

Meeting of the Board of Licensure for Professional
Engineers and Professional Surveyors held 9:00 a.m.
January 22, 2010 at Board Office, 4001 Office Court Drive,
Ste. 903, Santa Fe, NM

Members Present Charles Atwell, Chair
John T. Romero, PE, PEC Chair
Salvador Vigil, PS, PSC Chair
Gilbert Chavez, PS
Julie Samora, PE
Severiano Sisneros, PE
Stevan Schoen, Public Member
Fred Sanchez, PS,(via teleconference)
Subhas Shah, PE, (via teleconference)

Members Absent Rola Idriss, PE

Others Present Edward Ytuarte, Executive Director, BLPEPS
Ericca Lopez, Executive Secretary, BLPEPS

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

Mr. Atwell convened the meeting at 9:00 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. Romero, **SECOND** by Mr. Schoen, and unanimously

VOTED: To approve the agenda as presented.

3. **APPROVAL OF THE MINUTES**

3.1 **October 30, 2009** – **MOTION** by Mr. Chavez, **SECOND** by Mr. Vigil, and unanimously

VOTED: To approve the minutes as presented.

3.2 **November 30, 2009** – **MOTION** by Mr. Chavez, **SECOND** by Mr. Vigil, and unanimously

VOTED: To approve the minutes as presented.

4. **NEW BUSINESS**

- 4.1 Auditors Report- Jim Macias-** Mr. Ytuarte explains that Mr. Macias was unable to attend the meeting. He states that the state auditor's office has released the audit report on January 21, 2010. Mr. Ytuarte explains that he is unable to release the booklet to them for five days by state statute.

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

VOTED: To accept the report as viewed by the members who were present at the exit audit.

- 4.2 Payment Vouchers- FY 2010- October, November, December-** Mr. Ytuarte explains that he has made several attempts to get these vouchers for approval at the meeting and has not received them in time for this meeting.

After a short discussion on the matter, Mr. Sanchez requested that Ms. Bordenave be brought in to ask why she had not provided the vouchers to Mr. Ytuarte as he had requested.

Ms. Bordenave entered the meeting and Mr. Atwell informed her that the board was wondering why she had not provided the information as requested by Mr. Ytuarte for today's meeting.

Ms. Bordenave states that she had informed Mr. Ytuarte that she was unable to complete the process because she was missing some payment vouchers and has been unable to balance and reconcile.

Mr. Atwell then asks if it would be possible for Ms. Bordenave to have the vouchers available for the board to review even if they have exceptions so that the board can have a record that they have seen and accepted them with the exceptions.

Ms. Bordenave states that she can have those for them.

Mr. Atwell states that he will table this item until later on in the meeting so that Ms. Bordenave can prepare these items for their review.

- 4.3 Revenue- License Renewals-** Mr. Ytuarte states that he has placed a document in their books showing the revenue that has been received to this point. That revenue is \$586,620 and will continue to grow as more renewals come in. This item was just for informational purposes at this point.

- 4.4 May 13-15, 2010 NCEES Western Zone Meeting- Salt Lake City, UT-** Mr. Ytuarte

asks which board members are planning to attend the Western Zone Meeting in Salt Lake City. It was decided that Mr. Atwell, as the board chair, would be the funded delegate. Mr. Chavez, Mr. Vigil, Mr. Romero, and Mrs. Samora stated that they are planning to attend. Mr. Sisneros, Mr. Sanchez and Mr. Shah state that they will get back to us and let us know once they have checked their calendars.

- 4.5 Retreat Planning Session Versus Regular Meeting-** Mr. Ytuarte explains that this item is an fyi. He requests that maybe they could consider having separate committee meetings from the date of the full board meetings in order to allow the staff to better prepare as far as cases.

Mr. Ytuarte also states that maybe they could go to having four meetings and one planning session.

Mr. Atwell states that he would like for this item to be sent to the Executive Committee and allow them to bring back their decision to the full board.

5. OLD BUSINESS- Closed Session-

MOTION by Mr. Sisneros, **SECONDED** by Mr. Romero and unanimously

VOTED: To go into closed session pursuant to the Open Meetings Act, Section 10-15-1(H)(2) to discuss item 5.1 Job performance and work status of individual board employees.

Voting Yes: Atwell, Sanchez, Shah, Vigil, Sanchez, Sisneros, Samora, Romero and Schoen

5.1 Job Performance and Work Status of Individual Board Employees

MOTION by Mr. Sisneros to go back into open session and that the only items discussed was the item listed as 5.1 job performance and work status of individual board employees.

6. CORRESPONDENCE / COMMUNICATIONS

- 6.1 Gilbert Chavez Nomination for Western Zone Vice President-** It was decided that the Board would nominate Mr. Chavez as a candidate for Western Zone Vice President. Mr. Atwell will be the person to write the letter and will be mailed out by staff.

7. DIRECTOR'S REPORT

- 7.1 DFA Analyst Meeting on January 8, 2010-** Mr. Romero states that Mr. Atwell, Mr. Ytuarte and himself had attended a meeting with the DFA analyst. At the meeting they stated to the analyst why the board needed the positions and how the money was obtained

to support those positions. Mr. Romero states that the analyst stated that she would put that in her report.

- 7.2 LFC Hearing on January 12, 2010-** Mr. Ytuarte states that this meeting was almost the same as the meeting with the DFA Analyst. He states that the recommendation from the LFC analyst was to eliminate one of the positions while the DFA analyst recommended eliminating both positions.

8. COMMITTEE Reports

- 8.1 Professional Engineering Committee- John T. Romero, PE, Chair-** Mr. Romero reports that the committee reconsidered an application by Mr. Dustin Davis, that was once again denied.

Mr. Romero reports that they also received a letter from CH2M Hill employees that was decided that it would become part of each of their applications.

He states that Mr. Ytuarte asked for volunteers to write articles for the newsletter.

Mr. Sisneros reports that Mr. Sisneros had some information that he presented to the committee about the meetings and organization.

Mr. Romero reports that they had one case that they were unable to finish and that it would be continued at another meeting on January 29th.

The Committee also approved a Cease and Desist letter to Mr. Jon Paul Romero.

Mr. Romero states that the committee reviewed had some discussion on the case log.

Mr. Romero states that applications were reviewed on an individual basis.

- 8.2 Professional Surveying Committee- Salvador Vigil, PS, Chair-** Mr. Vigil reports that the committee discussed that the Metropolitan College of Denver was going to lose their ABET accreditation for their surveying program.

The committee was supposed to receive a letter from Mr. Larry Sterling and it was never received so they were unable to discuss this matter.

Mr. Sanchez and Mr. Ytuarte gave a report on a meeting they attended with the Legislative Land Grant Committee.

Mr. Ytuarte requested help with articles for the newsletter.

Mr. Vigil reports that they issued a Show Cause for case # 05-04-05 and allowed him forty five days to complete his ethics course.

The committee also had some discussion on the case log.

Mr. Vigil reported that the committee would be taking over creating the presentation for the NMPS Conference in March since the staff was overwhelmed and would be unable to.

A date was set for the Rules and Regulations meeting.

The committee approved a list of Inactive and Retired requests.

Mr. Vigil reported that the committee also reviewed applications on an individual basis.

8.3 Licensure Promotion and Public Information Committee- Gilbert Chavez, PS Chair- No Report at this time

8.4 Joint Practices Committee- Fred Sanchez, PS, Chair- Mr. Sanchez reported that the committee had scheduled a meeting for January 25th , but had been cancelled earlier that morning.

8.5 Rules and Regulations Committee- Fred Sanchez, PS, Chair- Mr. Sanchez reports that the committee has not met due to the committee not being able to meet on the same date. He reported that they were working on scheduling a new meeting date.

8.6 Executive Committee- Salvador Vigil, PS, Chair- Mr. Vigil reported that the committee would be meeting on January 28th at 9:00 am at the board office.

8.7 Licensure of Professors Committee- John Romero, PE, Chair- No report at this time.

9. OTHER BUSINESS

9.1 October exam Results- Placed in there for informational purposes only.

10. ADJOURNMENT

Mr. Atwell adjourned the meeting at 1:13 p.m.

Submitted by:

s/ Edward Ytuarte

Mr. Edward Ytuarte, Executive Director

Approved by:

s/ Charles Atwell

Mr. Charles Atwell, Public Member, Chair

_____ April 9, 2010 _____ Approved Date