

MINUTES

MEETING OF THE PROFESSIONAL ENGINEERING
COMMITTEE of the Board Licensure of Professional
Engineers and Professional Surveyors held 1:00 p.m.,
Thursday, January 14, 2016, Training Room 2,
Department of Transportation, General Office
1120 Cerrillos Rd., Santa Fe, New Mexico

Members present- Karl Tonander, Committee Chair, PE
Ronald Bohannon, PE
Julie Samora, PE
Paul Brasher, PE

Members absent- Dr. Rola Idriss, PE
Joshua Skarsgard, Public Member

Others present- Perry Valdez, BLPEPS Executive Director
David Montoya, BLPEPS Licensing Manager
Naomi Velasquez, BLPEPS Licensing Manager
Steve Wright, Audience

1. Convene, Roll Call and Introduction of Audience

Mr. Tonander convened the meeting at 1:18 pm, roll call was taken a quorum noted.
Audience introductions were made at this time.

2. Meeting Notification

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.) (1.) (a) underneath item (5.) 'Public Comment/Correspondence' due to the presence of Mr. Wright, in the audience, **SECOND** by Mr. Brasher, **PASSED** unanimously.

4. Approval of Minutes

a. Minutes of November 5, 2015

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

5. Public Comment/Correspondence

a. S. Wright – Licensure

Mr. Wright addresses the Board stating that he passed his exam. Through his conversation with Mr. Montoya he discovered that 4 years of professional experience is required before awarding him his license. Mr. Wright states that per House Bill 61-23.14.1 subsection B which states that an applicant may be licensed through examination by meeting the requirements of: is currently a certified engineering intern, has a Master's degree from a board approved and engineering curriculum, and has 3 years of engineering experience subsequent to obtaining their degree. He feels that the Board's rule is in direct conflict with state law. Mr. Bohannan asks for Mr. Wright to provide a chronological order of the events and his experience before the test, as well as elaborate on what his work history is and all pertinent engineering information after the test. Mr. Wright states that he is not new to the engineering profession, and that he has spent several years prior to entering his graduate program in Michigan doing engineering course work to prepare him for the graduate program. The course work was completed in Minnesota, which was then transferred to Michigan Tech. He spent a year and a half at Michigan Tech for graduate level course work. Rather than doing a traditional thesis statement for his graduate program he served in the Peace Corps in Uganda for 27 months performing work in the community, water sanitation, self-composting latrines, and rain water catchment systems under his advisor who is a professional engineer licensed in Michigan. The work he completed for the Peace Corps was used as research and later turned in for his Masters statement. He states that in 2012 he started in a position with Souder Miller as an engineering intern, later progressing to engineering intern 2 and is currently working in the Albuquerque office. Mr. Bohannan states that he then has 4 years of engineering work; through the Peace Corps and 3 years and 2 months at Souder Miller.

b. Engineering Requirements for Signs

Mr. Valdez informs the Board that he placed this on the agenda because Mr. Chris Williams, Building Safety Division Manager for Los Alamos County has expressed concern regarding the positioning and inspecting of new signs. Los Alamos requires new commercial signs to have an engineer's set of designs for permitting of wall hung or roof mounted signs. The purpose of that effort is to ensure that the sign is capable of handling the live and dead loads that it would be subject to while in use. He is seeking guidance for when, where, or under

what circumstance should signs need engineering designs. Mr. Valdez states that he did speak with Martin Romero in Construction Industries Division to ensure that they would be okay with possibly adding something into the building handbook or an advisory opinion. Mr. Tonander states that he believes that this issue is best brought up at the Joint Practice Committee (JPC), he directs staff to present it during the next JPC meeting.

Executive Session

MOTION by Mr. Brasher 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) (Item 9. D 1 a on the agenda), **SECOND** by Mr. Bohannon **PASSED** unanimously.

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

10. Action on Items Discussed During Executive Session

Mr. Tonander states that the Board is back in open session and affirms 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) (Item 9. D 1 a on the agenda).

Applications for Review

1) PE Licensure Clarification

a) Wright, S.

MOTION by Mr. Brasher to recommend Mr. Wright for approval,

SECOND by Mr. Bohannon, **PASSED** unanimously.

1 Abstained vote from Mr. Tonander

MOTION by Mr. Bohannon to amend the agenda once more to move actions items up and return to executive session, **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 was taken, voting 'Yes': Mr. Tonander, Mr. Bohannan, Mrs. Samora, Mr. Brasher

10. Action on Items Discussed During Executive Session

Mr. Tonander states that the Board is back in open session and affirms 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. Self-Reporting

1) CHM-10-23-2013

MOTION by Mr. Bohannan to defer until the April Meeting, **SECOND** by Mrs. Samora, **PASSED** unanimously.

2) DWG-12-02-2015

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

3) JAB-11-30-2015

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

4) JAC-12-07-2015

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

5) JRS-12-30-2015

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

6) KMF-12-18-2015

MOTION by Mr. Bohannan to defer action and refer to investigator, **SECOND** by Mr. Brasher, **PASSED** unanimously.

7) LLR-12-24-2015

MOTION by Mr. Bohannan to defer action and refer to investigator, **SECOND** by Mr. Brasher, **PASSED** unanimously.

- 8) **POF-12-01-2015**
MOTION by Mr. Bohannan to acknowledge receipt and take no further action, **SECOND** By Mrs. Samora, **PASSED** unanimously.
- 9) **RCH-12-02-2015**
MOTION by Mr. Bohannan to acknowledge receipt and take no further action, **SECOND** by Mr. Brasher, **PASSED** unanimously.
- 10) **VJW-12-10-2015**
MOTION by Mr. Bohannan to acknowledge receipt and take no further action, **SECOND** by Mr. Brasher, **PASSED** unanimously.
- 11) **WBM-12-28-2015**
MOTION by Mr. Bohannan to acknowledge receipt and take no further action, **SECOND** by Mr. Brasher, **PASSED** unanimously.

b. Status Review of Complaints and NCAs

No action taken

c. 2015 License Renewal Audit Report

No action taken

d. Applications for Review

2) PE Exam

a) Miranda, R.

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

b) Ruvalcaba, M.

MOTION by Mr. Bohannan to not approve, **SECOND** by Mr. Brasher, **PASSED** unanimously.

c) Tahat, M.

MOTION by Mr. Bohannan to defer to allow applicant to show work history, **SECOND** by Mr. Brasher, **PASSED** unanimously.

d) Valley, A.

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

3) PE Endorsement

a) Barker, A.

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

b) Galterio, A.

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

c) Gibeaux, J.

MOTION by Mr. Bohannan to approve only civil and structural disciplines, **SECOND** by Mr. Brasher, **PASSED** unanimously.

d) Hammond, R.

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

e) Hendricks, E.

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

f) Hernandez, R.

MOTION by Mr. Bohannan to approve only civil and geological disciplines, **SECOND** by Mrs. Samora, **PASSED** unanimously.

g) Kumar, D.

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

h) Lawrence III, J.

MOTION by Mr. Bohannan to approve only mechanical and fire protection disciplines, **SECOND** by Mr. Brasher, **PASSED** unanimously.

i) Montes, P.

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

j) **Reed, M.**

MOTION by Mr. Bohannan to approve only civil and structural disciplines, **SECOND** by Mr. Brasher, **PASSED** unanimously.

k) **Zhou, G.**

MOTION by Mr. Bohannan to approve of electrical discipline only, **SECOND** by Mr. Brasher, **PASSED** unanimously.

1. **Medical Exemption Request**

1) **C. Thompson**

MOTION by Mr. Bohannan to waive the penalty fee and grant a time extension for renewal until July 1, 2016 to provide 30 PDHs, of which 2 are in ethics, **SECOND** by Mr. Brasher, **PASSED** unanimously

8. **Application Review – Recommended Approval**

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

PE Exam Applications 31

PE Endorsement Applications 82

PE Reinstatement Application(s) 17

MOTION by Mr. Bohannan to accept the applications on Exhibit A, **SECOND** by Mr. Brasher, **PASSED** unanimously.

b. **PE Retirement Status Request(s) 37**

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

c. **PE Inactive Status Request(s) 34out of state**

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

Exit Mrs. Samora – 4:32 pm

Due to loss of quorum no further action taken, only discussion held through the remainder of the meeting.

6. **New Business**

a. Proposed Violation Fees Table

Placed on the agenda by request of the Surveying Committee for the Engineering Committee to review. Mr. Valdez stated that this is what the committee and full Board would use as guidelines to remain consistent with any violations that the Board may enforce. Mr. Bohannon suggests placing this in the newsletter to show licensees that there are repercussions to violations.

b. Engineering Educational Requirements: Related Science Degrees – J. Skarsgard

Mr. Valdez states that he called NCEES and NCEES has stated that they have never accepted any related science degree. They have always required an engineering degree.

c. NMAC 16.39.8.9 – K. Tonander

Mr. Tonander states that there are several other questions that were brought up by attendees during the ethics seminars that he led. One of the examples expressed was a state employee, possibly in an engineering position, testified in a state hearing as an engineer even though he was not licensed. Mr. Bohannon states that he feels that person would be in violation of the Engineering and Surveying Practice Act. Mr. Brasher advises that if they feel that person was in error or would like the PE Committee to review it as a case to file a complaint. The Committee would then look into and review the situation.

d. Professional Seal on Federal Required Forms – K. Tonander

Mr. Tonander states that there was an issue regarding out-of-state engineers filing and stamping plans for property or projects that are not in their same state. The Committee is in agreement that the projects that are stamped and sealed should be from a licensed professional engineer from the same state of the project: for example if the project is in New Mexico then an engineer licensed in New Mexico should be the one to sign and seal the project.

7. Old Business

a. PE Investigator RFP Status – P. Valdez

Mr. Valdez states that a contract was started and the recipient Mr. Joe Barela was notified that he was awarded. The contract is now going through the signature processes.

b. J. Ezzell – Review of Education Transcript/Courses

Mr. Valdez suggests that this item is tabled for the next meeting due to the time allocation. Mr. Tonander agrees and wishes Dr. Idriss to assist in the review at the next meeting.

c. Industrial Exemption

Mr. Bohannan states that he will look into this.

11. Next Scheduled Meeting Date: April 14, 2016 – Taos, NM

12. Adjourn

Meeting adjourned at 5:19 pm.

Submitted by:

Approved by:

s/ Sami Romero

s/ Karl Tonander

Ms. Sami Romero, Executive Assistant

Mr. Karl Tonander, Committee Chair

April 14, 2016 Approved Date