

Nebraska State Board of Landscape Architects
Annual Meeting Agenda
January 25, 2011
215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

8:30a CALL TO ORDER

Open Meeting and Public Agenda Information

Election of Officers

Action

The following are scheduled to appear before the Board:

9:15a Respondent, Compliance Case 10.03

Public Comments/Appointments

The public is invited to speak

Agenda Items

Approval or adjustment of the listed agenda

Action

1 Public Notice Publication

A Consent Agenda

1 Meeting Minutes

a 1-4 September 29, 2010 meeting minutes

2 a 1-10 Late Submittals of Continuing Education

11-16 **Late Submittals of Continuing Education**

Action Approval of Consent Agenda

B Financial Reports/Matters

1 a 1-8 Budget Status Report – September, October, November, December 2010

2 a 1-4 MTD General Ledger Detail Report – September, October, November, December 2010

3 a 1-4 Fund Summary Report – September, October, November, December 2010

4 a 1 Financial Profile – September, October, November, December 2010

5 a 1 Fiscal Activity Report – FY 10/11

b 1 Trends in Licensure – FY 10/11

6 Other Financial Matters

a 1 FY 2010/2011 Cash Fund Transfer

b 1-2 Revised Travel Reimbursement Policy

3 Memorandum from State Accounting

c 1-4 Projected Administrative Services Contract with the Nebraska Board of Engineers and Architects

7 Contract Review – None at this time

Action Approval of Financial Matters

C Applications

1 a 1 Application Overview Sheet

2 Licensure/Examination

a Applications for Licensure by Reciprocity - **Class 2 w/CLARB Certificate**

1-2 Randall Mardis, MO

3-4 Daniel Erlandson, AZ

b Applications for Licensure by L.A.R.E. Examination – **Class 1 w/CLARB Record**

1-2 Paula Suda, NE

Action Approval of Licensure/Examination Applications

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D Compliance Cases

- 1 a 1 **Logs**
- 2 **New Cases – None at this time**
- 3 **Pending Cases**
 - a 1-11 10.01 Summary and documentation
 - b 1-3 10.02 Summary and documentation
 - c 1-12 10.03 Summary and documentation
- 4 a 0 **Case Recommendations – None at this time**
- 5 **Compliance Issues**
 - a 1-7 Hoerr Schaudt Issue

Action Approval of Compliance Case Disposition

E General Information/Committee Reports

- 1 **Meetings Schedule/Rosters**
 - a 1-2 Board Meeting Schedule
 - b 1 Roster of Board Members
 - c 1-2 Certificate of Appointment for Board Member Todd Maiellaro
 - d 1 Peer Review Committer Roster
 - e 1 Notice of New Assistant Attorney General Assignment
 - 2 **Committee Reports**
 - a 0 Officers Report – Dennis Bryers, Chairperson
 - 3 **CLARB**
 - a 1 September 2010 L.A.R.E. Multiple Choice Exam Results
 - 4 a 0 **ASLA – None at this time**
 - 5 a 0 **Office/Staff**
-

F New Business

- 1 **Governance Issues**
 - a 1-3 Board policies and action history
 - b 0 Rules and Regulations – *None at this time*
 - c 0 Statutes – *None at this time*
 - d 0 Legislative items – *None at this time*
- 2 **Landscape Architects**
 - a 1-26 Peer Review Committee Continuing Education Report

Action

- b 1-2 2011 CLARB Spring Meeting, February 25-26, 2011, Denver, CO – Selection and approval of Board representative

Action

- c 1-2 Board Strategic Plan - Final

Action

Adjournment

The next State Board of Landscape Architects meeting will be held on March 29, 2011, at 8:30am at 215 Centennial Mall South, Lincoln, Nebraska, Fifth floor, in the Small Conference Room.

Nebraska State Board of Landscape Architects
Annual Meeting Minutes
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CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor, Small Conference Room, Lincoln, Nebraska. Chairperson Bryers called the meeting to order at 8:36am and informed the public of the location of the Open Meetings Act

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

Staff Present: Jon Wilbeck, Executive Director (ED); Sandra Weaver, Administrator (Admin); Tyler Kohtz, Compliance Officer (CO); Jean Lais, Administrative Assistant (AA)

Election of Officers

Motion by Wells, second by Bergt to elect Dennis Bryers as Chairperson; Motion by Wells, second by Ciaccio to elect Eileen Bergt as Vice-Chairperson. Voting Yes: Ciaccio, Maiellaro, Bergt, Wells, Bryers; Voting No: None; Absent: Kissel

Public Comments/Appointments

9:15a Respondent, Compliance Case 10.03

A Consent Agenda

Meeting Minutes

September 29, 2010 meeting minutes approved as presented

Late Submittals of Continuing Education

Submittals from Stephen Rhoades, Eileen Bergt, Donald Godi, Herbert Meeks as approved by the Peer Review Committee and Board Chairperson

Approval of Consent Agenda

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

Kissel entered the meeting at 8:42am

B Financial Reports/Matters

Budget Status Report – September, October, November, December 2010

EnterpriseOne reports provided for review

MTD General Ledger Detail Report – September, October, November, December 2010

EnterpriseOne reports provided for review

Fund Summary Report – September, October, November, December 2010

EnterpriseOne reports provided for review

Financial Profile – September, October, November, December 2010

Report provided for review

Fiscal Activity Report – FY 10/11 – Report provide for review

Trends in Licensure – FY 10/11 – Report provide for review

Other Financial Matters

FY 2010/2011 Cash Fund Transfer

Section 228 of LB 1 of the 101st Legislature, First Special Session, 2009, mandated a transfer of \$1,143 from the Board's Cash Fund to the State's General Fund during FY 2010-2011. On December 15, 2010, the first half, or \$571.50 was transferred. An additional \$571.50 will be transferred to the General Fund on June 15, 2011.

Revised Travel Reimbursement Policy

Neb. Rev. Stat. § 81-1176 provides that Administrative Services sets the mileage rate to be used when reimbursing State employees for use of a personal vehicle when conducting State business. Effective January 1, 2011, the standard mileage rate was increased to 51¢ from the current rate of 50¢. The Travel Reimbursement Policy was revised to reflect the change.

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Projected Administrative Services Contract with the Nebraska Board of Engineers and Architects

Time and cost worksheets were provided to the board for review. ED Wilbeck explained the calculations include all Nebraska Board of Engineers and Architects (NBEA) staff time since they began collecting the time allocations through the first week of December 2010. A weighted hourly rate was used based on the percentage of the time each employee spent on the individual Boards. The previous rate was \$27.10 per hour. The proposed new rate for the NSBLA (the Board) is \$17.175 per hour. In addition, the cost of benefits and operating expenses were determined by the percentage of direct time spent on each board. As time continues to be collected, the NBEA will use a rolling three year window to calculate future costs. The proposed contract amount of \$14,893.06 for FY 11-12 was approved by the NBEA at their January 7, 2011, board meeting. Bergt commented this would free up the Board's concern of deciding on where to cut back on certain staff positions to reduce the overall cost.

ED Wilbeck informed the Board that the Governor's budget recommendations have been sent to the legislature with a requested FY 11-12 budget of approximately \$36,000. The Governor recommended \$32,021. With the lowered service contract amount, the board will come in under this amount. Admin Weaver provided spreadsheets to show the Board where the cash fund will be at the end of the next biennium with the reduced service contract amounts. With all other figures left the same and without a fee increase there would be a deficit at the end of F 12-13. She also provided spreadsheets if license renewal fees were increased to \$195 and \$200 per year and based the numbers on eighty (80) licensees. Wells commented if you divided the current budget numbers by eighty (80), the renewal fees would be around \$200 for each licensee. Bryers stated he did not want to raise fees each year and the Board should look at setting a fee for the next four or five years. The Board could also look at raising all application fees to \$300. Wells suggested the Board wait until the next meeting to see where the license number is at and then at a possible fee increase to go into affect the next fiscal year.

Contract Review – *None at this time*

Approval of Financial Matters

Action Motion by Wells, second by Ciaccio to accept the Financial Matters as presented and discussed.

Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

ED Wilbeck and Admin Weaver left the meeting at 9:15am

Moved after Compliance (D) to accommodate appearance by Respondent on Case 10.03

C Applications

Application Overview Sheet – Form Provided

Licensure/Examination

Applications for Licensure by Reciprocity - Class 2 w/CLARB Certificate

Approved: Randall Mardis, MO; Daniel Erlandson, AZ

Action Motion by Wells, second by Bergt to approve Mardis and Erlandson for licensure by Reciprocity Class 2 with a CLARB Certificate. Voting Yes; Ciaccio, Maiellaro, Bergt, Wells, Bryers; Voting No: None; Abstain: Kissel

Applications for Licensure by L.A.R.E. Examination – Class 1 w/CLARB Record

Approved: Paula Suda

Action Motion by Maiellaro, second by Ciaccio to approve Suda for licensure by Examination Class 1 with a CLARB record. Voting Yes: Ciaccio, Maiellaro, Bergt, Wells, Bryers; Voting No: None; Abstain: Kissel

Moved before Applications (C) to accommodate appearance by Respondent on Case 10.03

D Compliance Cases

Logs – Log provided for review

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New Cases – *None at this time*

Pending Cases

10.01 Summary and documentation

CO Kohtz reviewed case and summary of action taken to date. Recommended closure.

10.02 Summary and documentation

CO Kohtz reviewed case and summary of action taken to date. Bryers recommended to advise respondent's company to back to the city and have the listing changed and provide proof of request. CO Kohtz will draft have Chairperson Bryers review.

10.03 Summary and documentation

CO Kohtz reviewed the case and summary of actions taken to date. Respondent addressed the board, stated this has had a learning aspect as to how to deal with the media on projects. Respondent didn't realize Nebraska had a 4 year experience requirement for licensure and currently only has 39 months. Respondent's company looks at reclassifying older locations and/or buildings. Bergt questioned respondent as to her intentions of becoming licensed in Nebraska. Respondent replied even though she would probably would not use it to stamp drawings, would like to become licensed to help clear any misunderstandings with the media and other benefactors on projects in the future. Respondent is the only staff member, so there is no licensed landscape architect in the office. However, there is a licensed landscape architect on the company's board. The Board suggested this could possibly be used to obtain the remaining experience required for licensure in Nebraska if the board member is overseeing the project on which she is working.

Maiellaro asked what steps could the respondent take in the meantime to help clear any miscommunications in the future. Chairperson Bryers suggested respondent inform the media upfront she is not a licensed landscape architect and provide them with another title as allowed under state statute. She can still mention she is educated in landscape architecture and is a member of the American Society of Landscape Architects (ASLA), etc. Kissel recommended putting a title on her business card and handing them out.

Chairperson Bryers recommended closure.

Case Recommendations – *None at this time*

Compliance Issues

Discussion was tabled on Hoerr Schaudt until Chairperson Bryers can gather more information and see if plans have been filed with the city.

Approval of Compliance Case Disposition

Action Motion by Ciaccio, second by Wells to accept the case dispositions as recommended by CO Kohtz and Chairperson Bryers. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

E General Information/Committee Reports

Meetings Schedule/Rosters

Board Meeting Schedule – Schedule provided for review

Roster of Board Members

Chairperson Bryers pointed out the term of Wells expires in September this year. Wells informed board he is considering seeking reappointment.

Certificate of Appointment for Board Member Todd Maiellaro – Copy provided for review

Peer Review Committer Roster – Copy provided for review

Chairperson Bryers stated will need to replace two members of the Committee for 2012 and requested the other members to provide him with names of possible replacements for consideration at the March board meeting.

Notice of New Assistant Attorney General Assignment

Email for the Attorney General's office naming Jody Gittins as the board's new Assistant Attorney General

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Committee Reports

Officers Report – Dennis Bryers, Chairperson

Chairperson Bryers met with the NBEA board at their October 29, 2010, meeting along with David Svingen from the Nebraska Board of Geologists (NEBOG) to discuss the possibility of merging the three boards together. The NBEA board informed them they would be discussing this in more detail at their Spring Strategic Planning Meeting and would advise them of the decision of the NBEA after the meeting.

CLARB

September 2010 L.A.R.E. Multiple Choice Exam Results

Score roster provide for review

ASLA – *None at this time*

Office/Staff – *None at this time*

F New Business

Governance Issues

Board policies and action history – Provided for review

Rules and Regulations – *None at this time*

Statutes – *None at this time*

Legislative items – *None at this time*

Landscape Architects

Peer Review Committee Continuing Education Report

The report by Peer Review Committee was provided for review.

Charles Walker – 10 hours are for a certified landscape irrigation auditor exam. Though the board encourages diversity, it is not required. The Board, however, they could not determine if he had taken the exam or had acted as an auditor. A letter will be written requesting further clarification for this exam as well as the ET Based Irrigation Scheduling staff presentation before his professional development hours (PDH) are approved.

Wyss, Smith, Ciaccio, Della Vedova, and Conway – PDHs are approved.

Enevoldsen – Reported hours for courses not yet attended. He will need to provide proof of attendance and completion of the classes before final approval is granted. He will also be required to report all the hours for the classes attended at the Pro Green Expo in either 2010 or 2011. He will not be allowed to split the hours between two years. The required documentation of class attendance is due by the end of February 2011.

Wagner – The Board granted a six (6) month extension from the date of the notice to complete his 2010 PDH requirement. In response to the licensee's request the Board providing the following:

- His license would not be affected by this extension, unless the requirement was not met or extended over one year from license expiration.
- The Board cannot address the concerns of non-completion of the PDH requirement until his records are recovered.
- His PDH requirement cannot be waived for 2011.
- The Board does not supply or recommend education courses.

Action Motion by Bergt, second by Kissel to accept the Peer Review Committee's recommendations, approve Wyss, smith, Ciaccio, Della Vedova, and Conway; request further information Enevoldsen; and grant an extension to Walker and Wagner. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

2011 CLARB Spring Meeting, February 25-26, 2011, Denver, CO

Chairperson Bryers asked that if anyone is interested in going, to let him know as soon as possible. AA Lais advise have until February 12th to register and still have a credit balance of \$298.63 with CLARB to be used toward registration/travel expenses

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Board Strategic Plan

A copy of the final Board Strategic Plan as approved at the September 29, 2010, board meeting was provided for review

Adjournment Motion by Ciaccio, second by Wells to adjourn the meeting at 11:34am

The next State Board of Landscape Architects meeting will be held on March 29, 2011, at 8:30am at 215 Centennial Mall South, Lincoln, Nebraska, Fifth floor, in the Small Conference Room.


Board Member Signature


Date