

MINUTES OF

Meeting of the Board of Licensure for Professional Engineers and Professional Surveyors held 9:00 a.m. November 5, 2010 at New Mexico State University, Goddard Hall, Jerry Shaw Conference Room 200, Las Cruces, NM

- Members Present Severiano Sisneros, Chair
 Subhas Shah, PE, PEC Chair
 Fred Sanchez, PS, PSC Chair
 Gilbert Chavez, PS
 Julie Samora, PE
 John T. Romero, PE
 Salvador Vigil, PS
 Rola Idriss, PE
- Members Absent Stevan Schoen, Public Member
 Augusta Meyers, Public Member
- Others Present Edward Ytuarte, Executive Director, BLPEPS
 Ericca Lopez, Executive Secretary, BLPEPS
 Mary Wells, PE
 Earl Burkholder, PE/PS
 Ricardo Jacques, NMSU, Dean of Engineering

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

Mr. Sisneros convened the meeting at 9:00 a.m. Roll call was taken and it was noted that a quorum of the board was present. Ms. Mary Wells and Mr. Earl Burkholder were introduced as guests.

2. **APPROVAL OF THE AGENDA**

MOTION by Mr. Sanchez, **SECOND** by Mr. Vigil, and unanimously

VOTED: To Move item 9.2 to item 5.2 and move item 9.1 as necessary to accommodate the Dean's schedule, and otherwise approve the agenda as presented.

3. APPROVAL OF THE MINUTES

3.1 August 13, 2010 Minutes-

MOTION by Mr. Sanchez, **SECONDED** by Mr. Vigil and unanimously **VOTED:** To approve the minutes as presented.

4. CORRESPONDENCE/ COMMUNICATIONS

4.1 August 2010 Western Zone Meeting Minutes-Mr. Ytuarte explained that he had enclosed copies of the meeting minutes from the Western Zone meeting so that they could make themselves familiar with what is going on at the national level.

Mr. Ytuarte stated that the next Western Zone meeting was going to be in Spokane, Washington on May 26th to 28th, 2011.

Mr. Ytuarte also stated that one item they really needed to bring themselves up to speed on was the issue of the 16 hour structural exam. He stated that he would like to see this on the agenda for the January meeting. He stated that the board needed to make a decision on whether or not they are going to allow examinees to be licensed if they only pass the first section of the exam or require that they pass the full sixteen hours.

The board members expressed a concern on how, if they decided to only allow the licensees to pass the first eight hour section for licensure, it would affect the licensee if they applied by comity to another state.

4.2 Jackie Holmes- Joint Practice Committee- Mr. Ytuarte stated that he had enclosed the meeting minutes from the last JPC meeting for review. He stated that the next meeting of the JPC was scheduled for November 9th.

Mr. Ytuarte asked since no committees had been appointed by the chair, if the same committee members would be in the committee or would new members be appointed.

Mr. Sisneros stated that he and Mr. Sanchez would remain in the committee. He also stated that he would like to see another surveyor and another engineer allowed to participate.

It was decided that Ms. Samora and Mr. Vigil would also be appointed as members of the JPC.

Mr. Ytuarte explained that at the budget hearings, the Landscape Architects Board of examiners for Architects were being recommended as going under the umbrella of the general fund, and what effects that might have on the JPC. He suggested that maybe the board could do some research on the possibilities of bringing them on board.

Mr. Sanchez and Mr. Vigil were asked to head a task force to research if there is any possible way the board would be able to help the Landscape Architect Board out.

Dr. Idriss joined the meeting at 9:30 a.m.

5. NEW BUSINESS

5.1 Amendments to the Act- Selection of House/ Senate Sponsors- Mr. Ytuarte stated that the writing of all of the amendments to the Act would be done in December. He stated that the board would need to decide on a House and a Senate sponsor if necessary.

After a short discussion it was decided that Representative Larry Larranaga would be asked.

MOTION by Mr. Romero, **SECONDED** by Mr. Vigil

VOTED: To ask Mr. Jim Trujillo to be a co-Sponsor.

Opposed: Mr. Sanchez

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

VOTED: To approach Senator Linda Lopez as a sponsor if necessary,

9.2 Complaint Process- Policy- The board discussed an email sent by the board's attorney on the matter of complaints directly involving board members, staff and complaint managers.

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

VOTED: That when there is a conflict with a board member on a complaint, that the member recues themselves from the matter.

Opposed: Mr. Sanchez

Mr. Sisneros stated that he would like for Ms. Smith to be present to discuss this matter further.

Mr. Sanchez expressed a concern that the new board member has never attended a meeting. He stated that it has now become a problem because there is a case under review by the PSC committee that one of the members has had to recues themselves and it leaves the committee short for a quorum. He asked that the chair appoint a temporary member.

Mr. Sisneros stated that he would like to see what the new governor's transition team does prior to doing so.

6. DIRECTOR'S REPORT

6.1 Voucher Log-Mr. Ytuarte explained that he has provided a list of all vouchers from July 1 to October 31, 2010 for their approval.

MOTION by Mr. Chavez, **SECONDED** by Mr. Romero, unanimously
VOTED: To Approve the voucher log as presented.

6.2 Administrative Activities-Mr. Ytuarte reported that the issue of online renewals was still being researched. He also reported that the renewal reminders for all licensees that had to renew by December 31st had gone out in the mail.

Mr. Ytuarte also reported that the temporary staff members have been a tremendous help to the staff and that the staff was well on their way to getting things caught up. He reported that he was currently working on getting their contracts extended and also working on being able to keep both on permanently.

6.3 Auditor's Review-Mr. Ytuarte reported that the auditors were in the board office for three days conducting their audit. He stated that there were no major findings, but there may be a write up for not having employee evaluations

Mr. Ytuarte stated that once the exit audit is ready, the auditors would meet with the Chair and the Executive Director.

Mr. Shah stated that he would like to be present at the meeting.

Mr. Vigil also stated that he would like to be presented at the meeting.

Mr. Ytuarte stated that he would inform them all once he receives notification of the date.

7. OLD BUSINESS

7.1 Sunset Hearing (September 28, 2010)-Mr. Ytuarte reported that he a few of the board members had attended the a hearing before the Sunset Committee on Spetember 28, 2010. He reported that the board's sunset had been renewed for six more years. He also mentioned that members of the committee were impressed that the board members had taken time out of their schedules to attend .

7.2 Budget Hearing (September 30, 2010)- Mr. Ytuarte reported that he and a few board members had also attended the Budget Hearing on September 30, 2010. He reported that this also went well. He stated that there was no mention of removing funds at this time.

Mr. Ytuarte also reported that the issue of the two new staff positions that were removed was brought up. He stated that the Chair of the committee directed their staff to see what could be done to bring those positions back to the board.

7.3 ABET Visit in October- Mr. Sisneros indicated that he was unable to attend so he had no report.

8. COMMITTEE Reports

8.1 Professional Engineering Committee- Subhas Shah PE, Chair- Mr. Shah reported that the committee approved the minutes of the October 15th meeting.

Mr. Shah reported that the committee had received a question form Mr. Nail about the use of out of state sealed plans used in New Mexico. He stated that the committee would be inviting Mr. Nail to have an audience before the committee at its next meeting for better clarification of what he is asking.

Mr. Shah stated that Mr. Sisneros had been asked by New Mexico tech to give a presentation on ethics.

Mr. Shah stated that the committee had heard five complaints.

Mr. Shah stated that the committee had received some information on onsite wastewater sub discipline.

Mr. Shah reported that the committee approved some retired and inactive status applications. He also reported that the reviewed some applications for new licensure.

8.2 Professional Surveying Committee- Fred Sanchez, PS, Chair- Mr. Sanchez reported that the committee approved minutes from the January 21 and August 12 meetings.

Mr. Sanchez stated that Mr. David Cooper had been appointed by NMPS as a representative to the board.

Mr. Sanchez stated that the committee heard six complaints.

Mr. Sanchez stated that the committee also heard a report on the Budget hearing and about a question concerning encroachments that was raised by Representative Varela.

Mr. Sanchez stated that the committee also approved retired and inactive status applications. He also stated that they reviewed applications for new licensure.

9. OTHER BUSINESS

9.1 Engineering Education in New Mexico- Dean Jacquez introduced himself to the committee and gave a report on the progress of the engineering program at NMSU. He reported that there has been steady incline in the number of students going into engineering field and that he would like to continue to see it grow.

10. ADJOURNMENT

Mr. Sisneros adjourned the meeting at 12:00 p.m.

Submitted by:

s/ Edward Ytuarte
Mr. Edward Ytuarte, Executive Director

Approved by:

s/Severiano Sisneros, PE
Mr. Severiano Sisneros, PE, Chair

January 14, 2011 Approved Date