

Meeting Minutes

**MEETING OF THE PROFESSIONAL ENGINEERING
COMMITTEE of the Board Licensure of Professional
Engineers and Professional Surveyors held at
9:00 a.m., Wednesday, October 12, 2022,
Virtual/Telephonic Meeting**

Members Present- Stephen Ney, PE, Committee Chair
Karl Tonander, PE
Dr. Walter Gerstle, PE
Ron R. Bohannan, PE
Karen Nichols, Public Member

Members Absent- Dr. Ahmed Elaksher, PEPS, Vice Chair

Others Present- Perry Valdez, BLPEPS, Executive Director
Miranda Gonzales, BLPEPS, Administrative Manager
Dominique Trujillo, BLPEPS, Licensing Administrator
Valerie Joe, Legal Counsel

1. Convene, Roll Call and Introduction of Audience

Mr. Ney 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. Mr. Valdez noted that there was no audience in attendance.

2. Meeting Notification

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

3. Approval of Agenda

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

Roll Call Vote:

Voting 'Aye': Mr. Ney, Mr. Tonander, Dr. Gerstle, Mr. Bohannan, Ms. Nichols

The motion **PASSED unanimously.**

4. **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, **SECONDED** by Mr. Tonander

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

5. **Action on Items Discussed During Executive Session**

Mr. Ney 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).

a. **Applications for Review**

1) **PE Exam**

a) **Flores-Garcia, E. – Reconsideration**

Ms. Joe explained the motion for reconsideration is due to having two motions at the September 16th meeting. The first motion was to not approve and the original motion was amended to deny the application. She informed the Committee that when a motion is denied it results to a referral to the Attorney General's office. If approved then a Notice of Contemplated Action is issued to the applicant. At which the applicant can appear at a hearing. Ms. Joe stated that this was not the intent of the Committee at this time.

MOTION by Mr. Bohannon to move for reconsideration,
SECONDED by Ms. Nichols

Roll Call Vote:

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

The motion **PASSED unanimously.**

Ms. Joe stated that at this point in time the Committee will table this application until the January 2023 PEC meeting. This will allow the Board to do additional investigation and information gathering. This will also provide sufficient time to invite the

applicant to appear at the January meeting to further provide information why the applicant feels they are ready to be an independent professional engineer.

Mr. Ney tabled this application to the January 2023 PEC meeting.

2) PE Endorsement

a) Francu, T.

MOTION by Dr. Gerstle to approve for endorsement in structural engineering, **SECONDED** by Mr. Bohannan

Roll Call Vote:

Voting 'Aye': Mr. Ney, Mr. Tonander, Dr. Gerstle, Mr. Bohannan, Ms. Nichols

The motion **PASSED unanimously.**

6. **Next Scheduled Meeting Date:** November 3, 2022 – Las Cruces/Virtual

7. Adjourn

Meeting adjourned at 10:01 a.m.

Submitted by:

s/Isaac Maes

Isaac Maes, Executive Assistant

Approved by:

s/ Stephen Ney

Stephen Ney, Committee Chair

November 3, 2022 **Approved Date**