

**MEETING OF THE NEW MEXICO BOARD OF  
LICENSURE FOR PROFESSIONAL ENGINEERS  
AND PROFESSIONAL SURVEYORS held  
Immediately Following the Rule Hearing,  
9:00 a.m., Friday, February 4, 2022,  
Virtual/Telephonic Meeting**

**Members Present –** Karl Tonander, PE, Board Chair  
Maxine McReynolds, Esq., Public Member, Vice Chair  
Dr. Ahmed Elaksher, PEPS  
Dr. Walter Gerstle, PE  
David Cooper, PS  
Ronald R. Bohannon, PE  
Stephen Ney, PE  
Karen Nichols, Public Member

**Others Present –** Perry Valdez, BLPEPS, Executive Director  
Crystal Herrera, BLPEPS Administrative Operations Manager  
Miranda Gonzalez, BLPEPS Administrative Manager  
Isaac Maes, BLPEPS, Executive Assistant  
Valerie Joe, Legal Counsel  
Elizabeth McNally, PE  
Arlette McClain  
Patricio W. Sanchez, PE  
Steven Coleman  
Earl Burkholder, PEPS  
Clifford Spirock, PS  
Allen Grace, PS  
Jenniffer DeGreeff, PE  
Tom Bullard  
Jason Montoya, PE

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

Prior to convening the meeting Mr. Tonander read the meeting script regarding the virtual meeting protocols. He convened the meeting at 10:34 a.m., roll call was taken and a quorum was noted. Audience introductions were made at this time.

**2. Meeting Notification**

Mr. Valdez informed the Board the meeting was noticed on the Board's website and at the Board's Office.

**3. Approval of Agenda**

**MOTION** by Ms. McReynolds to approve the agenda as presented, **SECONDED** by Dr. Gerstle,

**Roll Call Vote:**

**Voting 'Aye':** Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Mr. Bohannon, Dr. Gerstle, Mr. Cooper, Mr. Ney, Ms. Nichols

The motion **PASSED unanimously**.

**4. Approval of Minutes**

**a. Minutes of December 3, 2021**

**MOTION** by Dr. Gerstle to approve the Minutes of December 3, 2021 as presented, **SECONDED** by Ms. McReynolds,

**Roll Call Vote:**

**Voting 'Aye':** Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Mr. Bohannon, Dr. Gerstle, Mr. Cooper, Mr. Ney, Ms. Nichols

The motion **PASSED unanimously**.

**5. Action on Proposed Rule Changes**

**a. 12.8.2 NMAC – Minimum Standards for Surveying in New Mexico**

**MOTION** by Mr. Cooper to approve 12.8.2 NMAC – Minimum Standards for Surveying in New Mexico, **SECONDED** by Ms. Nichols,

**Roll Call Vote:**

**Voting 'Aye':** Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Mr. Bohannon, Dr. Gerstle, Mr. Cooper, Mr. Ney, Ms. Nichols

The motion **PASSED unanimously**.

**b. 16.39.1 NMAC – General Provisions**

**MOTION** by Mr. Bohannon to approve 16.39.1 NMAC – General Provisions, **SECONDED** by Dr. Elaksher,

**Roll Call Vote:**

**Voting 'Aye':** Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Mr. Bohannon, Dr. Gerstle, Mr. Cooper, Mr. Ney, Ms. Nichols

The motion **PASSED unanimously**.

- c. **16.39.3 NMAC – Engineering Licensure, Disciplines, Applications, Exams, Practice, Seal of Licensee and Endorsements**  
**MOTION** by Mr. Bohannon to approve 16.39.3 NMAC – Engineering Licensure, Disciplines, Applications, Exams, Practice, Seal of Licensee and Endorsements, **SECONDED** by Ms. Nichols,

**Roll Call Vote:**

**Voting ‘Aye’:** Mr. Tonander, Dr. Elaksher, Mr. Bohannon, Dr. Gerstle, Mr. Cooper, Ms. Nichols

**Abstain:** Ms. McReynolds, Mr. Ney

The motion **PASSED**.

- d. **16.39.5 NMAC – Surveying**  
**MOTION** by Dr. Gerstle to approve 16.39.5 NMAC – Surveying, **SECONDED** by Dr. Elaksher,

**Roll Call Vote:**

**Voting ‘Aye’:** Mr. Tonander, Dr. Elaksher, Dr. Gerstle, Mr. Cooper, Ms. Nichols, Mr. Bohannon

**Abstain:** Ms. McReynolds, Mr. Ney

The motion **PASSED**.

- e. **16.39.6 NMAC – Licensure for Military Service Members, Spouses and Veterans**  
The Board disused this at length and decided to make the following changes to 16.39.6 NMAC;

- “Spouse: means the spouse of a person who is serving...”
- “Child: means the child of a person who is serving...”

**MOTION** by Dr. Elaksher to approve the proposed changes to 16.39.6 NMAC, **SECONDED** by Ms. McReynolds,

**Roll Call Vote:**

**Voting ‘Aye’:** Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Mr. Bohannon, Dr. Gerstle, Mr. Cooper, Mr. Ney, Ms. Nichols,

The motion **PASSED unanimously**.

f. **16.39.7 NMAC – Misc.**

The Board disused this item at length and Ms. Joe informed the Board that if the applicant, or renewal licensee, was convicted of one of the crimes listed, they have to disclose it. She explained, if an applicant or licensee was convicted of a crime that is not on the list, they do not have to disclose it, for example if insurrection is not on the list, then they do not have to disclose it.

Ms. Joe would add that the whole purpose of this list is so applicants or licensees that are renewing their licenses would know what the Board is going to consider. She said if they have one of the listed crimes, the Criminal Offender Employment Act requires that the Board consider the length of time since the crime happened and if there has been any rehabilitation.

Ms. Joe would go on to say that if the specific felony conviction is on the list, there is not going to be an automatic denial of licensure. Ms. Joe added that the Board is not allowed to have a blanket statement about the types of conviction and there does need to be a specific list.

Mr. Bohannan suggested that the list should be reviewed every two to three years.

**MOTION** by Mr. Bohannan to approve 16.39.7 NMAC – Misc., **SECONDED** by Dr. Elaksher,

**Roll Call Vote:**

**Voting ‘Aye’:** Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Dr. Gerstle, Mr. Cooper, Ms. Nichols, Mr. Bohannan, Mr. Ney

The motion **PASSED unanimously.**

**6. Requested Public Comment/Correspondence**

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

Mr. Bohannan informed the Board, that the new State Engineer, Mike Hammon, PE, was appointed for two years, and his position is up confirmation by the legislature.

**7. Old Business**

**a. Emeritus Status Request**

**1) Paul Brasher, PE**

Mr. Valdez informed the Board that Mr. Brasher stated he intended to send a letter requesting emeritus status, however, a letter was not received as of yet.

Mr. Tonander tabled this item but requested it be left on old business.

8. **New Business**

a. **Proposed Motion to NCEES to Change the Model Law Regarding the 10-year Expedited Licensure.**

Due to the Board not having enough time to review this item, Mr. Tonander tabled this item until the next Full Board Meeting.

9. **Next Scheduled Meeting Date:** April 8, 2022 – Ruidoso or Virtual public meeting

10. **Adjourn**

Meeting adjourned at 12:15 p.m.

**Submitted by:**

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Isaac Maes, Executive Assistant