

Nebraska Board of Engineers and Architects
Board Meeting Minutes
October 21, 2016

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor Large Conference Room, Lincoln, Nebraska. Chair Kester called the meeting to order at 8:31 a.m. and noted the location of the Public Meeting Statutes. Notice of the meeting was published in the Lincoln Journal Star in compliance with the Open Meetings Act.

Roll Call: Krista Kester, Chair; Roger Helgoth, Vice-Chair; Jennifer Klein, Secretary; Mark Champion; Lenora Isom; Tom Laging. Absent: Michael Conzett.

Staff Present: Jon Wilbeck, Executive Director (ED); Lindy Rauscher, Compliance Officer (CO); Sandra Weaver, Business Manager; Jean Lais, Administrative Assistant; Tanna Dittmar, Public Information Officer (PIO).

The following appeared before the Board:

8:45 a.m. - Rich Lombardi, Legislative Liaison, American Communications Group Inc.

Public Comment – No member of the public was present.

Agenda Items

A Consent Agenda

Meeting Minutes

September 9, 2016 meeting minutes

Approval of Minutes

Action Motion by Isom, second by Klein to approve the minutes as corrected. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Conzett.

B Committee Reports

2016-17 Board committee assignments and charges

A list of 2016-17 committees and charges was provided to the Board.

Legislative Ad Hoc Committee Report

Chair Kester reported the Legislative Committee will be scheduling a conference call during the next week with representatives of the Nebraska Codes Officials Association (NCOA) for discussion of proposed exemption changes in the Engineers and Architects Regulation Act. The Board will be looking for a possible sponsor for a legislative bill.

Legislative Liaison Lombardi reported 18 days left before the election with a total of 25 seats out of the chamber's 49 seats affected. Many of the bill sponsors are in close races. The Nebraska Economic Forecasting Advisory Board (NEFAB) will meet on October 28, 2016, to review the current FY 2016-17 forecast and to make its initial estimate of the general fund tax receipts for the 2017-2019 biennium. There will be pressure on state agencies to exercise fiscal spending restraint. Allotment of appropriation has been reduced by 1% per quarter for all agencies and unspent appropriation from FY 2015-16 should be reserved for payment of prior year obligations or justified one-time expense. The Board discussed possible sponsors to carry its bill in the 2017 Legislative Session. Final selection of a sponsor will need to wait until after the election. ED Wilbeck reported additional meetings and communication will take place with stakeholders.

C Old Business

2016 Licensing Ceremony update

PIO Dittmar reported the New Licensee Ceremony scheduled for November 4, 2016, was moved to 3:00 p.m. since the alternate location for the reception is being used by another agency until 4:00 p.m. Conzett will give the keynote address and AIA President Barb Gay and NSPE Chapter President Matt Kruse and will serve as the speakers for the presentation of architects and engineers. Isom and Helgoth will read the names and bios of the honorees. The caterer and photographer have been confirmed.

Doane University engineering program update

Helgoth reported the University of Nebraska was working with other colleges in the state to promote its 3-2 program and would be meeting with Doane University. ED Wilbeck and the Board will continue to offer their support.

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Licensing database update

ED Wilbeck reported there were eight responses to the request for information (RFI) and seven software vendors were chosen to give half-day demonstrations. The software demonstrations were attended during the past few weeks and ended on October 18th. The Office of the Chief Information Officer (OCIO) will write a request for proposal (RFP). A maximum level of acceptable expenditures for a new database will be determined for discussions with the Office of the Chief Information Officer (OCIO) when considering a vendor.

D New Business

Architecture Items

NCARB outreach effort with member board leaders

The Board was invited to participate in a new effort to keep up to date on the activities of the NCARB Board of Directors. Board Chairs will be asked to join in a call with the Regional Chair and Regional Director for a pre-Board meeting briefing. Regional Directors will be asked to initiate post-board meeting outreach to the Regional Chairs and to distribute the "Board Brief" summary to all Member Board members.

Engineering Items

Nominations for NCEES National Service Awards

The NCEES Committee on Awards is now soliciting nominations for awards to be presented at the 96th Annual Meeting in Miami, FL, on August 23-26, 2017, to recognize individuals who have made exceptional contributions and provide outstanding service to the organization. The completed nomination package must be received at NCEES headquarters no later than January 31, 2017.

Structural Engineering Certification Board Education Certificate for students

The Board reviewed a voluntary program prepared for schools by the Structural Engineers Certification Board (SECB) to assist interested students in beginning the journey to receive an education certificate. Some concern was expressed that this certification might cause confusion since it is not connected to licensure.

Other New Business

Tier selection on certificate of authorization forms

Staff asked for clarification on how to handle certificate of authorization renewals when the licensee tier selection by a firm appears to be questionable.

Action

Motion by Helgoth, second by Klein to revise the certificate of authorization renewal form to include the tier submitted with the last renewal and require an architect and/or a professional engineer listed as the licensee in responsible charge to select the current tier and sign an attestation under penalty of perjury. An explanation will be required on the renewal form when a different tier is selected. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Conzett.

Fall newsletter draft

A draft of the Fall 2016 Newsletter was presented to the Board. PIO Dittmar will make revisions as discussed for review at the December meeting.

"A Question of Ethics" – October 2016 ASCE Magazine publication

The Board reviewed a publication concerning ethical conduct of a licensing board. It reiterated the importance of transparency and consistency to ensure actions not only serve but also are perceived as serving the interests of those who are entrusted with that role. The publication will be held for discussion at the December meeting.

2016 and 2017 travel and per diem authorization

Champion stated the meeting location for the February 24-25, 2017 NCARB Model Law Task Force Meeting was changed to Savannah, GA.

- Champion, Isom, Laging, and ED Wilbeck were authorized to attend the NCARB Regional Summit Meeting in Jersey City, NJ, on March 10-11, 2017.
- Champion, Isom, Laging, and ED Wilbeck were authorized to attend to NCARB Annual Meeting in Boston, MA, on June 21-24, 2017.

Isom and Laging reported they were approved for the NCARB ARE® 5.0 Cut Score Task Force Volunteer Pool. Since meeting dates have not been determined, authorization will be requested at a later date.

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Action Motion by Klein, second by Laging to authorize travel as requested. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Konzett.

E Compliance

Logs

October 2016 compliance cases

Open cases

History of closed cases

Executive Session – Commenced at 10:06 a.m.

Action Motion by Klein, second by Isom to enter into executive session for discussion of compliance cases, building department outreach, and unsealed plans from the Fire Marshal 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 Kester. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Konzett.

Cases

15.04 – Summary & Documentation

16.02 – Summary & Documentation

16.03 – Summary & Documentation

16.06 – Summary & Documentation

16.07 – Summary & Documentation

16.09 – Summary & Documentation

16.15 – Summary & Documentation

16.16 – Summary & Documentation

16.17 – Summary & Documentation

All listed compliance cases were reviewed in executive session.

Other Compliance Issues

Building department outreach

Reviewed in executive session.

Fire Marshal unsealed plans – NBEA process

Reviewed in executive session.

Executive Session – Concluded at 11:36 a.m.

Action Motion by Laging, second by Klein to close executive session for discussion of compliance cases, building department outreach and unsealed plans from the Fire Marshal not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Konzett.

Approval of Compliance Case Disposition

Action Motion by Klein second by Isom to dismiss Case 16.03. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Konzett.

Action Motion by Klein, second by Laging to dismiss Case 16.09 with no disciplinary action. Voting Yes: Champion, Helgoth, Isom, Klein, Laging. Voting No: None. Recused: Kester. Absent: Konzett.

Action Motion by Klein, second by Isom to dismiss Case 16.15 with no disciplinary action. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Konzett.

Action Motion by Klein, second by Isom to dismiss Case 16.16 with no disciplinary action. Voting Yes: Champion, Helgoth, Isom, Klein, Laging Kester. Voting No: None. Absent: Konzett.

Action Motion by Klein, second by Isom to dismiss Case 16.17 with no disciplinary action. Voting Yes: Champion, Helgoth, Isom, Klein, Laging, Kester. Voting No: None. Absent: Konzett.

F Applications

Administratively Approved

NCEES MLE – Engineers

E-16271 Mark Bruce Berkheimer, Mechanical; E-16273 Scott Michael Cochran, Civil; E-16250 Steven Robert Cockerham, Civil; E-16265 David Kirk Delaney, Civil; E-16270 James Frederick English, Electrical and

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Computer; E-16248 David Charles Fishel, Mechanical; E-16262 Clayton Donald Force, Civil; E-16263 Henry Flowers Holman, Jr., Mechanical; E-16249 Jeffrey Michael Huber, Civil; E-16247 John Martin Kelly, Mechanical; E-16266 Marios Kofteros, Civil; E-16269 Justin Peter Linette, Civil; E-16267 Benjamin James Linyard, Civil; E-16272 Daniel Jonathan Nord, Chemical; E-16268 Charles Andrew Olsen, Civil; E-16251 Bradley Ross Palmer, Architectural; E-16276 Lorenzo Antonio Perez, Control Systems; E-16246 Myron Reicher, Chemical; E-16275 Leland Brook Rupp, Civil; E-16261 Chris Agno San Pedro, Electrical and Computer; E-16259 Martin Patrick Schmidt, Electrical and Computer; E-16264 David Gerry Shreve, Mechanical; E-16278 Gordon Richard Sible, Jr. Civil; E-16277 Adam Michael Stenberg, Civil; E-16260 Andrew John Wagstrom, Civil; E-16274 David Austin Weaver, Structural.

NCARB Certification – Architects

A-4730 Angelo Arzano, Jr.; A-4728 David Michael Bolt; A-4718 Seth Andrew Cavin; A-4719 Michael Anthony Coats, Jr.; A-4724 Bogue Louis Ebbrecht; A-4723 Craig Paul Kimmel; A-4726 Daniel Joseph Odasz; A-4725 Richard David Renschen; A-4729 Thomas Patrick Wasmoen; A-4717 Andrew Steven West.

Temporary Permits

T-545 Jerome George Ribaldo, Architect, MO; T-546 Michael William Rode, Architect, KS.

Engineer Intern Enrollment

Zachary Scott Boyer, NE; Brianna Christine Brass, NE; Katherine Ellen Fickle, NE; Dillon Russell Gushard, NE; Mark Daniel Mainelli, NE; Charles Clay Showalter, NE.

Organizational Practice – Certificates of Authorization

CA3632 Affinis Corp; CA3633 AMI Consulting Engineers PA; CA3634 Building Energy & Economics Inc; CA3635 CTRE PC; CA3636 Squan Construction Services LLC; CA3637 SEL Engineering Services Inc; CA3638 Advanced Structural Design Inc; CA3639 Welding and Joining Management Group West; CA3640 Neel-Schaffer Inc; CA3641 ESDC Inc; CA3642 John Latenser & Sons Inc; CA3643 Ivey Engineering Inc; CA3644 Interpres Building Solutions LLC; CA3645 RLPS LLP; CA3646 Kazmaier & Associates LLC; CA3647 USAquatics Inc; CA3648 Maguire Iron Inc; CA3649 Coffman Engineers Inc; CA3650 Architechnika Inc.

Laging left the meeting at 11:45 a.m.

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Dong Hyun Chon, LA, Environmental; Kyle Gerald Cussen, IL, Civil; Fadi Naim Dahmash, OK, Civil; Paul Richard Ford, WI, Civil; Kurt John Kesteloot, AZ, Civil; Troy Ryan Knudsen, MN, Mechanical; Dustin Gregory Mahoney, CO, Mechanical; Kyle Edward Schneweis, KS, Civil;

Applications for licensure of Engineers by Experience

Approved: John Charles Faux, CO, Civil; Eric Donald Halverson, IL, Mechanical; Mark Cameron Hatcher, CA, Civil; Mark Laurence Johnston, KS, Civil; Gordon James Lentz, TX, Mechanical.

Applications for licensure of Architects by Experience - *None*

Applications for licensure by Reinstatement

Approved: A-2501 Philip Burton Anderson.

Applications to take the ARE Exam

Approved: Zachory Joseph Klebba, NE.

Applications to take the PE Exam

Approved: Patrick Anthony Downey, NE, Mechanical.

Special Cases – Applications for licensure of Engineers by Comity

Approved: Ivaylo Tontchev Milev, CO, Electrical; Marc Deon Steinhobel, MI, Civil.

Deferred: Mohamed Thabet Al Harash, IL, Structural – Must submit an NCEES Credentials Evaluation.

Special Cases – Applications for licensure of Engineers by Experience

Deferred: Pavan Kumar Puttamraju, WV, Environmental – Defer until deficiency in math/basic science is removed.

Special Cases – Summary of license renewal disclosures

Approved for renewal of license: A-3107 David W. Ohlemeyer; E-14840 Alan E. Money; E-7282 Brian R. Seyferth; E-12499 James P. Westbrook; E-11215 Alan W. Lankford.

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Approval of Applications

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

G Financial Matters

Reports

FY 2016-17 Financial Profile, September 2016

Budget Status Report, September 2016

MTD General Ledger Detail Report, September 2016

Fund Summary Report, September 2016

ED Wilbeck reviewed the September financial reports with the Board. A question was asked about available funding for a new database. Current appropriation for FY 2016-17 includes appropriation for a new database and the appropriated amount has been carried over into the 2017-2019 biennium budget request. Staff will keep a daily journal of the database issues in case the information is needed for testimony at the budget hearing.

Approval of Financial Reports

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

Other Financial Matters

Office renovation update

ED Wilbeck reported working with Jason Day, State Building Division (SBD), to develop construction documents for desired changes to the office space as originally planned by Champion. A preliminary plan received from SBD on September 23rd was shared with Champion and suggested changes were sent to Mr. Day on September 29th.

Governor's fiscal restraint memorandum to agencies, boards, and commissions

A memorandum sent to all agencies, boards and commissions by Governor Pete Ricketts on October 14, 2016, asked agency directors and members of boards and commissions to exercise additional fiscal restraint expected of the members of his cabinet because of the tax receipt shortfall. In a previous memorandum in July, it was reported the State Budget Division had been instructed to reduce allotments of FY 2016-17 appropriations by 1% per quarter. Any FY 2015-16 appropriations unspent by state agencies on June 30, 2016, will be reserved for payment of prior year obligations or a justified one-time expense.

Governor's fiscal restraint memorandum to code agency directors

A spending restraint memorandum was sent to Code Agency Directors on October 14, 2016, instructing additional spending restraints as follows:

- **Hiring Freeze:** Only refill positions that are mission critical to the effective delivery of services.
 - **Travel Ban:** Eliminate all non-essential out-of-state travel.
 - **Technology and Equipment:** Limit technology and equipment purchases to that necessary for continued service delivery or to achieve immediate operational savings.
 - **Grants in Aid:** Reduce or defer discretionary distributions of grants in aid.
-

H General Information

Public meeting notice publication

An ad for the 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 December 9, 2016, 215 Centennial Mall South, in the Suite 200 conference room, Lincoln, Nebraska. Champion noted he would be unable to attend the December 9, 2016 meeting because of an NCARB Model Law Task Force meeting in Washington, D.C. Helgoth noted he would be unable to attend the February 24, 2017 meeting.

Roster of Board members

A Board member roster of current members was provided. It was noted that no communication concerning a replacement for former education member Linzell, had been received. ED Wilbeck and Helgoth will check with contacts regarding the status.

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Travel Reimbursement Policy

The agency travel reimbursement policy was provided.

Licensing and Certification Trends

Trends in Licensure

Trends in Renewals - 10/1/2015 – 9/30/2016

Trends in Renewals - 10/1/2016 to date

Trends in Certificates of Authorization

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

Examination Information/Results

ARE Candidates with Open Eligibilities - September 1, 2016

A total of 549 ARE candidates had open eligibilities on September 1, 2016.

ARE Candidates with Open Eligibilities - October 1, 2016

A total of 534 ARE candidates had open eligibilities on October 1, 2016.

ARE Monthly Pass/Fail Report - August 2016

Twelve exams were attempted for various sections of the ARE in August 2016. Eight exams were passed.

ARE Monthly Pass/Fail Report - September 2016

Five exams were attempted for various sections of the ARE in September 2016. Four exams were passed.

Nebraska ARE Yearly Pass/Fail Report - 2016

The average overall pass rate for Nebraska ARE exams as of September 2016 was 69.2%.

Other information

Facebook Activity Report

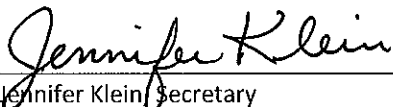
A report tracking activity on the Board's website from September 16, 2016 to October 13, 2016, was provided.

Approved Board policies

Board policies approved as of September 9, 2016, were provided.

Adjournment

The meeting was adjourned at 12:09 p.m.



Jennifer Klein, Secretary