

MINUTES

MEETING OF THE PROFESSIONAL ENGINEERING
COMMITTEE of the Board Licensure of Professional
Engineers and Professional Surveyors held 1:00p.m.,
Thursday, November 2, 2017,
New Mexico Workers' Compensation Administration Building
2410 Centre Ave SE, Training Room,
Albuquerque, New Mexico

Members Present- Julie Samora, PE, Committee Chair
Paul Brasher, PE
Ron Bohannon, PE
Karl Tonander, PE
Dr. Walter Gerstle, PE

Members Absent- Josh Skarsgard, Public Member

Others Present- Perry Valdez, BLPEPS, Executive Director
Angelica Urioste, BLPEPS, Executive Assistant
Felicia Martinez, BLPEPS, Licensing Administrator
Miranda Baca, BLPEPS, Compliance Officer
Marylou Poli, Legal Counsel
Joe Barela, PE Investigator

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

Mrs. Samora convened the meeting at 1:07 p.m., roll call was taken and a quorum noted. Four individuals in attendance, Antonio Jaramillo, Aaron Ezzell, and Aaron Frankland.

2. **Meeting Notification**

Mr. Valdez informed the Committee 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 presented, **SECOND** by Mr. Brasher, **PASSED** unanimously.

4. **Approval of Minutes**

a. **Minutes of August 10, 2017**

MOTION by Mr. Bohannon to approve the Minutes of August 10, 2017, and to amend with adding Joe Barela to 'Others Present', **SECOND** by Mr. Tonander, **PASSED** unanimously.

5. **Public Comment/Correspondence**

No item discussed.

6. Old Business

- a. Forum on Design Drawings
- b. Policy Advisory: Seals on Preliminary Conceptual Grading and Drainage Reports
- c. Policy Advisory: Design Drawings
- d. Policy Advisory: "As-built"
- e. Petroleum and Gas Pipeline Safety

Mrs. Samora stated that a Sub-Committee would be an effective way in accomplishing the discussion on Design Drawings and for "As-built" drawings, as well as to seek guidance that is necessary. Mr. Brasher added that this would also be a useful resource to help with stamping plans, limitation on use of Standard Drawings, and explore on how every situation should be handled.

MOTION by Mr. Bohannon to Table items a through d for the Sub-Committee and item e for the next scheduled meeting, **SECOND** by Mr. Brasher, **PASSED** unanimously.

7. New Business

- a. Texas Board Invitation- Oil and Gas Conference

Mr. Valdez informed the Committee the Texas Board reached out to neighboring states regarding an Oil and Gas conference. An invitation was provided to each board, who wished to participate, to provide a flyer promoting licensure in their respective state. Mr. Valdez shared with the Committee the flyer provided to the Texas Board, he informed them that Ms. Baca created the flyer. He reported that he has not received a status of the conference as of yet, from the Texas Board.

- b. EI Certification Applicants with Foreign Degrees

Mr. Valdez placed this item on the Agenda to seek clarification for staff and himself to ensure both parties are on the same page. It was stated by Mr. Valdez that in past situations in regards to EI Certifications there were certain guidelines to follow. The requirements are as followed:

- 1) Request Unofficial Transcripts of Graduate Degree.
- 2) Request letter from the Dean to document the individual is enrolled in the Graduate Program.

The concern for staff were the changes that were made within the Practice Act and needed clarification on how to respond to those who have Foreign Degrees. Mrs. Samora stated that we should not be opposed and should accept Foreign Degrees as this is a common issue. It was discussed upon Board that future changes might be an option but will not make those changes until further notice.

8. **Application Review – Recommended Approval**

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

- PE Exam Application(s)- 6
- PE Endorsement Application(s)- 88
- PE Additional Discipline(s)- 0
- PE Reinstatement Application(s)- 13

MOTION by Mr. Bohannon to approve Exhibit A, the recommended for approval applications, **SECOND** by Mr. Tonander, **PASSED** unanimously.

b. **PE Retired Status Requests**

- 1) Burleson, L.
- 2) Cates, C.
- 3) Ebler, R.
- 4) Marchant, D.
- 5) Munn, G.
- 6) Rosoff, H.

MOTION by Mr. Bohannon to approve the list of Retiree Status Requests, **SECOND** by Mr. Brasher, **PASSED** unanimously.

c. **PE Inactive Status Requests**

- 1) Berdugo, S.
- 2) Ehlert, R.
- 3) Guranich, J.
- 4) Salas, M.
- 5) Vreeke, W.

MOTION by Mr. Brasher to approve the list of Inactive Status Requests, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

9. **Executive Session**

MOTION by Mr. Tonander that the Committee enter into closed Executive Session to discuss the items listed on the agenda pursuant to NMSA 1978, Section 10-15-1 (H) (1) and (3) to discuss matters pertaining to the issuance, suspension, renewal or revocation of a license and to deliberate on pending cases. **SECOND** by Mr. Bohannon, **PASSED** unanimously.

Roll call vote taken, voting ‘Yes’: Julie Samora, Paul Brasher, Karl Tonander, Ron Bohannon, Walter Gerstle

10. Action on Items Discussed During Executive Session

Mrs. Samora brought the Committee back into 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. Disciplinary Cases

1) Case 1-PE-01-26-2016

MOTION by Mr. Brasher to have the Executive Director negotiate a Pre-NCA Settlement Agreement, if Settlement Agreement fails by November 30th it will be referred to the Attorney General's Office for an NCA, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

2) Case MAR-12-28-2016

To table, no motion taken.

3) Case 7-PE-06-11-2015

MOTION by Mr. Brasher to issue a default order of \$750.00 and revocation of licensure, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

4) Case 8-PE-06-26-2015(B) – Hearing Officer's Report

MOTION by Mr. Brasher to adopt the Findings of Fact and fine of \$5,000 which must be paid within a six month time frame, plus all costs, **SECOND** by Mr. Tonander, **PASSED** unanimously.

b. Self-Reporting

1) JDB-08-28-2017

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

c. Status Review of Complaints and NCAs

Ms. Baca provided a report to the Committee on the Status of pending cases and referrals for NCAs

d. Applications for Review

1) PE Exams

a) Nail, C.

MOTION by Mr. Bohannon to defer and request additional experience in design, **SECOND** by Mr. Brasher, **PASSED** unanimously.

2) PE Endorsement

a) Becht, C.

MOTION by Mr. Tonander to approve for Mechanical, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

b) Cleveland, R.

MOTION by Mr. Bohannon to approve for Structural Discipline, not approve for Civil Discipline that the applicant provide additional experience in Civil, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

c) Cline, J.

MOTION by Mr. Bohannon to approve for Civil Discipline, **SECOND** by Mr. Brasher, **PASSED** unanimously.

d) Dehler, W.

MOTION by Mr. Tonander to approve for Civil Discipline, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

e) Deming, W.

MOTION by Mr. Bohannon to defer and request additional Civil experience, **SECOND** by Mr. Brasher, **PASSED** unanimously.

f) Gupta, M.

MOTION by Mr. Bohannon to approve for electrical discipline, **SECOND** by Dr. Gerstle,

Mrs. Samora recused herself making it known she works with the applicant.

Mr. Brasher, as Vice Chair, called for a roll call vote.

ROLL CALL VOTE:

Voting Aye: Dr. Gerstle and Mr. Bohannon

Voting Nay: Mr. Tonander and Mr. Brasher

The motion failed.

MOTION by Mr. Bohannon to defer the application review until the next meeting, **SECOND** by Mr. Tonander, **PASSED** unanimously.

- g) Leathers, F.**
MOTION by Dr. Gerstle to approve for Geotech Discipline, not approve for Civil Discipline, **SECOND** by Mr. Tonander, **PASSED** unanimously.
 - h) Magenes, L.**
MOTION by Mr. Bohannon to require more detail on experience, **SECOND** by Mr. Tonander, **PASSED** unanimously.
 - i) Polamarasetty, R. – Reconsideration**
MOTION by Mr. Brasher to not approve due to lack of meeting educational requirements, **SECOND** by Mr. Bohannon, **PASSED** unanimously.
 - j) Poursharif, A.**
Table to November 15th Meeting.
 - k) Quiggley, G.**
Table to November 15th Meeting.
 - l) Rennison, R. – Reconsideration**
Table to November 15th Meeting.
 - m) Rivera, A.**
Table to November 15th Meeting.
 - n) Singh, S.**
Table to November 15th Meeting.
 - o) Smith, C.**
Table to November 15th Meeting.
 - p) Webber, V.**
Table to November 15th Meeting.
 - q) Whitten, M.**
Table to November 15th Meeting.
- 3) PE Reinstatement**
- a) Dolan, D.**
Table to November 15th Meeting.

4) PE Additional Discipline

a) Witt, C.

Table to November 15th Meeting.

11. Next Scheduled Meeting Date: January 11, 2018 – Santa Fe, NM

It was discussed and decided to hold a Special Meeting on November 15th, 2017 in Albuquerque to finish reviewing the applications.

12. Adjourn

The meeting adjourned at 4:45 p.m.

Submitted by:

Approved by:

s/ Angelica Urioste

s/ Julie Samora

Mrs. Angelica Urioste, Executive Assistant

Mrs. Julie Samora, PE, Committee Chair

January 26, 2018 Approved Date