

**MINUTES OF**

Meeting of the Board of Licensure for Professional Engineers and Professional Surveyors held at 9:00 a.m. January 14, 2011 at Board Office, 4001 Office Court Dr., Ste. 903, Santa Fe, NM

Members Present Julie Samora, PE, Vice Chair  
Subhas Shah, PE, PEC Chair  
Fred Sanchez, PS, PSC Chair  
John T. Romero, PE  
Salvador Vigil, PS  
Rola Idriss, PE  
Augusta Meyers, Public Member  
Stephen Schoen, Public Member

Members Absent Severiano Sisneros, PE, Board Chair  
Gilbert Chavez, PS

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

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

Ms. Samora convened the meeting at 9:00 a.m. Roll call was taken and a quorum of the board was present.

Mr. Kroger introduced himself as a guest.

**2. APPROVAL OF THE AGENDA**

**MOTION** by Mr. Fred Sanchez, **SECOND** by Mr. Stephen Schoen, and **PASSED** unanimously.  
**VOTED:** To approve the agenda as presented

**3. APPROVAL OF THE MINUTES**

**3.1 November 5, 2010 Minutes-**

**MOTION** by Mr. Fred Sanchez, **SECONDED** by Mr. Salvador Vigil, and **PASSED** unanimously.

**VOTED:** To approve the minutes as presented.

**4. CORRESPONDENCE/ COMMUNICATIONS**

**4.1 FY 10 Independent Auditor Report- Jim Macias-** Mr. Ytuarte presented each board member with a copy of the Auditor's Report. He informed them that Mr. Macias would not be able to attend the meeting to give a report due to him having a prior commitment and the short notice.

Mr. Ytuarte explained that there were four findings. Mr. Ytuarte stated the board members should take their books home and review them. He stated he would schedule an appointment for Mr. Macias to be at both committee meetings on January 26<sup>th</sup> and 27<sup>th</sup> to address any questions

or concerns they may have. The board decided that any major discussion issues or concerns would be postponed until Mr. Macias was present.

**MOTION** by Mr. Stephen Schoen, **SECONDED** by Mr. John Romero, and **PASSED** unanimously.

**VOTED:** To accept the audit as presented by the auditors.

**4.2 Bob Whorton NCEES- Exam Irregularity-** Mr. Ytuarte explained to the board that he had received a letter regarding an examinee for the October PE exam. He stated that the letter came from Mr. Bob Wharton, Director of Compliance and Security at NCEES. The letter addressed an irregularity that occurred during the October exam administration in Las Cruces.

The letter stated that the examinee had been wearing an alarm watch that went off during the exam. The watch was confiscated by the administrator and sent to NCEES to ensure that the exam was not compromised in any way. After a review of his watch it was determined that the exam was not compromised in any way.

Mr. Ytuarte explained that it is a violation of the exam rules and that all examinees sign a form stating that they understand the rules and what can and cannot be brought in to the exam.

After a short discussion, it was decided that the board would like to see a copy of the form that the examinees are required to sign prior to taking the exam. It was decided that this item would be put on hold until that copy could be obtained from NCEES.

**4.3 NCEES Correspondence- FYI-** Mr. Ytuarte stated that he had placed some recently submitted correspondence from NCEES in the books for each member to make themselves familiar with it. The first was information on the exams. The second was upcoming changes for the exam in the coming year. The third was a candidate of another board that was running for a position at NCEES.

## **5. NEW BUSINESS**

**5.1 Funded Delegate for 2011 Western Zone Meeting-** Mr. Ytuarte stated that the NCEES Western zone meeting would be coming up on May 26<sup>th</sup>-28<sup>th</sup> in Spokane, WA. He stated that the board needed to decide who would be the funded delegate to attend the meeting, as February 12<sup>th</sup> is the deadline for the board to advise NCEES of who that will be. Mr. Ytuarte stated that in the past, it was the Board Chair that would be the funded delegate. Since he was unsure if the Chair was going to be able to make it or not, he would check with him and inform them at the committee meetings of the Board Chair's decision.

**5.2 Government Restructuring Task Force-** Mr. Ytuarte stated that Ms. Samora had done some research as to what, if anything was going to be done to this board as far as consolidation. He stated that according to the reports this agency was not being considered for consolidation at this point and once he received any other information he would pass it along to them.

**5.3 NCEES Board Presidents Assembly-** Mr. Ytuarte informed the board that the NCEES Presidents Assembly was coming up. Mr. Ytuarte informed them that he and Mr. Sisneros would

be attending the meeting. He stated that they get any comments or suggestions on any of the agenda items to either one of them prior to the meeting.

**4.2 Bob Whorton NCEES- Exam Irregularity cont.** – Mr. Bob Whorton faxed over the information that requested by the board. The Board reviewed the information.

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

**VOTED:** To validate the exam score of the examinee despite the irregularity.

**ROLL CALL VOTE:**

Voting Aye: Mr. Romero, Mr. Shah, Ms. Meyers and Mrs. Samora

Voting Nay: Mr. Vigil, Mr. Sanchez and Dr. Idriss

Abstaining: Mr. Schoen

The vote was **PASSED**.

## **6. DIRECTOR'S REPORT**

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

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

**VOTED:** To approve the voucher log as presented.

**6.2 Administrative Activities-** Mr. Ytuarte stated that he was currently working on getting a BAR for more money for the contract investigators.

Mr. Ytuarte stated that out of 4,295 renewal reminder notices that were mailed out in October, 3,405 have been received back in the office to date.

Mr. Ytuarte also informed the board that he had been able to get another six month extension for both of the temporary employees. He stated that he is still working on being able to keep them on as permanent employees.

## **7. OLD BUSINESS**

**7.1 Complaint/Investigative Process Outline-**Mr. Ytuarte explained that the items presented in the meeting book were for informational purposes only. He states that he would like for the board chair to appoint a committee to work with himself and Mr. Garcia to get a complete complaint/ investigative process in order.

Mr. Ytuarte stated that he would like to be able to have two surveyors and two engineers in the committee. Mr. Vigil volunteered to be a part of the committee.

**7.2 Engineering and Surveying Practice Act Amendment- HB 32-** Mr. Ytuarte stated that he placed this information in the meeting books for informational purposes. He also stated that he had previously emailed the information out to all of them.

## **8. COMMITTEE Reports**

**8.1 Professional Engineering Committee** -The meeting had been rescheduled for January 27, 2011 at the Middle Rio Grande Conservancy District in Albuquerque.

**8.2 Professional Surveying Committee** - The meeting had been rescheduled for January 26, 2011 at the Workers Compensation Administration office in Albuquerque.

**9. OTHER BUSINESS**

**9.1 JPC Board Member Makeup** - Mr. Ytuarte stated that he needed to know if the board was going to change the member of the JPC committee or if they were going to remain as the four that attended the last meeting which consisted of two surveyors and two engineers.

**MOTION** by Mr. Romero, **SECONDED** by Mr. Sanchez, and unanimously **VOTED**: That the members remain the same four people unless it was decided at the committee meetings that it would change.

**9.2 Public Board Member Discussion** - Mr. Ytuarte stated that he was asked to put this item on the agenda for discussion purposes and would open the floor at this time for discussion.

Mr. Sanchez stated that he was the one who asked for this item to be put on the agenda. He stated that he had great concern because Ms. Meyers had not attended any of the scheduled board meetings and the Surveyor Committee needed to have full membership in order to conduct its business. He welcomed Ms. Meyers and stated that he had two major concerns, the first being that he had heard that she did not want to serve on the PS Committee and the second being that she served on the MRGCD board with Mr. Shah.

Ms. Meyers apologized for not attending the meetings. She stated that she had to put the board on a back burner for personal reasons which she explained. Ms. Meyers stated she did perceive her position on the MRGCD board as a conflict. She stated she felt she could make a full commitment to the board from this point on.

Mr. Sanchez stated if Ms. Meyers feels she can be independent and not let her friendship with Mr. Shah influence her in decisions then he did not have a problem with her remaining on the board.

Ms. Samora, along with the other board members, took the opportunity to welcome Ms. Meyers to the board.

**10. ADJOURNMENT**

Ms. Samora adjourned the meeting at 11:35 a.m.

Submitted by:

s/ Ericca Lopez  
Ms. Ericca Lopez, Executive Secretary

Approved by:

s/ Julie Samora, PE  
Mrs. Julie Samora, PE, Vice Chair

August 12, 2011 Approved Date