the definition for "general education" is slated for future discussion. Minutes will be provided at the next regular Board meeting.

A Facebook Activity Report tracking activity from September 18, 2014, to October 8, 2014, was presented by PIO Fetterman.

Enforcement Committee Report

Committee Chair Krejci reported the Enforcement Committee is still reviewing disclosure language on applications.

Legislative Committee Report

The deadline for comments from interested parties for proposed revisions to the Engineers and Architects Act was October 15. Legislative Liaison Lombardi reported the comments received have been reviewed and discussed. A list of interested parties was distributed to the Board. Lombardi gave a brief history of the process to change the Act. Senator Krist has committed to introduce the legislative bill in 2015. The Legislative Committee will be meeting in the next week or so and follow up action will be taken in an attempt to diminish any controversy before the bill is carried.

Strategic Plan

Strategic Plan Update

Justin Anthony, the Board's temporary IT Support Analyst, gave a presentation outlining changes for the new database. PIO Fetterman reported taking Adobe certified training for Dreamweaver and working on the new website. Nebraska.gov offered to create a template that webpages could be developed from. PIO Fetterman will be communicating with Nebraska.Gov to find out what other services they have to offer.

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Laging provided a draft letter to the Chancellor of the University of Nebraska-Lincoln. With the merger of the College of Architecture under the administration of the Hixson Lied College of Fine and Performing Arts, concern was expressed that the architecture program will be affected. The Board discussed the importance of making sure the architecture degree remains accredited by NAAB and students have a clear and apparent path to licensure. The letter will be edited as discussed and signed by Chair Klein. A copy will also be sent to the Chairman of the University of Nebraska Board of Regents.

C Old Business

Appointment of Special Assistant Attorney General

Pursuant to the constitutional and statutory authority of the Office of the Attorney General, William Austin was appointed as a Special Assistant Attorney General to represent the Board. The appointment will expire on September 30, 2015.

Proposed Contract

William F. Austin, Baylor, Evnen, Curtiss, Grit & Witt, LLP – Legal Services

Chair Klein introduced Attorney William Austin to the Board. Mr. Austin gave his background and answered questions. The reference to Neb. Rev. Stat. § 73-104, Fair Labor Standards, in #8 of the special provisions of the contract was removed since it does not apply to the legal profession.

The proposed contract with William F. Austin, Attorney, of Baylor, Evnen, Curtiss, Grit & Witt, LLP, beginning October 1, 2014, and ending September 30, 2015, provides for legal representation of the Board as Special Assistant Attorney General at a varied hourly rate of \$195 per hour for attorney fees, \$160 per hour for associate attorney fees, and \$100 per hour for paralegals and law clerks working under his supervision.

Action Motion by Conzett, second by Krejci to approve the contract for William F. Austin as presented and amended in special provision eight (8). Voting Yes: Krejci, Champion, Choobineh, Conzett, Laging, Klein. Voting No: None. Absent: Helgoth, Kester.

Licensee Lookup Disclosure Report

PIO Fetterman provided a comparison for disciplinary disclosure on the web for several professions in Nebraska and other state boards. The Board was in agreement that formal action should be easily accessible to the public. It was decided that recent compliance cases with settlement agreements should have a link to a summary and older cases should be marked with an asterisk and a note for the public to contact the office for information.

Action Motion by Choobineh, second by Krejci to publicize formal actions taken against licensees on the licensee lookup section of the website for the public. Voting Yes: Krejci, Champion, Choobineh, Conzett, Laging, Klein. Voting No: None. Absent: Helgoth, Kester.

Certificate of Authorization tiered fee implementation process

The new tiered fee system for Certificates of Authorization will become effective on January 1, 2015. Organizations will have an option to apply or renew at the current flat rate or wait until after the first of the year and pay the new tiered fee rate. The Board was in agreement that applications and renewals received with a postmark date prior to January 1, 2015, would be charged the flat rate. Applications and renewals postmarked January 1, 2015, and after will be assessed the new tiered fee rate.

Licensee Recognition Ceremony update and assignments

PIO Fetterman reported that the Warner Chamber in the State Capitol was reserved and a reception would follow at the Capitol Grille. The keynote speaker and photographer have been selected. To date, 23 licensees have confirmed they will be attending. The total number of anticipated attendees is currently around 100 with licensees, guests and staff. Chair Klein will do the opening and closing remarks and the introduction of speakers. Helgoth will be asked to introduce professional engineers and Laging will introduce the architects. Conzett volunteered to help if needed. Speaker Jim Suttle and Chair Klein will shake hands with new licensees as the certificates are handed out.

D New Business

Engineering Items

NCEES MBA Committee Meeting

NCEES will be holding a MBA Committee meeting on January 6-7, 2015, in San Francisco. The deadline to register is November 24, 2015. Approved travel expenditures will be covered by NCEES. Eight subcommittee descriptions and where ED Masters would like to serve will be provided to the Executive Committee for review and comments.

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Action Motion by Konzett, second by Krejci to approve ED Masters to attend the MBA Committee meeting on January 6-7, 2015, in San Francisco. Voting Yes: Krejci, Champion, Choobineh, Konzett, Laging, Klein. Voting No: None. Absent: Helgoth, Kester.

Fall Newsletter

PIO Fetterman distributed a draft of the Fall Newsletter. The deadline for comments is Friday, October 24.

Architecture Items

None at this time.

Other New Business

2014 regional and national meeting travel authorization

A listing of the 2014 regional and national meetings showing travel authorization for Board members and staff was reviewed. A list of 2015 regional and national meetings will be provided at the December 2014 meeting.

E Compliance

Logs

Current complaints provided for the Board.

History of closed complaints provided for the Board.

Executive Session - Commenced at 10:30 a.m.

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

Cases

14.11 – Summary & Documentation

Reviewed in Executive Session.

14.12 – Summary & Documentation

Reviewed in Executive Session.

14.14 – Summary & Documentation

Reviewed in Executive Session.

Executive Session - Concluded at 10:55 a.m.

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

Approval of Compliance Case Disposition

Action Motion by Krejci, second by Konzett to dismiss Compliance Case 14.14. Voting Yes: Krejci, Champion, Choobineh, Konzett, Laging, Klein. Voting No: None. Absent: Helgoth, Kester.

Certificate of Authorization Exemption Request

A request for a waiver for a certificate of authorization was received on behalf of a manufacturing organization with a modification of "engineering" in its name. No engineering services are being offered by the organization. Neb. Rev. Stat. 81-3436 (5) requires the Secretary of State to not issue a certificate of authority to do business without a certificate of authorization or letter indicating eligibility from the Board.

Approval of Exemption Request

Action Motion by Laging, second by Krejci to provide waiver for the certificate of authorization to HydraTech Engineered Products, LLC. A letter will be provided to the organization. Voting Yes: Krejci, Champion, Choobineh, Konzett, Laging, Klein. Voting No: None. Absent: Helgoth, Kester.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-15325 Benjamin Harrison Barnette, III, Electrical, MS; E-15334 Timothy Charles Bertolino, Architectural, PA; E-15333 Michael Joseph Casseday, Electrical, OH; Brian Scott Coninx, Civil, IL; E-15324 Timothy David Crockett, Civil, MO; E-15332 Joseph Michael Dreher, Civil, OH; E-15335 Stephen Nicholas Federle, KY; E-15330 Jerry Bill Franklin, Electrical, GA; E-15322 Bryon Joseph Glenn, Civil, CA; E-15311 Chris Gerard Harte, Mechanical, GA; E-15309 Michael Joseph Hillebrenner, Civil, FL; E-15328 Ross Robert Ingwersen, Structural, IA; E-15326 Paul

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Richard Meyers, Jr, Mechanical, IN; E-15329 Christopher Eric Monroe, Mechanical, TX; E-15310 John Matthew Mulvoy, Civil, NJ; E-15331 Michael Dale Pruitt, Civil, KS; E-15327 Andrew Ward Stewart, Civil, ND; E-15323 Adam Frank Taeger, Electrical and Computer, MN.

It was noted that the Joseph Robert Johnston listed on the Engineers Licensed by NCEES MLE would be removed and reviewed at a later meeting since it had erroneously been included in the October meeting packet.

NCARB Certification – Architects

A-4486 Jeremy Robert Berg, MD; A-4485 Brian Victor Engle, IL.

Temporary Permits - None

Engineer Intern Enrollment

Jacob John Mayer, NE; Mathew John McGrory, NE.

Architect Registration Examination/Re-approvals

Matthew Douglas Boehringer Miller, NY.

Organizational Practice – Certificates of Authorization

CA3255 Inventrix Engineering Inc; CA3256 GBA Systems Integrators LLC; CA3257 Celli-Flynn Brennan Inc; CA3258 BGC Engineering USA Inc; CA3259 Station 19 Architects Inc; CA3260 Roux Associates Inc; CA3261 Patterson & Dewar Engineers Inc; CA3262 Weitz Professional Services LLC; CA3263 LAB Architects LLC; CA3264 Semaan Engineering Solutions Holdings LLC; CA3266 Entech Engineering Inc; CA3267 William D Churchill Professional Engineering PC; CA3268 Duc-Huy Architects LLC.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Robert Joseph Beduhn, Civil, NE; Aaron Daniel Keller, Civil, KS; Michael Robert Makarich, Civil, OH; William Andrew Scott, Civil, SD; Francis Leo Thesier, Mechanical, KY.

Applications for licensure of Engineers by Experience

Approved: Patricia Ann Spaine, Civil, CO.

Applications for licensure of Architects by Experience - None

Applications for licensure by Reinstatement

Approved: E-8785 Kip Douglas Hanzlicek; E-11382 Dana Alan Ketchmark; E-10144 Richard Clark Mills; E-13097 Tina Louise Sanchez; A-2654 Robin Jay Miller; A-2367 Rande Charles Pouppirt.

Applications to take the PPE Exam

Approved: Eric Robert Jowza, Civil, NE.

Special Cases - Applications for licensure of Engineers by Comity

Approved: Rafik Refaat Gerges, Structural, CA.

Approval of Applications

Action Motion by Choobineh, second by Krjeci to approve all applications as reviewed (except the application not administratively approved on the NCEES MLE list). Voting Yes: Krejci, Champion, Choobineh, Conzett, Laging, Klein. Voting No: None. Absent: Helgoth, Kester.

Licensing Information

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

G Financial Matters

Reports

FY 2014-15 Financial Profile, September 2014

Budget Status Report, September 2014

MTD General Ledger Detail Report, September 2014

Fund Summary Report, September 2014

ED Masters reported expenditures are on track. The Board was reminded that expenditures in the new fiscal year beginning July 1, 2015, would need to be monitored closely since unexpended appropriation from the previous fiscal year would not be re-appropriated.

Approval of Financial Reports

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

Staff Evaluations and Compensation

Discussion will be deferred to the next regular meeting in December.

H General Information

Public meeting notice publication

An October 17, 2014 meeting ad was sent and published in the Lincoln Journal Star.

Board meetings and schedule

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

On November 7, 2014, the Board's Enforcement Committee will meet at 10:00 a.m. in the large conference room. At 11:30 a.m., a full Board meeting will be held to review proposed changes to the Engineers and Architects Regulation Act. A working lunch will be provided. AA Lais will provide a draft of proposed revisions for the Nebraska Professional Landscape Architects Act. The New Licensee Ceremony will begin at 2:30 a.m. in the Warner Chamber at the State Capitol.

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

A report was provided to the Board showing the number of architect and professional engineer license renewal reminders mailed each year since 2001.

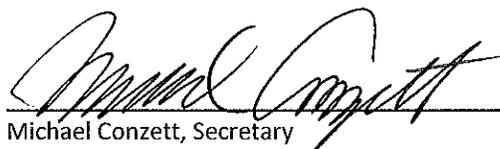
Trends in Certificates of Authorization

Database reports reflecting licensure trends, renewal statistics, and active certificates of authorization were reviewed.

Approved Board policies were provided for review.

Adjournment

The meeting was adjourned at 11:17 a.m.



Michael Conzett, Secretary