

**Meeting Minutes**

**MEETING OF THE PROFESSIONAL ENGINEERING  
COMMITTEE of the Board Licensure of Professional  
Engineers and Professional Surveyors held at  
9:00 a.m., Thursday, January 12, 2023,  
NMDOT, District 3, Auditorium  
7500 Pan American Fwy, Albuquerque, NM  
& Virtual**

**Members Present-** Stephen Ney, PE, Committee Chair  
Dr. Ahmed Elaksher, PEPS, Vice Chair  
Karl Tonander, PE  
Elizabeth McNally, PE  
Emilie Dohleman, PE  
Karen Nichols, Public Member

**Temporarily Appointed Members Present-**

Rod Billingsley, PE  
John T. Romero, PE  
Patricio Guerrerortiz, PE  
Paul Martin, PE

**Members Absent-** Don Kaufman, Public Member

**Others Present-** Perry Valdez, BLPEPS, Executive Director  
Crystal Herrera, BLPEPS, Administrative Operations Manager  
Miranda Gonzales, BLPEPS, Administrative Manager  
Isaac Maes, BLPEPS, Executive Assistant  
Angelica Urioste, BLPEPS, Compliance Officer  
Marlene Segura, BLPEPS, Licensing Administrator  
Valerie Joe, AAG, Legal Counsel  
Joe Barela, PE, Board Investigator  
Elsy Flores

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

Mr. Maes read the meeting script regarding the virtual meeting protocols. Mr. Ney convened the meeting at 1:02 p.m. Roll call was taken and a quorum was noted. Audience introductions made at this time.

**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 Mr. Tonander to approve the agenda as presented, **SECONDED** by Ms. Dohleman.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Dr. Elaksher, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**4. Approval of Minutes**

**a. Minutes of November 3, 2022**

**b. Minutes of December 9, 2022**

**MOTION** by Ms. Dohleman to approve the Minutes of November 3, 2022 and December 9, 2022 as presented, **SECONDED** by Mr. Tonander.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Dr. Elaksher, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**c. Minutes of December 12, 2022**

**MOTION** by Mr. Billingsley to approve the Minutes of December 12, 2022 as presented, **SECONDED** by Mr. Romero.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Billingsley, Mr. Romero, Mr. Guerrerortiz, Mr. Martin

**Did not vote:** Mr. Ney, Dr. Elaksher, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

*\*\*\*Mr. Billingsley, Mr. Romero, Mr. Guerrerortiz, and Mr. Martin exited the meeting at 1:12 pm\*\*\**

**5. Requested Public Comment/Correspondence**

**a. Flores-Garcia, E.**

Ms. Flores-Garcia gave a brief history of her experience and education background to the committee in regards to her reconsideration of application for the PE exam.

Mr. Ney thanked Ms. Flores-Garcia for her comments.

**6. Old Business**

Ms. Gonzalez informed the committee that there was no Old Business.

**7. New Business**

Mr. Ney said there was no New Business.

**8. Application Review – Recommended Approval**

**a. PE Retired Status Request(s)**

**MOTION** by Ms. Nichols to approve the PE retired status requests, **SECONDED** Ms. Dohleman.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Dr. Elaksher, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**b. PE Inactive Status Request(s)**

**MOTION** by Mr. Tonander to approve the PE inactive status requests,  
**SECONDED** by Dr. Elaksher.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Dr. Elaksher, Mr. Tonander, Ms. McNally, Ms. Dohleman,  
Ms. Nichols

The motion **PASSED unanimously**.

**9. Executive Session**

**MOTION** by Ms. Dohleman 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, Dr. Elaksher, Mr. Tonander, Ms. McNally,  
Ms. Dohleman, Ms. Nichols

*\*\*\*Dr. Elaksher exited the meeting at 2:36 pm\*\*\**

**10. 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 1015-1 (H) (1) and (3).

**a. Disciplinary Cases**

**1) Case 6-PE-04-16-2021 – Investigator's Report**

**MOTION** by Ms. Nichols to attempt to enter into a pre-NCA settlement agreement and that if no agreement is executed within 30 days, the matter will be automatically referred to the Attorney General's Office for the issuance of an NCA, **SECONDED** by Mr. Tonander.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**b. Self-Reports**

**1) WSM-09-20-2022 – Reconsideration**

**MOTION** by Mr. Tonander to acknowledge receipt and take no further action, **SECONDED** by Ms. Dohleman.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**2) AH-12-13-2022**

**MOTION** by Mr. Tonander to acknowledge receipt and take no further action, **SECONDED** by Ms. Dohleman.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**3) BCC-12-21-2022**

**MOTION** by Ms. Nichols to attempt to enter into a pre-NCA settlement agreement and that if no agreement is executed within 30 days, the matter will be automatically referred to the Attorney General's Office for the issuance of an NCA, **SECONDED** by Ms. Dohleman.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

4) **CHK-12-27-2022**

5) **EBK-12-21-2022**

9) **STK-12-22-2022**

10) **WNV-12-05-2022**

11) **YY-12-27-2022**

**MOTION** by Ms. McNally to attempt to enter into a pre-NCA settlement agreement and that if no agreement is executed within 30 days, the matter will be automatically referred to the Attorney General's Office for the issuance of an NCA, **SECONDED** by Ms. Nichols.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

6) **JS-12-06-2022**

8) **MS-12-19-2022**

**MOTION** by Mr. Tonander to acknowledge receipt and no take no further action, **SECONDED** by Ms. Dohleman.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

7) LW-12-27-2022

Mr. Ney noted this item will be brought to the next PSC meeting due to this being a PSC item.

**c. Status Review of Complaints and NCA Referrals**

A report was reviewed on the status of pending cases and referrals for Notice of Contemplated Actions.

**d. Applications for Review**

**1) PE Exam**

**a) De Flon, B.**

Mr. Ney tabled this item and directed staff to gather more information.

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

**MOTION** by Mr. Tonander to not approve to sit for the PE exam and provide an update on technical skills and experience in six months as well as three updated references who are directly familiar with the product, **SECONDED** by Ms. McNally.

**Roll Call Vote:**

**Voting ‘Aye’:** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**2) PE Endorsement**

**a) Jalalian, M**

**MOTION** by Ms. Dohleman to approve for PE Endorsement in Electrical Discipline, **SECONDED** by Mr. Tonander.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**3) PE Inactive**

**a) Lenhart, E**

**MOTION** by Mr. Ney to not approve for inactive status,  
**SECONDED** by Mr. Tonander.

**Roll Call Vote:**

**Voting 'Aye':** Mr. Ney, Mr. Tonander, Ms. McNally, Ms. Dohleman, Ms. Nichols

The motion **PASSED unanimously.**

**4) PE Retired**

**a) Wallace, J.**

Mr. Ney tabled this item until the February 17, 2023 PEC meeting.

**11. Next Scheduled Meeting Date:**

- a. February 17, 2023 – Albuquerque/Virtual (*if needed*)
- b. April 20, 2023 – Ruidoso

**12. Adjourn**

Meeting adjourned at 3:20 p.m.

**Submitted by:**

s/ Isaac Maes

Isaac Maes, Executive Assistant

**Approved by:**

s/ Stephen Ney

Stephen Ney, Committee Chair

February 17, 2023 **Approved Date**