

Nebraska State Board of Landscape Architects
Board Meeting Minutes
July 26, 2016
215 Centennial Mall South, Small Conference Room, Lincoln, NE

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, Fifth Floor, Lincoln, Nebraska. Chairperson Bryers 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 and on the Board's website in accordance to the Open Meetings Act.

Roll Call: Dennis Bryers, David Ciaccio, Todd Maiellaro, Gayle Malmquist, Gary Wells;
Absent: Eileen Bergt

Staff Present: Jean Lais, Administrative Assistant (AA); Lindy Rauscher, Compliance Officer (CO); Sandra Weaver, Business Manager (BM)

Appointments/Public Comments

No members of the public were present

A Consent Agenda

Meeting Minutes

April 26, 2016 meeting minutes were approved as presented

Late PDH submittal approvals - *None*

Action Motion by Ciaccio, second by Malmquist to approve the Consent Agenda as presented. Voting Yes: Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None; Absent: Bergt

Bergt entered the meeting at 8:33am.

B Committee Reports

Officers Report

The ASLA Great Plains Chapter has voted to bestow upon Wayne Drummond, former dean of the College of Architecture at UNL, an honorary membership for his work and support in getting the Landscape Architecture program accredited through the Landscape Architecture Accreditation Program (LAAB). He will be recognized at the ASLA Annual Meeting in September.

CLARB

Task Analysis Survey Recap Article

A copy of the Task Analysis Survey Recap article from CLARB was provided for review. The article highlighted an increase in participation of 34% over the 2010 task analysis and included participants from all 50 US states along with 12 Canadian provinces, Washington DC and Puerto Rico.

The survey was also distributed globally in partnership with the International Federation of Landscape Architects (IFLA). The goal is a mutual interest in understanding the evolution of worldwide practice. Participation information and results from the global survey will be available in September.

CLARB Communique – Regulatory and Board Relevance Article

A copy of the CLARB Communique sent in May was provided for review. The article covered the "Adapt" aspect of Regulatory and Board Relevance in defending a board's ability to protect the public and covered the impact being seen from the NC State Board of Dental Examiners ruling by the US Supreme Court.

CLARB June "In The Know" Webinar Summary

Slides from the CLARB June "In The Know" webinar were provided for review. The webinar highlighted the role of Federation of Associations of Regulatory Boards (FARB) and its relationship with CLARB.

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There is currently a grant program through the US Department of Labor's Employment and Training Administration (ETA). The Occupational Licensing Review and Portability Project will be granting funds to organizations to assess the licensing criteria for the purpose of regulatory efficiencies and improving the mobility of practitioners and portability of licensure. Chairperson Bryers submitted a letter of support on behalf of the Board. A copy was provided for review.

Office/Staff

AA Lais introduced Lindy Rauscher, the new NBEA Compliance Officer. She started on June 20, 2016, to replace the vacancy left when Jon Wilbeck was named Executive Director.

She brought the members up to date on the lease renewal. The NBEA was able to get a waiver from the RFP process and will be able to renew the current lease with the Lincoln Community Foundation. Renovations are planned which include creating a new office for BM Weaver and expanding the break room area to allow for a meeting area for smaller meetings and larger work area for staff.

The NBEA is going to have to go through the RFP process for purchase of the new database. ED Wilbeck is currently working with the Office of the Chief Information Officer (OCIO) who is hoping to write the RFP to allow other agencies to use it. While the NBEA could purchase the software through a current contract, it cannot purchase the service portion. This will cause an increase in the Service Contract between the boards as the maintenance costs will be higher than currently being paid.

C Old Business

Governance Issues

Draft Legislative Bill for 2017

A copy of the draft legislative bill to be introduced in 2017 was provided for review. The draft incorporates the amendment worked out with the Planners at the end of the 2016 Legislative session on Page 18, Line 19. One revision will need to be made on page 12, Line 4. 2017 will be replaced with 2018.

Chairperson Bryers met with John Royster with ASLA and David Levy with the American Planners Association (APA). The Great Plains Chapter (Chapter) of the American Society of Landscape Architects (ASLA) is considering hiring Levy as a lobbyist to support the revisions to the Professional Landscape Architects Act (PLA) in next year's legislative session. It is estimated the cost to the Chapter will be between \$10,000 and \$14,000. Royster is working on filing a grant request with the ASLA Nation office. If received, this could be \$5,000 to \$7,000 of the needed expense. The Chapter also plans on contacting individual members and sponsors to help raise the remaining funds.

Royster and Levy are also working together to identify a sponsor for the bill as Senator Cook who sponsored LB788 will not be returning to the Legislature due to term limits.

Chairperson Bryers will be sending letters to the individuals and organizations who wrote letters and/or testified thanking them and bringing them up to date on the Board's plan to re-introduce the revisions in 2017.

Rules and Regulations Revisions

A draft copy of the Rules revisions was provided for review along with questions AA Lais had when drafting the revisions. A list of the current Board policies with recommendations for promulgation and deletion were provided in accordance with

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LB 867 which redefined the meaning of the terms policy and rule. A copy of the current rules was provided as reference.

The Board began discussing the questions raised by AA Lais.

1.3 Definitions – The Board determined there was no need to define “Practical Experience” as this term is not used in the revisions. It was determined a definition should be included for “Direct Supervision” in Rule 2.1.3 since this is the only location it is mentioned. AA Lais will work on getting language from the surrounding states and CLARB Model Law and bring to the October meeting. It was determined that quality control and assurance needs to be included as well as frequent interaction.

1.4.1 The following fees were established or revised:

Non-LAAB Exam Application	\$50
Landscape Architect Intern Application	\$30
Landscape Architect Intern Renewal	\$30
Initial Licensure Application	\$150

1.5.2 The members discussed changing the allowable time required to submit the licensing fee from the same calendar year as approval to a certain amount of time. AA Lais will research what other states are doing and bring suggestions to the October meeting.

Action Motion by Wells, second by Bergt to establish fees for the Non-LAAB Exam Application, Landscape Architect Intern Application and Renewal, and the Initial Licensure Application as discussed for budget estimation. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None

Landscape Architect Items - None

D New Business

Governance Issues

Board and Commissions Survey and Draft Response

A request from the Government, Military, and Veterans Affairs Committee to complete a survey on the Board along with draft responses was provided for review. The Board would like to add narrative related to successfully protecting the public health, safety, and welfare by insuring licensed individuals are qualified. Add that Chairperson Bryers served on the CLARB Board of Directors and AA Lais is currently serving on the MBE Committee.

Landscape Architect Items

Approve additional delegates to the CLARB Annual Meeting, Philadelphia, PA – September 22-24, 2016

No additional members expressed interested in attending the meeting. No action.

Approve Voting Delegate to the CLARB Annual Meeting, Philadelphia, PA – September 22-24, 2016.

Bryers was appointed as the Voting Delegate to the CLARB Annual Meeting.

Action Motion by Malmquist, second by Maiellaro to approve Bryers as the Voting Delegate at the 2016 CLARB Annual Meeting. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None

2016 CLARB Election Slate of Officers

Members voted to give Bryers discretion in voting for the candidates on the 2016 CLARB Slate of Officers.

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Action Motion by Maiellaro, second by Ciaccio to allow Bryers to use his discretion in selection the 2016 CLARB Slate of Officers. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None

Approve Voting Delegate for Regional Director Election, Teleconference – August 15, 2016

Bryers was approved as the Voting Delegate for the Regional Director Election.

Action Motion by Malmquist, second by Wells to approve Bryers as the Voting Delegate for the Regional Director Election. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None

Peer Review Committee Appointment

The Peer Review Committee Roster was provided for review. If the PLA revisions are passed next year, this would only be a two year appointment as the Committee will not be needed after this.

Jim Wike's appointment will expire at the end of the year. Replacements mentioned were Katie Swanson and Thomas Bentley. Chairperson Bryers requested the other members to send suggestions to him in the next couple of weeks. No action.

Strategic Plan

The current Strategic Plan was provided for review.

The following revisions were determined:

Introduce a legislative bill with revisions – change to 2017

Public Awareness – Meet with UNL College of Architecture – change to 2017 –

Bryers is still working on setting up a meeting with the Student Chapter of ASLA and possibly with one of the ethics classes.

E Compliance

Chairperson Bryers recused himself from the meeting at 10:22am.

Action Motion by Bergt, second by Wells to go into executive session for the discussion of compliance cases brought to the Board not a matter of public information to prevent the needless injury to the reputation of those involved. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells; Voting No: None; Absent: Bryers

New Cases- None

Pending Cases

15.01 Summary and Documentation

Reviewed during Executive Session

Action Motion by Malmquist, second by Maiellaro to close the executive session on the discussion of compliance cases brought to the Board not a matter of public information to prevent the needless injury to the reputation of those involved. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells; Voting No: None; Absent: Bryers

Chairperson Bryers re-entered the meeting at 10:33am.

Compliance Issues

City of Lincoln not allowing Landscape Architects to stamp certain drawings -
No discussion or action

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F Applications

Applications for Licensure by Reciprocity

Approved: Jeffrey L Bruce, MO; David H Contag, KS; Josh L Erhart, KS; Michael S Frazee, TX

Applications for Licensure Reinstatement

Approved: Michael Sharp, NE

Applications for Initial Licensure

Approved: Karen Nalow, NE

Action Motion by Wells, second by Malmquist to approve the applications as presented and discussed. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None

BM Weaver entered the meeting at 10:40am.

G Financial Matters

Budget Status Report - April, May, June 2016

MTD General Ledger Detail Report - April, May, June 2016

Fund Summary Report - April, May, June 2016

Financial Profile FY 2015-16, April, May, June 2016

BM Weaver reported that 82% of the budgeted expenditures were used in FY2015-16. This is mainly due to only one member attending the CLARB Annual Meeting. Revenue was at 111.6% of projection. The Cash fund increased a little over \$7,000. The rollover of appropriation into FY2016-17 is approximately \$4,376.

Other Financial Matters

FY 2016-17 Budget Status

BM Weaver supplied a spreadsheet showing the breakdown of the Budget Status for FY2016-17. Travel was increased slightly with the majority of the rollover left in "Other Operating Expense" for the time being. This can be moved as needed during the fiscal year.

2017-2019 Biennium Budget Request

A copy of a memo from Governor Ricketts stating that he has directed the Budget department to withhold 1% of the FY2016-17 quarterly allocations due to the shortfall in tax revenues received through June 2016. He is also requesting boards and commissions to use good stewardship as the 2017-2019 biennium budget requests are prepared.

A copy of the biennium budget schedule and screen summaries was provided for review.

A copy of the 2017-2019 Biennium Budget Narrative Draft was provided for review. This must be entered by August 5, 2016. Revisions are allowed after this date, but this gives the Budget Department time to start review the objectives and exceptions of the Board.

BM Weaver requested the members send any comments or suggestions on the narrative over the next week.

Nebraska Interactive Company (NIC) has offered to develop an application for online renewals at 5% of the fee. The new contract with the State of Nebraska specifies NIC must pay the merchant fees, but we may be able to propose the Board pays the fees.

Discussion was held on updating the website. It was the decision of the members to wait until the next biennium as it has the website was last updated in 2013.

The members also discussed whether to print and mail new handbooks out to all licensees once the statutes and rules have been revised. It was the consensus of the members to send an email out with a link to the new handbook on the website.

BM Weaver added \$250 to Educational Expense for Outreach purposes.

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Action Motion by Ciaccio, second by Bergt to approve the 2017-2019 Biennium Budget Draft Narrative as presented and discussed. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None

Action Motion by Wells, second by Malmquist to the Financial Matters as presented and discussed. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers; Voting No: None

BM Weaver left the meeting at 11:21 am.

H General Information

Public Notice publication was provided for review

Board meetings and schedule was provided for review

Roster of Board members was provided for review

Licensing Trends

The Fiscal Activity and Trends in Licensures through June 30, 2016 was provided for review.

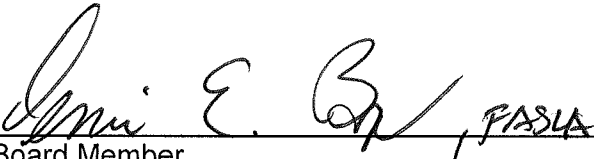
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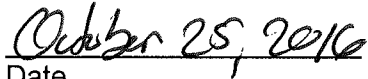
April 2016 LARE Results were provided for review

Approved Board Policies were provided for review

Adjournment: Motion by Ciaccio, second by Maiellaro to adjourn the meeting at 11:28am.

The next Board of Landscape Architects board meeting is currently scheduled for August 30, 2016 at 8:30am to approve the 2017-2019 Biennium Budget Request at 215 Centennial Mall South, Lincoln, Nebraska, fifth floor, small conference room.


Board Member


Date