

Meeting of the **Board of Licensure for Professional Engineers & Professional Surveyors** held 10:00 a.m. December 14, 2007 at Workers Compensation Administration Building, 2410 Centre Ave., SE, Albuquerque, NM continued on December 21, 2007 at 10:00 a.m. at 4001 Office Court Drive, Ste. 903, Santa Fe, NM.

Members Present Gilbert Chavez, PS, Board Chair
Patricio Guerrerortiz, PE, Board Vice Chair
Fred Sanchez, PS
Severiano Sisneros, PE
Subhas Shah, PE,
John Romero, Sr., PE, PEC Vice Chair
Salvador Vigil, PS, PSC Vice Chair
Charles Atwell, Public Member, Board Secretary, PSC Chair
Stevan J.Schoen, Public Member

Members Absent Dr. Rola Idriss, PE

Others Present Elena Garcia, Executive Director, BLPES
Perry Valdez, Clerk Specialist, BLPES
Roman Garcia, Investigator, BLPES
Ed Ytuarte, Complaint Manager, PEPS, BLPES
Wayne W. Ciddio
Nita Taylor
Raymond Hensley, PE, NMSPE

1. CONVENE/ROLL CALL/INTRODUCTION OF GUESTS

Mr. Chavez convened the meeting. Roll call was taken, and it was noted that a quorum of the Board was present. Guests introduced themselves.

2. APPROVAL OF THE AGENDA

Mrs. Garcia indicated the agenda is similar to the November meeting agenda which was not held due to a lack of quorum. Item 4.1 was added with two applicants for the Executive Director position scheduled for interviews, item 7.1 is new [candidate seeking NCEES office requests Board support], item 6.6.1 Executive Director Position – Possibility of double Fill/Budget Adjustment, and at item 9.4, audit progress report. Mr. Sanchez stated he would like to do the interviews as soon as possible. Mr. Romero has a concern because he did not receive prior to the meeting information on the candidates being interviewed. Mr. Chavez explained it was a charge delegated to the executive committee. Motion by Mr. Guerrerortiz to approve the agenda, second by Mr. Sisneros and the discussion continued. Mr. Romero understood that the board members would be informed on the status of all the applications. Mr. Sanchez understood a special meeting

was to have been called to handle interviews, but he wants to proceed with what has been arranged. Mr. Guerrerortiz explained the evaluation of candidates for hiring would be conducted in executive session. Mrs. Garcia indicated item 5, the Selection of Executive Director, was included on the agenda in the event the Board would be ready to make a selection [not requiring the Board to make a selection]. Mr. Shah agreed with Mr. Sanchez that he thought a special meeting would be called to review applications for the executive director position. Mr. Romero would like to follow the procedure discussed earlier. Mr. Guerrerortiz revises his motion to approve the agenda with the revision to eliminate all items past item 5 and postpone everything else until the next meeting. The motion was seconded by Mr. Romero. In discussion, Mr. Sanchez asked what happens to the guest that may expect the Board to follow the agenda that was published. It was noted that from the guests only Mr. Hensley was here to report on the rest of the items on the agenda in order to report back to NMSPE, but he noted he had no objections to the revised motion. Mr. Chavez calls for a vote and the Board unanimously,

VOTED: To approve the agenda with the revision to defer all items past item 5 to the next meeting agenda.

3. APPROVAL OF THE MINUTES

3.1 August 3, 2007 Minutes – Mr. Sisneros motioned, seconded by Mr. Vigil and discussion began. On page two, Mr. Sisneros corrected the last sentence to read “federal government *has the potential of being* one of the biggest violators...” Mr. Shah in same 4.1 section, page 2, change the word *disturbed* to *distributed* and later in the paragraph, it should read “for the test administration to be given more *often* than during the October...” Motion by Mr. Sanchez to approve the minutes with the changes, seconded by Mr. Shah. Mr. Chavez calls for a vote and unanimously,

VOTED: To approve the minutes of the 8/3/2007 meeting with the noted revisions.

4. EXECUTIVE (CLOSED) SESSION Mr. Sisneros motioned to *convene in closed or executive session pursuant to NMSA 1978, Section 10-15-1(H)(2) “limited personnel matters” to evaluate and interview candidates to discuss qualifications for selection of an executive director pursuant to 61-23-10A.]* Role call vote was taken. Voting yes: Mr. Vigil, Mr. Atwell, Mr. Sanchez, Mr. Schoen, Mr. Sisneros, Mr. Chavez, Mr. Guerrerortiz, Mr. Romero, and Mr. Shah.

4.1 Review/Interviews of Candidates for Hiring

5. OPEN SESSION – Selection of Executive Director – Mr. Chavez convened in open session stating only those items listed on the agenda were discussed in closed meeting. The closed session is to be continued as further information is acquired on applicants and additional interviews are scheduled. It was determined that the executive session and through item 5 will be continue on 12/21/07 at 10:00 a.m. at the Board’s offices in Santa Fe. It was also decided the next regular board meeting will change from January 17-18 to January 10, 2007. Mrs. Garcia indicated that the exam application deadline for the next exam is January 11, 2007. The Board agreed that the committees will delegate the review of applications to two board members from

each committee who will volunteer to review applications following the January 10, 2007 date.
Mr. Chavez per the approved agenda recesses the meeting to continue as noted above.

Items pending for a future meeting:

6. COMMITTEE REPORTS

- 6.1 *Professional Engineering Committee – Mr. Guerrerortiz, PE, Chair*
- 6.2 *Professional Surveying Committee – Mr. Atwell, Chair*
- 6.3 *Joint Practices Committee – Mr. Sanchez & Mr. Sisneros*
- 6.4 *Rules & Regulations Committee – Dr. Idriss*
- 6.5 *Examination Committee – Mr. Vigil 2-hr. Prof. Surveying Exam – Subcommittee Report*
- 6.6 *Executive Committee – C. Atwell*
 - 6.6.1 *Executive Director Position – Possibility of Double Fill/Budget Adjustment*
- 6.7 *Landfill Gas Committee – Mr. Shah*

7. NEW BUSINESS

- 7.1 *David Whitman – Candidate for NCEES President Elect – Requests Support*

8. OLD BUSINESS

- 8.1 *Engineering Surveys – Rescindment of Resolution to NCEES – 8/16/07 Letter [NM Resolution and Case for Resolution] – Motion to withdraw letter and motion at NCEES annual meeting*
- 8.2 *Procedures for Agenda Items on Committee & Board Agendas*
- 8.3 *Procurement Code – Qualifications – Based Selection – How it applies to Universities*
- 8.4 *Advisory Opinion No. 16 [supplemental surveying]*

9. DIRECTOR'S REPORT

- 9.1 *Staff Activities Report*
- 9.2 *Financial Reports*
- 9.3 *FY 09 Budget Request*
- 9.4 *FY 07 Audit Progress*

10. Case Report – Appeals to Board's Decision and Order in District Court – LeRoy Smith, PS – Update

December 14th meeting continued at 10:00 a.m. on December 21, 2007, 4001 Office Court Drive, Ste. 903, Santa Fe, NM.

Members Present: Gilbert Chavez, PS, Chair; Fred Sanchez, PS; Charles Atwell, Public Member; Patricio Guerrerortiz, PE; John Romero, Sr., PE; Subhas Shah, PE; Salvador Vigil (had indicated he would arrive late due to being in court). Dr. Rola Idriss, PE participating by teleconference during selection of Executive Director.

Members Absent: Stevan Schoen, Public Member, Ms. Garcia, Executive Director was not present due to illness.

Others Present: Candis Bourassa and Carmen Gomez.

4. EXECUTIVE (CLOSED) SESSION Mr. Sanchez motioned, seconded by Mr. Sisneros to *convene in closed or executive session pursuant to NMSA 1978, Section 10-15-1(H)(2) "limited personnel matters" to evaluate and interview candidates to discuss qualifications for selection of an executive director pursuant to 61-23-10A.]* Role call vote was taken. Voting yes: Mr. Atwell, Mr. Sanchez, Mr. Sisneros, Mr. Chavez, Mr. Guerrerortiz, Mr. Romero, and Mr. Shah.

4.1 Review/Interviews of Candidates for Hiring

Open Session

Mr. Vigil joined the meeting.

Mr. Sanchez moved to reconvene in open session and stated that the only item in closed session was 4.1 discussion of personnel matters.

4.1 Selection of Executive Director – The Board selected Edward Ytuarte as the new executive director of the Board. Board Chair proceeded to contact Mr. Ytuarte to offer him the position. It was concurred that the Chair would follow up on the hiring.

It was moved by Mr. Romero, seconded by Mr. Sisneros and unanimously,

VOTED: To adjourn the meeting.

Approved by:

Mr. Gilbert Chavez, Board Chair

Approval Date