

**Minutes of**

Meeting of the Professional Engineers Committee  
of the Board of Licensure for Professional  
Engineers and Professional Surveyors held 1:00  
p.m. June 19, 2014, Board Office, Hearing Room 2,  
Santa Fe, NM

**Members Present** Ronald Bohannon, PE, PEC Chair  
John T. Romero, PE  
Julie Samora, PE  
Paul Brasher, PE  
Joshua Skarsgard, Public Member

**Members Absent** Rola Idriss, PE

**Others Present** Perry Valdez, Team Leader, BLPEPS  
Ericca Lopez, Executive Secretary, BLPEPS  
Naomi Velasquez, Compliance Officer, BLPEPS  
Joe Barela, PE, Board Investigator  
Rick Word, Board Attorney

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

Mr. Bohannon convened the meeting at 1:19 p.m. Roll call was taken and it was noted that a quorum of the Committee was present.

Mr. Aaron Ezzell introduced himself as a guest to the committee.

**2. Meeting Notification**

The meeting was noticed in the Albuquerque Journal and the board's website.

**3. Approval of Agenda**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, **PASSED** unanimously  
**VOTED:** To move items 8 and 9 before item 7 and approve as amended.

**4. Approval of Minutes**

**a. Minutes of April 24, 2014**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Skarsgard and **PASSED** unanimously  
**VOTED:** To approve the minutes of April 24, 2014 as presented.

**5. Public Comment/ Correspondence**

**a. J. Ezzell- Qualifications for Licensure-**

Mr. Ezzell introduced himself to the committee and gave them a little bit of background regarding his application and his degree in Geology. Mr. Ezzell gave the committee an explanation about his experience.

The committee asked Mr. Ezzell a few questions regarding his background and informed him that they would make a decision on his application and notify him once a decision has been made.

**b. G. Kenney- Response to Corrections to Plans/ Request for Clarity regarding 16.39.12 E.**

Mr. Kenney wrote the committee a thank you letter regarding his last inquiry. Along with the thank you letter was a request for clarity regarding 16.39.12 (e). Mr. Kenney asked what does “responsible work” encompass in this section. Mr. Kenney also offered a definition for the committee to consider.

The committee decided this was a matter for the rules committee to review and could possibly be considered when the board works on the rule changes.

**6. New Business**

**a. Election of Officers**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Brasher, **PASSED** unanimously **VOTED:** For all officers of the PEC to remain the same.

**b. Points of Concern over Early PE Testing**

This item was placed on the agenda as an informational item. The letter is an item that came in from the South Dakota board stating the advantages and disadvantages of allowing early testing.

**8. Application Review- Recommended Approval**

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

**PE Exam Applications**  
**PE Endorsement Applications**  
**PE Reinstatement Applications**  
**Additional Discipline**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Skarsgard, and **PASSED** unanimously **VOTED:** To approve the list of recommended approval applications as presented by staff.

**b. PE Inactive Request**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, and **PASSED** unanimously **VOTED:** To approve Mr. Sale's request for inactive status.

**c. PE Retirement Request**

None at this time.

**9. Executive Session**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Brasher, **PASSED** unanimously **VOTED:** To enter into executive session to discuss items listed on the agenda pursuant to NMSA 1978, Sections 10-15-1(H)(1) and (3) to discuss matters pertaining to the issuance, suspension renewal or revocation of a license; to deliberate on pending cases; and to discuss pending litigation.

**Roll Call Vote:** Mr. Bohannon, Mr. Romero, Mr. Brasher and Mr. Skarsgard

**9a. Actions on Items Discussed During Executive Session**

Mr. Bohannon brought the committee back into open session by affirming 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. Case 11-11-42**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Brasher, **PASSED** unanimously **VOTED:** To deny inactive status.

**2. Case 11-11-43**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, **PASSED** unanimously **VOTED:** To dismiss due to statute of limitations, and noted that the case was also referenced in a second case.

**3. Case 08-PE-10-26-2011**

**MOTION** by Mr. Skarsgard, **SECONDED** by Mr. Romero, **PASSED** unanimously **VOTED:** To appoint Mr. Brasher as designated signator for any actions taken.

**MOTION** by Mr. Brasher **SECONDED** by Mr. Romero, **PASSED** unanimously

**VOTED:** Regarding Raul Parra, adoption and approval of the hearing officers report and finding of facts dated May 14, 2014 with an amendment to the second to last paragraph on the last page on the first sentence where it reads “Under the Criminal Offenders Act” will be stricken and replaced with “A preponderance of the evidence shows that the Respondent has not been rehabilitated.” Further the committee will deny the Respondents application for renewal based on his felony conviction. Also on the second sentence on the second to last paragraph of the last page where it reads “The Act allows the Respondent to be gainfully employed” will be stricken.

**4. Case 10-PE-9-24-2012**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Brasher, **PASSED** unanimously  
**VOTED:** To approve retirement.

**MOTION** by Mr. Skarsgard, **SECONDED** by Mr. Brasher, **PASSED** unanimously  
**VOTED:** To dismiss but in the event he submits an application for reinstatement, he pay \$1,000 restitution fee.

**5. Case 12-PE-10-10-2013**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously  
**VOTED:** To table for further information.

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

The committee was given a report on the status of all pending complaints and NCAs.

**c. License Renewals**

**1. DK-04-28-2014**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously  
**VOTED:** To approve for renewal.

**2. EH-04-02-2014**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, **PASSED** unanimously  
**VOTED:** To approve for renewal.

**3. SM-04-24-2014**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, **PASSED** unanimously  
**VOTED:** To table until the next meeting.

**d. Applications for Review**

**1. PE Exam**

**a. F. Ghanbari**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

**VOTED:** To approve Mr. Ghanbari's application to take the PE Exam.

**b. M. Isola**

**MOTION** by Mr. Skarsgard, **SECONDED** by Mr. Romero, **PASSED** unanimously

**VOTED:** To approve Mr. Isola's application to take the PE Exam.

**2. PE Exam Retake Requests**

**a. J. Dulaney**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, **PASSED** unanimously

**VOTED:** To approve Mr. Dulaney to retake the PE Exam.

**b. B. Webster**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

**VOTED:** To approve Mr. Webster to retake the PE Exam.

**3. PE Endorsement**

**a. M. Ali**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, **PASSED** unanimously

**VOTED:** To approve Mr. Ali's application for endorsement.

**b. J. Ezell**

**MOTION** by Mr. Skarsgard, **SECONDED** by Mr. Romero,

**MOTION FAILS:** To approve Mr. Ezzell's application by endorsement.

**Voting NO:** Mr. Brasher and Mr. Bohannan

**Voting YES:** Mr. Romero and Mr. Skarsgard

**MOTION** by Mr. Skarsgard, **SECONDED** by Mr. Romero, **PASSED** unanimously

**VOTED:** To bring application back to next meeting with further research.

**c. J. Fails**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Brasher, **PASSED** unanimously

**VOTED:** Not to approve Mr. Fails' application by endorsement.

**d. A. Holland**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

**VOTED:** Not to approve Mr. Holland's application by endorsement.

**e. S. Shilesh**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Romero, **PASSED** unanimously

**VOTED:** Not to approve Mr. Shilesh's application by endorsement.

**f. R. Tarefder**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Brasher, **PASSED** unanimously

**VOTED:** To approve Mr. Tarefder's application by endorsement.

**4. PE Reinstatement**

**a. Brauer, J.**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

**VOTED:** To allow reinstatement and file a complaint.

**b. Lilley, D.**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

**VOTED:** To allow reinstatement and file a complaint.

**7. Old Business**

**a. Industrial Exemptions- LANS**

**MOTION** by Mr. Brasher, **SECONDED** by Mr. Skarsgard, **PASSED** unanimously

**VOTED:** To table this matter since it would be discussed at the full board meeting.

**10. Next Scheduled Meeting Date: August 14, 2014, Las Cruces**

**11. Adjourn**

**MOTION** by Mr. Romero, **SECONDED** by Mr. Skarsgard, unanimously

**VOTED:** To adjourn the meeting.

Mr. Bohannan adjourned the meeting at 5:18 p.m.

**Submitted By:**

s/Ericca Lopez

Ms. Ericca Lopez, Licensing Manager

**Approved By:**

s/Ronald Bohannan

Mr. Ronald Bohannan, Committee Chair

August 14, 2014 Approved Date