

MINUTES OF

Meeting of the Board of Licensure for Professional  
Engineers & Professional Surveyors held 8:00 a.m.  
June 12, 2009 at Best Western Ruidoso Inn, 97 Camelot  
Dr., Ruidoso, NM

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

Members Absent      Stevan Schoen, Esq., Public Member

Others Present      Edward Ytuarte, Executive Director, BLPEPS  
Ericca Lopez, Executive Secretary, BLPEPS  
Roman Garcia, Investigator, BLPEPS

Guests                  Earl Burkholder

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

Mr. Shah convened the meeting at 8:00 a.m. Roll call was taken and it was noted that a quorum of the board was present.

2.      **APPROVAL OF THE AGENDA**

**MOTION** by Mr. Atwell, **SECOND** by Mr. Vigil, and unanimously  
**VOTED:** To approve the agenda.

3.      **APPROVAL OF THE MINUTES**

3.1      **April 17, 2009** – **MOTION** by Mr. Atwell, **SECOND** by Mr. Guerrerortiz, and  
unanimously  
**VOTED:** To approve the April 17, 2009 minutes as presented.

#### 4. CORRESPONDENCE/ COMMUNICATIONS

4.1 **NCEES Treasurer-** Mr. Ytuarte explains that we have received information regarding the South Carolina board's nomination of Gene Dinkins. This item is for informational purposes, especially for those who plan to attend the annual conference.

4.2 **NCEES President Elect-** Mr. Ytuarte also reported that the West Virginia board has also sent in a nomination for Mr. Leonard Timms as the President Elect.

Mr. Chavez also stated that the Maryland board also has Mr. Skip Harkleroad for treasure. Mr. Chavez stated that Mr. Gene Dinkins had made it a point to attend all of the zone meetings to campaign for the position.

4.3 **Report on Observing PE/PS Exam-** Mr. Sanchez reported that he had observed the exam given in Albuquerque in April. He states that it was a very well put together operation. Mr. Sanchez stated that he had only seen one problem which was that there was one civil engineering exam missing from the box. The proctors were going to send the examinee home, but Mr. Sanchez suggested that they make a copy of another exam in a secure location and allow the examinee take the exam. The proctor did do this and he was allowed to take the exam. Mr. Sanchez also stated that he had noticed that in the commotion of the missing exam, the proctor had left the afternoon box unsealed. He mentioned it to the proctors and it was sealed immediately.

Mr. Chavez reported that he had also been an observer for the April exam at the Las Cruces site. He stated that he was a little concerned because of the reports of previous year exam problems. Mr. Chavez stated that the problems that had occurred in the past had been corrected and he saw no problems at the Las Cruces site.

**MOTION** by Mr. Romero, **SECONDED** by Mr. Sanchez, unanimously

**VOTED:** To send a report to NCEES, now and in the future, if one is submitted by an observer.

4.4 **Sal Vigil- NCEES EPS Committee Appointment-** Mr. Vigil reported that he received an email from Mr. Jerry Carter asking if would accept an appointment to the Committee of Examinations for Professional Surveyors. Mr. Vigil stated that he had accepted the appointment.

Mr. Chavez also stated that he was also appointed to the Advisory Committee on Council Activities. Mr. Chavez stated that NCEES was still making appointments and that he hoped that the board would have more appointments.

**MOTION** by Mr. Romero, **SECONDED** by Mr. Chavez, unanimously

**VOTED:** That in the event that NCEES Council does not cover the travel of a board member to a meeting, if funding is available, that the board cover the expenses.

## **5. COMMITTEE REPORTS**

**5.1 Professional Engineering Committee-** Mr. Romero reported that they had one guest who voiced several concerns to the committee.

Mr. Romero reported that they had an election of officers and that the officers remained the same. Mr. Romero as the chair and Dr. Idriss as the vice chair.

Mr. Romero reported that the committee had four cases to consider. No hearing officers needed to be appointed.

Mr. Romero stated that the committee would have three members attending the presentation at the NMSPE Annual Conference.

Mr. Romero stated that the committee had been given some information on the Washington Accord and B+30.

Mr. Romero stated that the committee reviewed seven applications and approved all requests for retired and inactive status.

**5.2 Professional Surveying Committee-** Mr. Vigil reported that they had one guest, Mr. Burkholder.

Mr. Vigil reported that they had election of officers and that the officers remained the same, Mr. Vigil as chair and Mr. Sanchez as vice chair.

Mr. Vigil also reported that they had discussed his appointment as well as Mr. Chavez' appointment.

Mr. Vigil stated that they reviewed the score roster from the two hour exam. They also discussed the national exam. There were a total of nine examinees and only one failed.

Mr. Vigil stated that they had nine cases to consider and no hearing officers were appointed at this time.

Mr. Vigil reported that they would be creating a task force for GIS and Photogrammetry. They would like the help of the engineers when the photogrammetry task force is created.

Mr. Vigil stated that the presentation that was going to be done at the meeting of the Association of Counties had been cancelled.

Mr. Vigil stated that they reviewed applications. Three of the applicants met the requirements and were approved for licensure. They also had eight new surveyor licensees and one surveyor intern.

- 5.3 Joint Practice Committee-** Mr. Sanchez stated that he was the chair of the committee until this last meeting. He stated that the Board of Examiners for Architects. Mr. Sanchez stated that he would like to remain a part of this committee if he could.

Mr. Sanchez stated that the committee is working on getting an updated opinion on the procurement code through the attorney of the architect board.

## **6. NEW BUSINESS**

### **6.1 Election of Officers for FY '10: Chair, Vice Chair and Secretary-**

**MOTION** by Mr. Sisneros, **SECONDED** by Mr. Romero, 4 voting yes, Mr. Vigil Mr. Guerrerortiz, Mr. Chavez, Mr. Sanchez and Mr. Atwell voting no

**VOTED:** To have Dr. Idriss as board chair by acclamation. Motion failed

**MOTION** by Mr. Guerrerortiz, **SECONDED** by Mr. Vigil, 7 voting yes, Mr. Romero and Mr. Sisneros voting no.

**VOTED:** To nominate Mr. Atwell as the chair.

**MOTION** by Mr. Romero, **SECONDED** by Dr. Idriss,

To nominate Mr. Sisneros for vice chair.

**MOTION** by Mr. Romero, **SECONDED** by Mr. Shah, unanimously

**VOTED:** To cease nominations and Mr. Sisneros be voted in by acclamation.

**MOTION** by Mr. Atwell, **SECONDED** by Mr. Vigil, 4 voting yes, Mr. Shah, Mr. Romero, Mr. Sisneros and Dr. Idriss voting no.

**VOTED:** To nominate Mr. Guerrerortiz for secretary. Motion failed

**MOTION** by Mr. Romero, **SECONDED** by Mr. Chavez, 6 voting yes, Mr. Vigil, Mr. Atwell, and Mr. Chavez voting no.

**VOTED:** To nominate Mr. Sanchez for secretary.

### **6.2 Open Meeting Resolution for FY 2010-**

**MOTION** by Mr. Vigil, **SECONDED** by Dr. Idriss, unanimously

**VOTED:** To accept the Open Meetings Resolution for fiscal year 2010as presented.

**6.3 Approval of FY 2010 Meeting Schedule-**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Sanchez, 8 voting yes, Mr. Guerrerortiz voting no

**VOTED:** To accept the FY 2010 Meeting Schedule with the August dates being 20<sup>th</sup> and 21<sup>st</sup>.

**6.4 NCEES Annual Meeting** – Mr. Ytuarte reported that the NCEES annual meeting was coming up in August and needed to know who had intentions of attending the meeting so that we can inform NCEES who would be the voting members that would be attending. All of the board members with the exception of Mr. Guerrerortiz stated that they had intentions of attending.

**6.5 NCEES Funded Delegate-** Mr. Ytuarte reported that the funded delegate for the NCEES annual meeting would be Mr. Atwell since he would be the current board chair.

**6.6 Board Retreat/ Workshop-** Mr. Ytuarte questioned the board to see if they felt there was a need to have a workshop. The board expressed an interest into having a workshop and directed Mr. Ytuarte to look into a date and time in the near future to have one.

**6.7 NCEES Council Net-** Mr. Ytuarte explains that NCEES has the CouncilNet, which when logged in to, has all of the updated information regarding NCEES and their services. Mr. Chavez explained that each member had to have their own log in information, but he was not sure how it is obtained. Mr. Ytuarte stated that he would look into this further and then inform everyone of how they would be able to obtain a log in information.

**6.8 Disposition of Computer Item, Etc.-**

**MOTION** by Mr. Chavez, **SECONDED** by Mr. Romero, unanimously

**VOTED:** To authorize staff to dispose of, as prescribed by law, items listed as 6.8.1 and 6.8.2.

**6.9 Office Additions Cost-** Mr. Ytuarte reported that since the two new positions for staffing had been authorized, that it had become necessary to have two additional offices made in

what was the back board room. Mr. Ytuarte included a proposal that was submitted for cost to the board for review.

**MOTION** by Mr. Sanchez, **SECONDED** by Mr. Romero, unanimously

**VOTED:** To approve the cost for the addition, tentatively as \$6129.88, as long as it is available in the budget.

## **7. OLD BUSINESS**

- 7.1 Western Zone Conference-** Mr. Sanchez reported that the main issues that were brought up were licensure, B+30 and Canadian versus US licensure.

Mr. Chavez reported that Mr. Dave Curtis was voted as the new secretary for the western zone. The western zone is endorsing Gene Dinkins for the secretary. Mr. Chavez also suggests that the members bring themselves up to speed on the b+30 and other motions that are being presented.

- 7.2 Other State Board Verification Requests- Cost-** Mr. Ytuarte stated that after researching, he was bringing back some information to them on charges for licensure verifications. He asked that they board approve staff charging twenty dollars to provide licensure verifications.

**MOTION** by Mr. Sanchez, **SECONDED** by Mr. Guerrerortiz, unanimously

**VOTED:** To allow the staff to charge twenty dollars for verification forms.

- 7.3 Licensure of Engineering Professors- Task Force** – After a short discussion it was decided that Mr. Romero, Mr. Sisneros, Mr. Sanchez and Dr. Idriss would be a part of this new committee.

- 7.4 Flood Plane Certifications- Task Force-** This item was tabled and would be discussed when the new chair makes the committee appointments.

## 8. DIRECTORS REPORT

### 8.1 **Staff Activities Report-** Mr. Ytuarte reported that staff has been really busy and are still doing a lot of comp time.

Mr. Ytuarte also reported that online renewals will not be available for this year because from the research done there is not really a reliable program out there and the ones that are available are very costly. He stated that post cards will be mailed out this year reminding the licensees that it is time to renew their license and that the form will be available.

Mr. Ytuarte stated that the office would be receiving a new copier very shortly.

He also stated that the staff is still working very aggressively on archiving.

Mr. Ytuarte also reported that he and Ms. Bordenave were working on the office lease which is up in August. They are also working on the operating budget. He also stated that Macias and Gutierrez had been chosen as the auditors.

Mr. Ytuarte reported that the new positions would be able to be advertised for effective July 1, 2009 and the new increases would also go into effect at this time.

Mr. Ytuarte reported that he will be looking to hire technical investigators either a PE/PS or one of each and would no longer be doing it because his work as executive director is very demanding.

Mr. Ytuarte stated that he would like to see pdh audits be done and he would like to also get to work on a board newsletter since it had been sometime since one had been done.

### 8.2 **Financial Report** – Mr. Ytuarte began to present the financial reports that had been presented to the board members when Mr. Atwell stated that he could not understand the reports and would like to see a breakdown of everything that was being paid like they had seen in the past. After a short discussion Mr. Ytuarte stated that for the next board meeting he would present a list of all the vouchers that had been presented for payment from the beginning of the fiscal year to the end for approval by the board and would continue to present this type of report at every meeting for their approval.

## 9. OTHER BUSINESS

None at this time.

10. **ADJOURNMENT**

Mr. Shah adjourned the meeting at 11:10 a.m.

Submitted by:

s/ Edward Ytuarte  
Mr. Edward Ytuarte, Executive Director

Approved by:

s/ Subhas Shah, PE  
Mr. Subhas Shah, PE, Board Chair

September 4, 2009 Approved Date