

Nebraska State Board of Landscape Architects
Board Meeting Minutes
April 27, 2021

WebEx Conference

CALL TO ORDER

The meeting was held via WebEx in accordance with the Governor's Executive Order 21-02. Chairperson Casper called the meeting to order at 8:30am and informed the public of the link to the Open Meetings Act. Notice of the meeting was published in the Lincoln Journal Star on April 13, 2021, and on the Board's website in accordance to the Open Meetings Act.

Roll Call: Eric Casper, Kristina Engler, Derek Miller, Jennifer Seacrest, Regan Pence

Absent: Bradley Swerczek

Staff Present: Jean Lais, Business Manager (BM); Gail Parris, Administrative Assistant (AA)

PUBLIC COMMENTS/APPOINTMENTS

Matthew Miller and Cary Baird, CLARB CEO and President respectively, were present.

A CONSENT AGENDA

January 26, 2021 Meeting Minutes

Late 2020 PDH Submittals

Approved: Robert Koontz, NC; Thomas Oslund, MN

Action

Motion by Engler, second by Pence to approve the late submittals. Voting Yes: Seacrest, Pence, Engler, Miller, Casper; Voting No: None

Motion by Seacrest, second by Miller to approve the Consent Agenda as presented. Voting Yes: Engler, Miller, Seacrest, Pence, Casper; Voting No: None

B REPORTS

Officers Report – None

CLARB Updates

Baird stated that he and Miller were observing states' board meetings. CLARB is working on a strategic framework to rebuild programs in order to provide better services. Re-Think Regulation will create an easier path to licensure by reducing unnecessary friction. A draft of the Uniform Application for Licensure was provided for review which has an October 1, 2021 roll-out date. Miller also noted the impact that Covid-19 has had on meetings including the upcoming annual meeting in Phoenix, AZ. Member boards have been surveyed as to their preference for in-person, virtual, or hybrid attendance.

Miller spoke about CLARB's commitment to diversity, equity, and inclusion. The assessment commissioned by CLARB provided recommendations for representation. CLARB will focus on two issues; education & learning and leadership development & recruitment. He also gave feedback regarding the LARE, that remote proctoring is available for Sections 1 and 2; and during the April administration, 40% of candidates are opted for remote proctoring; and while 2021 saw about a 20% drop in test candidates, 2021 numbers are nearing the 2019 numbers. He closed by stating the Job Task Analysis will be delayed until 2022 due to COVID-19, and that the nominations for the Leadership Advisory Committee will be announced in July.

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Office/Staff

BM Lais informed the members that the bi-weekly meetings with the database provider, In-Lumon, will soon change to weekly sessions. ED Wilbeck stated that the project is progressing and hopes that the database will be implemented on schedule.

C OLD BUSINESS

Strategic Plan

A copy of the current Strategic Plan was provided for review. Casper noted that the website goal has been achieved, and the Student Outreach PowerPoint presentation has been revised by Engler. Public and legislative awareness projects will be formulated.

Legislative

Copies of updated actions on LB83, LB112, LB213, and LB263 were provided for review. The bill included an emergency clause and became effective upon the Governor's approval. Of the four bills, only LB83 has been approved by the Governor as of April 21, 2021. The bill allows a state agency, board, commission, council, committee, or an advisory committee of any such state entity among other entities who are subject to the Open Meetings Act, to hold virtual meetings for up to one-half of the entities' yearly meetings and all meetings during a gubernatorial declared state of emergency as defined by Neb. Rev. Stat. §81-829-39 if declared pursuant to the Emergency Management Act. ED Wilbeck questioned if smaller agencies can handle the requirements e.g. the physical space for the public to dial in and connect to the meeting.

LB112 Open Meetings Act Revisions – Public Speaking Requirement Update

The bill would require an entity subject to the Open Meetings Act to allow the public to speak at every meeting.

LB213 Efficiency Review of State Agencies Update

The bill would require the Department of Administrative Services to conduct an efficiency review of all listed agencies, including the Nebraska State Board of Landscape Architects, and submit the results to the Legislative Council no later than January 1, 2023. There was no priority designation for this bill but may still be presented next session.

LB263 Occupational Board Reform Act Revisions Update

A copy of LB263 was provided for review. LB263 is similar to LB1187 introduced in 2020. It would require an occupational board to issue a license or certification to an individual if the individual has been licensed in another state or the U.S. military for at least one year, etc. This bill is expected to be presented again next session.

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D NEW BUSINESS

Allied/Combined Board

In light of LB213 and other efficiency reviews that have been conducted or underway, the Board felt it may be prudent to at least come together with the other boards and discuss the concepts and to develop some talking points to be used if questioned by a senator or the legislature. Jon Wilbeck, Executive Director of the NBEA, discussed combining the concept of an allied/combined board which could include the Nebraska State Board of Landscape Architects (NSBLA), Nebraska Board of Geologists (NEBOG), Nebraska Board of Engineers and Architects (NBEA), and the Nebraska Board of Examiners for Land Surveyors (NBELS).

Wilbeck stated the NBEA has not discussed the topic as of yet, but it is included on the agenda for their Operational Planning meeting on May 4, 2021. He mentioned that NEBOG, the geologists board has appointed members to represent NEBOG in any further discussions. Engler, Pence, and Casper expressed interest in representing the board in discussions that may occur. Wilbeck exited the meeting.

PDH Audit Process

With the revision to Chapter 6 of the Rules and Regulations, and beginning with the 2021 renewal cycle, the PDH audit process will be moving to a random process and will be conducted by board members instead of the Peer Review Committee. Board members were presented with several ways to handle the new process. It was determined licensees would be notified with their renewal notice that they had been selected for a PDH audit. The audit will need to be completed prior to the license being renewed.

Action

Motion by Seacrest, second by Pence to notify licensee with the renewal notices that they are being audited as a condition of their renewal. Voting Yes: Seacrest, Engler, Miller, Pence, Casper; Voting No: None

E COMPLIANCE - None

F APPLICATIONS

Administratively Approved

Licensure by CLARB Certificate

Approved: William Bowen, CO; Wayne Freeman, MT; Aicha Menendez, CO; Daniel Morgan, CO

Initial Licensure

Approved: Robert Minert, NE; Charles Okigbo, NE

Action

Motion by Seacrest, second by Pence to approve the applications as presented.

Voting Yes: Miller, Seacrest, Engler, Pence, Casper Voting No: None

Licensure/Examinations

Licensure by Comity

Approved: Shane Coen, MN

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Denied: Brad Chronowski, CO. Applicant has not taken the LARE, and has not accumulated 15 years of experience.

Motion by Seacrest, second by Engler to approve applicant Coen and deny applicant Chronowski.
Voting Yes: Pence, Miller, Seacrest, Engler, Casper Voting No: None

G FINANCIAL MATTERS

Financial Reports

BM Lais reported that with just over 75% of the fiscal year elapsed as of March 31st, less than 55% of the allotted appropriations had been used. This is due to no travel this year. 94% of the projected revenue had been received.

Action

Motion by Engler, second by Miller to approve the Financial Reports. Voting Yes: Pence, Seacrest, Miller, Engler, Casper Voting No: None

Other Financial Matters

Administrative Services Contract with the Board of Engineers and Architects

Attachments A-D of the proposed FY 2021-22 contract were provided to the Board for review. BM Lais stated that the proposed new weighted hourly rate for FY2021-22 is \$18.91. The proposed contract amount is \$13,686 or \$3,421.40 per quarter. The contract was approved by the NBEA at its meeting on February 19, 2021.

Motion by Seacrest, second by Engler to approve the Administrative Services Contract with the NBEA for FY 2021-22. Voting Yes: Seacrest, Miller, Engler, Pence, Casper Voting No: None

Fee Schedule

The Board reviewed the fee schedule. It was determined no adjustments were needed at this time.

H GENERAL INFORMATION

A schedule of upcoming meetings and events was provided for review. The next meeting is scheduled for July 27, 2021, via WebEx, beginning at 8:30am.

A roster of the Board members was provided.

Professional Landscape Architects licensed to practice as of April 22, 2021: 135

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

January: 228

February: 231

March: 157

A copy of the current Board policies was provided.

Adjournment: Chairperson Casper adjourned the meeting at 10:22 am.

Board Member 

Date 07/17/2021