

Nebraska State Board of Landscape Architects  
**Board Meeting Agenda**  
**September 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 Consent Agenda**

**Meeting Minutes**

1-5 July 26, 2011 meeting minutes

**Action Approval of Consent Agenda**

---

**B Financial Matters**

1-4 **Budget Status Report** – July, August 2011

5-6 **MTD General Ledger Detail Report** – July, August 2011

7-8 **Fund Summary Report** – July, August 2011

9 **Financial Profile FY 2010/2011** – July, August 2011

**Other Financial Matters - None**

**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 Melvin Easter, WA

3-4 Kori Haug, TX

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

10-11 Jill McKain, NE

12-13 Bradley Swerczek, NE

**Action Approval of Licensure/Examination Applications**

---

**D Compliance**

**Logs – None**

**New Cases – None**

**Pending Cases – None**

**Compliance Issues**

Lincoln not allowing Landscape Architects to stamp certain drawings

**Action Approval of Compliance Case Disposition**

---

**E Committee Reports**

Officers Report

CLARB

ASLA

Office/Staff – None

---

**F Old Business – None**

---

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

---

**G New Business**

**Governance Issues**

Board Policies – *None*

Changes to Statutes and Rules and Regulations

11-12 Board's Actions to Change Statute and/or Rules and Regulations

13-17 CLARB Model Law

**Landscape Architect Items**

21-28 Laurence Wagner – PDH Update

31 Peer Review Committee Appointments

41-45 Changes to Website Discussion

**Strategic Plan**

**Action**

---

**H General Information**

1 Public Notice publication

2-3 Board meetings and schedule

4 Roster of Board Members

5-6 Notice of Governor's Reappointment of Board Member Gary Wells

**Licensing Trends**

11 Trends in Licensure

12 Fiscal Activity Report

**Other**

21-22 Approved Board Policies

23 June 2011 L.A.R.E. Graphic Exam Results

---

**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.

Nebraska State Board of Landscape Architects  
**Board Meeting Minutes**  
**September 27, 2011**  
**215 Centennial Mall South, 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, NE. Chairperson Bryers called the meeting to order at 8:40am and informed the public of the location of the Open Meeting Act.

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

**Staff Present:** Jon Wilbeck, Executive Director (ED); Sandra Weaver, Administrator (Admin); Kathy Yanez, Public Information Officer (PIO); Jean Lais, Administrative Assistant (AA)

**Public Comment/Appointments**

Doug Gibbs, Fiscal Analyst was present

**Agenda Items**

No adjustments were made.

---

**A Consent Agenda**

**Meeting Minutes** – The July 26, 2011, meetings minutes were approved as presented.

**Action Approval of Consent Agenda**

Motion by Ciaccio, second by Maiellaro to accept the Consent Agenda as presented.

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

---

Admin Weaver joined the meeting at 8:45am.

**B Financial Matters**

**Budget Status Report** – July, August 2011

EnterpriseOne Reports provided for review. Admin Weaver noted \$64.37 was added to appropriation for the June postage which was paid in July.

**MTD General Ledger Detail Report** – July, August 2011

EnterpriseOne Reports provided for review.

**Fund Summary Report** – July, August 2011

EnterpriseOne Reports provided for Review. Admin Weaver noted the Cash fund is at about the same as this time last year.

**Financial Profile FY 2010/2011** – July, August 2011 – Report provided for review

**Other Financial Matters** – *None*

**Contract Review and Approval** - *None*

**Action Approval of Financial Matters**

Motion by Kissel, second by Maiellaro to approve the Financial Matters as presented.

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

---

Admin Weaver left the meeting at 9:00am

---

**C Applications**

**Licensure/Examination**

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

**Approved:** Melvin Easter, WA; Kori Haug, TX

**Action** Motion by Ciaccio, second by Wells to approve the applications for licensure by Reciprocity

– Class 2 with a CLARB Certificate as presented. Voting Yes: Ciaccio, Maiellaro, Bergt, Wells, Bryers; Voting No: None; Abstain: Kissel

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

**Approved:** Jill McKain, NE; Bradley Swerczek, NE

Nebraska State Board of Landscape Architects  
**Board Meeting Minutes**  
**September 27, 2011**  
**215 Centennial Mall South, Small Conference Room, Lincoln, NE**

**Action** Motion by Bergt, second by Maiellaro to approve the licensure applications by L.A.R.E. Exam - Class 1 w/CLARB Record as presented. Voting Yes: Ciaccio, Maiellaro, Bergt, Wells, Bryers; Voting No: None; Abstain: Kissel

---

ED Wilbeck joined the meeting at 9:05am

**D Compliance**

**Logs** – *None*

**New Cases** – *None*

**Pending Cases** – *None*

**Compliance Issues**

**Lincoln not allowing Landscape Architects to stamp certain drawings**

Chairperson Bryers believes there may be a state law that requires projects over \$50,000 in the public right of way must be designed and sealed by a licensed engineer. Discussion was held to whether this was a state or local requirement. Chairperson Bryers mentioned that a similar situation was encountered in Omaha which requires an architect be involved. The City Planning Division interprets "architect" to include landscape architects. He will look into getting the exact statute and if need be, may need to go to the Attorney General to get an interpretation. It was also discussed that local authorities could have stricter or more regulations than the state.

**Unlicensed Practice of Landscape Architecture**

Chairperson Bryers brought to the attention of the Board that an individual who had been before the board previously as offering landscape architect services on the Omaha Small Emerging Business List under her former employment has been relisted as an individual. He will get the necessary information and a formal complaint to CO Kohtz to follow up.

**Phone Directory Disclaimer**

An email from John Royster brought to the Board's attention a disclaimer in the Santa Fe, New Mexico phone directory under the Landscape Architect listings. ED Wilbeck contacted the Attorney General's office and was informed it would take a statutory change in order to have a similar disclaimer used in Nebraska. He has also attempted to contact the New Mexico Landscape Architecture board for more information, but has not received a reply from them. He is attempting to find who the driving force was behind the disclaimer and whether it is before other licensed professional listings. He inquired of the Board if they would be interested in pursuing such or similar disclaimer in Nebraska. The Board contended more information was needed before a decision could be made.

---

**E Committee Reports**

**Officers Report** - *None*

**CLARB**

The CLARB Annual meeting was held last week in Chicago, IL, Chairperson Bryers and AA Lais were in attendance. AA Lais reported there were two topics discussed during the Regional Meeting. The first was that of the universal licensure designation of PLA (Professional Landscape Architect) has is being proposed by the American Society of Landscape Architects (ASLA). Though none of the states in region have a statutory or rules and regulations issue in using PLA, it was the contention that this may cause more confusion instead of clarity as most states now use the RLA (Registered Landscape Architect). This is an alternative to ASLA requiring licensure to become a full ASLA member. The states felt that since this was a license issue it should be addressed through CLARB and not ASLA.

Nebraska State Board of Landscape Architects  
**Board Meeting Minutes**  
**September 27, 2011**  
**215 Centennial Mall South, Small Conference Room, Lincoln, NE**

The second issue was the possible offering of Sections 1 and 2 of the LARE during the last year of school or immediately after. This is a direct result of CLARB's Determinates of Success study completed this summer. It was determined the closer an examinee was to graduation, the changes of them passing these sections were higher. It was the contention of the states in our region there would be an advantage based on the study and it would get candidates into the system earlier. The issue was with those states which currently have a rolling clock as this may hinder and/or shorten the time a candidate has to complete the other sections of the exam after getting the required experience. Overall the states felt they could support a trail study on the issue.

Other topics covered were how states could incorporate the Definition of Welfare Report into their statutes and ways to heighten the public awareness and the LARE transition plan.

**ASLA - None**

**Office/Staff – None**

---

**F Old Business – None**

---

**G New Business**

**Governance Issues**

**Board Policies – None**

**Changes to Statutes and Rules and Regulations**

A copy of the Board's Action to Change Statute and/or Rules and Regulations along with the CLARB Model Law was provided for review. Chairperson Bryers is to provide a list of proposed statute changes including those needed for the upcoming LARE transition. The members will then have fourteen days to make comments and suggest any other changes. A board meeting will be set after this date to finalize and approve prior to sending the revisions to the bill writers for introduction at the 2012 Legislative Session. Possible dates and times suggested were October 25<sup>th</sup> in the morning, October 27<sup>th</sup> at any time, or October 28<sup>th</sup> in the morning. AA Lais will check on room availability and get back to the members to finalize a date. Any changes the Board wants to introduce in the next legislative session should be to the bill writers no later than November.

ED Wilbeck discussed with the board the issue of allowing a landscape architect to be the coordinating professional on a project on which there is also an engineer and/or architect involved as required by the Engineers and Architects Act. When the Nebraska Board of Engineers and Architects (NBEA) met to finalize their rules and regulations changes to allow a landscape architect to act as the coordinating professional, it was discovered the definition of a coordinating professional is defined in their statutes as an engineer or architect, therefore, they are unable to make the change in this round of changes. However, they may be submitting additional changes to the legislature in January and may look into adding landscape architect into the definition. ED Wilbeck is in the process of scheduling a meeting of the NBEA Legislative Committee and hopes to have the meeting prior to the NBEA's next board meeting on October 21<sup>st</sup>. Once the committee meeting has been set, he will notify the Board so they can have a representative at the meeting if they so choose.

ED Wilbeck left the meeting 9:15am

**Landscape Architect Items**

Laurence Wagner – PDH Update

The Board approved Mr. Wagner's PDH requirements based on the information provided in

Nebraska State Board of Landscape Architects  
**Board Meeting Minutes**  
**September 27, 2011**  
**215 Centennial Mall South, Small Conference Room, Lincoln, NE**

his correspondence of September 8 and 11, 2011. It appears the classes taken in 2010 meet the 2011 renewal requirements and all classes taken in 2011 may be used toward his 2012 renewal.

**Action** Motion by Wells, second by Ciaccio to approve Laurence Wagner's PDH requirement for 2011. Voting Yes: Ciaccio, Maiellaro, Bergt, Kissel, Wells, Bryers; Voting No: None

**Peer Review Committee Appointments**

Chairperson Bryers has asked Eric Casper to serve an additional term. Steve Jensen has been asked to serve a full three years (he replaced Maiellaro when he was appointed to the board) Ryan Bentley of Big Muddy Workshop has expressed interest in serving and Bryers is waiting to hear back from him. With these appointments, the committee would be back on the original rotation schedule of one member going off each year and each member serving as Chairperson during their second year.

PIO Yanez joined the meeting at 10:24am

**Changes to Website Discussion**

General discussion was held to possible changes which could be made to the website, suggestions were adding the board agendas and approved minutes, notices of upcoming changes both with the Board and CLARB. The members agreed to look more thoroughly at the current site and discuss at the next meeting or contact PIO Yanez with any suggestions.

PIO Yanez left the meeting at 10:40am

**Strategic Plan**

No discussion held.

---

**H General Information**

**Public Notice publication**

**Board meetings and schedule**

**Roster of Board Members**

**Notice of Governor's Reappointment of Board Member Gary Wells**

Copies of Board Member Gary Wells' reappointment letter and certificate were provided for review. Wells was appointed to another five year term beginning September 24, 2011 and expiring on September 23, 2016.

**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.

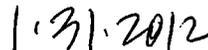
**June 2011 L.A.R.E. Graphic Exam Results** – The results of the June L.A.R.E. Graphic Exams were provided for review.

---

**Adjournment:** Motion by Wells, second by Bergt to adjourn the meeting at 10:44am

The next Board of Landscape Architects board meeting is to be determined.

  
Board Member

  
Date