

## MINUTES

MEETING OF THE PROFESSIONAL ENGINEERING  
COMMITTEE of the Board Licensure of Professional  
Engineers and Professional Surveyors held 1:00 p.m.,  
Thursday, April 14, 2016, Hearing Room1,  
Toney Anaya Bldg., 2550 Cerrillos Rd., Santa Fe, New Mexico

**Members present** – Karl Tonander, PE, PEC Chair

Ronald Bohannon, PE

Julie Samora, PE

Dr. Rola Idriss, PE

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

Paul Brasher, PE

**Others Present** -

Perry Valdez, BLPEPS Executive Director

David Montoya, BLPEPS, Licensing Manager

Naomi Velasquez, BLPEPS Acting Compliance Officer

Sami Romero, BLPEPS Executive Assistant

Rick Word, Legal Counsel

David Murphy, Attorney General's office

Aaron J Ezzell, Audience

Carlos Valenzuela, Audience

Bob Pervich, Legal Counsel for Mr. Valenzuela

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

Mr. Tonander convened the meeting at 1:06 pm. Roll call was taken and a quorum noted. Audience introductions were made at this time.

**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. Bohannon to approve the agenda as is, **SECOND** by Mrs. Samora, **PASSED** unanimously

**4. Approval of Minutes****a. Minutes of January 14, 2016**

**MOTION** by Mr. Bohannon to approve the minutes, **SECOND** by Mrs. Samora, **PASSED** unanimously.

**5. Public Comment/Correspondence****a. C. Valenzuela – Licensure by Endorsement Reconsideration**

Mr. Valdez informed the Board that Mr. Valenzuela submitted his application for reconsideration. Mr. Pervich informed the Board that Mr. Valenzuela's application was denied due to an answer he submitted on his application. Mr. Pervich stated these are misdemeanors and a DWI is not a crime of moral turpitude. He stated that this should provide the needed information for the Board to reconsider Mr. Valenzuela's application and the application should be approved. He stated that they are here for any questions that the Board may have regarding this.

**MOTION** by Mr. Bohannon to amend the agenda and move item 5. b. and c. after item 10 and renumber the agenda as well as consider item 9. d. a. in closed session, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**b. Licensure Renewal**

- 1) **J. G. Andujo**
- 2) **J. Beaver**

**c. L. Ma – Request for Penalty Renewal Fee Refund****6. New Business****a. H. McDaniel – License Status**

Mr. Valdez stated this was placed on the agenda to inform the Board that Mrs. McDaniel had originally applied with the old database system. Staff did not realize that she had already taken and passed her PE. No action taken

**7. Old Business****a. J. Ezzell – Review of Education Transcript/Courses**

Mr. Ezzell stated he applied for a PE license 2 years ago, his request for licensure was not approved because his geology degree did not meet the educational

requirement. He asked the Board if he took additional courses if that would then be sufficient to obtain licensure.

Mr. Tonander asked if what is already done is acceptable. He stated that it is largely geology and not engineering courses, though identified as engineering by the applicant. Dr. Idriss stated that ASE requires geology courses. Mr. Bohannon requested that Dr. Idriss work with this applicant as well as staff to help guide Mr. Ezzell to the courses that the Board would consider to aid him in the possibility of obtaining licensure.

**MOTION** by Mr. Bohannon to amend the agenda to go into close executive session to discuss item 9. d. 1) a), **SECOND** by Mrs. Samora. **PASSED** unanimously.

**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 Dr. Idriss, **PASSED** unanimously.

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

Mr. Tonander stated the Board 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).

**MOTION** by Mr. Bohannon to approve Mr. Valenzuela's application for endorsement, **SECOND** by Mrs. Samora, **PASSED** unanimously.

**b. Proposed Violation Fees Table**

Mr. Valdez states that the table was prepared to use as an administrative tool to.

**MOTION** by Mrs. Samora to approve the table with the edit on the misconduct portion third line to include \$7,500.00, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

**8. Application Review – Recommended Approval****a. Recommended for Approval List (*Exhibit A*)****PE Exam Applications**

Mr. Montoya reports that there are 13 PE exam applications on the recommended approval list.

**MOTION** by Mrs. Samora to approve the PE exam applications listed on Exhibit A, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

**PE Endorsement Applications**

Mr. Montoya reports that there are 144 applications for endorsement on the recommended approval list, 115 of which have council records.

**MOTION** by Mrs. Samora to approve the PE Endorsement applications listed on Exhibit A, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

**PE Reinstatement Application(s)**

Mr. Montoya reports that there are 24 PE Reinstatement Applications, 10 of which have council records.

**MOTION** by Mrs. Samora to approve the PE Reinstatement Applications on Exhibit A, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

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

**MOTION** by Mrs. Samora to approve Chrys Uhlig and Gerald Spencer for retired status, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

**c. PE Inactive Status Request(s)-**

Mr. Valdez informed the Board that there were no requests for inactive status.

**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) and (3), **SECOND** by Dr. Idriss, **PASSED** unanimously.

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

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

Mr. Tonander stated 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)

**a. Disciplinary Cases****1) 6-PE-08-19-2014 Proposed Settlement Agreement**

**MOTION** by Mrs. Samora to accept the proposed settlement agreement, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**2) 6-PE-06-16-2015(A) Complaint Manager's Report**

**MOTION** by Mr. Bohannan to dismiss, **SECOND** Mrs. Samora, **PASSED** unanimously.

**3) 6-PE-06-16-2015(B) Complaint Manager's Report**

**MOTION** by Mr. Bohannan to dismiss, **SECOND** by Mrs. Samora, **PASSED** unanimously.

**b. Self-Reporting****1) CHM-10-23-2013**

**MOTION** by Mr. Bohannan to acknowledge receipt and take no further action, **SECOND** Dr. Idriss, **PASSED** unanimously.

**2) RHW-02-02-2016**

**MOTION** by Mr. Bohannan to acknowledge receipt and take no further action, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**3) RSS-01-12-2016**

**MOTION** by Mr. Bohannan to acknowledge receipt and take no further action, **SECOND** by Dr. Idriss, **PASSED** unanimously.

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

No action taken

**d. Applications for Review****1) PE Endorsement Reconsideration**

a) Valenzuela, C.

**MOTION** by Mr. Bohannan to approve the application, **SECOND** by Mrs. Samora, **PASSED** unanimously.

**2) FE Certification**

**a) Alijehbaf, N.**

**MOTION** by Mrs. Samora to approve for EI certification, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**3) PE Exam**

**a) Starrett, E.**

**MOTION** by Mr. Bohannan to approve, **SECOND** by Mrs. Samora, **PASSED** unanimously.

**b) Tahat, M. – Reconsideration**

**MOTION** by Mr. Bohannan to approve, **SECOND** by Mrs. Samora, **PASSED** unanimously.

**4) PE Endorsement**

**a) Aarestad, A.**

**MOTION** by Mrs. Samora to approve for civil engineering discipline only, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**b) Bullivant, P.**

**MOTION** by Mrs. Samora to approve for structural engineering discipline only, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**c) Fevig, S.**

**MOTION** by Mr. Bohannan to not approve and asks Mr. Fevig to re-apply for civil engineering discipline, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**d) Goode, C.**

**MOTION** by Mrs. Samora to approve, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**e) Kazmi, A.**

**MOTION** by Mrs. Samora to no approve due to lack of PE Exam, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**f) Mazur, G.**

**MOTION** by Dr. Idriss to approve, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**g) Ritzer, W.**

**MOTION** by Mr. Bohannan to approve, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**h) Seale, R.**

**MOTION** by Dr. Idriss to not approve for licensure by comity, approved for PE exam, **SECOND** Mrs. Samora, **PASSED** unanimously.

**i) Shipp, W.**

**MOTION** by Mr. Bohannan to approve, **SECOND** Dr. Idriss, **PASSED** unanimously.

**j) Stiggins, T.**

**MOTION** by Mr. Bohannan to not approve civil engineering discipline, approved for agricultural engineering discipline, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**k) Strandjord, B.**

**MOTION** by Mr. Bohannan to approve for mechanical engineering discipline only, **SECOND** by Dr. Idriss, **PASSED** unanimously.

**l) Wood, R.**

**MOTION** by Dr. Idriss to not approve for licensure by comity, approved for PE exam, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**5) PE Reinstatement****a) Zellmer, J.**

**MOTION** by Mr. Bohannan to approve, **SECOND** by Mrs. Samora, **PASSED** unanimously.

**6) Additional Discipline****a) Piotrowicz, J.**

**MOTION** by Mrs. Samora to approve, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**e. Medical Exemption****1) K. Martin**

**MOTION** by Dr. Idriss to allow to renew with penalty fee, **SECOND** Mr. Bohannan, **PASSED** unanimously.

**11. Public Comment/Correspondence****b. License Renewal****1) J. G. Andujo**

Mr. Valdez informed the Board that Mr. Andujo's request is to allow him to renew his license with a waiver of the penalty fee. In his letter he explains that he believed that his renewal date was in August.

**MOTION** by Ms. Samora to not approve the request and suggested Mr. Andujo apply for reinstatement, **SECOND** by Mr. Bohannan, **PASSED** unanimously.

**2) J. Beaver**

Mr. Valdez informed the Board that Mr. Beaver failed to renew his license and requests to renew his license with the penalty fee due to the fact he had just recently obtained licensure. Mr. Beaver feels that the reinstatement requirements are for a licensee that has been lapsed for a longer amount of time than he has. Mr. Tonander asked if Mr. Beaver had submitted anything. Mr. Valdez informed Mr. Tonander that Mr. Beaver only submitted his request letter.

**MOTION** by Mr. Bohannan to not approve the request and advised Mr. Beaver apply for reinstatement, **SECOND** by Dr. Idriss, **PASSED** unanimously.



**c. L. Ma – Request for Penalty Renewal Fee Refund**

Mr. Valdez stated that Mr. Ma renewed his license in December and failed to meet the ethics requirement of the PDHs. He also explained Mr. Ma completed the extra PDH in ethics and renewed his license with a penalty fee. Mr. Ma was requesting that his penalty fee be reimbursed.

**MOTION** by Mr. Bohannon to not approve the request for a refund, **SECOND** by Ms. Samora, **PASSED** unanimously.

**12. Next Scheduled Meeting Date:** June 2, 2016 – Rio Rancho, NM

**13. Adjourn**

Mr. Tonander adjourned the meeting.

Submitted by:

Approved by:

s/ Sami Romero

s/ Karl Tonander, PE

Ms. Sami Romero, Executive Assistant

Mr. Karl Tonander, Committee Chair

June 2, 2016 Approved Date