

Minutes

**SPECIAL MEETING OF THE PROFESSIONAL ENGINEERING
COMMITTEE of the Board Licensure of Professional
Engineers and Professional Surveyors held
9:00 a.m., Friday, March 19, 2021,
Virtual/Telephonic Meeting**

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

Members Absent- Paul Brasher, PE

Others Present- Perry Valdez, BLPEPS, Executive Director
Miranda Gonzales, BLPEPS, Administrative Manager
Maria Ruiz, BLPEPS, Licensing Administrator
Valerie Joe, AAG, Legal Counsel
Joe Barela, PE, Board Investigator
Earl Burkholder, PEPS

1. Convene, Roll Call and Introduction of Audience

Mr. Bohannon convened the meeting at 9:19 a.m. He read the meeting script regarding the virtual meeting protocols. Roll call was taken and a quorum noted.

Audience introductions made at this time. Mr. Burkholder introduced himself.

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. Tonander to approve the agenda, moving items 7 and 8 to follow after item 4. In addition, acknowledge that the meeting ID, passcode, and other phone numbers were incorrect and should be updated to the correct meeting information, **SECOND** by Dr. Gerstle,

Discussion: Dr. Gerstle asked if the agenda could include the proposed changes regarding industrial exemptions. Mr. Bohannon recommended having a special Full Board meeting dedicated to the proposed changes. He said a normal meeting did not allow for sufficient time for a discussion.

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Samora

PASSED unanimously.

Mr. Bohannon suggested for Mr. Valdez to refer to the website on future agendas, to avoid the issue of incorrect meeting information.

4. Requested Public Comment

a. T. Manning – Suggestions for amending PE/PS Advisory Opinion on Review of Plans, Plats, or Engineering or Surveying Documents by Public Officials

Mr. Valdez presented Mr. Manning's email request to the Committee. He reported Mr. Manning provided a few proposed changes to the PE/PS Advisory: Review of Plans, Plats, or Engineering or Surveying Documents by Public Officials of November 2001.

Mr. Bohannon said the changes need further discussion, to take some time to review the suggested changes in more detail. Mr. Tonander agreed with Mr. Bohannon and recommended it be referred to the Rules Committee.

Mr. Bohannon referred the proposed changes to the Rules Committee for further discussion.

5. Old Business

- a. Advisory Opinion – The Use of Standard "As Built" Drawings in Design Sets**
- b. Arizona Legislation – Senate Bill 1062**

Tabled until the April 2021 meeting.

6. New Business

- a. Status update to NMSA 62-14 (utility locates)**
- b. New Mexico Legislation – Status Update House Bill 232**

Tabled until the April 2021 meeting.

7. Application Review – Recommended Approval

a. Confirmation of Staff-Reviewed Applications

MOTION by Mr. Tonander to acknowledge the Confirmation of Staff-Reviewed Application List dated January 14, 2021, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Samora

PASSED unanimously.

b. Retired Application(s)

MOTION by Mr. Tonander to approve the retired application list, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Samora

PASSED unanimously.

c. Inactive Application(s)

MOTION by Mr. Tonander to approve the inactive application list, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Samora

PASSED unanimously.

d. Status of Licensure After Obtaining Required Years of Experience

Mr. Valdez informed the Committee the list was in response to Dr. Gerstle's request for such a list of exam applicants, who after taking and passing the PE exam, completed their years of experience to be licensed. Mr. Valdez reported there were four applicants who became licensed after completing the necessary years of experience for licensure.

8. Executive Session

MOTION by Mr. Bohannon 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 Dr. Gerstle,

Roll call vote taken, voting 'Yes': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Samora

9. Action on Items Discussed During Executive Session

Mr. Bohannon 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) and (3).

Ms. Samora needed to leave the meeting. Mr. Bohannon called for a short break, to allow Ms. Meyers to join the meeting to continue with a quorum.

Ms. Samora left the meeting at 11:25 am

Ms. Augusta Meyers joined the meeting at 11:56 am

a. Disciplinary Cases

1) 7-PE-11-07-2018 Hearing Officers Report

Mr. Tonander recused himself from the vote. Due to a lack of quorum, Mr. Bohannon tabled the item until the April 2021 meeting.

2) 1-PE-04-02-2019

Mr. Bohannon noted the Committee was provided a status update on the case.

b. Applications for Review

1) PE Exam

a) Manzanares, E.

MOTION by Mr. Tonander to approve for an FE exam bypass and approve to take the PE mechanical exam, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

b) Reilly, A.

MOTION by Mr. Tonander to approve for an FE exam bypass and approve to take the PE electrical exam, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

2) PE Endorsement

a) Kalinski, M.

b) Kelley, S.

MOTION by Mr. Tonander to approve for endorsement in civil engineering, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

c) Lee, A.

Mr. Bohannon stated this item was deferred until the next meeting pending additional information from the applicant.

d) Lineham, J.

MOTION by Dr. Gerstle to approve for endorsement in structural engineering, **SECOND** by Mr. Tonander,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

e) Miao, L.

MOTION by Dr. Gerstle to approve for endorsement in chemical engineering, **SECOND** by Mr. Tonander,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

f) Schmitt, T.

This item was deferred until the next meeting.

g) Talvitie, M.

MOTION by Mr. Tonander to approve for endorsement in civil engineering, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

3) PE Reinstatement

a) Rochin-Bernal – Reconsideration

Mr. Bohannon stated the item was deferred until the next meeting pending additional information from the Board's legal counsel.

4) License Renewal Medical Exemption Request(s)

a) Brown, D.

MOTION by Dr. Gerstle to grant a medical exemption and request the balance of PDHs be submitted within 6 months, **SECOND** by Mr. Tonander,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

b) Salgado-Fernandez, N.

MOTION by Dr. Gerstle to grant a medical exemption and a waiver of the renewal late fee, **SECOND** by Mr. Tonander,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

5) PE Retired Status Requests

a) Bhagwandin, D.

MOTION by Mr. Tonander to not approve for retired status but allow for licensure renewal without a penalty fee, so long as retired status is requested once the license is renewed, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

b) Hines, W.

MOTION by Mr. Tonander to approve immediate retired status due to extreme medical conditions, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

c) Loring, B.

MOTION by Mr. Tonander to not approve for retired status but allow for licensure renewal without a penalty fee, so long as retired status is requested once the license is renewed, **SECOND** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

10. Next Scheduled Meeting Date:

- a. April 15, 2021 – Ruidoso or Virtual

11. Adjourn

MOTION by Ms. Meyers to adjourn the meeting, **SECOND** by Mr. Tonander,

Roll Call Vote:

Voting 'Aye': Mr. Bohannon, Dr. Gerstle, Mr. Tonander, Ms. Meyers

PASSED unanimously.

Meeting adjourned at 12:13 p.m.

Submitted by:

s/Perry Valdez
Perry Valdez, Executive Director

Approved by:

s/ Ronald Bohannon
Ronald Bohannon, Committee Chair

April 15, 2021 **Approved Date**