

## MINUTES

**MEETING OF THE PROFESSIONAL ENGINEERING  
COMMITTEE of the Board Licensure of Professional  
Engineers and Professional Surveyors held 1:00 p.m.,  
Thursday, August 11, 2016, Hearing Room 2, Toney Anaya Bldg.,  
2550 Cerrillos Rd., Santa Fe, New Mexico**

**Members present-** Karl Tonander, PE, Committee Chair  
Ron Bohannon, PE  
Julie Samora, PE  
Dr. Nadir Yilmaz, PE  
Paul Brasher, PE

**Members absent-** Joshua Skarsgard, Public Member

**Others present-** Perry Valdez, BLPEPS Executive Director  
Sami Romero, BLPEPS Executive Assistant  
David Montoya, BLPEPS Licensing Manager  
Naomi Velasquez, BLPEPS Compliance/Licensing  
Miranda Baca, BLPEPS Compliance

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

**a. Timothy Williams, AAG**

Mr. Tonander convened the meeting at 1:01, roll call was taken, a quorum noted. Audience introductions were made at this time. The introduction of Mr. Timothy Williams from the AG's office as the Board's new prosecuting attorney was made at this time.

**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. Bohannon to amend the agenda moving 9. d) 2. a) Kazmi, A. up in the agenda for discussion after Executive Session due to Mr. Kazmi's presence, **SECOND** by Mr. Brasher, **PASSED** unanimously

**4. Approval of Minutes**

**a. Minutes of June 2, 2016**

**MOTION** by Mrs. Samora to approve the minutes of June 2, 2016 as presented, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

**5. Public Comment/Correspondence****a. A. Kazmi – Reconsideration for Licensure**

Mr. Kazmi addressed the Board to clarify any questions the Board had concerning his education and examination.

Mr. Bohannon asked if another Board asked if he has taken a PE exam in the US.

Mr. Kazmi stated no. Mr. Kazmi the PE exam he took was in 2 parts, 4 hours in the morning, a break for lunch and 4 hours in the afternoon. His PE was taken in the English language. Mr. Brasher asked Mr. Kazmi if he is licensed in any other state besides Arizona, Mr. Kazmi answered he is not licensed in another state.

Mr. Tonander states that with the additional information that's been received and with additional information from legal counsel they look forward to the decision

**b. NSPE Letter Urging Withdrawal of NCEES UPLG Motion 12**

Mr. Valdez informed the Board that this letter was given to the board members because NSPE is asking NCEES as well as all other states to withdraw the motion.

Mr. Valdez reminded the Board that Motion 12 is changing the standards for structural engineering education requirements.

**MOTION** by Mr. Bohannon to support NSPE, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**6. New Business****a. Fire Protection Plan Review – J. Watts and L. Farello**

Mr. Valdez stated this was placed on the agenda because of a stamping issue with the City of Albuquerque.

Mr. Watts stated that Mr. Farello is the Chapter President of the Society of Fire Protection Engineers. His question for the Board is about stamping and the Albuquerque fire marshal and their plans review process. Their policy is that sprinkler plans can be made by either a fire protection engineer or someone with a level 3 NICET certification that would not require further PE review.

Fire alarm drawings were submitted and signed and sealed by their director of engineering. The Albuquerque fire department rejected the drawings.

Mr. Brasher suggested this needs to be cleaned up on a state wide scale, and stated there seems to be some misunderstandings about the Licensing Board and NICET level 3 stamp holders. Mr. Tonander states that he will speak with the City of Las Cruces to understand their reasoning to have only a PE stamp on their plans to aid in further deliberations.

**b. Proposed Policy Advisory – Federal Forms Requiring Professional Seal**

Mr. Tonander stated that an issue has arisen of out-of-state Professional Engineers stamping and sealing federal forms for New Mexico. It should be understood that a Professional Engineer that is licensed in New Mexico has to stamp for all engineering projects completed in New Mexico.

**MOTION** by Mr. Brasher to approve the policy advisory, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

7. **Old Business**

No items for discussion

8. **Application Review – Recommended Approval**

a. **Recommended for Approval List (*Exhibit A*)**

**PE Endorsement Applications**

Mr. Montoya informed the Board there were 58 PE Endorsement applications, and 38 used their NCEES council record.

**PE Exam Applications**

Mr. Montoya informed the Board there were 25 PE Exam applicants.

**PE Reinstatement Application(s)**

Mr. Montoya informed the Board there were 15 PE Reinstatement applications, and 5 used their NCEES council record.

**PE Additional Discipline(s)**

Mr. Montoya informed the Board that there was 1 application for additional discipline.

**MOTION** by Mr. Bohannon to approve Exhibit A, **SECOND** by Mrs. Samora, **PASSED** unanimously.

b. **PE Retirement Status Request(s)**

1) **Patel, N.**

**MOTION** by Mr. Bohannon to accept Mr. Patel's request for retirement, **SECOND** by Mr. Brasher, **PASSED** unanimously.

9. **Executive Session**

**MOTION** by Mr. Bohannon 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) (1), **SECOND** by Mr. Brasher, **PASSED** unanimously.

**Roll call vote taken, voting 'Yes':** Mr. Tonander, Mr. Bohannon, Mrs. Samora, Mr. Brasher, Dr. Yilmaz

Mr. Tonander stated that the Board is back in open session and affirmed 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) (1)

**a) Kazmi, A. – Reconsideration**

**MOTION** by Mr. Brasher for approval to his request for licensure by endorsement per an affidavit provided by the applicant within 30 days documenting that an exam was taken in Pakistan, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**MOTION** by Mrs. Samora 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) (1), **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**Roll call vote taken, voting ‘Yes’:** Mr. Tonander, Mr. Bohannan, Mrs. Samora, Mr. Brasher, Dr. Yilmaz

**10. Action on Items Discussed During Executive Session**

Mr. Tonander stated that the Board is back in open session and affirmed that while in closed session it discussed only those matters listed on the agenda under executive session, pursuant to NMSA 1978 Section 10-15-1 (H) (1)

Exit Mrs. Samora 4:02 pm

**a. Disciplinary Cases**

**1) Case 1-PE-06-26-2014 - Requesting Default Order**

**MOTION** by Mr. Bohannan to issue a default order in the amount of \$2,500.00, **SECOND** by Mr. Brasher, **PASSED** unanimously.

**2) Case 2-PE-06-26-2014 (BLPEPS v Lilley) - Fulfilled Settlement Agreement**

**MOTION** by Mr. Bohannan to close the case, **SECOND** by Mr. Brasher, **PASSED** unanimously.

**3) Case 11-11-42 – Default Order**

**MOTION** by Mr. Brasher to approve the default order for revocation of license, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**4) Case 4-PE-04-20-2015(A) - Complaint Manager’s Report**

**MOTION** by Mr. Bohannan to issue an NCA with a fine of \$250 and a condition that the respondent file a re-organization of their company and a cease and desist of their company and ask the Board’s Legal Counsel to prepare that draft. **SECOND** by Mr. Brasher, **PASSED** unanimously

**5) Case 4-PE-04-20-2015(B) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**6) Case 4-PE-04-20-2015(C) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**7) Case 4-PE-04-20-2015(D) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Mr. Brasher, **PASSED** unanimously.

**8) Case 4-PE-04-20-2015(E) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**9) Case 4-PE-04-20-2015(F) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**10) Case 4-PE-04-20-2015(G) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**11) Case 4-PE-04-20-2015(H) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Mr. Brasher, **PASSED** unanimously.

**12) Case 4-PE-04-20-2015(I) - Complaint Manager's Report**

**MOTION** by Mr. Bohannon to issue an NCA without a fine as well as a cease and desist order prepared by the Board's Legal Counsel, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**b. Self-Reporting****1) AWL-06-17-2016**

**MOTION** by Mr. Brasher to acknowledge receipt, no further action taken,  
**SECOND** by Mr. Bohannan, **PASSED** unanimously.

**2) JDB-05-05-2016**

**MOTION** by Mr. Brasher to acknowledge receipt, no further action taken,  
**SECOND** by Mr. Bohannan, **PASSED** unanimously.

**3) ZBU-06-14-2016**

**MOTION** by Mr. Brasher to acknowledge receipt, no further action taken,  
**SECOND** by Mr. Bohannan, **PASSED** unanimously.

**c. Status Review of Complaints and NCAs**

Discussed, no action taken.

**d. Applications for Review****1) PE Exam****a) Faulkner, A.**

**MOTION** by Mr. Brasher to approve to take the PE Exam, **SECOND**  
by Dr. Yilmaz, **PASSED** unanimously.

**b) Migdal, W.**

**MOTION** by Mr. Brasher to approve to take the PE exam, **SECOND**  
by Mr. Bohannan, **PASSED** unanimously.

**c) Nguyen, T.**

**MOTION** by Mr. Brasher to approve to take the PE exam, **SECOND**  
by Dr. Yilmaz, **PASSED** unanimously.

**2) PE Endorsement****a) Andrews, B.**

**MOTION** by Mr. Bohannan to approve for PE endorsement,  
**SECOND** by Mr. Brasher, **PASSED** unanimously.

**b) Bassi, R.**

**MOTION** by Mr. Bohannan to approve for PE endorsement,  
**SECOND** by Mr. Brasher, **PASSED** unanimously.

**c) Beach, B. – Reconsideration**

**MOTION** by Mr. Bohannan to approve for PE endorsement,  
**SEOCND** by Mr. Brasher, **PASSED** unanimously.

- d) **Craytor, J.**  
MOTION by Dr. Yilmaz approved for mechanical discipline only, not Fire Protection based on education and experience, **SECOND** by Mr. Bohannan, **PASSED** unanimously.
- e) **Cunningham, J.**  
MOTION by Mr. Bohannan to approve for civil discipline only, and not structural, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.
- f) **Emory, K.**  
MOTION by Mr. Bohannan to table until the November meeting for further clarification on education and experience, **SECOND** by Mr. Brasher, **PASSED** unanimously.
- g) **Fung, C.**  
MOTION by Mr. Brasher to approve for electrical discipline only, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.
- h) **Garcia-Acosta, D.**  
MOTION by Mr. Bohannan to approve of both Mechanical and Electrical disciplines, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.
- i) **Grapsas, D.**  
MOTION by Mr. Bohannan to approve for PE endorsement, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.
- j) **Green, J.**  
MOTION by Mr. Bohannan to approve for PE endorsement, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.
- k) **Kariuki, H.**  
MOTION by Mr. Bohannan to approve for PE endorsement, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.
- l) **Lepinski, D.**  
MOTION by Mr. Bohannan to approve for PE endorsement, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.
- m) **Martinez, M.**  
MOTION by Mr. Bohannan to approve for PE endorsement, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**n) Mayorgas, D.**

**MOTION** by Mr. Bohannon to table the application until the November meeting so the applicant can obtain a letter from the University stating that the curriculum is equivalent to their ABET curriculum that is currently offered. **SECOND** by Mr. Brasher, **PASSED** unanimously.

**o) O'Neil, W.**

**MOTION** by Mr. Bohannon to approve for PE endorsement, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**p) Richards, R.**

**MOTION** by Mr. Bohannon to table until the November meeting and directs staff to request further detail on applicant's experience, **SECOND** by Dr. Yilmaz, **PASSED** unanimously

**q) Todd, S.**

**MOTION** by Mr. Bohannon to table until the November meeting and directs staff to request further experience for the civil discipline. **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**r) Welch Jr., J.**

**MOTION** by Mr. Bohannon to table until the November meeting so the applicant can obtain a letter from the University stating that the curriculum is equivalent to their ABET curriculum that is currently offered. **SECOND** by Dr. Yilmaz, **PASSED** unanimously

**s) Williams, A.**

**MOTION** by Mr. Brasher to approve for Electric discipline, **SECOND** by Dr. Yilmaz, **PASSED** unanimously.

**11. Next Scheduled Meeting Date:** November 3, 2016 – Albuquerque, NM

**12. Adjourn**

Mr. Tonander adjourned the meeting at 5:30pm

Submitted by:

Approved by:

s/ Sami Romero  
Ms. Sami Romero, Executive Assistant

s/ Karl Tonander  
Mr. Karl Tonander, Committee Chair

November 3, 2016 Approved Date