

Nebraska State Board of Landscape Architects  
Board Meeting Agenda  
July 14, 2009

215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

**1:30 CALL TO ORDER**

Open Meeting and Public Agenda Information

**Public Comments**

The public is invited to speak

**Agenda Items**

Approval or adjustment of the listed agenda

*Action*

- 1 Public Notice Publication
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**A Consent Agenda**

**1 Meeting Minutes**

- a 1-4 April 7, 2009 meeting minutes

**2 Late Submittals of Continuing Education**

- a 1-9 Submittals as approved by the Peer Review Committee and Board Chairperson

*Action* **Approval of Consent Agenda**

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**B Financial Reports/Matters**

- 1 a 1-6 Budget Status Report – April, May, June 2009

- 2 a 1-6 General Ledger by Business Unit Report – April, May, June 2009

- 3 a 1-3 Fund Summary Report – April, May, June 2009

- 4 a 1 Financial Profile – April, May, June 2009

- 5 a 1 Fiscal Activity Report to Date

**6 Other Financial Matters**

- a 1-2 Revised Travel Reimbursement Policy

- 3 Expense Reimbursement Document

- b 1 LB 315 Final Appropriation FY 2009-11

- c 1 Cash Fund Interest Income

- d 0 Memorandum of Understanding update from Board of Engineers & Architects

- e 1-5 State Purchasing Card Program

- f Electronic Board meetings

- 1 Quote for Inspiron 1010 laptop computer

- g 1 CLARB Regional Dues Distribution Notice

**7 Contract Review and Approval for FY 09/10**

- a 1-4 Charles Borcharding

- b 1-10 DAS State Accounting Internal Controls MOU

- c Amendment to 2008-2009 CLARB Examination Purchase Agreement

- 1 CLARB memo

- 2-4 Proposed changes

- 5-7 Amendment No 1

*Action* **Approval of Financial Matters**

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**C Applications**

**1 a 1 Application Overview Sheet**

**2 Licensure/Examination**

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

1-2 Matthew Gaber – CA

3-4 Thomas Mroz - MI

5-9 Larry Blankenship – NE – Response to deferral letter

10-13 Attorney General opinion letter dated June 5, 1997

14-18 Kevin Preiffer – MN – Updated experience

19-21 Steve Wilenskey - CO

**b Applications for Licensure by L.A.R.E. Examination – Class 1 w/CLARB Record -  
None at this time**

*Action* **Approval of Licensure/Examination Applications**

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**D Compliance Cases**

**1 a 0 Logs - None at this time**

**2 New Cases**

**a** 1-2 09.01 – Letter of request and response

**b** 1-7 09.02 – Letter of request and response

**3 Pending Cases**

**a** 1-4 08.04 – Organization response and Board letter draft

**4 a 0 Case Recommendations**

**5 a 0 Compliance Issues – None at this time**

*Action* **Approval of Compliance Case Disposition**

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**E General Information/Committee Reports**

**1 Meetings Schedule**

**a** 1-2 Board Meeting Schedule

**b** 1 Roster of Board Members – 2009 expiration

**c** 1-3 Board appointment correspondence

4 Recommendation letter from Board on reappointment of JoAnne Kissel

5 Governor's response letter to recommendation

6 Updated Board appointment correspondence

**2 Committee Reports**

**a** 0 Officers Report – Dennis Bryers, Chairperson

**3 CLARB**

**a** 1-2 New Member Board's section on CLARB website

**b** 1-3 LA CES System has launched

**c** 1-2 MBE Committee extended through the Fiscal Year 2010 activity year

**4 a 0 Office/Staff – None at this time**

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**F New Business**

**1 Governance Issues**

- a 1-2 Board actions

**Action**

- b 0 Rules and Regulations
- c 0 Statutes
- d 0 Legislative items

**2 Landscape Architects**

- a 1-2 CLARB Annual Meeting Agenda, September 10-12, 2009, Seattle, WA – Delegate selection and approval

**Action**

- b Peer Review Committee appointment recommendations
- 1 Peer Review Committee Policy

**Action**

The next State Board of Landscape Architects meeting will be held on September 29, 2009, at 1:00pm at 215 Centennial Mall South, Lincoln, Nebraska, Fifth floor, in the Small Conference Room.

**Adjournment**

**Action**

Nebraska State Board of Landscape Architects

**Board Meeting Agenda**

**July 14, 2009**

**215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE**

**CALL TO ORDER**

The meeting was held at 215 Centennial Mall South, 5<sup>th</sup> Floor, Small Conference Room, Lincoln, Nebraska. Chairperson Bryers called the meeting to order at 1:41pm and informed the public of the location of the Open Meetings Act.

**Roll Call:** Dennis Bryers, John Royster, Gary Wells, Eileen Bergt Absent: JoAnne Kissel, Steve Rodie

**Staff Present:** Melinda Pearson, Executive Director (ED); Sandra Weaver, Administrator; Jon Wilbeck, Compliance Officer (CO); Jean Lais, Administrative Assistant (AA)

**Public Comments**

None Scheduled

**Agenda Items**

No additions or corrections were made  
Public Notice Publication

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**A Consent Agenda**

**1 Meeting Minutes**

a April 7, 2009 meeting minutes approved as submitted

**2 Late Submittals of Continuing Education**

a Submittals from Peter Conway and Michael Jerina as approved by the Peer Review Committee and Board Chairperson

**Approval of Consent Agenda**

**Action** Motion by Bergt, second by Wells to approve the Consent Agenda. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

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**B Financial Reports/Matters**

**1 Budget Status Report – April, May, June 2009**

NIS reports provided for review

**2 General Ledger by Business Unit Report – April, May, June 2009**

NIS reports provided for review

**3 Fund Summary Report – April, May, June 2009**

NIS reports provide for review

**4 Financial Profile – April, May, June 2009**

Report provided for review

**5 Fiscal Activity Report to Date**

FY 08/09 database report provided for review

**6 Other Financial Matters**

**a Revised Travel Reimbursement Policy**

The Travel Policy was revised to reflect LB 533 changes which became effective May 27, 2009, by emergency clause. Expenses must be submitted within 60 days from the date of expense (or from the last day of a trip) and all food/meal expenses equal to or greater than \$5.00 must have an itemized meal receipt.

**b LB 315 Final Appropriation FY 2009-11**

Spreadsheet provided for review showing final appropriation for FY09-11

**c Cash Fund Interest Income**

A memo from the State Investment Officer noted the decrease in earned income for the cash fund is expected to continue. The primary objectives will continue to be the safety of the principal and liquidity of funds for daily cash needs

**d Memorandum of Understanding update from Board of Engineers & Architects**

ED Pearson informed the members the Board of Engineers and Architects (NBEA) held a strategic planning meeting on May 28, 2009. One agenda item was to determine the relationship with "allied" boards and/or professions, namely the Board of Landscape Architects (the Board) and the Board of Geologist. The Allied Board Committee (the Committee) was formed with the following members: Dale Sall, Chair; Albert

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Hamersky, Facilitator; Fred Choobineh; Mike Conzett; Melinda Pearson, Staff. The committee was charged with reviewing ED Pearson's time analysis for the last fiscal year, review projected fee analysis, present recommended MOU to the NBEA August board meeting for approval, and determine the next step or steps to be taken. ED Pearson informed the Board the new MOU should be ready for review in time for the September 29<sup>th</sup> meeting. The Committee has agreed to meet with the Board once all information as been reviewed. The breakdown of the time analysis and ongoing for future evaluation was discussed. ED Pearson stated the Committee's recommendation should be completed in time to initiate any needed legislative actions. ED Pearson will email the completed time analysis for the Board's.

**e State Purchasing Card Program**

Administrator Weaver and AA Lais noted the purchasing card program allows for more efficient and cost effective purchasing process. It could reduce costs associated with accounting transactions. It may be used for in store purchases as well as mail, telephone, internet, and fax orders, such as conference registration, special purchases for items not on contract, etc. There is no penalty for non use. Currently there is a cash rewards basis of 1.44% on all purchases.

**Action** Motion by Royster, second by Wells to obtain a State of Nebraska Purchasing card. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**f Electronic Board meetings**

A quote for Inspiron 1010 laptop computer in the amount of \$449.35 to be used for paperless meetings was provided for review. Royster stated the small amount spent on copying and mailing hard copies of the board meeting packets was not significant enough to switch to paperless. Chairperson Bryers stated that if there was no interest, there was no reason to move forward with the process. No action taken

**g CLARB Regional Dues Distribution Notice**

Memo was provided from CLARB outlining the new regional dues structure. Regional dues will be eliminated and Member Boards will pay base dues and purchase the desired number of *participation* credits at \$2,000 each. This is the cost to send one representative to a CLARB meeting. Chairperson Bryers explained several member states have frozen travel and hopefully this will allow more member states to participate in the meetings. As of July 15, 2009, the Board will have a credit balance of \$973.63 in the CLARB account due to a Region IV fund balance. Since all regional member boards contributed equally to the fund, the balance was divided equally among regional boards. This may be used toward future CLARB annual or spring meetings beginning with the September 10-12, 2009, meeting in Seattle, WA.

**7 Contract Review and Approval for FY 09/10**

**a Charles Borcharding**

The contract with Charles Borcharding provides proctoring services for the ASBOG exams for a maximum fee of \$12.00 per hour for FY 2009-10. The exams are given twice a year.

**Action** Motion by Royster, second by Bergt to approve the contract with Charles Borcharding for proctoring services for July 1, 2009 through June 30, 2010. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**b DAS State Accounting Internal Controls MOU**

A MOU with DAS State Accounting outlining the requirements of establishing an Internal Control Plan was provided for review. The plan will establish comprehensive standards, policies, and procedures to ensure a strong and effective system of internal control within the agency. It shall include control environment, risk assessment, control activities, information and communication, and monitoring. The principal executive officer and principal fiscal officer must certify annually the agency has in place a proper system of internal control.

**c Amendment to 2008-2009 CLARB Examination Purchase Agreement**

A memo from CLARB explaining the proposed changes was provided for review. The Board will collect the fees from a candidate being proctored from another board and include the proctored exam in their regular exam account. CLARB will no longer charge a \$51.00 fee for proctored candidates. Proctoring Boards will need to work out proctoring fee collection directly with the candidate or home board. Member boards no longer need to track Good Cause credits. CLARB will refund 75% of the candidate's fees for Good Cause directly to the candidate. Member boards will need to provide contact information to CLARB, if needed, to issue refunds for Good Cause.

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**Action** Motion by Wells, second by Royster to accept and approve Amendment No 1 of the 2008-2009 CLARB Examination Purchase Agreement. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**Approval of Financials**

**Action** Motion by Bergt, second by Wells to approve all other financials as discussed. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

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**C Applications**

**1 a Application Overview Sheet**

Form provided

**2 a Applications for Licensure by Reciprocity - Class 2 w/CLARB certificate  
Matthew Gaber (CA)**

**Action** Motion by Royster, second by Wells to approve Gaber for reciprocity as a Class 2 applicant with CLARB Certification. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**Thomas Mroz (MI)**

**Action** Motion by Wells, second by Bergt to approve Mroz for reciprocity as a Class 2 applicant with CLARB Certification. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**Larry Blankenship (NE)**

Chairperson Bryers to send a letter to applicant requesting clarification of discrepancy in UNE reporting on CLARB record. The application needs to be certified by CLARB as per Title 231 NAC, Rules and Regulations, Chapter 2, 001.02. Applicant deferred until requirements met.

**Kevin Preiffer (MN)**

**Action** Motion by Royster, second by Wells to approve Preiffer for reciprocity as a Class 2 applicant with CLARB Certification. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**Steve Wilensky (CO)**

**Action** Motion by Wells, second by Bergt to approve Wilensky for reciprocity as a Class 2 applicant with CLARB Certification. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**b Applications for Licensure by L.A.R.E. Examination – Class 1 w/CLARB Record - None at this time**

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**D Compliance Cases**

**1 Logs - None at this time**

**2 New Cases**

a 09.01 – Letter of request and response - CO Wilbeck recommended closure

b 09.02 – Letter of request and response – Discussion held as to whether appropriate for respondent to list his degrees. Royster commented the issue is not the listing of his degrees, but rather non licensure in Nebraska. CO Wilbeck recommended that the California license be listed in a way that does not imply the respondent is licensed in Nebraska. Listing degrees is acceptable. He will also encourage the respondent to seek licensure and inform him he cannot engage in landscape architecture in Nebraska until licensure is granted.

**3 Pending Cases**

a 08.04 – Organization response and Board letter draft – Discussion held that respondent cannot give clients choice of where to purchase plants. Royster stated if respondent is practicing with the sale or intent to sale plant materials with the design plans, it is exempt. Master planning is not. CO Wilbeck will write letter advising respondent to not offer master planning without a license.

**4 a Case Recommendations – None at this time**

**5 a Compliance Issues – None at this time**

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Approval of Compliance Case Disposition Recommendations

**Action** Motion by Wells, second by Royster to accept case disposition as discussed or recommended by CO Wilbeck.  
Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

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**E General Information/Committee Reports**

**1 Meetings Schedule**

**a Board Meeting Schedule**

**b Roster of Board Members – 2009 expiration**

**c Board appointment correspondence**

Copy of recommendation letter from Board on reappointment of JoAnne Kissel with the Governor's response letter was provided. Rodie has not made a decision whether to seek reappointment and will give Chairperson Bryers his decision by early August. Peggy King from the Boards and Commissions in the Governor's office was scheduled to meet with the Governor this morning to discuss board member applications.

**2 Committee Reports**

**a Officers Report – None at this time**

**3 CLARB**

**a New Member Board's section on CLARB website**

CLARB has launched a new website with a section dedicated to Member Boards only. AA Lais provided members with their login information.

**b LA CES System**

The Landscape Architecture Continuing Education System (LA CES) has launched and is now available to begin registering and taking classes. Chairperson Bryers indicated CLARB members should be able to track their credits through the CLARB website.

**c MBE Committee**

Chairperson Bryers explained why the committee was formed. They are continuing to research whether a Member Board Executive should be on the board of directors. A non-voting seat will be provided at meetings for the upcoming 2010 activity year.

**4 a Office/Staff – None at this time**

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**F New Business**

**1 Governance Issues**

**a Board actions**

Recommended changes to the Board policies outlined on the Board Action Report were discussed. Policy was approved changing the License Renewal Fee forms mailing date to October to reflect current practice. Policy was approved for processing late continuing education (CE) and renewal submittals to be handled in the same manner as deficient CE submittals.

Royster stated reinstated licenses cannot be issued the same number as per statute. Several members believed a Target Reserve Policy had already been established in the last year or so. AA Lais and Chairperson Bryers will look into and advice. No action was taken on these two items.

**Approval of proposed Board actions**

**Action** Motion by Royster, second by Bergt to update policies for the license renewal mailing date and establish a policy for processing late submittals of continuing education and renewals. Voting Yes: Bryers, Wells, Royster, Bergt. Voting No: None. Absent: Kissel, Rodie

**b Rules and Regulations – None at this time**

**c Statutes – None at this time**

**d Legislative items – None at this time**

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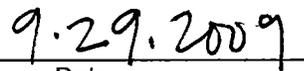
**2 Landscape Architects**

- a **CLARB Annual Meeting Agenda**, September 10-12, 2009, Seattle, WA – Delegate selection and approval  
Chairperson Bryers inquired if anyone was interested in attending the CLARB annual meeting and stated he would ask other members. If anyone is interested, Bryers should be contacted as soon as possible so travel can be approved. No action taken.
- b **Peer Review Committee appointment recommendations**  
Chairperson Bryers requested members to start looking for licensees willing to serve on the committee for a three year term to replace Alison Krohn whose term ends this year. AA Lais will compile a list of resident licensees for review and Chairperson Bryers will contact those selected for possible appointment. No action taken

**Adjournment** Motion by Royster, second by Wells to adjourn the meeting at 3:50pm

The next board meeting is scheduled for 1:00pm on Tuesday, September 29, 2009, at 215 Centennial Mall South, Fifth floor, in the small conference room.

  
Board Member Signature

  
Date