

Nebraska State Board of Landscape Architects
Board Meeting Agenda
July 26, 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 Consent Agenda

Meeting Minutes

1-4 March 29, 2011 meeting minutes

5-9 Late Submittals of Continuing Education

Action

Approval of Consent Agenda

B Financial Matters

1-8 **Budget Status Report** – March, April, May, June 2011

9-12 **MTD General Ledger Detail Report** – March, April, May, June 2011

13-18 **Fund Summary Report** – March, April, May, June 2011

19 **Financial Profile FY 2010/2011** – March, April, May, June 2011

Other Financial Matters

20-21 FY12 and FY13 Breakdown of Appropriation

22 FY 2010/2011 Cash Fund transfer

23-24 Revised Travel Reimbursement Policy

25 Revised Mileage Rate Memo from State Accounting

Contract Review and Approval - None

Action

Approval of Financial Matters

C Applications

Licensure/Examination

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

1-2 William Cox, KS

3-4 Todd Halunen, WI

5-6 Donald Marner, IA

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

Action

Approval of Licensure/Examination Applications

D Compliance

Logs – None

New Cases – None

Pending Cases – None

Compliance Issues

41-47 Omaha Stormwater Guidelines/Regulations

Action

Approval of Compliance Case Disposition

E Committee Reports

Officers Report

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CLARB
ASLA
Office/Staff – *None*

F Old Business – *None*

G New Business

Governance Issues

Board actions – *None*
Rules and Regulations – *None*
Statutes – *None*

Landscape Architect Items

- 41-43 CLARB Annual Meeting, September 15-17, 2011 in Chicago, IL - Voting delegate selection, and approval
L.A.R.E. Transition
- 44-45 Timeline and Transition Chart
- 46-51 L.A.R.E. Transition FAQs
- 52-53 Announcement to Members
- 54-55 Announcement to Candidates
- 56 Sample Article for News and Web
- 57 Current NSBLA Licensure by Examination Webpage
- 58-59 Current Statutes regarding Examinations
- 60-61 Current Rules and Regulations regarding Examinations

Action

- 62-67 Continuing Education Submittal from Charles Walker

Action

Strategic Plan

Action

H General Information

- 1 Public Notice publication
 - 2-3 Board meetings and schedule
 - 4 Roster of Board members
 - Licensing Trends**
 - 5 Trends in Licensure
 - 6 Fiscal Activity Report
 - Other**
 - 7-9 Approved Board Policies
 - 10 March 2011 L.A.R.E. Multiple Choice Exam Results
-

Adjournment

The next Board of Landscape Architects board meeting will be held on September 27, 2011, at 8:30am at 215 Centennial Mall South, Lincoln, Nebraska, fifth floor, small conference room.

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CALL TO ORDER 8:39a

The meeting was held at 215 Centennial Mall South, 5th Floor, Small Conference Room, Lincoln, Nebraska. Chairperson Bryers called the meeting to order at 8:39am and informed the public of the Location of the Open Meetings Act.

Roll Call: Eileen Bergt, Dennis Bryers, David Ciaccio, JoAnne Kissel, Todd Maiellaro, Gary Wells.
Staff Present: Sandra Weaver, Administrator (Admin); Tyler Kohtz, Compliance Officer (CO); Jean Lais, Administrative Assistant (AA)

Public Comment/Appointments

Doug Gibbs, the Board's Fiscal Analyst was in attendance. He explained his job and how he represents the Board to the Appropriations Committee.

Agenda Items

No adjustments were made.

A Consent Agenda

Meeting Minutes - March 29, 2011, meeting minutes approved as presented.

Late Submittals of Continuing Education – Submittal from Eric Casper as approved by the Peer Review Committee and the Board Chairperson.

Action Approval of Consent Agenda

Motion by Kissel, second by Ciaccio to accept the Consent Agenda as presented. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

Admin Weaver entered the meeting at 8:38a

B Financial Matters

Budget Status Report – March, April, May, June 2011

EnterpriseOne reports provided for review. Admin Weaver provided spreadsheets to project where the Cash Fund would be if renewal fees were not increased and if raised from \$170 to \$200. Without a fee increase the Cash Fund would lose approximately \$2,100 to \$2,700.

MTD General Ledger Detail Report – March, April, May, June 2011

EnterpriseOne reports provided for review

Fund Summary Report – March, April, May, June 2011

EnterpriseOne reports provided for review. Admin Weaver pointed out that if the mandated cash fund transfer had not taken place, the Cash Fund would have been about the same as last year at year end.

Financial Profile FY 2010/2011 – March, April, May, June 2011

Report provide for review. Bryers suggested members review the spreadsheets provided by Admin Weaver and start discussion at next meeting on fee increase. He also suggested fees be raised enough to cover at least three (3) years. The service contract with the Nebraska Board of Engineers and Architects (NBEA) has a projected increase of 3% each year.

Other Financial Matters

FY12 and FY13 Breakdown of Appropriation

A spreadsheet with the breakdown of agency appropriation at the end of the 2011 legislative session for the 2011-2013 Biennium was received from Gary Bush, Budget Management Analyst.

FY 2010/2011 Cash Fund transfer

Section 228 of LB 1 of the 101st Legislature, First Special Session, 2009, mandated a transfer of \$1,143.00 from the Board's Cash Fund to the State General Fund during FY 2010/2011. The first half was transferred December 15, 2010, and the remaining \$571.500 was transferred on June 15, 2011.

Revised Travel Reimbursement Policy

Revisions were made to the Travel Policy to help clarify the covered expenses. Changes were approved as presented.

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Revised Mileage Rate Memo from State Accounting

Copy of memo received from State Accounting changing the mileage rate from 51 cents to 55.5 cents as of July 1, 2011.

Contract Review and Approval - None

Action Approval of Financial Matters

Motion by Wells, second by Bergt to approve the Financial Matters as presented. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

Admin Weaver left the meeting at 9:05am

C Applications

Licensure/Examination

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

Approved: William Cox, KS; Todd Halunen, WI; Donald Marner, IA

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

Action Approval of Licensure/Examination Applications

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

CO Kohtz entered the meeting at 9:15am

D Compliance

Logs – None

New Cases – None

Pending Cases – None

Compliance Issues

Omaha Stormwater Guidelines/Regulations

Kissel informed the Board this issue actually pertains to a street scape project in Lincoln with issues as to landscape architects not being able to seal certain right of way drawings. Public Works Director MacLean is requiring the seal of a civil engineer on drawings formally allowed by landscape architects. She expressed a clarification is needed between the NBEA and the Board.

Bergt questioned if there may have been a change in the city ordinances requiring the seal of engineer instead of a landscape architect. Kissel replied she was not aware of any. CO Kohtz suggested the Board request Dennis Scheer to address an official letter to the board outlining the issue, include plans, and explain why he feels a landscape architect should be able to seal these types of plans. Once received, the Board can decide if it will need an opinion from the Attorney Generals' office or to go to the NBEA board for their opinion. Bryers will also check with other surrounding states to see what they allow.

Bryers also suggested once Scheer's letter is received, the Board address a letter to the city's Plan Review and the City Engineer explaining why professional landscape architects are qualified to stamp these types of plans.

Action Motion by Ciaccio, second by Bergt to address a formal letter to the city of Lincoln as to what the Landscape Architecture profession is and why landscape architects are qualified and have the right to perform professional services and seal plans prepared by them upon receipt of a letter and copies of plans from Dennis Scheer describing the issue to the board. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

A second issue is that of the need of a coordinating professional on projects involving engineers and/or architects as required by the Engineers and Architects Act. An example is Elliot Park which was a playground project for a school. This project had a shade structure which required the work of both an engineer and architect, therefore, required a coordinating professional even though the project was a landscape project in whole.

An associate of Clark-Enersen is a board member of the NBEA and brought this to the attention of

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their board. The NBEA board indicated it was never the intention of the board to not allow a professional landscape architect to act as the coordinating professional when the requirement was added to their Act. CO Kohtz informed the board that ED Wilbeck is willing to represent the Board in detailed discussion with the NBEA board if the Board so chooses. If the NBEA were to agree to allow professional landscape architects to be a coordinating professional, both boards would need to make statutory changes. For the Landscape Architect Act, would need to add coordinating professional to the definition of the practice of professional landscape architects. Bryers agreed the Board should take the initiative on the issue and will work with ED Wilbeck in discussions with the NBEA.

Action Motion by Ciaccio, second by Bergt to have ED Wilbeck work on the Board's behalf with the Nebraska Board of Engineers and Architects to address revisions to the coordinating professional require in the their statutes to allow landscape architects to act as the coordinating professional. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

CO Kohtz left meeting at 9:54am

E Committee Reports

Officers Report - None

CLARB

Chairperson Bryers informed the Board the CLARB Board of Directors June meeting was held in Encinitas, Mexico, at the invitation of the Mexican Landscape Architects national organization. Discussion was held at the meeting as to how CLARB was organized and if CLARB would be willing to assist them in setting up a similar system. CLARB now covers Puerto Rico and two Canadian provinces. The International Federation of Landscape Architecture (IFLA) was also in attendance as their current director is from Mexico.

ASLA

Chairperson Bryers is serving on the Licensure committee. At their last meeting, the committee looked into requiring licensure to become a full member of ASLA. The decision was not to require licensure due to the economic situation and the cost to members.

The committee also looked at suggesting an universal designation be developed for licensees. PLA (professional landscape architect) was the suggested designation and will now be considered by the ASLA directors. Bryers suggested the Board may want to consider support of the designation after the directors have reviewed and made their decision.

Office/Staff - None

F Old Business - None

G New Business

Governance Issues

Board actions - None

Rules and Regulations - None

Statutes - None

Landscape Architect Items

CLARB Annual Meeting, September 15-17, 2011 in Chicago, IL

Chairperson Bryers travel will most likely be covered by CLARB until September 2014. He is currently serving has CLARB Vice President and is on the ballot as President Elect for the coming year. Bryers would like at least one member to go to the annual meeting at a minimum as it is difficult for him to represent the Board at the Regional sections of the CLARB meetings due to his CLARB board responsibilities.

As there were no members who expressed interest of going to the annual meeting, the Board approved one staff member to attend the meeting upon approval of the NBEA executive director.

Action Motion by Ciaccio, second by Kissel to approve one staff member to attend the Annual Meeting upon approval of the EA executive director. Voting Yes; Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers;

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Voting No: None

L.A.R.E. Transition

CLARB is in the process of converting the graphics sections of the L.A.R.E. to a computer based format. In the process, the exam will go from five sections to four sections. Information on the timeline of the transition and FAQs were included for review. Current Sections A & B (multiple choice) will convert directly to the new Sections 1 and 2. Current Sections C, D, and E (graphics and multiple choice) will convert to the new Sections 3 and 4, with Section D being split between 3 and 4. The last exam of the current graphic sections will be given in June 2012. The last current multiple choice sections will be given in Spring 2012.

An announcement to CLARB members and examinees was sent out last week. The social media campaign will begin on August 1st.

The exam will be administered directly through CLARB, therefore, the board will not need to pre-approve for the graphics sections after the June 2012 administration. Licensure applicants would not apply for initial license until after they have completed and passed all sections of the exam, therefore, the Board will need to make changes to both the statutes and the rules and regulations to accommodate the new exam format. Bryers will take a look at the changes needed and email a list to the Board for review and discussion will need to take place at the next meeting in order to be able to introduce at the 2013 Legislative session. If passed and signed, the statute changes would go into effect sometime in September or October unless an emergency clause is included. After the statute changes are passed, the Board would then need to revise the rules and regulations.

Continuing Education Submittal from Charles Walker

Documentation was provided for review. The Board approved his professional development hours and renewal of his license.

Action Motion by Ciaccio, second by Wells to approve the continuing Education submittal from Charles Walker and renewal of his license. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

Laurence Wagner

Wells inquired as to whether Mr. Wagner had responded to the Board's letter sent to him in January granting a six month extension (June 26th) to obtain the required professional development hours. AA Lais informed the Board that no response has been received. Discussion was held to whether a follow up should be sent and copied to his lawyer for an update on his employment situation.

Action Motion by Wells, second by Maiellaro to follow up with Wagner on the status of his professional development hour submittal and license renewal. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

Strategic Plan

Chairperson Bryers will look at the changes needed to the statutes and rules and regulations needed to bring Nebraska's licensure requirements in line with CLARB's Model Law guidelines when he looks at the changes needed to accommodate the upcoming exam changes. However, he feels this round of changes should be minimal and possibly only address the changes needed for the exam and fee increases.

H General Information

Public Notice publication

Board meetings and schedule

AA Lais informed the Board, office staff is beginning to work on the 2013 calendar, and if anyone had meeting dates, please send them to her to be added to the calendar.

Roster of Board members

Chairperson Bryers reminded the Board they are looking for a Peer Review Committee replacement for John Williams who agreed to serve for 2011 only. He will also follow up with Eric Casper to see if he would be willing to remain on the committee for another two years.

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Wells' board term expires in September. He informed the Board he may have scheduling conflicts with the January meetings for the next couple of years. However, if the Board was willing to work with him, he will seek reappointment with the Governor. AA Lais will send him the necessary information to inform the Governor's office of his decision.

Licensing Trends

Trends in Licensure and Fiscal Activity Reports were provided for review.

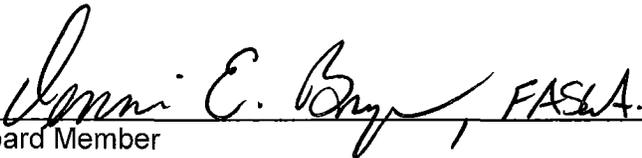
Other

Approved Board Policies – Board Policies and Action Summary were provided for review.

March 2011 L.A.R.E. Multiple Choice Exam Results – The results of the March 2011 L.A.R.E. sections were provided for review.

Adjournment: Motion by Kissel, second by Ciaccio to adjourn the meeting at 11:00am

The next Board of Landscape Architects board meeting will be held on September 27, 2011, at 8:30am at 215 Centennial Mall South, Lincoln, Nebraska, Fifth Floor, Small Conference Room.


Board Member


Date