

Meeting Minutes

**MEETING OF THE NEW MEXICO BOARD OF
LICENSURE FOR PROFESSIONAL ENGINEERS
AND PROFESSIONAL SURVEYORS held at
9:00 a.m., Friday, September 2, 2022
Virtual/Telephonic Meeting**

Members Present- Karl Tonander, PE, Chair
Dr. Ahmed Elaksher, PEPS, Secretary
Stephen Ney, PE
Robert Gromatzky, PS
Ron R. Bohannon, PE
Karen Nichols, Public Member
Dr. Walter Gerstle, PE
John Wayne, PS

Members Absent- Maxine McReynolds, Esq., Public Member, Vice Chair

Others Present- Perry Valdez, BLPEPS, Executive Director
Miranda Gonzales, BLPEPS, Administrative Manager
Isaac Maes, BLPEPS, Executive Assistant
Valerie Joe, AAG, Legal Counsel
Patricio Sanchez, PE

1. Convene, Roll Call and Introduction of Audience

Prior to convening the meeting Dr. Elaksher read the meeting script regarding the virtual meeting protocols. He convened the meeting at 9:10 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 office.

3. Approval of Agenda

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

Roll Call Vote:

Voting 'Aye': Dr. Elaksher, Mr. Nye, Mr. Gromatzky, Mr. Bohannan, Ms. Nichols, Dr. Gerstle, Mr. Wayne

The motion **PASSED unanimously.**

4. Requested Public Comment/Correspondence

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

**** Mr. Tonander entered the meeting at 9:16 a.m. ****

5. Old Business

a. NM Administrative Code (NMAC) Proposed Changes

1) 16.39.5 Surveying – Applications, Examinations, Practice of Surveying, Seal of licensee

Mr. Valdez indicated that there was one additional change that was added to the proposed rule changes. He stated that the New Mexico State Specific Exam was not outlined as a requirement for licensure for Professional Surveyors in the Engineering and Surveying Practice Act nor the NM Administrative Code.

MOTION by Mr. Bohannan to approve 16.39.5 Surveying – Applications, Examinations, Practice of Surveying, Seal of Licensee as amended, **SECONDED** by Dr. Elaksher

Roll Call Vote

Voting Aye: Mr. Tonander, Dr. Elaksher, Mr. Ney, Mr. Gromatzky, Mr. Bohannan, Ms. Nichols, Dr. Gerstle, Mr. Wayne

PASSED unanimously

2) 16.39.6 Licensure for Military Service Members, Spouses and Veterans

Mr. Valdez stated that after review of the military rule with Legal Counsel it was determined that we should add that the military licensee

would need to meet all requirements at the time of renewal, as outlined in the New Mexico Administrative Code, 16.39.3.9 and 16.39.5.8. He noted that with the proposed rule it will refer the military licensee who is renewing the professional license to the rules of the New Mexico Administrative Code. This will also alleviate the Board to having to change this rule if any requirements of licensure changes in the future.

MOTION by Mr. Bohannon to approve 16.39.6 Licensure for Military Service Members, Spouses and Veterans **SECONDED** by Mr. Gromatzky,

Roll Call Vote

Voting Aye: Mr. Tonander, Dr. Elaksher, Mr. Ney, Mr. Gromatzky, Mr. Bohannon, Ms. Nichols, Dr. Gerstle, Mr. Wayne

PASSED unanimously

6. New Business

a. NM BLPEPS Retention Policy

Mr. Valdez presented the retention policy that was drafted up by Board staff.

Ms. Joe had questions about the retention policy as she was confused if this policy was meant for all files or just application files. She also questioned the reinstatement application retention as she did not know what staff's intentions were.

Mr. Valdez stated that this policy is only for files on applicants who have not completed the application process and lapsed reinstatement applications. He said that after speaking with a representative from New Mexico State Records and Archives they suggested that staff get guidance from the Board on how long we should keep these files in office. Mr. Valdez reported that in the meeting with State Records and Archives it was stated that since reinstatement applications can reinstate their license at any time, State Records and Archives consider those files to be active files until the licensee either retires or passes away. He continued reporting, if there are a lot of files then they suggest the Board to put a date for all reinstatements to have the licensee to resubmit all documents for reinstatement. This will allow the lapsed file to be sent to State

Records and Archive for storage and/or destruction. If the licensee ever came back, the licensee would need to resubmit new documentation for reinstatement.

Ms. Joe stated that the policy will need to be updated to make it clearer.

Mr. Tonander tabled this item until Board Staff and Legal Counsel meet to update the proposed retention policy.

7. Next Scheduled Meeting Date – November 4, 2022 – Las Cruces/Virtual

Mr. Bohannon asked for discussion regarding the NCEES Annual meeting.

Mr. Tonander reported that several items were taken off the consent agenda. That there were a lot of new Board members in attendance and that new fees for testing have been approved and won't go into effect for a year. At this time NCEES is operating at a deficit right now.

Mr. Tonander stated that in regard to the New Mexico/Western Zone motion about expedited licensure, the Southern Zone was in opposition of this motion. The Western Zone withdrew the motion and the language was sent to a Committee to discuss for more dialogue. He informed the Board that one of the reasons was due to the education requirement because some states allow an engineering technology degree for licensure.

8. Adjourn

Meeting adjourned at 9:55 a.m.

Submitted by:

s/Isaac Maes

Isaac Maes, Executive Assistant

Approved by:

s/ Karl Tonander

Karl Tonander, Board Chair

November 4, 2022 **Approved Date**