

Minutes of

Meeting of the Board of Licensure for
Professional Engineers and Professional Surveyors
held 9:00 a.m. June 14, 2013 at Board Office,
2550 Cerrillos Road, Santa Fe, NM

Members Present Rola Idriss, PE, Board Chair
 Julie Samora, PE
 Gilbert Chavez, PS
 Ronald Bohannon, PE
 Paul Brasher, PE
 Glen Thurow, PS
 Augusta Meyers, Public Member
 Josh Skarsgard, Public Member
 John T. Romero, PE
 Salvador Vigil, PS

Others Present Eva Baca, Acting Executive Director, BLPEPS
 Perry Valdez, Team Leader, BLPEPS
 Ericca Lopez, Executive Secretary, BLPEPS
 Michelle Padilla, Licensing Manager, BLPEPS
 Elisa Salazar, Licensing Manager, BLPEPS
 Rick Word, Board Attorney
 Dawn Tibbetts

1. Convene, Determination of Quorum and Introductions: Members and Audience

Dr. Idriss convened the meeting at 9:00 a.m.

Roll call was taken and it was noted that a quorum of the Board was present. M s. Tibbetts introduced herself as a guest to the board.

2. Approve Agenda

MOTION by Mr. Vigil, **SECONDED** by Mr. Romero, and **PASSED** unanimously **VOTED:** To approve the agenda as presented.

3. Meeting Notification

It was noted that the meeting had been advertised in the Albuquerque Journal and the board's website.

4. Public Comment

No public comment at this time.

5. New Business

a. DFA requiring Contractor Clearance for Professional Services

Ms. Tibbetts brought forth a concern to board where DFA will be requiring all engineering services to have contractor clearance in order to acquire contracts for HUD. Ms. Tibbetts stated this was not a requirement through the federal HUD standards. Ms. Tibbetts noted she felt that initially this was an error on DFA's part but they will not take responsibility and now have made it a requirement across the board.

Mr. Chavez stated that item 6c also related to this item. Mr. Chavez stated he would like for the board to do further investigation into the matter of requiring authorization of firms.

Mr. Word stated that he felt Ms. Tibbetts concern was beyond the scope of the boards authority. He asked that he be allowed to have time to further research the matter and have this item returned to the agenda once he has done so.

MOTION by Ms. Samora, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To look into the Practice Act to further research the matter and consider possibly writing a letter of concern if it is appropriate.

b. NCEES Annual Meeting

It was stated that the deadline for registration is July 12th. This item would be further discussed with item 6b.

c. Election of Officers for FY '14- Chair, Vice Chair and Secretary

Ms. Samora nominated Mr. Brasher for Chair.

MOTION by Mr. Romero, **SECONDED** by Mr. Bohannon, **PASSED** unanimously

VOTED: To elect Mr. Brasher as Chair of the board by acclamation.

MOTION by Mr. Romero, **SECONDED** by Mr. Bohannon, **PASSED** unanimously

VOTED: To elect Mr. Vigil as Vice Chair of the board.

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To elect Mr. Romero as the Secretary of the board.

d. Approval of the Open Meetings Resolution for FY '14

A short discussion was had on the open meetings resolution since several members and the board's attorney had not had time to review the document. It was decided that this item would be pushed to the end of the meeting to allow the board's attorney time to review it.

e. Appointment of Emeritus Members

Mr. Valdez explained the reason this item was placed on the agenda was for the board to be able to allow Mr. Chavez as an emeritus member of the board to continue being active with the NCEES once his term with the board has expired.

Ms. Samora expressed a concern about these members being able to speak on behalf of the board.

Mr. Chavez explained that emeritus members have no voting rights and could not speak on behalf of the board.

MOTION by Mr. Romero, **SECONDED** by Mr. Vigil, **PASSED** unanimously **VOTED**: To allow Mr. Chavez to become an emeritus member of NCEES once his term with the board was expired.

It was stated that Mr. Chavez was currently appointed to the public outreach committee of the NCEES, Mr. Thurow was currently appointed to the law enforcement committee and Dr. Idriss was an ABET representative.

f. Approval of FY '14 Meeting Schedule

A short discussion was had on the FY '14 meeting schedule. A few errors were found and needed to be corrected.

This item will be tabled for corrections to be made and will be brought back to the next meeting for approval.

6. Old Business

a. Approval of meeting minutes for April 12, 2013

This item was tabled for corrections to be made and presented at the next meeting.

b. Board Members Out-of-State Travel Policy

Mr. Skarsgard stated that he had spoken to representatives from RLD. He stated that he was informed that when the board signed the MOU that they had given up their rights to control their own travel. Mr. Skarsgard stated he was in talks with RLD in creating their own travel policy and were given guidelines that needed to be followed if they were allowed to do so.

Several board members brought up a concern that the same board members would always be in attendance and not allow for others to attend.

Mr. Word also noted that the rules currently read that the board shall report amounts over \$1500 to the governor's office, not request approval.

MOTION by Mr. Skarsgard, **SECONDED** by Mr. Romero, **PASSED** unanimously

VOTED: To adopt the policy with the changes as discussed.

It was discussed that Mr. Bohannon and Mr. Thurow were the funded delegates to the NCEES annual meeting. It was also discussed that Mr. Chavez, Mr. Brasher, Mr. Romero, Dr. Idriss and Mr. Valdez would be the five candidates that would be paid for by the board.

- c. Model Law 106.10, Certificates of Authorization for Firms 160.20 Managing Agents and Resident Profession- Gilbert Chavez, PS**
Mr. Chavez stated that he discussed this item a little earlier in the meeting and would like for the board to look further into the matter of requiring certificates of authorization.
- d. Future City Competition**
Mr. Chavez stated that he would like to see the board and the engineer committee promote a Future Cities Competition for New Mexico students in the future.
- e. Organizational structures and procedures**
Mr. Chavez expressed a concern on the reimbursement process of board members for their travel. He stated that it in the past checks were received in a timelier manner.

Mr. Chavez also expressed concern about when the board was moved over to RLD there were statements made regarding several complaints about the board and to date no complaints have ever been seen by the board. Mr. Chavez feels there was an illegal ceasure of the board. Several board members expressed frustration over the board being called "bad".

Ms. Samora stated the board needed to build on the positive and move on.

7. Director's Report

a. Status report

1. Executive Director
2. Compliance Officer
3. Pending Complaints

Ms. Baca stated the executive director position advertisement was in the work. She explained that it was a lengthy process since it was being changed from an exempt position to a classified position. She stated at this point it was at the state personnel office. Ms. Baca also stated that her official retirement date was August 30th.

Ms. Baca reported all compliance is up to date. The board has four pending investigations and seven NCA's at the attorney general's office.

Ms. Baca reported the paperwork for the position of compliance officer is currently also at state personnel office for its review.

The board asked Ms. Baca if she would ask Ms. Choya to come in to the next board meeting and give the board a short report on what she has pending in her office as far as pending matters for this board.

8. Executive Session

Not required at this time.

9. Action on items discussed during Executive Session

No items to discuss

10. Committee Reports

a. PS Committee

Mr. Chavez reported Mr. Thurow had been elected as Chair of the PSC and Ms. Meyers was elected as Vice-Chair.

Mr. Chavez reported the committee had reviewed six applications for licensure.

Mr. Chavez reported that five complaint cases had been reviewed by the committee.

b. PE Committee

Mr. Brasher reported the committee had discussed the issue of licensure for professors.

Mr. Brasher reported the committee had discussed the travel policy issue.

Mr. Brasher stated the committee had three complaint cases that were reviewed.

Mr. Brasher stated the committee reviewed one hundred twenty five applications for licensure and exam requests.

Mr. Brasher reported Mr. Bohannon had been elected Chair of the committee and Dr. Idriss was elected Vice Chair of the committee.

Mr. Brasher reported that a few correspondence issues were also handled one regarding a firm and using the term engineering and the other was a response to a question regarding digital signatures.

c. Executive Committee

No report at this meeting.

d. Joint Practice Committee

Mr. Brasher reported the JPC was scheduled to meet on May 30th but the meeting was cancelled.

e. Public Info. Exam and Licensure Promotion Committee

Ms. Samora reported the committee had not met but she would like to be able to get out a newsletter and have a more active website. She would like to see more good public relations for the board.

f. Rules and Regulations Committee

Ms. Samora stated she had no report at this time.

Ms. Lopez stated the rules were currently being formatted properly and once they were completed would be going back to the legal writer to ensure that they were done correctly. Once this process is over Ms. Lopez would then submit a copy to all the board members and would continue with the process to begin advertising for the rules hearing.

g. NCEES Committee Members

Items were discussed previously in other sections of the meeting.

11. Schedule Next Meeting Date- August, 2013, Albuquerque, NM

After a review of the Open Meetings Resolution Mr. Word stated there were a few items that needed to be added the resolution and would like to bring his findings to the next meeting.

MOTION by Mr. Bohannon, **SECONDED** by Mr. Vigil, **PASSED** unanimously **VOTED:** To adopt the Open Meeting Resolution with the modifications to include complying with the seventy two hour agenda notification and allowing legal staff to assist with the modifications as necessary.

12. Adjournment

Dr. Idriss adjourned the meeting at 12:15 p.m.

Submitted By:

Approved By:

s/Ericca Lopez
Ms. Ericca Lopez, Executive Secretary

s/Dr. Rola Idriss
Dr. Rola Idriss, PE, Board Chair

August 9, 2013 Approved Date