

Meeting of the Professional Engineering Committee of the Board of Licensure for Professional Engineers & Professional Surveyors held at 1:00 p.m., January 12, 2007 at the Board Office, 4001 Office Court Drive, Suite 903, Santa Fe, NM 87507-4962

Members Present Subhas Shah, PE, PEC Chair
Severiano Sisneros, PE
Patricio Guerrerortiz, PE, Board Chair
John Romero, Sr., PE, PEC Vice Chair
Stevan Schoen, Public Member, by teleconference

Others Present: Candis Bourassa, Licensing Manager, BLPEPS
Mary Smith, Assistant Attorney General, Board Counsel by teleconference
Perry Valdez, Licensing Specialist, BLPEPS

Members Absent Dr. Rola Idriss, PE

Staff Absent Elena Garcia, Executive Director, BLPEPS

Guest None

1. **CONVENE/ROLL CALL/INTRODUCTION OF GUESTS**

Mr. Shah convened the meeting at 1:00 p.m. A roll call was taken, and it was noted that a quorum of the Professional Engineering Committee was present.

2. **APPROVAL OF THE AGENDA** – Motion by Mr. Sisneros second by Mr. Romero and unanimously,

VOTED: To approve the agenda as presented.

3. **APPROVAL OF THE MINUTES** – Motion by Mr. Romero to defer approval of the 11/2/06 minutes to February 1, 2007 meeting, second by Mr. Romero and unanimously,

VOTED: To approve deferment.

4. **CLOSED SESSION (Complaints and Violations)** – It was moved by Mr. Romero, second by a Mr. Guerrerortiz and

VOTED: To convene in closed session pursuant to NMSA 1978, Section 10-15-1 (H) (#1) to discuss only the case listed in 4.1 of the agenda. A roll call vote was

taken. Voting yes: Mr. Guerrerortiz, Mr. Sisneros, Mr. Shah, and Mr. Romero. Motion carried unanimously. Mr. Sisneros recused himself from the closed session for Case No. 04-04-08 and the remainder of the meeting. Mr. Schoen joined the meeting by teleconference along with Ms. Mary Smith.

4.1 Case No. 04-04-08 In the Matter of Daniel Armstrong, PE

- 4.A** **OPEN SESSION** – Action on the above case – Mr. Shah reconvened the meeting in open session and further stated that the discussion in closed session was limited to the case listed as 4.1 on the agenda. [*...All charges, unless dismissed as unfounded, trivial, resolved by reprimand, or settled informally shall be heard in accordance with the provisions of the ULA, 61-23-27.11(D), NMSA 1978*].

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

VOTED: to include the administrative prosecutors closing argument as well as Mr. Armstrong’s counsel’s closing arguments [copies transmitted to all committee members in advance of meeting] in the proceedings of case 04-04-08 as well as order the conclusion of the administrative hearing by closing the record as of today.

It was further moved by Mr. Guerrerortiz, seconded by Mr. Romero and unanimously,

VOTED: For case 04-04-08 in the matter of Daniel Armstrong the Board has found Respondent to be in violation of the Act and board rules as noted in the NCA . A Decision and Order is to be issued to include a one-year suspension of Respondent’s license, a \$5,000 fine plus administrative expenses. Mr. Armstrong has violated NM Board of Licensure for Professional Engineers and Professional Surveyors Administrative Code Title 16.39.4.8 A and B. *Incidental Practice of Architecture and Engineering* – as noted in the Administrative Code of 2002 in effect when the violations occurred. In addition Mr. Armstrong has violated Engineering and Surveying Practice Act Section 61.23.22.

5. COMMUNICATIONS

5.1 USAF Academy’s Request for Systems Engineering Students to take FE exam for New Mexico proctored in CO. It was the committee’s consensus that since the engineering program was not ABET accredited, the Committee would need to review each applicant independently for approval rather than reviewing the program curriculum for Systems Engineering.

6. REVIEW OF APPLICATIONS

6.1 Applications for Retired Status, Inactive Status, MLE and EI - Motion by Mr. Guerrerortiz to approve applicants, second by Mr. Romero and unanimously,

VOTED: To approve 40 Retired applications and 31 Inactive as presented and 53 MLE and 12 EI.

6.2 Applications for Additional Discipline: 12 Fire Protection and 1 Electrical – Motion by Mr. Guerrerortiz to accept the board’s decision as stated in the individual files, second by Mr. Romero and unanimously,

VOTED: To approve the fire protection discipline as noted in each applicants’ files.

7. **ADJOURNMENT** – Having no further business, Mr. Shah adjourned the meeting.

Submitted by:

Approved by

Elena Garcia, Executive Director

Mr. Subhas Shah, PE, PEC Chair

Approval Date