

Nebraska State Board of Landscape Architects
Board Meeting Minutes – April 25, 2023, 9:00 a.m.
215 Centennial Mall South, Lincoln NE

CALL TO ORDER

Chairperson Seacrest called the meeting to order at 9:03 a.m. and noted the location of the Open Meetings Act. Notice of the meeting was published in the Lincoln Journal Star on April 11, 2023, and on the Board's website in accordance with the Open Meetings Act.

Roll Call: Derek Miller, Regan Pence, Jennifer Seacrest, Absent: Kristina Engler, Jonathan Hauck, Bradley Swerczek

Staff Present: Jean Lais, Administrative Programs Officer (APO); Diana Stahlnecker, Administrative Programs Officer (APO), Jon Wilbeck, NBEA Executive Director (ED); Josh Frerking, Public Information Officer (PIO)

PUBLIC COMMENT/APPOINTMENTS

No members of the public were present.

A. CONSENT AGENDA

[January 31, 2023, Meeting Minutes](#)

Motion by Miller, second by Pence to approve the consent agenda. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Engler, Hauck, Swerczek

B. MEETING REPORTS

[CLARB In the Know Webinars](#)

A schedule of upcoming *In the Know* webinars was provided.

[Office/Staff](#)

APO Lais introduced Diana Stahlnecker, the new NBEA Administrative Programs Officer I. Her first day with the Board was April 24, 2023. She replaced Gail Parris, who resigned in March.

Weekly meetings continue for the database conversion. Discussions over the last several meetings have related to the renewal and audit processes.

C. OLD BUSINESS

CLARB

[LARE Transition Update/Nebraska Candidates](#)

At the January meeting, the members requested APO Parris to inquire regarding the number of Nebraska candidates that may be affected by the new LARE content blueprint that will go into effect with the December 2023 exam administration. Candidates must have passed the current Sections 1 and 4 to receive credit for the new Construction Documentation and Administration section. The following reflects candidates in the exam process since September 2012:

- Candidates who have passed Section 1, but not Section 4: 5
 - Attempted Section 4: 3
 - Have not attempted Section 4: 2
- Candidates who have not passed both Section 1 and 4: 5
 - Attempted Section 1: 3 (none have attempted Section 4)
 - Have not attempted Section 1: 2 (none have attempted Section 4)

Legislative

[LB16 Universal Licensing Update](#)

A copy of the comments Chairperson Seacrest submitted on LB16 was provided. The bill was voted out of Government, Military, and Veterans Affairs Committee on a 5-1-2 vote and is currently on General File (First

Nebraska State Board of Landscape Architects
Board Meeting Minutes – April 25, 2023, 9:00 a.m.
215 Centennial Mall South, Lincoln NE

Reading). AM748 was attached to the bill, which amends the original bill in its entirety. A copy of the Committee's Statement outlining the amendments was provided.

APO Lais provided a summary of the changes of interest to the Board, along with copies of the introduced bill and the amendment. The most significant change is the switch from criminal history that needed to be disclosed to a list of potentially disqualifying convictions. The list was also expanded in AM748. Another change is the addition of a Nebraska residency requirement.

Another requirement that may create a hardship on the Board is the requirement that applications must be approved within sixty days of completion of the application or within five business days after the next meeting of the board, whichever is sooner. As the Board currently only meets quarterly or approximately every ninety days, additional meetings may need to be scheduled to accommodate the requirement.

The next steps discussed included reaching out to Senator Briese and possibly other Government, Military, and Veterans Affairs committee members. Chairperson Seacrest and Miller were appointed to an ad-hoc committee to meet and discuss the Board's concerns and request an exemption from the requirements in LB16 with senators.

Motion by Miller, second by Pence to appoint Seacrest and Miller to an ad-hoc committee to meet and discuss the Board's concerns and request an exemption from the requirements with senators. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Hauck, Engler, Swerczek

Other Old Business

[Website Photos Request](#)

Chairperson Seacrest provided draft language to be used in an email request for photos for the website. The request will be sent to licensees residing in Nebraska to start with. Depending on the response, the request may be sent to out-of-state licensees at a later date.

[Online Application/Renewal Portal Project Cancellation with NIC](#)

In light of the projected go-live date of September for the landscape architect section of the new database, Chairperson Seacrest authorized the cancelation of the online application and renewal project with Nebraska Interactive/Tyler Tech. A copy of the authorization and notification to Nebraska Interactive/Tyler Tech was provided.

[Licensing System Online Renewal Process Discussion](#)

As part of the renewal and PDH audit process in the Licensing System (LS) database, a discussion took place on the current processes and what is available in LS. Two options were provided with the meeting materials, and additional options and information were provided to the members after the April 20, 2023, check-in. Based on that information, staff directed the development team to go with Option 1, which would select the random audits prior to the renewal period and place those licensees in a Hold status. All licensees will be required to upload PDH documentation. The remainder of the process would occur as it does today. The compiled documentation would be sent to the assigned board member for audit for approval. Any additional information needed by the auditor would be communicated to the licensee outside the renewal process. Once approved, staff will manually renew the license.

ED Wilbeck went through additional options, which were presented at the weekly meeting on April 12, 2023, and the staff's understanding of the process for each. The LS team informed staff the system does have the capability to send correspondence outside a process and would be handled similarly to the current process, with notification of an audit selection being able to be sent at the same time as the renewal notices are sent.

If given the option and if compatible with the State's accounting procedures, the members would like to carry the cost of the online transaction fees. For credit or debit cards, the fee will be 2.9% of the fee plus \$.30.

Nebraska State Board of Landscape Architects
Board Meeting Minutes – April 25, 2023, 9:00 a.m.
215 Centennial Mall South, Lincoln NE

The current renewal forms only ask the licensee whether or not their license has been revoked, suspended, or canceled, or if they are on probation in another jurisdiction. The Board voted to include the same affidavit questions included on the application to also be included on the renewal with the exception of the question related to practicing before the license was issued.

Motion by Pence, second by Miller to move forward with Option 1 with regard to the professional development hours audit selection. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Hauck, Engler, Swerczek

Motion by Miller, second by Pence to add the affidavit questions currently on the license applications to the renewals. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Hauck, Engler, Swerczek

Motion by Pence, second by Miller to carry the online transactions fees if it works with the State's accounting procedures. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Hauck, Engler, Swerczek

D. NEW BUSINESS

CLARB

CLARB Annual Meeting First Notice Information

The meeting will be held in Henderson, Nevada, September 20-22, 2023. Copies of the planned agenda and logistics information were provided. Registration for the meeting opened on April 18th. Chairperson Seacrest and Miller were appointed as board delegates and APO Stahlnecker was appointed as the staff delegate to attend the meeting.

Motion by Miller, second by Pence to approve Seacrest, Miller, and Stahlnecker as delegates to the CLARB Annual Meeting, September 20-22, 2023, in Henderson, Nevada. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Engler, Hauck, Swerczek

Standards of Eligibility for CLARB Certification Revisions

On March 16, 2023, CLARB announced the *Standards of Eligibility for CLARB Certification* had been updated to align with the *Uniform Standard* approved by the member boards in April 2022. APO Lais provided a comparison between the *Uniform Standard/2023 Standards of Eligibility*, *Pre-2023 Standards of Eligibility*, and the current Nebraska statutes and rules. Copies of the *Uniform Standard* and both *Standards of Eligibility* were provided.

Staff does not believe there is an issue with the differences in education and examination based on the current statutes and rules. There are significant differences in the experience requirement that need to be reviewed and determine whether the Board wants to pursue the needed revisions to be in alignment with the *Uniform Standard*.

Concern was raised about opening the Act up for revisions, as this is the chance of other parties attempting to make revisions. There was also some concern that there were several CLARB member boards that were adamantly against the revisions when voted on in 2022. As there are currently only about six boards that have adopted the *Uniformed Standard* and about another four in the process, it was voiced whether this is the time to start the process or should the Board wait. After discussion, the members requested the staff to draft language to the Act and Rules to bring them into compliance and present them at the July meeting.

Other New Business

Coordinating Professional Question

ED Wilbeck received an inquiry from a licensee regarding the ability of a professional landscape architect (PLA) to serve as the coordinating professional on a marina project in Omaha. A copy of his correspondence with the licensee was provided. He summarized the inquiry and his analysis. It was his conclusion that based on the language in both the Professional Landscape Architects Act and the Engineers and Architects Regulation Act, a PLA may act as the coordination professional on a project with engineers and architects when the project is a landscape architecture design project.

Nebraska State Board of Landscape Architects
Board Meeting Minutes – April 25, 2023, 9:00 a.m.
215 Centennial Mall South, Lincoln NE

The topic was discussed at the April 14, 2023, meeting of the Board of Engineers and Architects. That board came to the same conclusion when the project includes landscape architecture activities that are more than incidental in nature.

The members stated any project that involves landscape architecture activities would constitute a landscape architecture design project; therefore, a PLA is allowed to serve as the coordinating professional on the project. They agreed with ED Wilbeck's analysis and stated a project may evolve from one type of project to another, so the flexibility of the PLA to be the coordinating professional should be fluid during the project.

[October 2023 Board Meeting Date](#)

There is a conflict for staff with the October 2023 board meeting due to another national meeting being rescheduled for the same week. After discussion, the meeting was rescheduled for October 31st. Chairperson Seacrest requested staff send out a calendar invite for all future meetings.

E. COMPLIANCE – None

F. APPLICATIONS

Administratively Approved

[Licensure by CLARB Certificate](#)

Approved: LA 443 Jeffery Graham, LA 445 Jeremy Powell, LA 444 Timothy West

[Initial Licensure - None](#)

Licensure/Examinations

[Licensure by Comity - None](#)

[Licensure by Reinstatement - None](#)

[LARE Applications without an LAAB/LAAC-accredited degree - None](#)

Motion by Miller, second by Pence to approve the applications as presented. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Hauck, Engler, Swerczek

G. FINANCIAL MATTERS

Financial Reports – January, February, March

[Budget Status Report](#)

[MTD General Ledger Detail Reports](#)

[Fund Summary Reports](#)

[FY22-23 Financial Profile](#)

APO Lais reported that as of March 31st, with just over 75% of the fiscal year elapsed, just under 50% of the appropriated funds have been expended, and almost 112% of the projected revenue had been received. Almost all revenue accounts are over the projected figures. Travel expenses were only 49% of the appropriated amount, and revenue continues to be more than projected.

The Cash Fund was at \$94,390, which is \$8,162 more than the same time last year. Even with the decrease in fees in 2021, the fund continues to increase. Staff recommends monitoring for another year, and if it continues to increase, the Board may want to consider reducing some fees again.

Motion by Miller, second by Pence to approve the financial reports as presented. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Hauck, Engler, Swerczek

Other Financial Matters

Nebraska State Board of Landscape Architects
Board Meeting Minutes – April 25, 2023, 9:00 a.m.
215 Centennial Mall South, Lincoln NE

NBEA Administrative Services Contract

The contract between the Board of Engineers and Architects (NBEA) provides administrative services to the Board. Staff time spent on NSBLA is averaged over the last three calendar years. The resulting percentage is applied to the shared appropriated expenses for the contract period. The cost of travel to the Council of Landscape Architecture Registration Boards (CLARB) annual meeting is included based on airfare and costs in January 2023. The cost for the FY 2023-24 contract is \$15,957, to be billed on a quarterly basis. Additional services provided outside the provided services list will be charged at a weighted hourly rate of \$21.213 and must have signed approval. The contract reflects a \$2,557 increase over the FY2022-23 contract.

Motion by Miller, second by Pence to approve the FY2023-24 administrative services contract with the NBEA. Voting Yes: Miller, Pence, Seacrest; Voting No: None; Absent: Hauck, Engler, Swerczek

Review of Fee Schedule

The Board reviewed the fee schedule and determined no adjustments are needed at this time. The staff will continue to monitor the Cash Fund and advise the Board if fees should be adjusted during the 2023-24 fiscal year. No action was taken to allow further discussion at the July meeting.

H. GENERAL INFORMATION

A schedule of upcoming meetings and events was provided. The next regular meeting of the board is scheduled for July 25, 2023, at 9:00 a.m., at 215 Centennial Mall S, Lincoln, Nebraska.

Trends in Licensure

As of 4/19/23

Professional Landscape Architects	157
Applications Received in FY2022-23.....	12
Licenses Issued in FY2022-23	12

Other Information

The Website Dashboard shows the following numbers:

	January	February	March
Total Visits	485	275	446

A copy of the approved Board policies as of January 27, 2021, was provided.

ADJOURNMENT

Chairperson Seacrest adjourned the meeting at 10:54 a.m.


Board Member

7.25.23