

Nebraska State Board of Landscape Architects
Board Meeting Agenda
September 29, 2010
215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

1:30p CALL TO ORDER

Open Meeting and Public Agenda Information

The following persons are scheduled to appear before the board:

2:00p Mary McCawley – Compliance Case 10.01

Public Comments

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 1-5 July 27, 2010 meeting minutes

2 a 0 Late Submittals of Continuing Education – None at this time

Action Approval of Consent Agenda

B Financial Reports/Matters

1 a 1-4 Budget Status Report – July, August 2010

2 a 1-2 MTD General Ledger Detail Report – July, August 2010

3 a 1-2 Fund Summary Report – July, August 2010

4 a 1 Financial Profile – July, August 2010

5 a 1 Fiscal Activity Report – FY 10/11

- b 1-2 Trends in Licensure – FY 09/10 and 10/11

6 Other Financial Matters

- a 1-9 2011-2013 Biennium Budget Approval

7 Contract Review – None at this time

Action Approval of Financial Matters

C Applications

1 a 1 Application Overview Sheet

2 Licensure/Examination

- a 0 Applications for Licensure by Reciprocity - **Class 2 w/CLARB Certificate – None at this time**

- b 0 Applications for Licensure by L.A.R.E. Examination – **Class 1 w/CLARB Record- None at this time**

Action Approval of Licensure/Examination Applications

D Compliance Cases

1 a 1 Logs

2 New Cases

- a 1-16 10.01 Summary and documentation

- b 1-5 10.02 Summary and documentation

3 a 0 Pending Cases – None at this time

4 a 0 Case Recommendations – None at this time

5 Compliance Issues

- a 0 Anonymous Complaints

Action Approval of Compliance Case Disposition

Nebraska State Board of Landscape Architects
Board Meeting Agenda
September 29, 2010
215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

E General Information/Committee Reports

- 1 Meetings Schedule/Rosters**
 - a 1-2 Board Meeting Schedule
 - b 1 Roster of Board Members
 - 2 Committee Reports**
 - a 0 Officers Report – Dennis Bryers, Chairperson
 - 3 a 0 CLARB – *None at this time***
 - 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 Peer Review Committee
 - b 1-4 Board Strategic Plan

Action

Adjournment

The next State Board of Landscape Architects meeting will be held on January 25, 2010, at 8:30am at 215 Centennial Mall South, Lincoln, Nebraska, Fifth floor, in the Small Conference Room.

Nebraska State Board of Landscape Architects
Board Meeting Minutes
September 29, 2010
215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

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 1:36pm and informed the public of the location of the Public Meeting Statutes. Notice of the meeting was published in the Lincoln Journal Star.

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

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

Public Comments/Appointments and Attendance

2:00p – Mary McCawley
Todd Maiellaro

Agenda Items

No corrections or adjustments were made

A Consent Agenda

1 Meeting Minutes

July 27, 2010 meeting minutes approved as presented

2 Late Submittals of Continuing Education – None

Approval of Consent Agenda

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

B Financial Reports/Matters

1 Budget Status Report, July, August 2010 – EnterpriseOne reports provided for review.

2 MTD General Ledger Detail Report, July, August 2010 — EnterpriseOne reports provided for review.

3 Fund Summary Report, July, August 2010 -- EnterpriseOne reports provided for review.

4 Financial Profile, July, August 2010 – EnterpriseOne reports provided for review.

5 Fiscal Activity Report, FY 10/11 – Report provided for review.

Trends in Licensure, FY 09/10 and 10/11 – Report provided for review.

6 Other Financial Matters

2011-2013 Biennium Budget Approval

AD Weaver explained the projected review includes an increase of the licensing fee up to \$250 and all application fees up to \$300. The final fee will be determined after receipt of the next Memorandum of Understanding (MOU) amount from the Nebraska Board of Engineers and Architects (NBEA).

Chairperson Bryers expressed the desire to receive that amount in time for the January 2011 meeting. ED Wilbeck committed to work with the Allied Board Committee of the NBEA to get the final figures to them as soon as possible. Vice-Chairperson Royster mentioned the issue with the hourly rate calculation on the previous contract and would also like to see a list of services to be provided to determine if there are any of which the board could handle or eliminate. Chairperson Bryers would like to see an hourly rate based on the individual doing the work instead of an overall average rate. He also stated the desire to see a longer agreement period than one year to help determine future fees. Bergt expressed interest in moving forward to start negotiates with the NBEA in considering a possible merger of the boards especially if the Nebraska Board of Geologists (NEBOG) have determined this is one of the possible routes they would like to pursue. Kissel mentioned even in other states with a combined board, there are opportunities for the professions to meet and work on the individual professions through subcommittees.

Nebraska State Board of Landscape Architects
Board Meeting Minutes
September 29, 2010
215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

ED Wilbeck questioned the board if they be looking to pattern state statute after the CLARB Model Law when they begin to work on a revised statute. Chairperson Bryers confirmed they would be.

7 Contract Review – None

Approval of Financial Matters

Action: Motion by Kissel, second by Royster to accept the Financial Matters. Voting Yes: Royster, Bergt, Kissel, Bryers; Voting No: None; Absent: Ciaccio, Wells

AD Weaver left at 2:14p

C Applications

1 Application Overview Sheet – Form provided

2 Licensure/Examination

Applications for Licensure by Reciprocity - Class 2 w/CLARB Certificate – None

Applications for Licensure by L.A.R.E. Examination – Class 1 w/CLARB Record- None

D Compliance Cases

1 Logs

2 New Cases

Chairperson Bryers brought to the attention of the Board a person stating they offer landscape architecture in Nebraska and is also using the title. He will work with CO Kohtz in drafting an initial letter.

10.01 Summary and documentation

Mary McCawley appeared before the board in regards to this case. She expressed her concern the Board had chosen to "reprimand" a very ethical and time management conscious person whose love for the profession may have been damaged by the Board's action. Restate that the respondent never called himself a landscape architect in the article in question. Chairperson Bryers stated it is not an issue of the respondent did not call himself a landscape architect, but the article implied he was performing the duties of a landscape architect when it identified the respondent as the lead landscape designer of the project mentioned in the article and there was no mention of a licensed landscape architect overseeing the respondent's work. The Landscape Architect Act is not only a title act, but also a practice act in which a person cannot offer landscape architecture services without a license in the state. Vice-Chairperson Royster stated if the article had mentioned the person is responsible charge, there would not be an issue.

The Board received a response letter from the respondent on September 17, 2010. Chair Bryers will work with CO Kohtz on a letter to the respondent.

10.02 Summary and documentation

To date, no response has been received from respondent. CO Kohtz will follow up after the deadline given in the Board's letter

3 Pending Cases – None

4 Case Recommendations - None

5 Compliance Issues

Anonymous Complaints – The Board received a complaint from an individual in which the complaint form was not signed. The Board agreed it would not proceed on complaints received anonymously.

ED Wilbeck and CO Kohtz left 3:12p

E General Information/Committee Reports

1 Meetings Schedule/Rosters

Board Meeting Schedule

Nebraska State Board of Landscape Architects
Board Meeting Minutes
September 29, 2010
215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

Roster of Board Members

Todd Maiellaro was in attendance as a possible replacement for John Royster who is not seeking reappointment

2 Committee Reports

Officers Report – *None*

3 CLARB

Chairperson Bryers gave a report on the Annual meeting which was held August 25-29, 2010, in Baltimore, Maryland. He stated there are currently three studies being conducted or started. The first is the Exam Task Analysis which is conducted every three to five years to insure the exams are addressing the current issues licensees encounter in their daily work. The second is the study on defining public welfare. The draft version is completed and is being received very positively. The third study is on the Determinant of Success Study. This study involves the determining of the minimum qualification needed to pass the exams.

Bryers was elected as CLARB Vice President and there were a total of 68 representatives in attendance

4 ASLA – *None*

5 Office/Staff - *None*

F New Business

1 Governance Issues

Board policies and action history – Provided for review.

Rules and Regulations – *None*

Statutes – *None*

Legislative items

2 Landscape Architects

Peer Review Committee

If Todd Maiellaro applies and is appointed as a board member, the Board will need to replace two members of the Peer Review Committee; Brian Leaders, whose term expires this year; and Todd, who has two years left on his term. Possible replacements named were John Royster, Ryan Bentley, and Mary Anne Wells. Chairperson Bryers will follow up with these individuals to see if they are interested. Discussion was held as to whether a board member could sit on the committee or be from out of state. The consensus was since this a subcommittee, the requirements of a board member do not apply and a board member could sit on the committee and a licensee from out of state could also sit as long as they are licensed in Nebraska.

Board Strategic Plan

Discussion was held on the possibility of adding certificates of authorization and an intern program into the new law once work began on the revisions. Vice-Chairperson Royster encouraged the Board to prioritize issues the board would like to address in the coming years by setting the number one and two issues as first priority. Kissel agreed. Chairperson Bryers will send emails to all licenses once priorities are set looking for interest to sit on committees.

Chairperson Bryers, Vice-Chairperson, and Kissel see the revised statute, future combined board, and coordination with other allied professions as being the priorities and could possibly be worked on at the same time. This may change slightly if the discussion of a possible merger moves forward with the NBEA and NEBOG.

Priorities were set as: (1) Coordination with Allied Design Professions (2) New Statute (3) Future Combined Board (4) Public Awareness (5) Ordinance & Code Development Assistance (6) Develop and annually update a 5-year financial plan (7) Annually update the Board's Strategic Plan. One year was added to all dates as presented on the draft plan dated March 26, 2010. "Lobbyist" was changed to "legislative aide" under New Statute.

Nebraska State Board of Landscape Architects
Board Meeting Minutes
September 29, 2010
215 Centennial Mall South, Fifth Floor, Small Conference Room, Lincoln, NE

Action: Motion by Kissel, second by Bergt to adopt the draft strategic plan with the proposed new priorities and changes in dates. Voting Yes: Royster, Bergt, Kissel, Bryers; Voting No: None; Absent: Ciaccio, Wells

Adjournment Motion by Royster to adjourn the meeting at 3:44pm

The next State Board of Landscape Architects meeting will be held on January 25, 2010, at 8:30am at 215 Centennial Mall South, Lincoln, Nebraska, Fifth floor, in the Small Conference Room.



Board Member

1-25-11

Date