

MINUTES

MEETING OF THE NEW MEXICO BOARD OF
LICENSURE FOR PROFESSIONAL ENGINEERS
AND PROFESSIONAL SURVEYORS held at 9:00 a.m.,
Friday, November 4, 2016, Executive Board Room,
Science and Technology Park at UNM,
851 University Blvd., SE, Albuquerque, New Mexico

Members Present- Ron Bohannon, PE, Board Chair
Augusta Meyers, Public Member
Karl Tonander, PE
Julie Samora, PE
Dr. Nadir Yilmaz, PE
Glen Thurow, PS
Cliff Spirock, PS
Joshua Skarsgard, Public Member

Members Absent- David Cooper, PS
Paul Brasher, PE

Others Present- Perry Valdez, BLPEPS, Executive Director
Annette Thompson-Martinez, BLPEPS, Deputy Director
Sami Romero, BLPEPS, Executive Assistant
Kara Szkotak, Legal Counsel

1. **Convene, Roll Call and Introduction of Audience**

Mr. Bohannon convened the meeting at 9:04 am, roll call was taken and a quorum noted.

2. **Meeting Notification**

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

3. **Approval of Agenda**

MOTION by Mr. Tonander to approve the agenda as presented, **SECOND** by Mrs. Samora, **PASSED** unanimously.

4. **Approval of Minutes**

a. **Minutes of June 3, 2016 – Amended**

MOTION by Mr. Spirock to approve the amended minutes of June 3, 2016, SECOND by Ms. Meyers, PASSED unanimously.

b. **Minutes of August 12, 2016**

MOTION by Mr. Thurow to approve the minutes of August 12, 2016, SECOND by Mr. Tonander, PASSED unanimously.

5. **Public Comment/Correspondence**

No comment or correspondence received.

6. **Director's Report**

a. **Staff Vacancies**

Mr. Valdez informed the Board that there is currently one vacancy that was posted and a list of applicants will be available soon. The Board office will be fully staffed once this position is filled.

Mr. Skarsgard entered the meeting 9:09am

b. **Staff Space Update**

Mr. Valdez stated the Board was offered space within the RLD location, upstairs on the third floor, next to the Architects Board and Construction Industries Division. He reported there are currently only 6 spaces available; Mr. Valdez is currently looking into modifying the space to accommodate administrative staff's needs. Mr. Thurow stated he did a walk-through of the space with Mr. Valdez and he feels that the space is more adequate to meet the Board's needs. Mr. Thurow mentioned that one downfall is that Construction Industries Division would expect the Board to pay for the modifications needed to be made for a Construction Industries' staff office. Mr. Bohannon asks if some of the funds needed to pay Regulation and Licensing Department can be re allocated to use for the modifications to the space.

c. **Licensing Status Report**

Mr. Valdez informed the Board that a report is available for the Members to view. These are the numbers that were used for the Sunset hearing. Mr. Spirock requests to receive a listing of the number of Surveyors licensed and Surveying Interns being licensed to verify the decline over the years.

Mr. Valdez stated that staff has worked with RLD's IT department to help alleviate some issues they had come across in past renewals. He reported the issues have been solved and are expecting everything to be running smoothly for this renewal

cycle. Mr. Valdez stated Mrs. Thompson-Martinez advised to send out individual e-mails to licensees with the required information needed to renew their licenses. Staff has received a positive response and license renewals are currently being processed and pocket cards are being sent out.

7. New Business

a. Budget Review and Sunset Hearing Report

Mrs. Thompson-Martinez stated that she and Mr. Valdez did attend a budget hearing with several Board Members and thanked the Board for their support, which was appreciated. She stated the presentations made by Mr. Valdez and Mr. Bohannon were impressive and the LFC did not ask many questions since the presentations were informative. This was the first of several hearings which are upcoming. Mr. Bohannon stated they swept the fund balance actually leaving the Board's fund balance in the negative. The Board discussed the authority of the sweeps and the financial impact to the Board. Mr. Skarsgard asked Mrs. Szkotak to assist him in reviewing the Administrative Code to see if the Board has a non-reverting bank account. Mr. Bohannon directed Mr. Skarsgard and Mrs. Szkotak to draft a letter regarding this matter. Mr. Skarsgard stated another matter to review would be the impact to the MOU.

It was also discussed that the Legislature is looking at consolidating various Boards. There is a chance that the Board could be consolidated with the Architect's Board. The legislature is looking at the Texas Sunset Occupational License Model. Mr. Bohannon stated that it is a very proactive approach to have Board members in attendance at the Legislative hearings. Mr. Bohannon informed the Board with the Sunset coming up it actually allows for changes to the Engineering and Surveying Practice Act which could be beneficial. Trevor Crombie, Director of Boards and Commissions at the Governor's office, explained that the fund sweep will not take place all at once and informed the Board that if we have an excess of funds, they will be swept again. Mrs. Thompson-Martinez explained that the FY18 budget appropriation request was submitted before the reclassification of the vacant position was approved. She explained that the salaries and benefits in the FY18 will be short. She stated this will be communicated to our budget analysts to propose an increase in the 200 category.

8. Old Business

a. Website – Disciplinary Actions

Mr. Valdez stated that he created 3 separate templates for the Disciplinary Actions for the Board to review to select one be presented on the website. Mr. Bohannon asked about the time frame that the disciplinary action would be listed for. Mr. Valdez informed the Board that the amount of time the disciplinary action would appear was taken into consideration. Mr. Spirock stated that under sample 3 it lists case numbers instead of names and, he doesn't feel that would be protecting the

public. If the public is looking for someone to hire, they will be looking at a name and would want to know who to hire and who not to hire. Mr. Tonander stated that he would be most comfortable with Sample 1 through the RLD lookup. Mr. Thurow stated that a time delay needs to be taken in consideration to prevent the information staying on web searches, and stated it would be best to have 2 modules be enacted to have a time frame and a name. Mr. Valdez asked if once the module is enacted how long the information need to remain on the website. It had been discussed before that the length of time would be 5 years.

Mr. Skarsgard stated that he does not believe that having a name listed would be beneficial. Mr. Bohannon asks for his thoughts behind that, why it doesn't seem it would be beneficial for the public. Mr. Skarsgard stated the public shaming along with the name could have collateral damage to and could prevent the licensee from further work. Ms. Meyers suggested something similar to CID to teach people to go online and check before having someone complete a task. This would allow the licensees to know that the public is doing their due diligence to ensure that they are getting licensed individuals to do the work. Mr. Tonander asked if it would be beneficial to pose the question to the licensees during the Ethics Courses. Mr. Bohannon believes that would be a great way to receive responses and feels this is very important. Mr. Bohannon requested this item be placed on the January agenda for a decision.

b. 2016 Ethic Courses

Mr. Tonander informed the Board that the dates and locations for the Ethics courses have been set. He is looking for more attendees and a positive outcome for these courses. The Board suggested Mr. Tonander be compensated for his time. Mr. Tonander declined and stated he was providing these courses on his own and does not expect to be reimbursed.

c. Quality New Mexico

Mr. Valdez stated that this item was asked to be placed on the agenda. Mr. Tonander stated that he is looking for a response at this point if the Board will be participating. Mr. Bohannon stated they would like to keep it on the agenda, however he does not believe it would be appropriate at this time due to the staff time it would take, and suggested finding out the timeline of what this would entail.

d. NMSU Surveying Program Status and NM Surveying Degree Requirements

Mr. Thurow informed the Board that the November 3, 2016 PSC meeting had several attendees from Central New Mexico and that NMPS provided an update. Mr. Thurow received a letter from David Acosta of NMPS stating that the college of engineering is redesigning their surveying program. The program is being reconstituted and will be available to new students wishing to attend. New Mexico

State University is looking for financial support at this time to assist with finding and maintaining faculty. NMPS is making financial commitments for at least 1 year. Mr. Thurow stated that he and Mr. Valdez met with Dean Reddi at New Mexico State University. New Mexico State University has expressed the desire to maintain a surveying program within the state because of the requirements for licensure. Dr. Reddi is expecting freshmen to enroll in the redesigned program. Mr. Bohannon asked for a timeline from New Mexico State University on when the program would be unveiled. Mr. Valdez informed the Board he was made aware that the redesign of the program still needs to be acted upon by the University Senate Faculty which has yet to meet. It would then require approval from, the Board of Regents.

Mr. Bohannon asked if that can be reviewed if New Mexico State University would give us a timeline and articulate what is needed for the redesign of the Surveying Program so the budget could be adjusted to have the funds to support the program. Ms. Samora asked if it is understood that NMSU will keep the 4 year degree, Mr. Thurow responded stating 'Yes'.

e. NCEES CPC Registry Status

Mr. Valdez informed the Board that he did look into importing the CPC information from NCEES. It was learned that NCEES does not have the function available to export the CPC information. The licensees were informed that if they have their NCEES CPC registration, they would be able to enter a cumulative amount of Professional Development Hours and send over their CPC information.

f. Proposed Bill of Changes to the Engineering and Surveying Practice Act

Mr. Valdez was informed that he can make changes to the bill within 5 or 10 days of legislation. Mr. Valdez informed the Board that he is still waiting for some language from the Rules Committee. The language would correct some contradicting language as well as discrepancies. Mr. Tonander said he would have something drafted up. Mr. Bohannon directed Mr. Valdez to set up a special meeting for mid-December in Albuquerque to approve the change.

9. Committee Reports

a. PS Committee

Mr. Spirock stated that it came up in yesterday's meeting that applicants were seeing the Surveyor Intern experience as too difficult to obtain. Applicants and potential applicants feel the experience and the requirement that it be subsequent to the SI certification is unnecessary and does not promote licensing in the State of New Mexico. Mr. Spirock also reported applicants were also stating that they feel the requirements for licensure were too strict as well; specifically not being able to

use classes that were taken outside of a surveying degree but fall under the same courses in a surveying degree.

b. PE Committee

Mr. Tonander informed the Board that a total of 89 Professional Engineer Endorsement applications, 12 Professional Engineer Exam applications, and 13 Reinstatement applications were approved.

c. Executive Committee

No items discussed

d. Joint Practice Committee

No items discussed

e. Public Information, Exam and Licensure Promotion Committee

No items discussed

f. Rules and Regulations Committee

No items discussed

g. Legal Enforcement Committee

No items discussed

h. NCEES Committee Members

1) NCEES Annual Meeting

No items discussed

10. Executive Session - The Committee may enter into Executive Session to discuss the items listed on the agenda pursuant to NMSA 1978, Section 10-15-1(H) (2) to discuss limited personnel matters regarding individuals.

11. Action on Items Discussed During Executive Session

a. Compliance Officer and Staff Communication.

b. Review of the MOU with RLD.

The Board did not enter executive session, no action taken.

12. Next Scheduled Meeting Date: January 27, 2017 – Santa Fe, NM

13. **Adjourn**

MOTION by Mr. Tonander to adjourn, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

Meeting adjourned at 11:06.

Submitted by:

Approved by:

s/ Sami Romero

s/ Ron Bohannon

Ms. Sami Romero, Executive Assistant

Mr. Ron Bohannon, Committee Chair

December 14, 2016 Approved Date