

**MEETING OF THE NEW MEXICO BOARD OF
LICENSURE FOR PROFESSIONAL ENGINEERS
AND PROFESSIONAL SURVEYORS held at
9:00 a.m., Friday, April 8, 2022,
Virtual/Telephonic Meeting**

Members Present – Karl Tonander, PE, Vice Chair
Maxine McReynolds, Esq., Public Member, Vice Chair
Dr. Ahmed Elaksher, PEPS
Ron R. Bohannon, PE
Dr. Walter Gerstle, PE
David Cooper, PS
Stephen Ney, PE
Robert Gromatzky, PS

Members Absent – Karen Nichols, Public Member

Others Present – Perry Valdez, BLPEPS, Executive Director
Crystal Herrera, BLPEPS Administrative Operations Manager
Isaac Maes, BLPEPS, Executive Assistant
Valerie Joe, Legal Counsel
Earl Burkholder, PEPS

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 9:03 a.m. Roll call was taken and a quorum was noted. Audience introductions made at this time.

2. Meeting Notification

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

3. Approval of Agenda

MOTION by Dr. Elaksher to approve the agenda as presented, **SECONDED** by Mr. Bohannon,

Roll Call Vote:

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

The motion **PASSED unanimously.**

4. **Approval of Minutes**

a. **Minutes of January 14, 2022**

Mr. Tonander tabled this item until the next meeting.

b. **Minutes of February 4, 2022**

Mr. Tonander tabled this item until the next meeting.

c. **Minutes of March 18, 2022**

Mr. Tonander tabled this item until the next meeting.

5. **Requested Public Comment/Correspondence**

Mr. Burkholder said he was concerned about the absence of minutes.

Mr. Valdez informed the Board and Mr. Burkholder that staff is working on publishing the meeting minutes from prior meetings onto the website.

6. **Director's Report**

a. **Board Member Vacancies**

Mr. Valdez informed the Board that Mr. Gromatzky is the newest Board member and there is currently one more vacancy to fill on the Professional Surveying Committee (PSC).

Mr. Valdez said he is still working with the Governor's office to fill another upcoming PSC member vacancy since Mr. Cooper will be leaving at the end of his term on July 1, 2022.

Mr. Valdez also added that there has not been much discussion with the Governor's Office in regard to finding more members for the Professional Engineering Committee (PEC) due to them becoming aware of the quorum issue with the PSC. He said, because of this, more focus has been shifted to finding PSC members.

Dr. Gerstle asked if Mr. Gromatzky could give summary of his background to the Board.

Mr. Gromatzky gave a summary to the Board about his education and professional background.

b. **Financial Report**

Ms. Herrera informed the Board that as of March 30, 2022 there has been a collection of \$983,000 in revenue. She then went through each category explaining the expenditures as follows:

In the 200 Category – Salaries & Employee Benefits, there was a budgeted amount of \$630,330.00, and of this amount, \$386,296.55 has been spent, with a remaining amount of \$244,003.45.

In the 300 Category – Contractual Services, there was a budgeted amount of \$239,400.00, and of this amount, \$51,264.59 has been spent, with a total encumbrance of roughly \$188,000. In addition, the remaining balance for purchase orders in place for current contracts is \$329.81.

Mr. Valdez noted that he and Ms. Herrera reviewed some of the contract expenses and they identified some amounts that could be lowered to allow for more money to be placed in the contract sections for other needs such as a new licensing system or a temporary worker.

Dr. Gerstle asked when the fiscal year starts.

Ms. Herrera informed Dr. Gerstle and the Board that every Fiscal Year starts July 1 and ends on June 30.

Ms. Herrera continued reporting that in the 400 Category – Other Category, there was a budgeted amount of \$278,800, and of this amount, \$53,503.03 has been spent and there are encumbrances and pre-encumbrances in place in the amount of roughly \$55,231.48. She said in this category, there is roughly \$169,973.49 left for the remaining fiscal year.

Mr. Bohannon asked what was spent under the Supply Inventory IT section of Ms. Herrera's report.

Ms. Herrera informed Mr. Bohannon and the Board this purchase order was for computers that were recently purchased for Board Staff and Board Members.

Dr. Gerstle asked Ms. Herrera if there are \$2,730.77 in expenditures and \$26,445.10 in purchases orders for Supply Inventory IT, does that mean the equipment hasn't been received yet.

Ms. Herrera informed Dr. Gerstle and the Board that the computers which were ordered for Board Staff had to be canceled because what was sent to Staff was the wrong order. Ms. Herrera noted that staff received the computers for the Board members to be used at future meetings. In addition, Ms. Herrera informed the Board that the invoice for the Board Member computers was recently paid and due to this, it is not captured on this report.

Mr. Bohannon asked Ms. Herrera if there needs to be a budget adjustment in two years due to the \$166,973.49 surplus.

Ms. Herrera informed Mr. Bohannon and the Board the reason there is a high surplus is because Staff is seeking a new licensing system to replace MLO.

Mr. Valdez also informed the Board he and Ms. Herrera budgeted more funds in anticipation of purchasing a new licensing system which is why the surplus is such a high amount.

Ms. Herrera then informed the Board of the Fund Balance and what it's anticipated to be at the end of the Fiscal Year (FY). She reported that at the beginning of FY 22 the fund balance was \$1,059,704. Ms. Herrera said based on actuals, as of March 30, 2022 the amount collected in revenue was \$983,299 and the expenditures are \$491,062.

Ms. Herrera added that if the Fiscal Year were to close right now, the fund balance would be \$1,551,938. She stated, however, with the projections of the Fiscal Year through June 30, 2022, the projected revenue is \$70,000 and the projected expenditures are \$369,596. Ms. Herrera said these amounts would bring the projected fund balance to \$1,252,342. She added that if this amount of revenue was collected and this amount of expenditures was spent, the fund balance would result in a \$192,639 annual surplus.

Mr. Tonander asked if on the revenue side, this includes the collection of penalties and how are we anticipating on dealing with this in light of learning it has to go somewhere else.

Mr. Valdez informed Mr. Tonander and the Board that he is researching this and he has been reaching out to other individuals to find out who is supposed to be the recipient of those funds. Ms. Herrera also said that she and Mr. Valdez have reached out to other Boards as well to see how they handle this matter.

Mr. Tonander asked if line 16 of the financial report, Other Penalties, refers to the other revenue mentioned. Mr. Valdez said this does refer to the other revenue mentioned.

Mr. Tonander asked if that \$43,239.84 would be removed from the \$192,000 surplus. Mr. Valdez said not entirely the whole thing because that Other Penalties section also includes the penalty license renewal fees and those would not be required to be released to the school fund.

Mr. Bohannon informed the Board that he will bring his subcommittee together between now and next meeting to review fees to get closer to a balance so there is not a surplus being carried over moving forward without jeopardizing everyday operations.

Mr. Tonander noted that at the beginning of the Fiscal Year there was a number of positions open which would affect at least the 200 category and the budget remaining.

Mr. Valdez informed the Board that the Legislature approved two salary increases for all state employees. He said as of April 1, 2022 there was a 2 percent increase and the second increase will occur at the end of the Fiscal Year and this will be determined by the pay band and midpoint.

Mr. Bohannon informed the Board that this will represent about another \$30,000 in expenditures.

Dr. Gerstle asked where the scholarship fund is in this balance. Ms. Herrera informed Dr. Gerstle and the Board that the Scholarship Fund will come out of the 400 budget.

Ms. Herrera also noted that she included the amount expected for the new licensing system. If Staff is able to obtain a new licensing system before the end of this fiscal year, this would leave a left-over amount of \$18,473.49 for the IT equipment and the scholarship.

c. Licensing Status

Mr. Valdez gave the following Licensing Report to Board:

Renewals Generated on November 2, 2021 – Total Number: 5,057

Licensed placed on a Lapsed Status – Total Number: 414

Percentage renewed: 92% Total (PE: 91% ~ PS: 98% ~ PEPS: 100%)

In-State PE - 97%

In-State PS - 98%

In-State PEPS - 100%

Out-of-State PE - 90%

Out-of-State PS - 97%

Out-of-State PEPS – 100%

Mr. Valdez reported that as of March 29, 2022 there were 9,820 active licenses. He provided a breakdown of the numbers:

- Professional Engineers
 - Number of active PEs: 9,285
 - In State: 1,983
 - Out of State: 7,302

- Professional Surveyors
 - Number of active PSs: 551
 - In State: 221
 - Out of State: 330

- Professional Engineers/ Professional Surveyors
 - Number of active PEPS: 14
 - In State: 12
 - Out of State: 2

Mr. Valdez reported that, of the number of engineers and surveyors listed above, these are individuals licensed as both engineers and surveyors with two separate license numbers (dual licensees).

- Licensees with two numbers = 46
 - In State: 26
 - Out of State: 20

Mr. Tonander then asked Mr. Valdez, in comparison to the previous year, has the number of active licensees increased, decreased, or remained the same.

Mr. Valdez informed the Board that at on April 9, 2021 there were 9,349 active licenses. Of these active licenses, there were 8,818 licensed Professional Engineers, 518 licensed Professional Surveyors and 13 dual licenses.

Mr. Bohannon asked Mr. Valdez if a notice of a lapsed status can be sent on a quarterly basis to those licensees that have gone into a lapsed status.

Mr. Bohannon thought this would be an effective method to document that the Board makes an effort that to notify these licensees are in lapsed status

Mr. Tonander asked Mr. Bohannon how long these reminders would continue.

Mr. Bohannon stated this should be done just once a year and that, if after two

years the licensee has not responded, they would be removed from the reminder list.

Mr. Tonander clarified Mr. Bohannan's statement by asking him if this would mean two additional reminders over two years. Mr. Bohannan said this was correct.

Mr. Bohannan added that in his opinion a 92% is a very good renewal rate.

7. Old Business

a. NM Tech – Financial Support of New Drone Program

Mr. Valdez informed the Board that New Mexico Tech notified him that they were not prepared for this meeting and had nothing to present.

Mr. Valdez also said that they did indicate they might have something to present at the June Meeting.

Mr. Tonander said due to this, this item would remain on Old Business for the time being.

b. Enforcement Schedule for the changes to 16.39.3.11.G. and 16.39.5.10.G

Mr. Tonander explained the reason for having this item back on the agenda from the March 18, 2022 Full Board meeting. He said since there were issues with the official March agenda being posted on the website, it would be prudent to redo the motion for this item.

Mr. Tonander said the motion under consideration was,

“Whereas the New Mexico Board of Professional Engineers and Professional Surveyors (NMBLPEPS) recently completed important rules changes to better safeguard life, health and property and to promote the public welfare; and

Whereas NMBLPEPS recognizes that some of these changes will create a need for private industry to review their licensing practices for employees; and

Whereas NMBLPEPS seeks voluntary compliance whenever possible; and

Whereas the new rules are effective March 12, 2022, now therefore be it

Resolved that NMBLPEPS will not take enforcement action on 16.39.3.11.G. and 16.39.5.10.G. NMAC until January 1, 2024, to allow private businesses to take necessary steps to maintain compliance.”

MOTION by Dr. Gerstle to adopt the resolution for the enforcement of

16.39.3.11.G. and 16.39.5.10.G as presented, **SECONDED** by Mr. Bohannan,

Roll Call Vote:

Voting 'Aye': Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Dr. Gerstle, Mr. Cooper, Mr. Bohannan, Mr. Gromatzky

Abstain: Mr. Ney,

The motion **PASSED**.

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

Mr. Tonander reminded the Board members the purpose of the motion is to take forward to NCEES that similar language be inserted into the Model Law. He said this would be the removal of a barrier to mobility. Mr. Tonander noted the language is the same that is in the Engineering and Surveying Practice Act.

Mr. Tonander said the motion under consideration was,

" Whereas the New Mexico Board of Professional Engineers and Professional Surveyors (NMBLPEPS) acknowledges the need to improve professional engineer licensure mobility into New Mexico and throughout the United States; and

Whereas NMBLPEPS recognizes that the licensing jurisdictions within the United States often have unique criteria that limit professional engineer mobility; and

Whereas NMBLPEPS acknowledges that licensing boards play a vital role in supervising professional registrants, and that such supervision and resultant actions taken against registrants can be used to evaluate the character and quality of a registered professional; and

Whereas NMBLPEPS took measures to remove regulatory barriers into New Mexico for Professional Engineers by adopting certain changes to its Act and Rules, and those changes have proven successful in removing barriers without increased hazard to the public we serve, now therefore be it

Resolved that NMBLPEPS will advocate for the passage of a change to subpart 130.10.B.2.b. (Licensure by Comity for a Professional Engineer) of the Model Law of the National Council for Examination of Engineers and Surveyors (NCEES) as follows:

The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for licensure by comity as a professional engineer:

1. An individual holding a certificate of licensure to engage in the practice of engineering issued by a proper authority of any jurisdiction or any foreign country, based on requirements that do not conflict with the provisions of this Act and possessing credentials that are, in the judgment of the board, of a standard that provides proof of minimal competency and is comparable to the applicable licensure act in effect in this jurisdiction at the time such certificate was issued may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction; or
2. An individual holding an active Council Record with NCEES, whose qualifications as evidenced by the Council Record meet the requirements of this Act, may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction; or
3. An individual holding a certificate of licensure to engage in the practice of engineering issued by the District of Columbia, another state, a territory, or a possession of the United States, may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction, if they meet all three (3) of the following criteria:
 - a) has been actively licensed for a minimum of ten (10) years contiguous immediately preceding application to this jurisdiction;
 - b) has not received any form of disciplinary action related to professional conduct or practice from any jurisdiction within the five (5) years immediately preceding application to this jurisdiction; and
 - c) has not had their professional license suspended or revoked at any time from any jurisdiction."

MOTION by Mr. Bohannon to approve the proposed motion to NCEES to change the Model Law regarding the 10-year expedited licensure as presented, **SECONDED** by Dr. Elaksher,

Roll Call Vote:

Voting 'Aye': Mr. Tonander, Ms. McReynolds, Dr. Elaksher, Dr. Gerstle, Mr.

Cooper, Mr. Bohannan, Mr. Ney, Mr. Gromatzky

The motion **PASSED unanimously**.

Ms. McReynolds exited the meeting at 10:07 A.M.

8. New Business

a. Uniform Licensing Act 2022 – Expedited Licensure

1) 61-1-31.1. Expedited Licensure – Issuance

Ms. Joe informed the Board that the expedited licensure provision should apply to all Boards that utilize the Uniform Licensing Act (ULA).

Ms. Joe added that the Engineering and Surveying Practice Act utilizes the ULA for disciplinary procedures but not necessarily for issuing licensure. She said this is due to the Engineering and Surveying Practicing Act stating specifically what the requirements for engineers and surveyors should be and that the Board has the ultimate authority to determine the requirements.

Ms. Joe also stated that this came about due to the recent legislation which has a carve-out for many licensing boards that have the sole purview over their licensees and this includes the Engineering and Surveying Board.

In addition, Ms. Joe said that with the recent change of legislation to the Uniform Licensing Act, they removed the carve-out mentioned for the Engineering and Surveying Board.

Ms. Joe also said if any of the Board members had any questions, they can contact her.

2) 61-1-34. Expedited Licensure – Military

Ms. Joe said that one thing that will apply to the Engineering and Surveying Board is the military expedited licensure provision within the ULA.

Mr. Tonander said that with respect to the military portion of HB191, if someone is military, veteran, or family of military such as a child or spouse, they get the same privileges as someone who is in the military with respect to licensure.

In addition, Mr. Tonander added that that are two big issues with this legislation. He pointed out the first one is the waiver of all fees for three

years and the second issue is if someone is licensed in any jurisdiction, presumably in engineering or surveying, they can obtain a license to practice engineering or surveying in New Mexico period. He concluded by commenting there is no requirement to be licensed for 10 years such as the change to Model law Language for NCEES, the adopted law just says if you hold licensure period.

Mr. Bohannon stated that he looked over HB191 and he shared Mr. Tonander's concerns. He then added that, based off of what the Attorney General's Office decided and what Ms. Joe said, the Board may need to hold a special meeting just to review this legislation.

Mr. Tonander noted that the language in line 6 (2) is different language then what was in the other intended expedited licensure provision. He said for military, it doesn't say anything about having to take a state specific exam, however it does talk a bit on the renewal processes, but initially someone can get licensed without taking an exam based off this language.

Ms. Joe informed the Board this legislation goes into effect sometime in May.

Mr. Thurow asked Mr. Tonander to explain how HB191 would affect surveyors more than engineers.

Mr. Tonander informed Mr. Thurow that under expedited licensure for non-military applicants, there is language that says you have to be licensed in another jurisdiction and you had to take a state specific exam to be able to obtain expedited licensure. He continued explaining, under military, this language is not included. Mr. Tonander said under line 6 (2) of HB191, if an applicant has a license in another jurisdiction and is in good standing, they can get licensed in New Mexico and the State specific surveying exam is not required within this language.

Ms. Joe added that this provision used to state one had to fulfill requirements of that profession. She noted that language was removed.

Mr. Tonander informed the Board this could have been an action item but instead turned into an informational item. He reminded the Board that there are some items in the rules that the Board will need to address in order to limit the impact of this change which will result in more action from the rules committee.

Dr. Gerstle asked Mr. Tonander if the Engineering and Surveying Practicing Act is subject to the Uniform Licensing Act of 2022.

Mr. Tonander informed Dr. Gerstle, and the Board, that in certain cases, it can be such as military and disciplinary.

Ms. Joe said Mr. Tonander was correct and added that rulemaking was done last year which was enacted this year. Ms. Joe added that the enacted rulemaking was related to the military expedited licensure. She stated because the provision was reworked, as well as the order of the definition, the change to the rules would have needed to occur anyway. In addition, Ms. Joe informed the Board this is something that would need further review by the rules committee to highlight the limiting factors that Mr. Tonander has mentioned to assist the Board to carry out its' duties.

Ms. Joe said the Board has to follow this Act because the other section that was concerning was a carve-out for engineers, surveyors and other professions. She reminded the members that, because this carve-out language was removed, the issue is now how the language that remains be interpreted and applied to the Board.

Ms. Joe added that due to HB191 reading "professional licensure pursuant to Chapter 61 NMSA 1978" chapter 61 refers to the Practice Act, thus resulting in this affecting the Board.

Dr. Gerstle then asked if this act supersedes the Engineering and Surveying Practicing Act in some cases.

Ms. Joe responded that this is correct because HB191 says "professional licensure pursuant to Chapter 61 NMSA 1978", the Board must abide by this due to there being no carve-out.

b. Licensing and Renewal Fees

Mr. Bohannon requested Mr. Valdez send him the list of Board members who volunteered for this sub-committee, and he will work with Mr. Valdez to schedule a follow up meeting.

Mr. Tonander stated that due to current direction the AG Office is taking to the expedited licensure item, he didn't think a change was needed at this time.

c. Opportunity Scholarship Act of 2022

Mr. Valdez gave a brief synopsis of what the Opportunity Scholarship Act of 2022 entails which states:

- Senate Bill 140 – New Mexico Opportunity Scholarship Act
- The Scholarship is for:
 - Recent high-school graduates
 - Returning adult learners
 - Part-time students
 - Career training certificates
 - Associate degrees
 - Bachelor’s degree
 - Summer courses (at least 3 credit hours)
- The Opportunity Scholarship covers full tuition and fees at in-state public colleges and universities.
- If a student receives or received another state scholarship, that scholarship will be applied first and then the Opportunity Scholarship will be applied. (Not to exceed the cost of tuition and required fees.)
- The scholarship lets students stack federal aid such as Pell Grants, local scholarships, and private scholarships. If a student receives a private scholarship or a scholarship directly from the institution, the student may be able to use these funds for other college costs, such as books, housing, meal plans, transportation, etc.
- The student must complete the Free Application for Federal Student Aid (FASA).
- To qualify for the scholarship
 - New Mexico resident
 - Plan to enroll in at least 6 credit hours at a public college or university in New Mexico
 - Must maintain a 2.5 cumulative GPA
 - Required to enroll each consecutive semester, to demonstrate continuous progress toward a certificate or degree.
- A student can continue to receive the scholarship
 - Associate degrees: Up to their first associate degree or completion of 90 credit hours, whichever comes first.
 - Bachelor’s degrees: Up to their first bachelor's degree or 160 credit hours completed, whichever comes first.
 - If the student withdraws, the student is ineligible to continue receiving the scholarship

- Online courses – NM Higher Education Department is promulgating rules to determine which fee will be allowed.
- Legislature appropriated \$75 million

Mr. Tonander expressed concerns that the Opportunity Scholarship Act of 2022 has made the NMBLPEPS scholarship unnecessary in some respects. He added that the Board should consider what it could do in terms of the language used to broaden its effectiveness. Mr. Tonander believed this would better assist students.

Dr. Elaksher said from his understanding and from looking at the synopsis provided by Mr. Valdez, online courses are still under consideration in terms of students receiving scholarships and agreed the language should be broadened.

Mr. Bohannon suggested the Board increase the amount for the scholarship offered by NMBLPEPS as to reduce the chances that the Legislature removes any funds from the Board. He also agreed with Mr. Tonander in broadening the language used for the scholarship offered by the Board.

Mr. Tonander said to keep this as old business for the next meeting.

Mr. Bohannon also said the Board could pull language from the Act and by adding a few minor sentences, this will be able to broaden the language.

d. 2023 Sunset

Mr. Valdez informed the Board that the agency sunset date is scheduled for July 1, 2023.

Mr. Valdez explained that the agency goes through an agency Sunset every seven years in which the agency must go before the Legislature and justify why the agency is needed and have legislation expand the life expectancy.

Mr. Valdez also informed the Board that he received a questionnaire that needs to be completed. He noted that the questionnaire does ask for two other contact individuals.

Mr. Bohannon commented that his Board term expires in November but said he would be willing to lobby for the Board. He added that he believes finding a legislator for the Board is imperative as well as having some of the new Board members understand this role.

Mr. Tonander requested that Mr. Valdez send the previous Sunset questionnaire to all the Board members.

Mr. Thurow said that if the opportunity arises, he would like to use his emeritus status to assist the Board with anything the Board needs when addressing the 2023 sunset.

Mr. Tonander said that the Board can expand membership to committees beyond Board members and thought this was the most logical step to take to include Mr. Thurows' expertise as an emeritus member.

e. FY23 Meeting Calendar

Mr. Valdez presented the draft FY23 meeting calendar. He explained the dates and meeting locations on the proposed meeting calendar.

Mr. Bohannan suggested having hybrid meetings, having in-person meetings and providing the ability for the public and Board members to attend virtually. Mr. Tonander agreed with Mr. Bohannan.

MOTION by Mr. Bohannan to adopt the proposed FY23 meeting calendar as presented, **SECONDED** by Dr. Gerstle,

Roll Call Vote:

Voting 'Aye': Mr. Tonander, Dr. Elaksher, Dr. Gerstle, Mr. Cooper, Mr. Bohannan, Mr. Ney, Mr. Gromatzky

The motion **PASSED unanimously.**

f. NCEES Annual Meeting Attendees (August 23-26, 2022)

Mr. Valdez informed the Board the NCEES Annual Meeting was taking place August 23-26, 2022 and will be held in Carlsbad California, and the board is eligible for three delegates along with first time attendee Board members.

Mr. Valdez added that because of the Covid-19 Pandemic which led to the past meetings being held virtually, NCEES will fund those appointed since 2018 to able to go as first time attendees.

Ms. Joe noted that if a quorum goes to this meeting, a disclosure must be posted on the website. This disclosure must indicate if there are five or more members of the Board in attendance at this meeting, they will not be discussing any Board business.

Mr. Valdez noted that this disclosure will need to be done in regard to the Professional Engineering Committee (PEC) for the Western Zone Meeting because there are at least four PEC members attending.

Ms. Joe concurred with Mr. Valdez and noted that if a quorum of the Professional Surveying Committee or Professional Engineering Committee is attending an out of state meeting, a notice must be placed on the website saying they will not be discussing any Committee business.

Mr. Valdez then asked the Board members who would be attending the NCEES Annual Meeting Attendees taking place August 23-26, 2022:

Dr. Elaksher, Dr. Gerstle and Mr. Tonander said they would be attending this meeting.

Mr. Cooper, Mr. Bohannan, Mr. Ney and Mr. Gromatzky said they would not be attending this meeting.

Due to Ms. Nichols and Ms. McReynolds not being present for this portion of the meeting, Mr. Valdez said he would reach out to them to verify their choice.

Mr. Valdez also informed the Board that he as well as Ms. Urioste and Ms. Herrera would be attending as well.

g. NCEES Western Zone Vice President Candidates

Mr. Valdez informed the Board there are three candidates for the NCEES Western Zone Vice President position. He said the candidates are Elizabeth Johnston from Alaska, Dr. Mohammad Qureshi from California, and Karen Purcell from Nevada.

After some discussion regarding the qualifications of the candidates, a decision was reached.

MOTION by Mr. Tonander for the Board to support Dr. Qureshi for the NCEES Western Zone Vice Presidential candidate for this year, **SECONDED** by Mr. Bohannan,

Roll Call Vote:

Voting 'Aye': Mr. Tonander, Dr. Elaksher, Dr. Gerstle, Mr. Cooper, Mr. Bohannan, Mr. Gromatzky

Voting 'Nay': Mr. Ney

The motion **PASSED**.

9. Committee Reports

a. **PS Committee**

Mr. Cooper informed the Board there were three applications not approved due to lack of core surveying requirements, more specifically these applicants were missing the PLSS requirement. Mr. Cooper also told the board that there were three complaints. One was tabled, one was dismissed, and one entered into Pre-NCA settlement agreement.

b. **PE Committee**

Dr. Gerstle informed the Board that the Professional Engineering Committee approved 11 PE exams, 150 endorsements, and 10 reinstatements. Dr. Gerstle noted that 63 of the PE endorsements utilized the 10-year statute.

Dr. Gerstle added there was one disciplinary case in which there were no indications of a violation. However, encouraged the Staff to send a letter to the respondent indicated the Committees' displeasure with the plans involved.

Dr. Gerstle added that the Committee then reviewed six PE exam applications and all were approved.

Dr. Gerstle went onto so say that there were 12 PE endorsement which were approved and one reinstatement request in which the Committee indicated that they could approve.

Dr. Gerstle stated that there was also 1 retired request which was tabled due to the restrictive language in the rules. Dr. Gerstle requested the Rules Committee to review the language in terms of retirement requests. Dr. Gerstle finished his report by saying there was another renewal request which was granted.

c. **Executive Committee**

Mr. Valdez informed the Board that the Executive committee met briefly to discuss HB191.

d. **Joint Practice Committee**

Mr. Bohannon informed the Board that the JPC has not met in two years but will collaborate with Mr. Valdez to schedule a meeting to address any issues.

e. **Public Information, Exam and Licensure Promotion Committee**

1) **Newsletter**

2) **Presentations**

Dr. Gerstle informed the Board that a newsletter needs to be distributed and asked Staff for an update.

Ms. Herrera informed the Board that she has been working with Mr. Valdez, Mr. Maes and emailing Dr. Gerstle about how to move forward with the newsletter.

Ms. Herrera said that an agreement has been reached to use the same format as before and noted that Dr. Gerstle requested that the newsletter be sent out by mail possibly in addition to an E-mail.

Dr. Gerstle, then suggested sending the newsletter via mail to in state licensees and E-mailed to out of state licensees.

Mr. Valdez said the newsletter is also posted on the website

Mr. Tonander suggested that a link to the newsletter can be posted on Linked-In as well.

Dr. Gerstle noted that there needs to be write ups on the new members and said he would prefer a mailed newsletter.

Mr. Tonander suggested to Dr. Gerstle that if the newsletter is going to be mailed out, that some attention be made to formatting and content. Dr. Gerstle agreed and suggested to cutting it down to 6 pages.

Mr. Tonander noted that the EI recognition is approaching and requested Mr. Valdez and Staff reach out to the universities to see where they are at with this process. Mr. Tonander recommend that the letter that is sent out with this recognition be looked at again, specifically to address the change that was made on the fee schedule and to include the 5-year hold that graduates can submit to save money.

Mr. Valdez said he will draft up that letter and send it to Mr. Tonander so he can review it to ensure the mentioned language is included.

f. Rules and Regulations Policies, Advisories, and Legal Enforcement Committee

Mr. Tonander told Mr. Bohannan that he would like to schedule a meeting with him so they can work on the Act before the sunset.

Mr. Bohannan said he was going to reach out to staff to organize working on penalties and fees.

Mr. Valdez said he will be sure to include this to the agenda for next meeting.

Mr. Cooper informed the Board that he is a member on some of the committees mentioned by Mr. Tonander, but when his term ends on July 1, 2022, he is planning on a hard stop.

g. NCEES Committee Members

Mr. Valdez said the MBA committee hasn't met since last year but there will be a small MBA meeting at the Western Zone Meeting. Mr. Valdez said he wasn't sure if there would be a meeting before the annual meeting. In addition, Mr. Valdez said in the last MBA meeting, they just went over the position statements and discussed anything that might be of interest for the Annual Meeting.

Mr. Tonander said that the UPLG had several virtual meetings. The draft report to all of NCEES was issued during this Full Board meeting.

Mr. Tonander noted that the Committee is supposed to review the draft report, and that they were also given position statements to review as well as some other relatively minor changes.

Mr. Tonander also mentioned that one of the items that was brought to the UPLG was the mixture of office duties and field experience as a surveyor and how it relates to licensure. He believed this will go back to the full group for discussion and debate.

10. Next Scheduled Meeting Date: June 10, 2022 – Santa Fe/Virtual

11. Adjourn

Meeting adjourned at 11:32 a.m.

Submitted by:

Isaac Maes, Executive Assistant