

**Minutes**

**Board of Licensure for Professional Engineers  
And Professional Surveyors Full Board Meeting**

**Friday, January 23, 2015 9:00 AM**

**Regulation and Licensing Department, Toney Anaya Building  
2550 Cerrillos Rd. Hearing Room 1,  
Santa Fe NM, 87505**

**Members Present-** Paul Brasher, PE, Board Chair  
Glen Thurow, PS, Vice Chair  
Augusta Meyers, Public Member  
Ronald Bohannon, PE  
Julie Petrocco-Samora, PE  
David Cooper, PS  
Clifford Spirock, PS  
Karl Tonander, PE

**Members Absent -** Josh Skarsgard, Public Member  
Dr. Rola Idriss, PE

**Others Present-** Perry Valdez, Acting Executive Director, BLPEPS  
Sami Romero, Executive Assistant, BLPEPS  
Richard Word, Legal Counsel – via Phone

**1. Convene and Roll Call**

Mr. Brasher convened the meeting at 9:06 am roll call was taken and a quorum was noted.

**2. Meeting Notification**

The meeting was noticed in the Albuquerque Journal as well as on the Board's website.

**3. Approval of Agenda**

**Motion** by Mr. Bohannon to accept the agenda **SECOND** by Mr. Cooper **PASSED** Unanimously

**4. Approval of Minutes**

**a. Minutes of July 17, 2014**

**MOTION** by Mr. Bohannon to accept the minutes of 07/17/14 as is **SECOND** by Mrs. Samora **PASSED** Unanimously

- **Abstained** vote by Mr. Tonander

Enter Augusta Meyers – 9:10 a.m.

**b. Minutes of November 14, 2014**

**MOTION** by Mr. Bohannon to accept the minutes of 11/14/14 as is **SECOND** by Mr. Thurow **PASSED** unanimously

– **Abstained** vote from Mr. Tonander and Mr. Spirock

**c. Minutes of December 16, 2014**

Amend minutes

- Motion by Mrs. Samora under item 6 who was not present
- Add Mr. Tonander VIA phone conference under item 6
- Add Mr. Bohannon's motion to enter executive session

**MOTION** by Mr. Bohannon to accept the amended minutes **SECOND** by Mrs. Meyers **PASSED** unanimously

**5. Committee Reports**

**a. PS Committee-**

Mrs. Meyers reports that there was some public comment during the committee meeting, the discussion was for clarification on monument points, monumentation rods and plat sizes; which prompted further discussion for a possible advisory. There was a discussion on advisory issues and how they are handled and keeping up with what is current. It was decided that the committee will adopt a new process for advisory issues. The Committee considered 3 Disciplinary cases: 2 dismissed and 1 approved settlement agreement, Renewal Audits, Application for review: 3 Applications for the exam and 1 Application for Endorsement. All applications, with the exception of 1 application because of a non-related science degree, were approved.

**b. PE Committee-**

Mr. Bohannon reports that there were 3 visitors in the audience, one visitor was on the self-reporting list. The PEC will be meeting for 1 hour before the scheduled rules hearing on February 20<sup>th</sup> to assist the public with the application deadline. We approved 31 exam applications, 3 retake requests – the retake requests prompted further discussion and will be on the April agenda, 87 PE endorsement applications, 10 reinstatement applications, 46 retired requests, and 51 inactive requests.

Disciplinary cases, settled 1 case and filed 2 NCAs, and recommended 2 settlement offers on those NCA referrals, renewal audits, 15 self-reported renewals. 3 renewals were referred to investigator for further investigation for possible NCAs.

There was a discussion on a possible change to wording on the application to match the wording on the renewal form for the Felony question. Also discussed was setting the limitation of reporting for felony/misdemeanor and disciplinary questions to 2 years/ or since last renewal. It was decided to re-visit this issue and have Mr. Valdez send out to the Board an amended question for the application and the license renewals and to be discussed at the April meeting.

#### **c. Executive Committee**

Mr. Brasher said sending board members to further training and data gathering at NCEES meetings, the State has been represented very well by our Board members. Mr. Brasher reminded the Board on the amount of board members we are able to send, that we need to only send 5 Board members, that's including those funded by NCEES. It needs to be decided who we request to send to this year's Western Zone meeting.

#### **d. Joint Practice Committee**

Mr. Bohannon reports that there is a non-profit organization that may be under a possible violation pertaining to the procurement issues. The issues being that they are offering both engineering and surveying services, it is unclear if they have licensed PE/PS on staff; possible investigation on both engineering and surveying sides.

According to the State Procurement Code, the JPC is to provide a list of volunteers for RFP Selection Committees, they are looking into licensees to see those willing to serve as a designated member for RFP selection committees.

#### **e. Public Information, Exam and Licensure Promotion Committee**

Mrs. Samora reports that we are hopeful of unveiling the new website as well as a newsletter; she and Mr. Valdez are providing an article for the NCEES licensing exchange newsletter. Further discussion on an update to the BLPEPS website to list outcome/details of the disciplinary action, or have a scheduled retention period to keep current with items and dispose of old information once newer information is available.

#### **f. Rules and Regulation Committee Meeting**

Rules hearing February 20, 2015 District 3 DOT building proceeding with a full board meeting to adopt rules to become effective 30 days of adoption. The Rules Committee could meet before the Rules Hearing to make sure the proposed rules are the correct rules that the Board previously voted on.

Mr. Bohannon reported that a meeting with Ms. Meyers, Mr. Brasher, and Mr. Valdez was had to discuss the industrial exemption issue with Los Alamos National Lab. Mr. Bohannon will craft a letter and present it to the Board at the next meeting for the Board's review and approval.

#### **g. Legal Enforcement Committee**

Committee members are not in attendance – no report made.

#### **h. NCEES Committee Member**

##### **1. NCEES MBA Committee Meeting**

MBA Committee Report by Mrs. Samora – Meeting attended by Mr. Valdez as well as Mrs. Samora. Mrs. Samora said NCEES is updating user profiles; new database is being created for PDHs as well as education programs and enforcement programs. Mr. Valdez added there are changes to council records to modernize the look, education evaluation on foreign transcripts, NCEES might do verifications for computer based testing. A computer based testing system is being explored for state specific surveying exams. Mrs. Samora will provide a more complete written summary to the Board.

##### **2. Ad Hoc Committee-personnel and relations with RLD**

Mr. Valdez informed the Board that he and Mr. Thurow had a meeting with Mr. Unthank, the meeting was positive regarding proposing a budget for leaving the Toney Anaya Building and then requesting from the Governor to rescind the Executive Order. A meeting with the Governor's office was requested through Mr. Unthank.

It was discussed that if the Board remained administratively attached through the Memorandum of Understanding to RLD, that the Memorandum should be reviewed.

Mr. Bohannon exited the meeting.

#### **6. Public Comment/Correspondence**

No comment or correspondence

#### **7. Directors Report**

##### **a. Board Staff**

Staff is in good standing and doing well. Sami has been catching on very quickly and doing a good job.

##### **b. License Renewal Status**

Mr. Valdez reported on the number of licenses renewed from November 21, 2014 to the present. He provided a breakdown to the board members of the number of licenses per license type along with the number of licenses pending renewal.

Issues Staff and I had were some calls received from licensees about the carryover tracking, the lack of printed information on the pocket card regarding PDH hours and carryover for the next renewal period. Mr. Valdez informed the Board that we are unable to merge this information onto the pocket card due to the MLO database system we are currently using. The RLD website

roster needs to be looked at to calculate the carryover correctly. We are working with the RLD IT to fix the carryover calculation.

**c. Status of proposed rule changes**

Mr. Valdez informed the Board that February 20, 2015 is the rules hearing, staff will identify changes identified in the New Mexico register. Mr. Valdez will send the proposed rules to Dawn Tibbetts and a contact from NMPS and NMSPE. Will schedule a rules committee meeting before the rules hearing to ensure the latest versions are posted.

**d. Audit Report**

Mr. Valdez reported the Agency's external financial audit is now public information. He was happy to report there were no findings.

**e. FY16 Appropriation**

Mr. Valdez provided a summary to the Board of the Fiscal Year 16 appropriation budget request for RLD separation with the proposition to keep the RLD licensing system (My License Office or MLO).

The other option is to have the Department of Information Technology provide IT services for the agency when it is out of the Toney Anaya Building. DoIT said we could possibly 'piggy back' off of the Board of Architect's data system.

Mr. Valdez reminded the Board of the scheduled February 5, 2015 House Appropriation Committee hearing at 1:30 pm.

Mr. Valdez informed the Board of the agency's vacancies - Licensing clerk left vacant for possibly reclassifying to a financial position if the Agency goes out on own, A/O 1 - assistant director, and Executive Director position – exempt and governor appointed. These vacancies are the addition into the board's fund balance. Due to the excess in fund balance there may be possible discussion on lowering member renewal and application fees.

**8. Old Business**

**a. NCEES Western Zone Meeting- Scottsdale, AZ- May 14-16, 2015**

Attendance count: need to reference board travel policy. Formal Attendance count is yet to be made by the executive committee.

Running tally- Cooper, Bohannan, Samora, Meyers, Tonander

**b. Committee Assignments**

Review the committee membership and charges, adjustments were made due to new Board members.

**9. New Business**

**a. Newsletter/E-Newsletter**

Mr. Valdez informed the Board of assigned staff (Ms. Romero and Mr. Montoya) to complete a newsletter. Mrs. Samora says the newsletter gives the ability to have a continuous update on Board action, updates, and allow feedback. Still working with DOIT on a mass distribution for an E-Newsletter and announcements. The newsletter should remain electronic and posted on the website instead of printed and mailed out.

Mr. Thurow mentions the Washington Board listserv where he receives the Washington Board information and Mr. Spirock added how the Arizona Board provides frequent information.

Discussion on possible addition to social media, it proposes a more conversation based connection with the licensees.

- 10. Executive Session- Motion** by Glen Thurow that the Board go into closed executive session to discuss only those matters listed on the agenda under executive session, pursuant to NMSA 1978 Section 10-15-1 (H) (2) **SECOND** by Ms. Meyers **PASSED** unanimously.

Roll Call was taken and vote of ‘Yes’: Mr. Brasher, Mr. Thurow, Mrs. Samora, Mr. Tonander, Mr. Spirock, Mr. Cooper, Ms. Meyers

**a. Perry Valdez, Acting director**

**10a. Action on Items Discussed in Executive Session-**

Mr. Brasher: “The Board is back in open session and I affirm that while in closed session it discussed only those matters specified in the motion to close the meeting and listed on the agenda under executive session, In accordance with NMSA 1978 Section 10-15-1 (H) (2).”

No Action taken

- 11. Next Scheduled Meeting Date:** April 10, 2015 – Los Alamos

**12. Adjourn**

Mr. Brasher **ADJOURNED** the meeting at 1:30pm

Submitted By:

s/Sami Romero  
Ms. Sami Romero, Executive Assistant

Approved By:

s/Paul Brasher  
Mr. Paul Brasher, Board Chair

April 10, 2015 Approved Date