

Minutes

MEETING OF THE NEW MEXICO BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS

held at 9:00 a.m., Friday, August 9, 2019
Office of Souder Miller & Associates,
5454 Venice Ave. NE, Ste. D, Albuquerque, NM

Members Present- Paul Brasher, PE, Board Chair
Glen Thurow, PS
Augusta Meyers, Public Member
Ron Bohannon, PE
Dr. Walter Gerstle, PE
Karl Tonander, PE
Cliff Spirock, PS

Members Absent- Julie Samora, PE
David Cooper, PS

Others Present- Perry Valdez, BLPEPS, Executive Director
Annette Thompson-Martinez, BLPEPS, Deputy Director
Gabrielle Schultz, BLPEPS, Executive Assistant
Miguel Lozano, Legal Counsel
Marguerite Salazar, RLD, Superintendent

1. Convene, Roll Call and Introduction of Audience

Mr. Brasher convened the meeting at 9:03 a.m., roll call was taken and a quorum noted. Audience introductions made at this time.

2. Meeting Notification

Mr. Valdez informed the Board 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 as presented, **SECOND** by Mr. Bohannon, **PASSED** unanimously.

4. Approval of Minutes

a. Minutes of May 31, 2019

MOTION by Mr. Tonander to approve the Minutes of May 31, 2019, **SECOND** by Mr. Brasher, **PASSED** unanimously.

5. Public Comment/Correspondence

Mr. Valdez informed the Board there was no public comment or correspondence.

6. Director's Report

a. Introduction of RLD Superintendent Marguerite Salazar

Mrs. Salazar introduced herself and spoke on her experience in Colorado before she was appointed by Governor Michelle Lujan Grisham. The Board was able to address some of their concerns, particularly with re-appointments of a couple members and the possibility of any potential new appointments.

Mrs. Meyers arrived at 9:11 am.

b. Staff Vacancy Report

Mrs. Thompson-Martinez informed the Board that they were in the process of hiring the new Team Leader, and will announce who the individual hired is upon approval. Currently the Board has two vacancies – The team leader and the compliance officer.

c. Financial Report

Mrs. Thompson-Martinez informed the Board that staff is in the final stages of closing out FY 2019. She stated there was a slight difference between the fund projections balance than from the previous meeting, specifically that the prepared fund balance stated the Agency would have a projected \$692,760.00 in the fund balance at the end of June. Mrs. Thompson-Martinez informed the Board that she would keep them updated of any further changes. She also stated that the working meeting in September will help to formulize the process for the scholarship disbursements. She reported to the Board the FY 21 budget appropriation request will allow the Agency to request an increase in appropriations, and staff will work with the analysts to approach the budget in a responsible way.

d. Licensing Status

Mr. Valdez informed the Board that there are currently 8,778 active PE licenses, 513 active PS licenses, and 16 active PEPS licenses – for a total of 9,307 active licenses.

7. Old Business

a. Discussion of Engineers/Surveyor of Record Affidavits

Mr. Valdez informed the Board that this was placed on the agenda as a standing item to be fully discussed at the working meeting in September.

Mr. Thurow advised the Board to refer back to the draft minutes from the previous Full Board meeting, stating that he felt the discussion gave a reasonable

interpretation of the rule. Mr. Bohannon mentioned that he had been contacted by a Surveyor regarding this question and expected the Board to receive other inquiries. He believes that those licensees should be directed to speak with legal counsel if they are in need of further explanation. Mr. Lozano agreed that it was a reasonable interpretation of the rule, and that he believed his predecessor agreed as well. He stated he was willing to look at any other interpretation that is provided by a licensee for clarification.

Mr. Tonander recommended to the Board that Mr. Thurow draft an advisory opinion to review at the Working meeting then later post to the website.

8. New Business

a. Fall 2019 Newsletter

Mrs. Thompson-Martinez handed out a draft version of the Fall 2019 Newsletter to all Board members for input and edits. It was decided that there would be an addition to include what chaptered legislation had been worked on by the Board and Board staff. It was also decided that edits would be made to the compliance updates page in regard to a more detailed description of the cases mentioned.

b. State Rules Act – M. Lozano

Mr. Lozano gave a presentation on the State Rules Act, regarding the process on rule changes. This is a part of a training that the New Mexico Attorney General's office does for all Boards & Commissions. Mr. Lozano informed the Board there will be an IPRA training and other trainings made available.

**At this time the Board took a short recess. **

9. Committee Reports

a. PS Committee

Mr. Spirock passed an informational sheet out to the entire Board and regretted to inform them that there were no PS applicants from New Mexico approved at their meeting, and there was only one SI Applicant.

b. PE Committee

Mr. Tonander provided a report of the PEC meeting from the day before and noted that the consent agenda contained just over 90 PE Endorsement Applications, 6 Retiree Applications, 4 PE Exam Applications that were not approved, and 2 PE Exam Applications that were approved.

Of the cases that were reviewed by the Board, several were impacted by the new rules that were active beginning July 1, 2019.

Of the disciplinary cases, several were closed due to the new settlement agreement process, a few were closed and no action was taken, and one was tabled.

c. Executive Committee

1) Meeting Report

Mr. Valdez informed the Board that the Executive Committee had not met and there was no news to report. Mrs. Martinez-Thompson noted that an Executive Committee meeting should take place before the Appropriations Request is due on September 3rd.

d. Joint Practice Committee

1) Meeting Report

Mr. Thurow informed the Board that the Joint Practice Committee had not met and there was no news to report.

e. Public Information, Exam and Licensure Promotion Committee

1) Meeting Report

Mr. Tonander informed the Board that the Public Information, Exam and Licensure Promotion Committee had not met and there was no news to report.

2) Newsletter – Status Report

Mr. Tonander informed the Board that because the Newsletter had already been addressed under “New Business,” there was no further information to report.

3) Licensure Brochure – Status Report

Mr. Tonander informed the Board that there was no new business regarding the Licensure Brochure.

4) Presentations – Status Report

Mr. Tonander informed the Board that he was unaware of any recent presentations but that a fall schedule will be made when the Board is going to provide an ethics training.

Mr. Bohannan informed the Board that he had made a presentation to the Military Engineers and sent the presentation information to Mrs. Thompson-Martinez.

Mr. Spirock reminded the Board that the PSC will be giving a presentation on the 2022 Longitude and Latitude Measurement changes at the working meeting in September.

f. Rules and Regulations Committee

1) Meeting Report

Mr. Spirock informed the Board the Rules & Regulations Committee has the “bucket list” of rules recommendations. Additionally, the Committee had the recommendation that the Legal Enforcement Committee be bundled into the Rules & Regulations Committee.

g. Legal Enforcement Committee

1) Meeting Report

Mr. Brasher informed the Board that the Legal Enforcement Committee had not met and there were no updates.

2) Stamping Control Sheets – Status Report

Mr. Brasher and Mr. Spirock informed the Board that there still needed to be discussion held by the PEC and perhaps at the working meeting regarding Stamping Control Sheets. Mrs. Thompson-Martinez asked for clarification regarding the advisory opinion listed on the Board’s website regarding electronic seals and signatures. Further discussion showed the advisory opinion would remain the way it is for now and will be edited appropriately in the future.

h. NCEES Committee Members

1) NCEES WZ Meeting Report

Mr. Thurow informed the Board about the proposed idea to change the structure of the national PS examination, and urged the Board to vote in favor of the motion put forth by the task force at the upcoming annual meeting in Washington DC.

Mrs. Thompson-Martinez informed the Board that Mr. Thurow was selected to lay a wreath honoring veterans at the Washington Memorial and noted that it was a great honor, as only 4 individuals were selected nationally.

7. Next Scheduled Meeting Date:

a. September 17-18, 2019 – Working Meeting – NM Tech Campus – Socorro, NM
Mr. Brasher noted that the Working Meeting will begin at 10:00 am so as to allow members from Albuquerque ample time to drive that morning to attend.

b. November 8, 2019 – NM Tech Campus – Socorro, NM

8. Adjourn

Meeting adjourned at 11:23 a.m.

Submitted by:

s/Annette Thompson-Martinez
Annette Thompson-Martinez, Deputy Director

Approved by:

s/ Paul Brasher
Paul Brasher, Board Chair

November 7, 2019 **Approved Date**