

MINUTES OF

Meeting of the Professional Engineers Committee of the Board of Licensure for Professional Engineers and Professional Surveyors held 9:30 a.m. October 27, 2011 at Middle Rio Grande Conservancy District Offices, 1931 Second Street SW, Albuquerque, NM

- Members Present Subhas Shah, PE, PEC Chair
Julie Samora, PE
John T. Romero, PE
Paul Brasher, PE
Rola Idriss, PE
- Members Absent Joshua Skarsgard, Public Member
- Others Present Eva Baca, Acting Executive Director, BLPEPS
Ericca Lopez, Executive Secretary, BLPEPS
Perry Valdez, Compliance
Joe Barela, Case Manager
Raymond Hensley, PE
Ron Hensley

1. CONVENE/ ROLL CALL

Mr. Shah convened the meeting at 9:55 a.m. Roll call was taken and it was noted that a quorum of the board was present.

1.1 Introduction of Guests

1.1A Introduction of New Board Attorney- Mark Reynolds- Mr. Reynolds was unable to make the meeting.

2. APPROVAL OF THE AGENDA

MOTION by Ms. Samora, **SECOND** by Mr. Romero, and **PASSED** unanimously **VOTED:** To add Mr. Hensley as item 3.2 for his discussion and approve the agenda as presented.

3. APPROVAL OF THE MINUTES

3.1 August 11, 2011

MOTION by Ms. Samora, **SECONDED** by Dr. Idriss and **PASSED** unanimously **VOTED:** To approve the August 11, 2011 meeting minutes.

3.2 Mr. Hensley- Mr. Hensley spoke on behalf of NMSPE stating he would like to see the board take action on the fire protection rules.

Mr. Hensley stated NMSPE was also concerned about cases regarding unlicensed engineers that are practicing in New Mexico that are not being prosecuted.

Mr. Hensley raised a concern over the licensing fees being raised to hire additional employees and the employees not being hired. Mr. Hensley stated it was unreasonable for the governor's office to be holding back this process.

Mr. Hensley raised a concern that if the board was put under RLD that there would be a conflict between CID and the engineers. He stated the society would like help from the board which may become difficult if the board is under RLD. Mr. Hensley stated the society would like for the board to protect the profession.

Ms. Samora thanked Mr. Hensley for raising his concerns and stated that she felt that the board has been very tough when it comes to handling case matters.

4. COMPLAINTS AND VIOLATIONS- Closed Session

MOTION by Dr. Idriss, **SECONDED** by Ms. Samora and unanimously

VOTED: To convene in closed session pursuant to NMSA 1978, Section 10-15-1 (H) (1) to discuss, as listed on the agenda, the licensing complaints. A roll call vote was taken:

Voting Yes: Mr. Romero, Dr. Idriss, Mr. Brasher, Ms. Samora and Mr. Shah

Mr. Shah declared that the Committee was now in closed session.

Mr. Shah brought the committee back into open session by stating that only the items stated in the closing statement were discussed.

4.1 Case 11-10-13

4.2 Case 11-11-29

MOTION by Dr. Idriss, **SECONDED** by Mr. Brasher and **PASSED** unanimously

VOTED: To combine cases 11-10-13 and 11-11-29 and request from a written waiver of the time frame on the statute of limitations, from both respondents, due to pending litigations. If the written waivers are denied by each then the cases will be brought back to the next meeting.

4.3 Case 11-11-30

MOTION by Dr. Idriss, **SECONDED** by Mr. Brasher and **PASSED** unanimously

VOTED: To issue an NCA with the possibility of an Early Settlement Agreement which would include a letter of reprimand for unlicensed practice and a five hundred dollar (\$500) fine.

4.4 Montoya, R. - information will be held until a formal complaint is filed with the board.

4.5 Clarification of Denial of application process- Ms. Baca clarified to the board that it was not required to issue a NCA if an application was not being accepted due to not meeting the legal requirements as set forth by the law.

4A. OPEN SESSION

4A.1 Appointment of Hearing Officers (if required) for New Cases- For Case 11-11-30 the whole committee will be the hearing officer.

5. OLD BUSINESS

5.1 Process of Applications (When recommended by Mr. Valdez or Ms. Baca to approve)- Ms. Baca stated she and Mr. Valdez will be reviewing the applications prior to the meeting and will be making recommendations to approve on the ones that are not problematic at each meeting. She would like for the committee to be able to approve the list based on recommendations by the staff. Ms. Baca stated the problematic applications would be placed on a separate listing for them to be advised of which ones need to be closely looked at.

Mr. Valdez stated the applications will continue to be uploaded to the ftp site for them to review and a newer upgraded version of the ftp site will be available soon and make it much easier for the applications to be viewed.

6. NEW BUSINESS- CORRESPONDENCE

6.1 Greg Keney- Mr. Keney posed a question to the committee regarding engineering drawings. He asked if he made revisions to a drawing and stamped them, would he be held responsible for the whole drawing or only the revisions that he made to the drawing.

Ms. Bourassa had responded to him by stating that according to the law, he would be responsible for the whole drawing since his seal would appear on it.

After a short discussion the board came to an agreement that the response as provided by Ms. Bourassa to Mr. Keney was correct and that he would be responsible for the entire thing.

6.2 David Pacheco- Mr. Pacheco sent an email to the board office containing some information regarding some documentaries that are set up by a group called Architects and Engineers for 9/11 truth that will be shown on KNME PBS on an unknown date at this time.

7. REVIEW OF APPLICATIONS

7.1	FE Exam Applicants	5
7.2	PE Exam Applicant (PE Decision)	1
7.3	PE Exam Applicant	4
7.4	PE Endorsement (Tabled)	3
7.5	PE Endorsement Applicants	116
7.6	PE Additional Discipline	3
7.7	PE Reinstatement Applicants	4

MOTION by Mr. Romero, **SECOND** by Dr. Idriss, and unanimously
VOTED: To approve all of the applications that have been recommended by staff for approval.
(See Attachment A)

MOTION by Mr. Romero, **SECOND** by Dr. Idriss, and unanimously
VOTED: To not approve Mr. Benson and Mr. Alimohamed due to not meeting statutory requirements.

MOTION by Dr. Idriss, **SECOND** by Ms. Samora, and unanimously
VOTED: To approve Mr. Hillie's application for licensure by endorsement.

MOTION by Dr. Idriss, **SECOND** by Mr. Brasher, and unanimously
VOTED: To accept Mr. Aragon's Master's Degree in hydrology as one year of experience towards his licensure.

MOTION by Ms. Samora, **SECOND** by Mr. Romero, and unanimously
VOTED: To approve Mr. McGee's application for endorsement.

MOTION by Mr. Romero, **SECOND** by Dr. Idriss, and unanimously
VOTED: To approve Mr. Reynolds application by endorsement.

MOTION by Mr. Romero, **SECOND** by Ms. Samora, and unanimously
VOTED: To approve Mr. Valles application by endorsement.

MOTION by Mr. Romero, **SECOND** by Ms. Samora, and unanimously
VOTED: To approve Mr. Clark application by endorsement with both civil and environmental disciplines.

MOTION by Ms. Samora, **SECOND** by Mr. Brasher, and unanimously
VOTED: To approve Mr. Hanlon application by endorsement with electrical discipline only.

MOTION by Dr. Idriss, **SECOND** by Mr. Brasher, and unanimously
VOTED: To approve Mr. Jenabzadeh application by endorsement with both civil and structural disciplines.

MOTION by Ms. Samora, **SECOND** by Mr. Brasher, and unanimously
VOTED: Not to accept Mr. Stone's application for endorsement due to not meeting the statutory requirements.

MOTION by Mr. Romero, **SECOND** by Dr. Idriss, and unanimously
VOTED: To approve Mr. Hiland's application by endorsement with the industrial discipline only.

MOTION by Dr. Idriss, **SECOND** by Ms. Samora, and unanimously
VOTED: To approve Mr. Elsaleh application by endorsement.

MOTION by Dr. Idriss, **SECOND** by Mr. Romero, and unanimously **VOTED**: To approve Mr. Quinn application by endorsement.

MOTION by Dr. Idriss, **SECOND** by Mr. Romero, and unanimously **VOTED**: To approve Mr. Tanczos application by endorsement.

8. **ADJOURNMENT**

Mr. Shah adjourned the meeting at 12:50 p.m.

Submitted by:

Approved by:

s/ Ericca Lopez
Ms. Ericca Lopez, Executive Secretary

s/ Subhas Shah, PE
Subhas Shah, Committee Chair

January 19, 2012 Approved Date

ATTACHMENT A

Eyre, Darren

FE Exam Applicants (5)

Aleman-Martinez, Antonio N.
Gallegos, Ernesto
Howe, Elaine W.
Kelley, Coy J.
Sarpong, Gideon

PE Exam Applicants (4)

De La Vega, Raymond
Hensley, Ronald
Kruger, Katie
Meeks, Casey

PE Endorsement Applicants (116)

Anderson, Christopher R.
Austin Jr., George W.
Baker, Bradley E.
Belk, Edwin D.
Bell, David L.
Bowden, James B.
Bracken, William C.
Britton, Jack L.
Burke, Jerome T.
Catano, Joanna
Chancey, Ryan T.
Chapin, Thomas B.
Cline, Virginia
Cochran, Duane Lee
Cooper, James E.
Dearmin, Thomas E.
Deras, Federico
Dougan, Brian K.
Dunn, Paul C.
Ellefson, Connie J.

Felderman, Jeffrey J.
Feuerstein, Chadwick L.
Fields, Ernest L.
Friedman, James N.
Funk, John E.
Gabaldon, Michael
Gammie, Benjamin D.
Griffin, Shawn E.
Griffiths, David L.
Harris, Adam W.
Harris, Jerry W.
Havey, Tye N.
Herbert, Craig A.
Herbert, James L.
Huberty, Kevin P.
Jackson, Grant A.
Janke, Robert C.
Johnson, Andrew W.
Johnson, Rhett M.
Johnson, Stephen A.
Jones, Steven M.
Jones, Wesley B.
Kandarisi, Peter Mike
Kelley, Debra
Keshavarzi, Firooz
Kotecki, Darrin
Krouskop, Brett C.
Lamb, William M.
Laughlin, Noel C.
Leonard, Angela M.
Lindner, Matthew T.
Mahlmann, Justin G.
Major, Steve B.
Markham, Jesse J.
Martin, Michael
Michels, Alan Duane
Miller, Scott A.
Mitchell, Garrick F.
Moore, Erik P

Mu, Hong
Murillo, Richard
Murphy, Mark Burdette
Muse Jr., Tommy
Niemira, James K.
Parker, James C.
Prasad, KrishanD
Prior, Jena L.
Proffit, Peter
Queathem, Robert L.
Ramos, Joe
Rewald, George
Riggs, Kevin
Roberts, Gary
Roberts, James
Robinson, Dale J.
Rodriguez, David J.
Rodriguez, Marlou
Ross, Ryan D.
Roth, Grant
Sachsenmaier, Zachary
Selken, Jason M.S.
Sfreddo, Christina
Short, Glenn
Simms, Juli Malinda
Smoak, Bradley
Sosa, Gustavo
Stalcup, Thomas
Steinberger, Todd M.
Stovner, Eric C.
Swoap, David
Thompson, Scott D.
Townesley, Steven R.
Trenam, James, Ellsworth
Tyrrel, David
Wagner, Carl P.
Walla, Chris L.
Walton, Michael
Wachter, Russell A.
Wanzenried, Brian Lee
Wellert, Robert L.
Wilson, Vaughn
Winch, Scott

Zagnoli, Valerie Anne
Zhang, Wei
Zweighaft, Simon

PE Additional Discipline (3)

Baca, Margaret G.
Grenier, John E.
Martin, Paul Francis

PE Reinstatement Applicants (4)

McCormish, Richard
Sandoval, Daniel R.
Seaverson, Jason Michael
Silverman, Gary