

Nebraska State Board of Landscape Architects
Board Meeting Minutes
January 28, 2020

215 Centennial Mall South, 5th Floor Small Conference Room, Lincoln, NE

CALL TO ORDER

The meeting was held at 215 Centennial Mall S, Lincoln Nebraska. Vice-chairperson Maiellaro called the meeting to order at 8:31am and informed the public of the location of the Open Meetings Act. Notice of the meeting was published in the Lincoln Journal Star on January 14, 2020, and on the Board's website in accordance to the Open Meetings Act.

Member Roll Call: Kristina Engler, Todd Maiellaro, Jennifer Seacrest, Bradley Swerczek; Absent: Eric Casper, Derek Miller

Engler was unable to execute her Oath of Office prior to the meeting and was, therefore, unable to participate in any Board decisions.

Staff Present: Jean Lais, Administrative Assistant (AA), Sandra Weaver, Business Manager (BM); Amy Habe, Compliance Officer (CO); Kathleen Clements, Staff Assistant (SA)

Election of Officers

Maiellaro nominated Casper as chairperson and Swerczek nominated Maiellaro as vice-chairperson.

Action

Motion by Seacrest, second by Swerczek to elect Casper as Chairperson and Maiellaro as Vice-Chairperson. Voting Yes: Seacrest, Swerczek, Maiellaro; Voting No: None; Not Voting: Engler

PUBLIC COMMENTS/APPOINTMENTS

No members of the public were present.

CO Habe left the meeting at 8:50am.

A CONSENT AGENDA

October 29, 2019 Meeting Minutes

Action

Motion by Seacrest, second by Swerczek to approve the Consent Agenda as presented. Voting Yes: Seacrest, Swerczek, Maiellaro; Voting No: None; Not Voting: Engler

B REPORTS

Officers Report – None

CLARB Updates

A copy of the January CEO Communique was provided for review. New CEO Matthew Miller joined the CLARB staff in October 2019. He gave a brief summary of his work to date and what he plans to accomplish in the couple of months.

Also provided was a recap of CLARB meetings that have taken place over the last couple of months along with a list of upcoming events and webinars

Office/Staff

AA Lais introduced CO Habe at the beginning of the meeting. Lindy Rauscher, the previous Compliance Officer, left the Board of Engineers and Architects (NBEA) in November 2019. Habe started on December 10, 2019.

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She also reported that Jon Wilbeck, NBEA Executive Director (ED) has begun discussions with a database provider. The company currently works with several other state licensing boards ranging from engineers to doctors.

C OLD BUSINESS

Professional Landscape Architects Act Update

AA Lais provided correspondence received over the last couple of weeks related to LB30. She informed the members LB30 is currently awaiting Final Reading as of January 27, 2020.

Title 231 NAC Revisions

In anticipate of the passage of LB30, a copy of the latest draft rules and regulations revisions were provided for review along with a copy of the current rules. Several revisions have been provided which included an addition to clarify an applicant's criminal and/or disciplinary history is not an automatic barrier to licensure. The members instructed AA Lais to proceed with the suggested revisions which include:

- Deletion of 1.2, Severability, and 1.18, Public Information Requests, at the suggestion of the Governor's Policy Research Office (PRO)
- Provide a comparison of revenue with the following fee revisions in 1.4.1:
 - Licensing Fee: Eliminate
 - Renewal Fees: \$150/\$125
 - Initial App: \$100
- Delete 1.4.4 – being added to Section 81-8,194 Neb. Rev. Stat. – not needed in rules
- Add 1.5.5 and 1.5.6 with regards to an applicant's prior criminal or disciplinary history not being an automatic barrier to licensure
- Revise 1.7 to remove *on materials provided by the Board, such as license certificates.*
- Remove the word *shall* in 1.9
- Delete 1.10 – duplicate of 1.8.2
- Revise 3.1.3 to allow an exception when a professional landscape architect reference is not available
- Delete 4.1 as is listed in Section 81-8,198 Neb. Rev. Stat. and revise numbering of the section
- Revise 6.1 to clarify the new PDH requirements (12 hours) start in 2021 and requirement for 2020 is still 15 hours
- Revise 6.8.2, 6.8.3, and 6.8.5 to allow the board's administrator to approve military exemptions requests

Final approval of the revisions will occur at the April 2020 meeting pending passage of LB30. A copy will also be sent to the PRO for review and input. A hearing on the revisions is tentatively scheduled prior to the July 2020 meeting. No action taken.

D NEW BUSINESS

The Peer Review Committee met on January 10, 2020, to review the professional development hours (PDH) submitted to date. The committee's report was provided and listed four submittals it felt the Board should review further.

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Hal Enevoldsen – submitted sixteen hours of QuickBooks training for which the committee questioned the relevance of as it related to the profession.

Jay Gordon – did not mark the affidavit section of the renewal form. He has since submitted the updated form.

Mark Dawson – submitted hours from the ASLA Conference and the Ideas of Modernism Excursion. No details of the sessions or the excursion were provided. He has since provided his ASLA transcript listing the sessions attended and a completion certificate for the excursion. The excursion was LA CES approved which is acceptable according to Board Policy LA P09.01.

James Woodward – submitted six hours of self-study for reading and studying *Dynamic Design – A Computer Aided Design (Lab) Manual*. Per Board Rule 6.004, up to four hours of self-study may be submitted. He submitted a total of seventeen hours so the additional two hours are not needed. The committee questioned the relevance of the topic.

Board Rule 6.003.02 allows for courses in professional personal development and computer applications skills as acceptable topics for PDH. The members determined the courses submitted by Enevoldsen and Woodward fall under these topics

Action

Motion by Swerczek, second by Seacrest to accepted the recommendation of the committee and approve the PDH of Enevoldsen, Gordon, Dawson, and Woodward. Voting Yes: Seacrest, Swerczek, Maiellaro; Voting No: None; Not Voting: Engler

Strategic Plan

A copy of the current Strategic Plan was provided for review. With the need to meet in August/September to approve the biennium budget submittal, may want to schedule a meeting to review/update the plan. No updates were added. No action.

Title 4/Rule 2 Revisions *Designation of Individuals Required to File Statements of Financial Interests*

Correspondence between the Nebraska Accountability and Disclosure Commission and AA Lais related to the proposed revisions was provided for review along with a copy of the proposed language. The proposed language would require the members to file an annual *Statement of Financial Interests*. No action taken

Legislative Bills of Interest

AA Lais provided copies of bills that may be of interest to the members. LB381 changes language in Section 81-8,189 Neb. Rev. Stat. as it relates to the reimbursement of expenses. The change will not affect the internal processes already in place. It only updates language in the section. LB857 is an addition to the process enacted in LB299 2018 related to the required review of all rules and regulations. LB857 would require a report be submitted to the Legislative Committee by December 31st every ten years based on the effective date of the rules in addition to the legislative committee review enacted in LB299 2018.

E COMPLIANCE - None

F APPLICATIONS

Licensure by Reciprocity

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Approved: Michelle Delk (NY); Daniel Schaaf (MO); Bryan Warne (TX)

Initial Licensure

Approved: Timothy Fries (NE)

Action

Motion by Seacrest, second by Swerczek to approve the applications as presented and discussed.
Voting Yes: Seacrest, Swerczek, Maiellaro; Voting No: None; Not Voting: Engler

BM Weaver entered the meeting at 9:28am.

G FINANCIAL MATTERS

Financial Reports

Budget Status Report – October, November, December 2019

MTD General Ledger Detail Report – October, November, December 2019

Fund Summary Report – October, November, December 2019

FY 2019-20 Financial Profile – October, November, December 2019

BM Weaver reported that with just over 50% of the fiscal year lapsed as of December 31, 2019, 49.8% of the appropriated funds have been expended and 69.93% of the projected revenue has been received. The Cash Fund at the end of December was \$61,252. This is \$10,088 higher than the same time last year. As of January 27th only seven licensees had not renewed (101% of projection). Two of which have notified the office they will not be renewing

Action

Motion by Seacrest, second by Swerczek to approve the Financial Reports as presented and discussed. Voting Yes: Seacrest, Swerczek, Maiellaro; Voting No: None; Not Voting: Engler

Other Financial Matters

Internal Controls Memorandum of Understanding

A current internal Controls Memorandum of Understanding (MOU) is required by the Department of Administrative Services. The MOU requires agencies to have an internal controls plan over financial reporting. It must also include performance of risk assessments.

Action

Motion by Swerczek, second by Seacrest to approve the Internal Controls Management Memorandum of Understanding. Voting Yes: Seacrest, Swerczek, Maiellaro; Voting No: None; Not Voting: Engler

Revision in Mileage Rate

A copy of the memo from the Department of Administrative Services reducing the personal vehicle mileage when conducting business for the State from \$.58 to \$.575.

BM Weaver left the meeting at 9:47 am.

H GENERAL INFORMATION

A schedule of the upcoming meetings and events was scheduled for review. The next meeting of the Board is scheduled for April 28, 2020, at 215 Centennial Mall S, 5th Floor, Lincoln, Nebraska at 8:30am.

Copies of the Governor's appointment certificates for Engler and Miller were provided for review.

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Professional Landscape Architects licensed to practice as of January 24, 2020: 127

Other information

LARE results from the December 2019 exam administration were provided.

The website dashboard reports showed the following number of total visits:

October: 83

November: 111

December: 190

A copy of the approved Board Policies was provided.

Adjournment: Motion by Seacrest, second by Swerczek to adjourn the meeting at 9:54am.


Board Member

4/28/2020

Date