

Meeting of the Board of Licensure for
Professional Engineers & Professional
Surveyors held at of the held at 9:00 a.m.,
January 12, 2007 at the Board Office, 4001
Office Court Drive, Suite 903, Santa Fe, NM
87507-4962

Members Present: Patricio Guerrerortiz, PE, Board Chair
Subhas Shah, PE, PEC Chair
John Romero, Sr., PE, PEC Vice Chair
Charles Atwell, Public Member, PSC Chair
Salvador Vigil, PS, PSC Vice Chair
Fred Sanchez, PS
Stevan Schoen, Public Member
Dr. Rola Idriss, PE
Severiano Sisneros, PE

Members Absent Gilbert Chavez, PS, Board Vice Chair

Others Present: Candis Bourassa, Licensing Manager, BLPEPS
Perry Valdez, Licensing Specialist, BLPEPS

Staff Absent Elena Garcia, Executive Director, BLPEPS

1. **CONVENE/ROLL CALL/INTRODUCTION OF GUESTS** - Mr. Guerrerortiz convened the meeting at 9:00 a.m. Roll call was taken, and it was noted that a quorum was present.

2. **APPROVAL OF THE AGENDA** - Motion by Mr. Sanchez, second by Mr. Atwell and unanimously,

VOTED: To approve the agenda as presented.

3. **APPROVAL OF THE MINUTES**

3.1 November 3, 2006 – Motion for approval by Mr. Vigil, second by Mr. Sanchez unanimously,

VOTED: Approval of the November 3, 2006 minutes

3A **CORRESPONDENCE**

3A. Kent M. Whitman, PE, RE: Board Advisory Opinion No. 16 – Mr. Schoen

believes to be user friendly and give everyone due process, Mr. Whitman should be invited to appear before the board. That way we can explain our position and he present his. Mr. Vigil questions how much time should be given to those who did not take the opportunity to participate during rules hearings. Mr. Sanchez observes again engineers wanting to continue unlicensed practice and to do surveying work without a license which is unconstitutional. Dr. Idriss appreciates Mr. Schoen view as a public member and all agree an invitation to appears should be presented to Mr. Whitman.

4. COMMITTEE REPORTS

4.1 Professional Surveying Committee – C. Atwell, Chair – The committee reviewed three cases. Two deferred for more information and in case 06-05-48, Mr. Thomas Leyba was found in violation of practicing surveying without a license. It was decided to send a letter to stop immediately and agreed to fine him \$5000 with \$2500 due now and \$2500 waived if he had no further violations within three years. Land Title Association will also be notified. Applications for retired and inactive request were approved.

4.2 Licensure Promotion Committee – RE: Inquiry Regarding PDHs

4.2.1 Geographic Information System Advertisements

4.2.2 Articles with Corresponding Quiz

Various problems were presented along with actual examples of how some ethics class advertising caused a wrong impression of affiliation with the board. A proposed letter by staff to Geographic Information was presented for additional ideas. Mr. Guerrerortiz will complete this letter. Staff will continue to accumulate possible class options that they are often ask about. Licensure promotion committee can recommend standards in the future as situations to address are established. It was the consensus that eventually minimum standards for qualified ethics training may have to be established and provider advertising should be watched. Mr. Sisneros and Mr. Vigil have attended well-taught classes so they are available.

5. NEW BUSINESS

5.1 USAF Academy's Request for Systems Engineering Students to take FE exam - by proctor for New Mexico. It was the Boards consensus that they would review each applicant independently for approval rather than reviewing the program curriculum for Systems Engineering which NCEES is doing already. Motion by Mr. Guerrerortiz to write a letter to USAF stating they may approve individual applicants for proctor which has always been done, but not the entire program, second by Mr. Romero and unanimously,

VOTED: To approved the motion.

6. OLD BUSINESS

6.1 Update from NCEES Annual Meeting in August 2006 – no report

7. DIRECTOR’S REPORT

7.1 Staff Activities Report – Ms. Bourassa reports staff has been busy with renewals since October and many ethics requirement questions. At the end of December, the test score arrived and notification went out early this month. April 20-21 exam applications are steady with a January 26th deadline.

7.2 Financial Statement – Year Ended June 30, 2006 (With Independent Auditors’ Report Thereon) – Motion by Mr. Shah to approve financial statement, second by Mr. Guerrerortiz. In discussion, Mr. Schoen asks about the accounts of the income statements where there is a lot of money like the \$187,000. He wonders what the definition of “other” budgeted expenses page 7 is? He would like this “other” footnoted on the statement. As the final report, but not the report approved by the board it can still be edited. Mr. Shah withdraws his motion and board requests additional editing. It is unknown if the report has been approved by the state auditors. Board decided to delay voting. Motion by Mr. Romero for preliminary approve with condition of defining un-footnoted expenses and that it does not become public yet, second by Mr. Atwell and unanimously,

VOTED: To approved the motion.

8. ADJOURNMENT – Mr. Sanchez asked if the legislature has business concerning the board that any one knows about. Mr. Shah believes Mrs. Garcia is tracking this and she can report on this later along with Governor’s action on her behalf.

Having no further business, Mr. Guerrerortiz adjourned the meeting.

Submitted by:

Approved by

Elena Garcia, Executive Director

Mr. Patricio Guerrerortiz, Board Chair

Approval Date