

MINUTES

MEETING OF THE NEW
MEXICO BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL
SURVEYORS held 9:00 a.m., Friday, August 11, 2017,
Toney Anaya Building, CID/MHD Conference Room
3rd Floor, 2550 Cerrillos Road, Santa Fe, NM

Members Present – Karl Tonander, PE, Board Chair
Ron Bohannon, PE
Glen Thurow, PS
David Cooper, PS
Cliff Spirock, PS
Augusta Meyers, Public Member
Josh Skarsgard, Esq, Public Member
Paul Brasher, PE
Julie Samora, PE

Members Absent –

Others Present – Perry Valdez, BLPEPS, Executive Director
Annette Thompson-Martinez, BLPEPS, Deputy Director
Angelica Urioste, BLPEPS Executive Assistant
Marylou Poli, Legal Counsel

1. Convene, Roll Call and Introduction of Audience

Mr. Tonander convened the meeting at 9:13 a.m., roll call was taken and a quorum noted.

2. Meeting Notification

Mr. Valdez informed the Board the meeting was noticed in the Albuquerque Journal as well as the Board's website.

3. Approval of Agenda

MOTION by Mr. Thurow to approve the agenda as presented, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

4. Approval of Minutes

a. Minutes of June 2, 2017

MOTION by Mrs. Samora to approve the minutes of June 2, 2017 as presented, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

Ms. Meyers arrived at 9:15 a.m.

5. **Public Comment/Correspondence**

There were no public comments or correspondences to discuss.

6. **Director's Report**

a. **Staff Space Update**

Mr. Valdez informed the Board the office move took place during the week of July 10th, from the second floor where staff had been located, and explained that four staff members are sharing two cubicles. It was also discussed where the filing cabinets have been placed, Mr. Bohannon asked if there was an additional room for filing cabinets, Mr. Valdez explained that he would like staff to be in their own individual offices before doing this. Also, Mr. Valdez mentioned that the move began on a Saturday and was finalized throughout the week.

b. **Financial Report**

Mrs. Thompson-Martinez delivered a handout projecting the end of the year funding for FY17. She stated journal entries were created by the CFO of the Board to allocate deferred revenue into the appropriate revenue accounts. Ms. Thompson-Martinez explained the unused budget amount was reverted due to vacant positions that occurred throughout the year. She also stated a projection for the current fiscal year will be provided at the November meeting; once hiring process is complete numbers will be more accurate. Mr. Bohannon stated the importance of the Board being fully staffed and how effective it is to have a successful team.

c. **Licensing Status Report**

As of August 4, 2017 there is 8, 781 Licensees, 8, 268 active Engineers and 495 active Surveyors.

7. **Old Business**

a. **Ethics Roundtables Schedule for 2017**

Mr. Tonander stated that he would like to get the Ethics Courses scheduled and advertised as soon as possible to notify people. He also suggested that Ms. Meyers and himself coordinate a time to discuss the details to help finalize the Ethics Courses time and locations. Mr. Bohannon added to this and mentioned that a consistent venue is effective to help build for a strong course and encouraged for it to remain the same.

b. Engineer/Surveyor of Record Affidavit(s)

1.) Response to Questions/Concerns

Mr. Valdez stated there has been numerous questions regarding the Record Affidavit(s) and has put together a sheet of questions that have frequently been asked, to get clarification. Mrs. Samora mentioned to revise some of the language on the Affidavit to make it clearer for those reviewing the form. Mrs. Thompson-Martinez stated that the SCC number on the form is a concern for many people as well and is unknown if it should be required or can be left blank. It was mentioned by Mr. Thurow, Mr. Bohannon, and Ms. Poli that it is required to list the SCC number by any LCC or Incorporation in order to have a legal entity.

c. Review of the MOU with RLD

There was no discussion.

8. New Business

a. FY18 Board Member Committee Assignments

Mr. Tonander presented the FY18 Board Member Committee Assignments, he stated this was just a draft and changes can be adjusted if needed. He concluded this topic with stating “no action is necessary.”

b. Storage Unit Duration

Mr. Thurow suggested to have a revisable hold for a specific vote.

MOTION by Mr. Thurow to retain the storage unit for the upcoming year and at the discretion of the Executive Director, **SECOND** Mr. Tonander, **PASSED** unanimously.

Mr. Brasher arrived at 10:41 a.m.

c. Renewal Notice/Continuance of USPS Permit Postage

The Board discussed this topic and decided that no action was needed.

d. 2019 Strategic Plan

Mr. Valdez stated this item was placed on the agenda to comply with the changes that were made regarding performance measures to match the submittal of the FY19 Budget Appropriation Request.

e. State Personnel Office Pay Bands for Surveyors vs Engineers

Mr. Thurow stated that the State Personnel Board met on June 16th to discuss pay bands on where Surveyor’s and Engineers stand. The pay band for Surveyors has

decreased with a four year degree and stated that State Personnel decided that Surveying Interns are not as valuable as Engineering Interns.

f. International PDHs

Mr. Valdez stated Mr. Montoya received an email inquiring about International PDHs and requested an approval from the Board. The Board discussed this issue and concluded International PDHs can be accepted.

g. Use of Electronic Signatures and Seals

Mr. Bohannon stated that this topic is extremely complex and will need time to discuss this item at length. A special meeting was proposed to ensure this topic is discussed at length.

MOTION by Mr. Bohannon to table until next schedule meeting, **SECOND** Mr. Brasher, **PASSED** unanimously.

h. Nevada-Wyoming Licensing MOU

Table until more information is received from National Meeting.

MOTION by Mr. Bohannon to table until next schedule meeting, **SECOND** Mr. Brasher, **PASSED** unanimously.

i. 16.39.8.9 D (1) – The use of the word – “fiduciaries”

Mr. Valdez stated this item was placed on the Agenda for further discussion to clarify the definition of “fiduciary.” It’s stated that the meaning of this term is to have a professional relationship with an employee or client. Ms. Poli went into further detail and explained that this term is to protect someone’s money and don’t act, take any actions, or no action at all to benefit yourself. She advised the Board that she isn’t trying to inform them to keep or eliminate the term, but simply emphasize the importance of the term. Mr. Tonander suggested this be discussed further at the Rules Committee.

9. Committee Reports

a. PS Committee

Mr. Thurow stated for application reviews there were seven applications recommended for approval which were approved for PS Endorsement. In addition four other applicants were considered, three out of the four were approved. Mr. Thurow reported one NCA was referred for a case. He also mentioned that Mail- out Exams were finalized and should be issued soon.

b. PE Committee

Mrs. Samora stated that there was a good discussion on the Petroleum and Gas Pipeline and Policy Advisory. She mentioned Peter Nathanson and Angela Cross were in the audience to inform the Board on certain topics and discussed the items at length. Mrs. Samora summarized the meeting as being effective and overall having good discussions.

c. Executive Committee

Mr. Bohannon stated that several members met with the staff to follow up and will push the Executive Committee to have a go-to-meeting followed with a drafted agenda.

d. Joint Practice Committee

Mrs. Samora mentioned that a Joint Practice Committee Meeting was held on June 9th, she stated it was a great discussion and overall effective with the information that was presented. It was discussed by Mr. Thurow that it was not necessary to have another JPC meeting so soon being that there weren't enough items to be placed on agenda. Mrs. Samora and Mr. Thurow decided to schedule meeting sometime in September or early October and will be finalized as the time gets closer.

e. Public Information Committee

Mrs. Samora and Ms. Meyers stated that they would both meet after the meeting to gather ideas on upcoming events.

f. Rules and Regulations Committee

Mr. Valdez stated that staff and himself took a Rule Training, specifically for the group because of the bill that passed during the 2017 Legislature and the changes that are occurring. The main changes that Mr. Valdez addressed were about the notices, it now needs to be advertised on the Sunshine Portal and notify the Legislative Finance Committee Council on any Rule Changes, followed with an attached legal description. Also, it was discussed on when a Rule Hearing Meeting should take place; it was decided to be on November 3rd before the Full Board Meeting.

g. Legal Enforcement Committee

There was no Committee report given.

h. NCEES Committee Members

1) NCEES Western Zone Report

Mrs. Samora went into detail on the motions that have taken place and asked the Board to review and discuss if there are any necessary changes.

10. Executive Session

The Board did not enter into executive session.

11. Action on Items Discussed During Executive Session

The Board did not enter into executive session.

12. Next Scheduled Meeting Date:

a. Rule Hearing/Board Meeting date

Discussion was held during an earlier agenda item and it was decided to hold the Rule Hearing on November 3rd along with the Regular Scheduled Board Meeting.

b. November 3, 2017 – Albuquerque, NM

13. Adjourn

Meeting adjourned at 12:00pm.

Submitted by:

s/ Angelica Urioste
Mrs. Angelica Urioste, Executive Assistant

Approved by:

s/ Karl Tonander
Mr. Karl Tonander, Board Chair

January 12, 2018 Approved Date