

Nebraska Board of Engineers and Architects  
**Board Meeting Minutes**  
**June 23, 2016**

**CALL TO ORDER**

The meeting was held at 1526 K St, Conference Room D Hearing Room, 4<sup>th</sup> Floor, Lincoln, Nebraska. Chair Kester 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 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; Daniel Linzell. Absent: Michael Conzett, Tom Laging. Laging arrived at 9:07 a.m.

**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.

**Public Present**

Robin Kilgore, Budget Management Analyst, State Budget Division

**Introduction of New Compliance Officer**

Executive Director Wilbeck introduced Compliance Officer Lindy Rauscher, who began her duties with the Board of Engineers and Architects on June 20, 2016. Lindy was welcomed by the Board.

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**Agenda Items**

**A Consent Agenda**

**Meeting Minutes**

May 20, 2016 meeting minutes

**Approval of Consent Agenda**

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

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**B Committee Reports**

**2016-17 Board committee assignments and charges**

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

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**C Old Business**

**Meeting with State Fire Marshal**

ED Wilbeck met with the State Fire Marshal's Chief Plans Examiner, Doug Hohbein, at the Board office on Tuesday, May 24, 2016, in accordance with the provisions set forth in the MOU between the Board of Engineers and Architects and the State Fire Marshal. ED Wilbeck and Compliance Officer Rauscher will develop procedures for analyzing the State Fire Marshal's report and prioritize any compliance issues. The procedures document will be brought to the August meeting for Board review. It was reported the State Fire Marshal may revise rules and regulations after implementation of the NFPA 2012 Life Safety Code for facilities participating in the Medicare and Medicaid programs. Helgoth suggested creating a matrix with dates of meetings and results of communication with the State Fire Marshal's office. Projects and follow up could be identified on the report. ED Wilbeck will communicate with Mr. Hohbein again in September or October.

**2016 Licensing Ceremony discussion**

Public Information Officer Dittmar reported plans for the 2016 New Licensee Ceremony at the State Capitol. After discussion, the Board selected November 4, 2016, as the ceremony date. An appearance request has been sent to the Governor's Office for a speaker to address new licensees.

**2016 Continuing Education Event discussion**

ED Wilbeck reported a proposal for an ethics course was submitted by AIA and ACEC Nebraska. The ethics course will be offered by AIA in conjunction with its Annual Conference on September 30, 2016, in Lincoln and by ACEC Nebraska during the Omaha Engineering Workshop, on September 14, 2016, at the EC Centre in Omaha. Representatives from the Board of Engineers and Architects will be invited to provide a 15 minute presentation on licensure changes and updates to the Engineers and Architects Regulation Act. ED Wilbeck will ask for a breakdown of actual costs for the ethics course so the amount of financial support to be provided by the Board can be determined. The Board stressed the importance of licensees and students not members of AIA and ACEC being allowed to attend the ethics training. In 2017, the Board will sponsor a continuing education event.

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**Licensing database update**

ED Wilbeck reported meeting with Jim Ohmberger, IT Manager at OCIO, and Peter Kroll, State Procurement Supervisor, concerning a contract for the use of database software. It appears the Board will not be able to acquire the services of GL Solutions through the state reseller agreement. Services including customization of the software are not covered under the current state contract. Ohmberger contacted Nebraska Interactive to see if there was interest in developing a solution for all state licensing boards and commissions. If there is no interest, the RFP process would need to be utilized to elicit bids from potential vendors. The OCIO would create an RFP written to allow other state agencies to purchase software services from the same vendor without going through the RFP process again. ED Wilbeck will contact Ohmberger and see if an RFP draft could be created by the September meeting for the Board to review.

**LR490 building code study update**

LR490 outlined an interim study conducted by the Urban Affairs Committee of the Legislature to examine the enforcement of state and local building codes. ED Wilbeck reported a brief meeting with Senator Crawford and Trevor Fitzgerald, Committee Legal Counsel, had been scheduled on July 13, 2016, at 3:30 p.m. to discuss LR490. Laging entered the meeting at 9:07 a.m.

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**D New Business**

**Governance Items**

**Board policies no longer needed due to 2015-16 law changes**

- **Remove Policy 15.01 – Issuance of Temporary Permit with Certificate of Authorization**
- **Remove Policy 14.09 – Web-based Continuing Education**
- **Remove Policy 14.06 – Approval of Continuing Education Audit Submittals**
- **Remove Policy 14.05 – Engineering Examination Definition**
- **Remove Policy 13.05 – Reapproval to Sit for the ARE after Test Authorization is Terminated**
- **Remove Policy 13.03 – Engineering Examination Result Reporting**
- **Remove Policy 12.04 – Architect Experience**
- **Remove Policy 12.01 – Licensure by Experience**
- **Remove Policy 07.05 – Architectural Engineer Experience for the PE**
- **Remove Policy 02.01 – Retainage of Previous License Number for Reinstated Expired Certificate of Licensure**

**Action** Motion by Linzell, second by Isom to remove policies 15.01, 14.09, 14.06, 14.05, 13.05, 13.03, 12.04, 12.01, 07.05 and 02.01 because of promulgation of new rules and regulations which became effective on April 30, 2016. Voting Yes: Klein, Linzell, Champion, Helgoth, Isom, Laging, Kester. Voting No: None. Absent: Conzett.

**New Policy 16.03 – Reference Forms for E.I. Enrollment and P.E. Exam Applications**

Satisfactory references submitted to the Board in connection with a P.E. exam application will also satisfy E.I. enrollment reference requirements when:

- The information requested by the Board from E.I. enrollment references is also requested from P.E. exam references, and
- Both references and applications are received within a 12 month period.

**Action** Motion by Laging, second by Klein to approve Policy 16.03 concerning reference forms for E.I. Enrollment and P.E. Exam applications. Voting Yes: Klein, Linzell, Champion, Helgoth, Isom, Laging, Kester. Voting No: None. Absent: Conzett.

**Architecture Items**

**NCARB Architect Licensing Advisors Community**

An *Architect Licensing Advisors Community* of over 700 participants has been set up by NCARB. Licensing Advisors are local, state and university volunteers committed to advising licensure candidates and architects on opportunities and requirements for initial licensure, as well as reciprocity. ED Wilbeck has been added to the *Community* as a Licensing Advisor.

**Engineering Items**

**Notice of future changes to NCEES exams and supporting materials**

ED Wilbeck summarized changes for the October 2016 and April 2017 PE exams and supporting materials. Linzell reported discussion on engineering exams and licensure that took place at a conference he attended. It

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appears the focus areas of exams is behind what is being taught to students. Linzell will arrange a meeting with the Board and Lance Pérez, Interim Dean at the College of Engineering.

**MBA Report - NCEES Board of Directors Meeting**

ED Wilbeck shared a report summarizing issues of interest for Member Board Administrators from the NCEES Board of Directors meeting held May 22-23, 2016. Items of note were listed for the Board to review.

**Associate nomination form for NCEES funding**

Funding may be provided for a Board Associate for the zone and annual meetings if a nomination is ratified by the NCEES Board of Directors. Associate members can have the privilege of the floor at NCEES meetings, may be elected Zone Secretary/Treasurer, and serve on NCEES committees.

**Action** Motion by Laging, second by Isom to nominate ED Wilbeck as an "Associate" and submit the Emeritus/Associate Nomination Form to NCEES. Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom, Kester. Voting No: None. Absent: Konzett.

**News item: NSPE applauds EPA for "Professional Engineer Model" in final rule**

An article from the NSPE website reported a major victory for professional engineers as the Environmental Protection Agency (EPA) made a final rule on emission standards in the oil and natural gas sectors which asserted a strong, well-reasoned and well-supported rationale for the need for licensed professional engineers to be in responsible charge on all engineering projects, both in an independent third party capacity and in-house role.

**Other New Business**

**Request for eligibility letter to use "Architects" in organization name - 81-3436(8)**

A request was received by an organization for a letter of eligibility to allow the use of the word "Architects" in its name although not practicing the profession of architecture.

**Action** Motion by Isom, second by Laging to deny the request for an eligibility letter to allow Financial Architects of Nebraska LLC to use architects or any derivative of the word in its trade name for the purposes of registering with the Secretary of State as per Neb Rev. Stat. § 81-3436(8). Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom. Voting No: Kester. Absent: Konzett.

**Boards and Commissions survey**

Every State of Nebraska board, commission, or council must complete a detailed survey every four years for the Nebraska legislature. Failure to respond may result in a review of the board or commission by the Government, Military and Veterans Affairs Committee. Board staff will prepare the answers and respond to the survey by the deadline of August 1, 2016.

**Authorization for Travel**

**Approval for in-state travel for Executive Director for FY 2016-17**

**Action** Motion by Helgoth, second by Laging to approve all necessary in-state travel for official Board business for the Executive Director for FY 2016-17. Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom, Kester. Voting No: None. Absent: Konzett.

**2016 travel and per diem authorization**

A member questioned whether continuing education credit could be received for national committee meetings. Staff will bring a draft policy for review at the September meeting concerning Board members receiving per diem and continuing education when attending meetings. ED Wilbeck will check with other licensing boards to see how they handle this issue.

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**E Compliance**

**Logs**

**Open cases**

**History of closed cases**

**Executive Session – Commenced at 10:04 a.m.**

**Action** Motion by Linzell, second by Klein 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. Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom, Kester. Voting No: None. Absent: Konzett.

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**Cases**

**15.04 – Summary & Documentation**

Reviewed in Executive Session

**15.25 – Summary & Documentation**

Reviewed in Executive Session

**15.26 – Summary & Documentation**

Reviewed in Executive Session

**16.02 – Summary & Documentation**

Reviewed in Executive Session

**16.03 – Summary & Documentation**

Reviewed in Executive Session

**16.04 – Summary & Documentation**

Reviewed in Executive Session

**16.05 – Summary & Documentation**

Reviewed in Executive Session

**16.06 – Summary & Documentation**

Reviewed in Executive Session

**16.07 – Summary & Documentation**

Reviewed in Executive Session

Isom departed the meeting at 11:33 a.m.

**Executive Session – Concluded at 11:34 a.m.**

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

**Action** Motion by Klein, second by Linzell to offer the respondent in Case 16.03 a settlement agreement with a civil penalty of \$1,000 for violating the Board's Code of Conduct. Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom, Kester. Voting No: None. Absent: Conzett.

**Action** Motion by Klein, second by Linzell to dismiss Case 16.04 with no disciplinary action and send a letter of thanks for the response. Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom, Kester. Voting No: None. Absent: Conzett Isom.

**Action** Motion by Klein, second by Laging to request the respondent in Case 16.05 to attend the August meeting to gather more information. Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom, Kester. Voting No: None. Absent: Conzett, Isom.

**Action** Motion by Klein, second by Laging to assess the respondent in Case 16.07 renewal fees *in arrears* if the licensee is approved for reinstatement. Voting Yes: Klein, Laging, Linzell, Champion, Helgoth, Isom, Kester. Voting No: None. Absent: Conzett, Isom.

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**F Applications**

**Administratively Approved**

**NCEES MLE – Engineers**

E-16172 Andrew Chase Anderson-Burnside, Civil; E-16180 Brett Donald Board, Electrical; E-16100 Andrew Ray Depperschmidt, Mechanical; E-16155 Michael Maurice Flanagan, Civil; E-16099 Steven Scott Grasley, Architectural; E-16132 Kevin Scot Griesemer, Mechanical; E-16157 David Eric Hethcoat, Mechanical; E-16098 John Daniel Hyde, Civil; E-16182 Ayodele Chukwumerije Ike, Mechanical; E-16184 Travis Joel Keener, Chemical; E-16116 Jeremy Ryan Krueger, Mechanical; E-16103 Brandon Jay Linville, Civil; E-16133 Kevin Edward Marshall, Mechanical; E-16097 Abigail Elizabeth Massey, Civil; E-16174 Troy Michael McAlister, Civil; E-16183 Jacob Allen Ohlert, Civil; E-16102 Travis Joseph Rau, Mechanical; E-16177 Gary Wayne Reinheimer, Mechanical; E-16178, Darren Duane Reynolds, Structural; E-16181 Gregg David Short, Agricultural; E-16101 Timothy Michael Taylor, Mechanical.

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**NCARB Certification – Architects**

A-4687 Matthew James Bickel; A-4690 Vaughn Benjamin Dierks; A-4696 Andres Martin Duany; A-4689 Babak Eslahjou; A-4692 Keoura Tony Sanavong; A-4695 Roger Joseph Schroepfer; A-4691 Elin Allaire Westrick; A-4694 Jay Harold Wickman.

**Temporary Permits**

T-534 William Yunghwei Hwang, CA, Engineering; T-535 Albert Chen-Hern Chou, CA, Engineering; T-536 Farhad Holakouee, CA, Engineering.

**Engineer Intern Enrollment**

Alexander Thomas Boyce, NE; Michael Alan Bridwell, NE; Derek Lee Brooks, IA; Alison Ruth Brooks, NE; Michael Reed Donovan, NE; David Joseph Engelhaupt, NE; Devin Joseph Flemming, NE; Mark James Hanigan, NE; Lucas John Haribison, NE; Zachary Thomas Hermanek, NE; Elliot Knapp Hunt, NE; Brent Joseph Learch, NE; Jackson Dean Mahrt, NE; Garrett Patrick Martindale, NE; Paul Joshua Riemer, NE; Derek Evan Schriener, NE; Matthew Thomas Schwindt, NE; Nho Anh Vo, NE.

**Organizational Practice – Certificates of Authorization**

CA3576 Anvil Engineering LLC; CA3577 Travois Design and Construction Services LLC; CA3578 Damberg Scott Gerzina Wagner Architects; CA3579 Cromwell Architects Engineers Inc; CA3580 GECO Engineering Corporation; CA3581 G&W Engineering; CA3582 GRK Consulting Engineers Inc; CA3583 Bayliss Architects; CA3585 Primus Design Services LC; CA3586 Freese and Nichols Inc; CA3587 Enginuity Consulting Engineers LLC; CA3588 Converse Winkler Architecture; A3589 Morrison Hershfield Engineers PA; CA3590 Morrison Hershfield Architects PA; CA3591 Fanning/Howey Associates Inc.

**Licensure/Examination**

**Applications for licensure of Engineers by Comity**

**Approved:** Ravinder Singh Bassi, Civil, MD; Jared Keith Britten, Electrical and Computer, MN; Brian William Haydon, Civil, CA; Andrew Michael Jenkins, Civil, KS; Matthew Timothy Knight, Civil, IN; Jeron Lee Mamula, Electrical and Computer, CO; Maria Hannia Catalina Martinez, Electrical and Computer, TX; Mitchell Roger Olson, Environmental, CO.

**Applications for licensure of Engineers by Experience**

**Approved:** Wade Allan Greiman, Civil, IA; Hugh David Kaiser, Chemical, TX; Dwight Edward Miller, Civil, WA.

**Applications for licensure of Architects by Experience - None**

**Applications for licensure by Reinstatement**

**Approved:** E-10652 Jeffery Jerome Haase, Civil; E-10652 Joshua Charles Tarbell, Civil.

**Applications to take the PE Exam**

**Approved:** Jessica Ann Batterman, IA, Civil; Ryan Lee Hanson, NE, Civil; Nicholas Charles Mertens, NE, Civil; Andrew Raymond Pullmann, NE, Mechanical; Kyle Joseph Repaskey, NE, Structural VL; Brent Lawrence Wells, MO, Electrical & Computer.

**Architect Registration Examination/Re-approvals**

**Approved:** Edwin Yesid Santos, NE.

**Special Cases – Applications to take the PE Exam**

**Approved:** Jacob Benjamin Hanna, NE, Civil; Alexander Richard Metschke, NE, Mechanical.

**Special Cases – Applications for licensure of Engineers by Comity**

**Approved:** Brian John Maskol, Civil, OH.

**Approval of Applications**

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

Laging left the meeting at 12:00 p.m.

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**G Financial Matters**

**Reports**

**FY 2015-16 Financial Profile, May 2016**

**Budget Status Report, May 2016**

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**MTD General Ledger Detail Report, May 2016**

**Fund Summary Report, May 2016**

ED Wilbeck reviewed the May financial reports with the Board. Estimated Revenue is close to the projected amount for the fiscal year. Expenditures have been less than planned in part due to staff vacancies and two new employees opting not to take health insurance.

**Approval of Financial Reports**

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

**Other Financial Matters**

**Office lease expiration**

Ann Tanner, Commercial Lease Coordinator for the State of Nebraska, notified ED Wilbeck that all of the required documentation had been received to move forward with the new office lease agreement. ED Wilbeck and Champion will create a plan and budget for office improvements for Board review.

**Budget request for 2017-2019 biennium**

Budget Management Analyst Robin Kilgore reported the preliminary biennium budget narratives are due on August 5<sup>th</sup> and the final budget request deadline is September 15<sup>th</sup>. She stressed the importance of the Board taking care of financial and fiduciary responsibilities and the need to approve the 2017-2019 budget before submittal. Lower than projected net sales-and-use taxes in Nebraska could affect budget approval. The Governor has asked agencies to be resourceful in budgeting.

A history of expenditures and revenue and a rough draft of the agency and program narrative for the 2017-2019 biennium budget was provided to the Board.

**Discussion of biennium budget projections and issues**

ED Wilbeck reviewed financial issues in the projections for the upcoming biennium budget request with the Board. The level of expenditures was considered for per diem, updates to the Engineers and Architects Regulation Act, continuing education events and converting to a paperless system for application files. Chair Kester asked members to communicate with ED Wilbeck by mid-July with any considerations for the biennium budget.

**Review of fees**

A fee schedule with all fees charged by the Board as of June 23, 2016, was reviewed.

**Action** Motion by Klein, second by Linzell to continue with the current fee schedule. Voting Yes: Klein, Linzell, Champion, Helgoth, Kester. Voting No: None. Absent: Conzett, Isom, Laging.

**H General Information**

**Public meeting notice publication**

An ad for the June 23, 2016 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 meeting is scheduled for August 12, 2016, in the 5<sup>th</sup> floor large conference room, at 215 Centennial Mall South, Lincoln, Nebraska.

**Roster of Board members**

A Board member roster with updated staff positions 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.

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**Examination Information/Results**

**ARE Candidates with Open Eligibilities – June 1, 2016**

A total of 563 ARE candidates had open eligibilities on June 1, 2016.

**ARE Monthly Pass/Fail Report - May 2016**

Eighteen exams were attempted for various sections of the ARE in May 2016. Eleven exams were passed.

**PE Exam Registration Numbers and Pass Rate History Report**

Registration numbers and pass rate history for the 2016 PE exams were provided by NCEES.

**Other information**

**Website Monthly Report Dashboard**

The May Dashboard Report for the Board's website revealed 3,714 total visits.

**Facebook Activity Report**

An Activity Report tracking activity on the Board's website from May 18, 2016 to June 14, 2016, was provided.

**Approved Board policies**

Approved Board policies as of May 20, 2016, were provided for review.

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**Adjournment**

The meeting was adjourned at 12:18 p.m.

  
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Jennifer Klein, Secretary