DRAFT Meeting Minutes

MEETING OF THE PROFESSIONAL ENGINEERING COMMITTEE of the Board Licensure of Professional Engineers and Professional Surveyors held at 1:00 p.m., Thursday, June 5, 2025, Conference Room of the Office of Tierra West, LLC 5571 Midway Park Pl NE, Albuquerque, NM 87109 & Virtual

Members Present- Elizabeth McNally, PE, Committee Chair (Virtual) Karen Nichols, Public Member (Virtual) Emilie Dohleman, PE Dr. Ahmed Elaksher, PEPS (Virtual) Gabe Flores, PE

Members Absent- Mark Dubbin, PE

Others Present-Perry Valdez, BLPEPS, Executive Director Miranda Gonzales, BLPEPS, Administrative Manager Jessie James, BLPEPS, Compliance Officer Dominique Trujillo, BLPEPS, Licensing Administrator Kristine Hovie, Legal Counsel, NMDOJ Angel Cortina Krishna Patel Amir Pasha

1. Convene, Roll Call and Introduction of Audience

Mr. Valdez read the meeting script regarding the virtual meeting protocols. Ms. McNally convened the meeting at 1:07 p.m. Roll call was taken, and a quorum was noted. Audience introductions were made at this time.

2. <u>Meeting Notification</u>

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

3. <u>Approval of Agenda</u>

Ms. McNally asked if Angel Cortina planned on speaking under public comment.

Mr. Cortina stated that he would like to speak to the Committee.

Ms. McNally requested to amend the agenda by adding item 5. c. Cortina, A. to public comment.

MOTION by Ms. Dohleman to approve the agenda as amended, **SECONDED** by Mr. Flores

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

*** Ms. Nichols entered the meeting at 1:15 p.m.

4. Approval of Minutes

- a. Minutes of April 10, 2025
- b. Minutes of April 22, 2025

MOTION by Ms. Nichols to approve the Minutes of April 10, 2025, and April 22, 2025, as presented, **SECONDED** by Ms. Dohleman,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

5. <u>Public Comment/Correspondence</u>

a. Araghi, A. – PE Endorsement Application

Mr. Araghi introduced himself to the Committee and provided his experience and education background. He noted that he received a not-approved letter from the Board staff. He noted that he received his bachelor's degree overseas and does not meet NCEES standards as he is deficient in biology or chemistry. Furthermore, he noted that biology and chemistry is only taken in high school, not at the university level. He requested the Committee to look at his experience after his bachelor's degree and his high school science classes.

b. Patel, K. – PE Endorsement Application

Ms. Patel introduced herself to the Committee and requested reconsideration of her PE endorsement application. She stated that she has 30 years of experience, and she does not meet NCEES standards and is deficient in biology or chemistry. She noted that she did take those classes in high school.

c. Cortina, A.

Mr. Cortina introduced himself to the Committee and provided a brief background on how he was approved by the Board previously to take the PE exam. He noted that he believed he mailed in all the required documents to allow himself to be eligible to sit for the PE exam.

Ms. Gonzales informed Mr. Cortina that the Board staff had emailed him in April requesting him to submit a new application. She requested Mr. Cortina to send his email address in the chat so Board staff can resend the email.

6. Old Business

Mr. Valdez informed the Committee that there was no old business at this time.

7. <u>New Business</u>

- a. Election of Officers
 - 1) Committee Chair

MOTION by Dr. Elaksher to nominate Ms. McNally as Committee Chair, **SECONDED** by Ms. Dohleman,

Roll Call Vote:

Voting 'Aye': Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores **Abstained:** Ms. McNally

The motion **PASSED**.

2) Vice-Chair

MOTION by Ms. Dohleman to nominate Mr. Flores as Committee Vice-Chair, **SECONDED** by Ms. Nichols,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher **Abstained:** Mr. Flores

The motion **PASSED**.

8. <u>Application Review – Recommended Approval</u>

a. Acknowledgement of Sub-Committee Reviewed Applications The Committee acknowledged the sub-committee reviewed applications. **b.** Acknowledgement of Sub-Committee Retired Requests The Committee acknowledged the sub-committee retired requests.

c. Acknowledgement of Staff Reviewed Applications The Committee acknowledged the staff reviewed applications.

9. <u>Closed Session</u>

MOTION by Ms. Dohleman that the Committee enter into closed session at 1:38 p.m. 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. Flores.

Roll call vote taken, voting 'Yes': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

10. Action on Items Discussed During Closed Session

Ms. McNally brought the Committee back into open session at 4:34 p.m. 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 closed session, in accordance with NMSA 1978 Section 10-15-1 (H) (1) and (3).

a. **Disciplinary Cases**

1) 3-PE-2025 Investigator's Report

MOTION by Ms. Dohleman to enter into a pre-NCA settlement agreement requiring proper stamping of drawings, a fine of \$500, and the Engineer of Record affidavit statement, and if no agreement is executed within 30 days the matter will automatically be referred to the Administrative Prosecutor for the issuance of an NCA, **SECONDED** by Mr. Flores,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

2) 1-PE-2024

MOTION by Mr. Flores to close the case due to fulfillment of the pre-NCA settlement agreement, **SECONDED** by Ms. Dohleman,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

3) 3-PE-2023

MOTION by Ms. Dohleman to refer to the Administrative Prosecutor for the issuance of an NCA including revocation of their license and if the party wishes to practice in New Mexico they must appear before the Committee and to be in compliance with the current Default Order, **SECONDED** by Ms. Nichols,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

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4) 4-PE-2024(A)
5) 4-PE-2024(B)
6) 4-PE-2024(C)
7) 4-PE-2024(D)
8) 4-PE-2024(E)
9) 4-PE-2024(F)
10) 4-PE-2024(G)
11) 4-PE-2024(H)
12) 4-PE-2024(I)
MOTION by Mr. Flores to close the case with no further action, SECONDED
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by Ms. Nichols,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

b. <u>Self-Reporting</u>

1) EO-05-04-2025

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

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

2) JST-03-04-2025

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

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

3) DBK-01-01-2025

Ms. McNally tabled this item.

4) PAL-04-22-2025

MOTION by Mr. Flores to enter into a pre-NCA settlement agreement with a fine of \$1,000 and if no agreement is executed within 30 days the matter will automatically be referred to the Administrative Prosecutor for the issuance of an NCA, **SECONDED** by Ms. Nichols,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

5) RAD-01-02-2025

MOTION by Ms. Dohleman to enter into a pre-NCA settlement agreement with a fine of \$1,500 and if no agreement is executed within 30 days the matter will automatically be referred to the Administrative Prosecutor for the issuance of an NCA, **SECONDED** by Ms. Nichols,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

6) RAP-12-23-2024

MOTION by Ms. Nichols to enter into a pre-NCA settlement agreement with a fine of \$1,000 and if no agreement is executed within 30 days the matter will automatically be referred to the Administrative Prosecutor for the issuance of an NCA, **SECONDED** by Ms. Dohleman,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

7) EB-01-09-2024

MOTION by Mr. Flores to acknowledge receipt and take no further action, **SECONDED** by Dr. Elaksher,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

8) DHR-02-21-2023

MOTION by Mr. Flores to close the case due to fulfillment of the pre-NCA settlement agreement, **SECONDED** by Ms. Dohleman,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

9) WMM-11-1-2024

MOTION by Mr. Flores to close the case due to fulfillment of the pre-NCA settlement agreement, **SECONDED** by Ms. Dohleman,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

c. <u>PDH Audits</u>

1) ALS-05-15-2025

MOTION by Ms. Dohleman to enter into a pre-NCA settlement agreement with a fine of \$1500, completion of the missing 28 PDH's and 2 additional PDH's in ethics, and a mandatory PDH audit at the next renewal, and if no agreement is executed within 30 days the matter will automatically be referred to the Administrative Prosecutor for the issuance of an NCA, **SECONDED** by Mr. Flores,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

2) ES-03-11-2025

MOTION by Ms. Nichols to close the case and take no further action due to compliance of the audit, **SECONDED** by Mr. Flores,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

3) RPB-03-03-2025

MOTION by Ms. Nichols to close the case due to fulfillment of pre-NCA settlement agreement, **SECONDED** by Mr. Flores,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

d. Status Review of Complaints and NCAs

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

e. Applications for Review

1) PE Endorsement

a) Araghi, A.

MOTION by Ms. Dohleman to not approve for PE Endorsement due to not meeting the requirements and direction provided to staff, **SECONDED** by Dr. Elaksher,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

b) Baxter, C.

MOTION by Dr. Elaksher to approve for PE Endorsement in mechanical engineering, **SECONDED** by Mr. Flores,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

c) Patel, K. – Reconsideration

MOTION by Ms. Nichols to not approve because statutory requirements were not met, **SECONDED** by Ms. Dohleman,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

2) PE Reinstatement

a) McCoy, R. – Reconsideration

MOTION by Ms. Dohleman to approve PE reinstatement accompanied with a cautionary letter, **SECONDED** by Ms. Nichols,

Roll Call Vote:

Voting 'Aye': Ms. McNally, Ms. Nichols, Ms. Dohleman, Dr. Elaksher, Mr. Flores

The motion **PASSED unanimously**.

11. <u>Next Scheduled Meeting Date:</u> August 7, 2025 – Albuquerque/Virtual

12. <u>Adjourn</u>

The meeting adjourned at 4:57 p.m.

Miranda Gonzales, Administrative Manager

Elizabeth McNally, Committee Chair

_____ Approved Date