

Nebraska State Board of Landscape Architects
Board Meeting Agenda
October 27, 2011
215 Centennial Mall South, Small Conference Room, Lincoln, NE

8:30 a.m. – CALL TO ORDER

Open Meeting and Public Agenda Information

Public Comment/Appointments

The public is invited to speak

Agenda Items

Approval or adjustment of the listed agenda

Action

A Discussion and Approval of Proposed Statute Changes

- 1-5 Proposed Changes to the Nebraska Professional Landscape Architects Act
- 6-16 Current Professional Landscape Architects Act
- 17-18 CLARB Model Law Narrative
- 19-23 Record of Board's Actions to Change Statute and/or Rules and Regulations

***Action* Approval of Consent Agenda**

Adjournment

The next Board of Landscape Architects board meeting will be held on January 31, 2012, at 8:30am at 215 Centennial Mall South, Lincoln, Nebraska, fifth floor, small conference room.

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CALL TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor, Small Conference Room, Lincoln, NE. Chairperson Bryers called the meeting to order at 8:35am and informed the public of the location of the Open Meetings Act.

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

Staff Present: Jon Wilbeck, Executive Director (ED); Jean Lais, Administrative Assistant (AA)

Public Comment/Appointments

No members of the public were present

A Discussion and Approval of Proposed Statute Changes

Copies of the proposed revisions to the Nebraska Professional Landscape Architects Act (LA Act) were provided along with a copy of the current LA Act for review. A copy of the CLARB Model Law Narrative and the Board's Action to Change Statute and/or Rules and Regulations were also provided for reference. AA Lais also provided a copy of the CLARB Standards of Eligibility for Council Certification for reference purposes.

84-8,186 – AA Lais suggested the Board may want to consider removing the limitation that the public member cannot judge professional competency at this time.

The follow change was agreed upon:

Delete the following words “...who shall represent consumer viewpoints but shall not judge professional competency.”

84-8,192 – Board staff no longer mails an annual list of licensed landscape architects as mandated. Discussion was held as whether this was even necessary since a list of licensed landscape architects is available on the website. AA Lais thought the current listing only shows the licensee's city and state, but could add the complete address if the board chose to do so.

The following change was agreed upon:

Delete the last line of the statute. “~~The list shall be printed and a copy mailed annually to every professional landscape architect licensed under the provisions of sections 81-8,184 to 81-8,208 and practicing in Nebraska.~~”

84-8,196 - Discussion was held regarding referring only to the CLARB Standards of Eligibility instead of listing the requirements of licensure individually to eliminate the need to revise the LA Act in the future if CLARB makes revision to the Standards. Wells and Bergt raised concern for those who cannot obtain CLARB Certification for reciprocity purposes. Does the Board only want to follow CLARB's certification standard or allow a person to become licensed outside the certification process by allowing an applicant to qualify by experience only? After review of CLARB's Standard of Eligibility, it was determined that even without an accredited degree, the standards did allow for a person to become certified based on their education and experienced combined.

The follow revision were agreed upon:

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Each applicant for licensure as a professional landscape architect shall complete an application which and shall have the following requirements:

- (1) Meet the eligibility standard as established by the Council of Landscape Architectural Registrations Board.
- (2) No revision to draft.
- (3) Be of good character.

84-8,198 – To be consistent with the rest of the Act, the following revision was agreed upon:

“...The following information shall be on the seal: State of Nebraska; licensee’s name; licensee’s license number; and the words Professional Landscape Architect...”

84-8,199 – The Board no longer issues a certificate each year. A pocket card is issued as evidence of current licensure and is signed by the Chairperson only.

The following revision was agreed upon:

Delete the following words in the first sentence “...~~upon payment of the annual fee.~~” Delete the following words from the Statute title “~~annual fee, payment;~~”

Coordinating Professional – The inclusion of a “coordinating professional” allowance was discussed. This was previously brought to the Board attention by Kissel, where there was a landscape project which also involved an architect and a professional. Therefore, since both were involved, the current the Engineers and Architects Regulation Act (EA Act) requires there be a coordinating professional on the project. However, it does not allow for a professional landscape architect to function in this role. The Board of Engineers and Architects (NBEA) are in agreement with adding landscape architects to allow them to function as the coordinating professional and were in the process of adding this provision by way of their Rules and Regulations. It was then discovered the definition of a coordinating professional is defined in the EA Act as an architect or professional engineer and does not include other members of the design team so they were unable to make the revision.

ED Wilbeck suggested this revision be done to both Acts at the same time in order to keep the Acts in agreement with each other. One way to accomplish this would be to make the revision on the LA Act and request the bill writers also make the revisions in the EA Act. Even though the NBEA is in agreement to making this revision, the Board requested ED Wilbeck to contact the NBEA or their Legislative Committee to see if they would be in favor of this method as the NBEA is not planning on making any revision to the EA Act in the next legislative session. ED Wilbeck provided a copy of the draft copy of the EA Act revisions which will be used by the NBEA on their next revision.

If the NBEA is in agreement, the following revisions will be made to allow professional landscape architects to function in the role of coordinating professional:

84-8,184 – Add a subsection to include coordinating professional in the definition of the practice of landscape architecture and define coordinating professional as follows:

- (4) The practice of landscape architecture includes acting as a coordinating professional. Coordinating professional means an architect, professional landscape

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architect, or professional engineer who coordinates, as qualified, the various professional disciplines involved in a project.

84-8,198 add subsection to included the following language:

(2) Projects involving more than one licensed architect, professional landscape architect, or professional engineer shall have one designated as the coordinating professional. The coordinating professional shall apply his or her seal and signature and the date to the cover sheet of all documents and demote the seal as that of the coordinating professional.

If the NBEA is not in agreement with is method, the Board may choose to delete these revisions from the final bill draft.

All other revisions presented in the proposed draft were accepted and agreed upon.

Action Motion by Wells, seconded by Kissel to approve the revision to the proposed revisions to the Professional Landscape Architects Act as discussed. Voting Yes: Bergt, Kissel, Wells, Bryers; Voting No: None; Absent: Ciaccio, Maiellaro

Adjournment Motion by Kissel, second by Bergt to adjourn the meeting at 10:04am

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Board Member

1.31.2012
Date