

Minutes of

Meeting of the Professional Engineers Committee
of the Board of Licensure for Professional
Engineers and Professional Surveyors held 1:00
p.m. April 11, 2013 at Workers Compensation
Administration, 2410 Centre Ave. SE,
Albuquerque, NM

Members Present Paul Brasher, PE, Chair
 Ronald Bohannon, PE
 Julie Samora, PE
 John Romero, PE
 Dr. Rola Idriss, PE
 Joshua Skarsgard, Public Member

Others Present Eva Baca, Acting Executive Director
 Michelle Padilla, Licensing Manager, BLPEPS
 Elisa Salazar, Licensing Manager, BLPEPS
 Ericca Lopez, Executive Secretary, BLPEPS
 Mona Valecentes, Board Attorney
 John Ludi, NMSFMO
 Steve Raugust

1. **Convene, Determination of Quorum and Introductions: Committee and Audience**

Mr. Brasher convened the meeting at 1:00 p.m.

Roll call was taken and it was noted that a quorum of the Board was present.

Mr. Ludi and Mr. Raugust introduced themselves as guests.

2. **Approve Agenda**

MOTION by Mr. Romero, **SECONDED** by Dr. Idriss and **PASSED** unanimously
VOTED: To approve the agenda as presented.

3. **Meeting Notification**

Mr. Brasher clarified that the meeting was noticed in the Albuquerque Journal and on the board's website.

4. **Public Comment**

None at this time.

5. **Old Business**

a. **Approval of Minutes- February 21, 2013**

MOTION by Mr. Bohannon, **SECONDED** by Dr. Idriss, **PASSED** unanimously,

VOTED: To approve the meeting minutes of February 21, 2013 as presented.

b. Fire Protection- Guest John Ludi, PRC

Mr. Ludi stated the fire marshal's office had passed new laws requiring an engineering stamp on all shop drawings that are being presented for approval. Mr. Ludi expressed concern over the fact that the fire marshal's office is reviewing shopping drawings that have the exact same stamp with the exact same date and signature on them. He worries that the stamp may be being used fraudulently.

After a short discussion Mr. Ludi requested that the board look further into this matter and requires that an original signature be required to be put on the shop drawings.

6. New Business

I. Discussion Items

1. Protection Engineering and Certification to prepare fire protection systems design

Fire protection design concerns were discussed with above item.

2. Committee member travel schedule and travel policy

Mr. Brasher stated he would like for the engineering committee to be able to have more meetings to deal with the applications which may be a problem due to the budget.

Ms. Samora stated this item was currently being dealt with and would be discussed at a later time.

3. PEC policy and handling of violations hearings, full committee, subcommittee or hearing officer

A short discussion was had on the process of appointing hearing officers for disciplinary hearings. It was decided that the process would remain the same and the full committee would be appointed as hearing officers unless otherwise noted.

4. PEC complaint investigations process

The investigative process was clarified as to how complaints were currently being processed.

5. Preparation of Storm Water Pollution Prevention Plans (SWPPP) pertaining to engineering practice

Mr. Bohannon expressed a concern about non engineers preparing plans for SWPPP. He would like an advisory letter to go out from the board stating that this is considered the practice of engineering.

This item was tabled for the next meeting and Mr. Bohannon will bring a sample of the write up and bring it back to the committee.

6. Authorization of the PEC complaint investigator to research violations of the Practice Act, regarding unlicensed practice/cellular communications towers and site developments

Mr. Brasher also brought up a concern on unlicensed engineers working on cell communication towers and site development. Mr. Brasher requested that Mr. Barela look into this matter and further investigate.

The committee allowed Mr. Raugust to speak to them on behalf of the application he was making to be allowed to take the PE exam.

Mr. Raugust explained his situation and made his plea to the committee to allow him to take the PE exam.

MOTION by Mr. Brasher, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously **VOTED:** To go into executive session to consider Mr. Raugust request to take the PE Exam.

Roll Call Vote

Voting Yes: Mr. Brasher, Mr. Skarsgard, Mr. Romero, Dr. Idriss, Mr. Bohannon and Ms. Samora

Mr. Romero brought the committee back into open session by stating that the committee only discussed Mr. Raugust application to take the PE exam and nothing else.

MOTION by Mr. Bohannon, **SECONDED** by Ms. Samora, **PASSED** unanimously **VOTED:** To accept Mr. Raugust's request to take the PE exam.

EXECUTIVE SESSION

MOTION by Mr. Bohannon, **SECONDED** by Ms. Samora, **PASSED** unanimously **VOTED:** To go into executive session to discuss items listed on the agenda pursuant to NMSA 1978, Sections 10-15-1(H)(1), (3) and (7) to discuss matters pertaining to the issuance, suspension, renewal or revocation of a license; to deliberate on pending cases; and to discuss pending litigation as listed in sections 7,8 and 9.

Roll Call Vote

Voting Yes: Mr. Romero, Mr. Skarsgard, Dr. Idriss, Mr. Brasher, Mr. Bohannon and Ms. Samora

Mr. Brasher brought the committee back into open session stating that only the items listed under section 7, 8 and 9 were discussed during the closed session.

7. Applications Recommended for Approval

MOTION by Dr. Idriss, **SECONDED** by Mr. Romero, **PASSED** unanimously
VOTED: To approve all recommended approval applications as presented in exhibit A.

Exhibit A

PEC Applications for Recommended for Approval

April 11, 2013

Endorsement

Anderson, K
Andries, B
Angerer, K
Archambeau, J
Atkinson, S
Babcock, S
Baca, P
Bafford, R
Bessire, S
Beyer, R
Binder, K
Chabot, J
DeGonia, M
Dent, J
Dickson, J
Earle, J
Finney, A
Flick, L
Frates, D
Hart, J
Hartwig, D
Hernandez, S
Isaacson, T
Konrath, E
Koshiol, S
Kostecki, C
Krajewski, D
Kwon, J
Laye, N
Marler, A
Marmas, K
Massman, M
Mathew, D
Mays, R
McFalls, D

Meltzer, D
Mercurio, D
Midkiff, W
Morgenstern, S
Narasimhan, R
Norville, R
Paddock, C
Peck, R
Pezzi, A
Pollart, Y
Ray, R
Robinette, C
Rowe, C
Sarmiento, M
Schmidt, D
Scott, J
Shattuck, C
Slotterback, A
Smith, B
Smith, G
Smith, J
Sorensen, E
St. Jean, Z
Traub, K
Van Hoof, M
Vogt, D
Whitley, D
Young, P

PE Exam

Hackett, T
Hansen, B
Hector, T
Jensen, V
Lucero, G
Spiller, A

Swartz, E
Walden, K

FE Exam

Adu, J
Buckner, T
Castillo Smith, H
Gorman, S
Pedrego, E
McKinstry, M

Reinstatement

Alonzo, D
Avalos, G
Carter, M
Langlois, G
Miller, D
Repp, T
Rouhani, N
Stith, L

Additional Discipline

Cramer, M

8. Applications For Review

a. PE Endorsement/ Comity Applicants

Afsar, H.

MOTION by Ms. Samora, **SECONDED** by Mr. Romero, **PASSED** unanimously
VOTED: To approve Mr. Afsar's application by endorsement.

Myers, M.

MOTION by Mr. Bohannon, **SECONDED** by Ms. Samora, **PASSED** unanimously
VOTED: To approve Mr. Myers' application by endorsement.

Satpathy, B.

MOTION by Ms. Samora, **SECONDED** by Mr. Romero, **PASSED** unanimously
VOTED: To approve Mr. Satpahy's application by endorsement.

Zablocki, S.

MOTION by Dr. Idriss, **SECONDED** by Mr. Bohannon, **PASSED** unanimously
VOTED: To approve Mr. Zablocki's application by endorsement.

b. PE Exam Applicants

Bekoe, P.

MOTION by Ms. Samora, **SECONDED** by Mr. Romero, **PASSED** unanimously
VOTED: To approve Mr. Bekoe's application to take the PE exam.

c. PE Exam Re-Take Applicants

Farmer, T.

MOTION by Mr. Bohannon, **SECONDED** by Dr. Idriss, **PASSED** unanimously
VOTED: To approve Mr. Farmer's application to take the PE exam.

d. PE Reinstatement Applicants

Bierwirth, J.

MOTION by Mr. Bohannon, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

VOTED: To approve Mr. Bierwirth's application by reinstatement.

9. Action on Items discussed During Executive Session

a. 2013 Renewals

I. Discussion Items/ Request for approval:

7. DV-76

MOTION by Ms. Samora, **SECONDED** by Dr. Idriss, **PASSED** unanimously

VOTED: To approve DV-76 for licensure renewal.

8. MB-10

MOTION by Mr. Bohannon, **SECONDED** by Ms. Samora, **PASSED** unanimously

VOTED: To approve MB-10 for licensure renewal.

II. Discussion Items/ Recommendation:

9. Case 6-PE-06-01-12

10. Case 7-PE-06-01-12

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

VOTED: To dismiss.

11. Case 11-PE-09-24-12

MOTION by Mr. Bohannon, **SECONDED** by Dr. Idriss, **PASSED** unanimously

VOTED: To issue an NCA in accordance with Section 61-23-24- Practicing without a license, with the possibility of an early resolution to include a five hundred dollar (\$500) fine and a letter of reprimand.

12. Case 9-PE-03-12-12

MOTION by Mr. Bohannon, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

VOTED: To issue an NCA for practicing without a license and non-cooperation with the board.

13. Case 11-11-31

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

VOTED: To dismiss due to statute of limitations running due to lack of timely prosecution.

10. Action items Discussed During Executive Session

As noted above.

11. Schedule Next Meeting Date- June 13, 2013, Santa Fe

12. Adjourn

Mr. Brasher adjourned the meeting at 4:20 p.m.

Submitted By:

Approved By:

s/ Ericca Lopez

Ms. Ericca Lopez, Executive Secretary

s/ Paul Brasher

Mr. Paul Brasher, Committee Chair

August 8, 2013

Approved Date

