

# DRAFT

Minutes of the Meeting of the Professional Engineering  
Committee of the Board held December 13, 2002 at the  
courtyard by Marriott, Santa Fe, NM.

Members Present: John Rockwell, PE, Vice Chair  
Edward P. Norris, Public Member  
Samuel W. Small, PE  
Robert A. Smith, PE (Retired)  
Mary E. Wells, PE

Members Absent: Dr. Kenneth White, PE, Chair

Others Present: Elena Garcia, Executive Director  
Anna Vigil, Investigator  
Edward Ytuarte, PE/PS Complaint Manager  
Mary Smith, Assistant Attorney General  
Hank Rosoff, PE, NMSPE  
Augustine Grace, PE

## 1. CONVENE, ROLL CALL AND INTRODUCTION OF GUESTS

Mr. Rockwell convened the meeting at 9:10 a.m. A roll call was taken. It was noted that Dr. White was not able to make the meeting.

## 2. APPROVAL OF THE AGENDA

It was moved by Mr. Smith, seconded by Ms. Wells and unanimously,  
**VOTED:** to approve the agenda as presented.

## 3. APPROVAL OF THE MINUTES

**6.3 Minutes of the October 31, 2002 Meeting** - It was moved by Mr. Small, seconded by Mr. Smith and unanimously,

**VOTED:** To approve the minutes with the following changes: Under Item 3 (approval of the minutes) delete Mr. Cala's name since he was not present at the meeting.

## 4. CLOSED SESSION (Complaints and Violations)

Case 02-01-07 Augustine C. Grace, PE [Oct. 10, 2002 NCA, Respondent did not request a hearing as noted in the Uniform Licensing Act. Ms. Smith indicated that the board may take the contemplated actions that were set forth in the NCA without affording a hearing.

It was moved by Mr. Smith, seconded by Mr. Small and

**VOTED:** to go into closed session pursuant to NMSA 1978, Section 10-15-1(H)(1) to discuss case 02-01-07 in the matter of Augustine C. Grace, PE as listed on the agenda. A roll call vote was taken: Voting yes- Mr. Rockwell, Mr. Norris, Ms. Wells, Mr. Small, and Mr. Smith. Voting No: No one. Motion carried unanimously.

Guests, as well as Mr. Augustine Grace, PE were asked to exit the room.

**5.A. OPEN SESSION**

Guests, including Mr. Grace, were invited into the meeting room.

It was moved by Mr. Small, seconded by Ms. Wells and unanimously,

**VOTED:** To reconvene in open session.

Mr. Rockwell noted that the only items discussed in closed session were the case listed on the agenda, 02-01-07.

It was moved by Mr. Smith, seconded by Mr. Small and unanimously,

**VOTED:** since Mr. Grace did not request a hearing as provided in the ULA the Board will take the following actions on case 02-01-07, issue a Decision and Order to the respondent with a 1) a letter of reprimand, 2) place Mr. Grace on a one-year probation period with conditions that if the Board receives a substantiated complaint within that one-year period, it will result in the board's issuance of an order to show cause why Mr. Grace's license should not be revoked and 3) assess a \$2,000 fine.

**6. REVIEW OF APPLICATIONS**

**6.1 Retired Status & Inactive Status Applications** - It was moved by Mr. Small, seconded by Mr. Smith and unanimously,

**VOTED:** To approve Retired Status to: Charles A. Anderson, PE 6292; Jim (James) M. Baca, PE 4802; Earl Backenstow, PE 5292; John C. Drissel, PE 4660; Joseph L. Dufour, PE 4746; Lyle E. Edwards, PE 5112; John L. Hyatt, PE 5308; David Lee Jarol, PE 11142; Gerald W. May, PE 5028; John M. Weaver, PE 3992; M.D. Graber, PE 4777; and Robert C. Wicina, PE .

**6.2 Inactive Status Applications** - It was moved by Mr. Norris, seconded by Mr. Smith and unanimously,

**VOTED:** To approve Inactive Status to: James R. Kelsey, PE 5964; Alfredo a. Mateo, PE 9074; Louis J. Morrison, PE 9098; Fredric J. Sigmund, PE 6027; and Don Stinson, PE 10600.

**6.3 Review of FE Exam Results** - It was moved by Mr. Norris, seconded by Mr. Smith and unanimously,

**VOTED:** approve the FE results and allow Dr. White to review the PE scores when received so staff may be able to release them.

**6.4** Review of Applications – Approximately 30 applications were reviewed and the actions taken are on file.

**7. ADJOURNMENT** Vice Chair Rockwell adjourned the meeting at approximately 10:59 a.m.

Date Approved \_\_\_\_\_

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Elena Garcia, Executive Director

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John Rockwell, PE, Vice Chair