

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Minutes of the Regular Board Meeting
Held at 1755 E Plumb Lane, Suite 258, Reno, Nevada, November 14, 2019

Chairwoman Karen Purcell, PE, declaring a quorum present, called the meeting to order at 8:30am. Board members present were Vice Chairman Michael Kidd, PLS; Kent Anderson, PE; Brent Wright, PE/SE; Thomas Matter, public member; Tracy Larkin-Thomason, PE, and Angelo Spata, PE. Also present were Patty Mamola, Executive Director; Louisa Kern, Administrative Assistant; Murray Blaney, Operations/Compliance, and Chris MacKenzie, Board Legal Counsel. The following people attended as guests of the board:

Kaitlin Constantine, EIT (Engineer in Training), #OT7961, Summit Engineering
Joey Ganser, PE (Electrical Engineer, #21011, PK Electrical
Sarah Walker, Nevada Young Surveyors State Coordinator

1. Call to Order and Roll Call of Board Members

Matthew Gingerich, PLS and Gregory DeSart, PE were excused.

2. Pledge of Allegiance

3. Public Comment Period

Chairwoman Purcell said that before moving to public comment, she would like to read the mission statement of the board as a reminder of the board's purpose.

The purpose of the board as stated in Nevada Revised Statute 625.005 is to safeguard life, health and property and to promote the public welfare by providing for the licensure of qualified and competent professional engineers and professional land surveyors and our mission is founded on the board's purpose, the board's mission is to uphold the value of professional engineering and land surveying licensure by assessing minimum competency for initial entry into the profession and to insure on going standard of professionalism by facilitating compliance with laws regulations and code of practice and to provide understanding and progression in licensure by openly engaging with all stake holders.

There as no public comment at this time.

4. Introductions and Guest Orientation.

Board members and staff made introductions. Ms Purcell welcomed the board guests and asked that they introduce themselves.

5. Approval of Regular Board Meeting Minutes September 12, 2019.

19-50 A motion was made by Mr Spata, seconded by Mr Anderson to approve the minutes. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

6. Discussion and possible action on audit report for fiscal year 2018-2019. Brian Anderson, Wipfli CPAs and Consultants will be available for questions.

Mr Brian Anderson reviewed the audit report prepared by Wipfli CPAs and Consultants for the 2018-2019 fiscal year.

He reported that the board financials are in accordance with government auditing standards and that there were no significant deficiencies, no material weaknesses in internal control and no compliance issues.

There were no questions from board members.

19-51 A motion was made by Mr Anderson, seconded by Mr Matter to accept and approve the audit report. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

7. Financial Statements

a. June 2019 Financial Statements

Ms Mamola reviewed the closing financials for the fiscal year 2018-2019 as presented in the June 2019 statements. Ms Mamola highlighted the revised presentation format of the of financial statements. The new format replaces the manual entries in the budget vs actual summary with an auto-generated report directly from the financial software. She added that the revision eliminates the possibility of human error.

19-52 A motion was made by Ms Larkin-Thomason, seconded by Mr Matter to approve the June 2019 financial statements. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

b. July 2019 Financial Statements

c. August 2019 Financial Statements

d. September 2019 Financial Statements

Ms Mamola continued to review the opening three months – July, August, and September – of the 2019-2020 fiscal year.

19-53 A motion was made by Mr Matter, seconded by Ms Larkin-Thomason to approve the July 2019, August 2019, and September 2019 financial statements. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

8. Compliance Report

- a. Compliance officer report on complaints being investigated.

Mr Blaney said there are currently ten open complaints to report on.

20180021 – He said this complaint involves a professional land surveyor producing an elevation certificate in a residential subdivision. A proposed stipulated agreement was rejected by the board and the case is being scheduled for a formal hearing.

20180025 – Mr Blaney said the next complaint relates to professional land surveyor producing a radius survey map for a proposed marijuana cultivation facility. He said the case now is with board counsel.

20190002 – Mr Blaney said this complaint has to do with a professional engineer hired off Craigslist to design a residence. Following board liaison review the case is now with board counsel.

20190004 – Mr Blaney said the case involves an engineering firm hired to design a repair of a home as a result of a contractor defect. The complaint is still in the investigative stage and we hope to have the compliance summary out for board liaison review shortly.

20190006 – Mr Blaney said the complaint relates to allegations of untimely communications between the licensee and his client. He added that Mr Wolf is currently in the investigative process.

20190007 – Mr Blaney said the case is a self-report of disciplinary action taken against a professional engineer by the California board. The action involved incompetency in producing civil plans and the unlicensed practice of land surveying. He said the complaint had been reviewed by a board liaison and was now with board counsel.

20190008 – Mr Blaney said the complaint alleges that a professional engineer forged the signature over a seal of a professional land surveyor on documents submitted to a public entity. He said the complaint is still in the investigative stage.

20190009 – Mr Blaney said the complaint was filed by Nevada registered architect alleging that a professional engineer claimed work he had not designed as his own. He said Mr Wolf is investigating the allegations.

20190010 + 20190011 – Mr Blaney said these last two cases involve self-reports of unlicensed practice. He said Mr Wolf has requested a formal response and will have the investigation complete shortly.

b. Consideration of probation reports:

Larry J Sanchez, PE #15752	Mingqiao Zhu, PE #15943
John Mutiso, PE #22799	Richard Warren, PE #17389
Lazell Preator, PE #14982	Dooley Riva, PE #18231
Roger Blair, PE #24744	

Mr Blaney reported that Mr Preator had paid his administrative fine in full. He added that Mr Riva had paid the initial installment of his administrative fine and full payment was received for his investigative costs.

c. Consideration of white paper on responsible charge authored by Sajjan Abraham, PE#19285, as required by stipulated agreement.

Mr Spata asked for clarification regarding the topics assigned to the whitepapers – as to whether they were an overview of a topic or related to lessons learned from actions that led to discipline.

Mr Blaney said the assigned topics related to the general area of violation. He said the whitepapers were seen as an education opportunity as opposed to just assigning punitive terms of discipline. Mr Blaney added future consideration will be made to focus directly on the actions of the licensee that resulted in the discipline and what they would do different in the present. (ACTION)

Mr MacKenzie noted that there was an incorrect reference to statute – where it actually pertains to an administrative code – on the second page of the whitepaper. He also asked for clarification from staff as what becomes of the whitepapers after board consideration.

Mr Blaney said they are kept in the respondent’s case file in the section relating to their terms of probation. He said when a paper is considered and accepted by the board it is kept as reference to a probation term met. He said they are not published after the fact for public viewing or reference.

Ms Mamola said that staff would contact Mr Abraham and have him make the reference corrections in his whitepaper and resubmit to staff. (ACTION)

19-54 A motion was made by Mr Wright, seconded by Mr Anderson to accept the whitepaper with the

reference corrections made. Ms Larkin-Thomason amended the motion to include that by accepting the whitepaper the board does not necessarily endorse statements made in the white paper. Mr Wright and Mr Anderson acknowledged and accepted the amendment. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

d. Consideration of white paper on responsible charge authored by Lazell Preator, as required by stipulated agreement.

Mr Blaney said as part of stipulated agreement with Mr Preator there was a term requiring a white paper on responsible charge be submitted for board consideration.

Mr Kidd commented that he had issue with statements regarding professional engineering made in the whitepaper. He noted text about a fee for services being negotiated, then after the fact, research is being done into the required services; and later text stating varied skills many of them are not directly engineering related, falling under the purview of the engineer. Mr Kidd said he didn't know if Mr Preator understands that in offering professional engineering services there's a person on the end that is a client, that engineering is not just numbers.

Mr Spata and Ms Larkin-Thomason agreed and said they believed the whitepaper seemed to skirt the issue of responsible charge and seemed to justify the actions that resulted in his discipline.

Mr Wright said it appears that the respondent has missed the point on the topic of the whitepaper. He recommended that a definitive article on the subject of responsible charge be researched and provided to Mr Preator, and that re-write and re-submit be required summarizing the key points of being in responsible charge as outlined in the reference material.

Ms Mamola said staff will summarize the board comments, research an appropriate reference article on responsible charge, and contact Mr Preator with instructions about re-writing and re-submitting the whitepaper. (ACTION)

19-55 A motion was made by Ms Larkin-Thomason, seconded by Mr Spata that the board acknowledges that a whitepaper has been submitted per the terms of stipulated agreement, but the whitepaper is to be re-written and re-submitted to staff within a period of six weeks. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

9. Discussion on Board Counsel Report.

Mr MacKenzie reported on the status of compliance cases under review. He said related to the complaint going to formal hearing, notice has been sent out and a response was due in the next week. He added that a

stipulated agreement for the report of California disciplinary action will be finalized and sent out next week.

Mr MacKenzie said he had researched the legislative history of the continuing education statute. He said the initial bill passed in 1995 and hasn't been amended since. Mr MacKenzie added that he had a page summary of the history if the board was interested.

Mr Wright asked that the history summary be forwarded to Ms Mamola so it can be shared with the legislative committee. (ACTION)

Mr Mackenzie said that he is also researching the reporting procedures for the periodic review of regulations. He added that the procedure for notifying the Secretary of State following the review and revision of the board's Rules of Practice was confirmed as the same format as filed in December 2016.

10. Presentation by board counsel on board's Rules of Practice and State of Nevada administrative law process.

Mr MacKenzie reviewed the board's Rules of Practice as presented in the board packet. He explained the format of and procedures of a formal hearing in detail for the board and answered questions.

Ms Purcell asked about the level of participation the board liaison for the complaint being heard at the hearing.

Mr MacKenzie said that the board liaison for the complaint would be excluded from any deliberation or participation, because they reviewed the full investigation record, and some of that information may not necessarily be admitted at the hearing process. There is potential that the liaison may have seen evidence that the rest of the board would not be privy to. The liaison can be present, but they would not deliberate or ask questions or participate at all in the hearing.

Mr MacKenzie said he was in the process of reviewing and providing revisions to the Rules of Practice for board consideration. He added the suggested changes were nothing substantive, more a matter of cleaning things up. Mr MacKenzie said he would present the revised Rules of Practice to the board at its next meeting. (ACTION)

11. This item intentionally left blank.

12. Discussion and possible action on administrative report by Executive Director

- a. Approved licensees report

Ms Mamola reviewed the approved licensees report. There were no questions from the board.

b. Action items related to 2017-2021 Strategic Plan

Ms Mamola asked if board members had any questions relating to the strategic plan. There were no questions.

c. Items related to National Council of Examiners for Engineering & Surveying (NCEES)

Ms Mamola reviewed the date of the NCEES zone meeting in April 2020. She asked that board members to notify her if they were planning on attending. All board members present indicated that they were going to attend.

d. Consideration of board authorized digital signatures, input received from southern and northern Nevada building departments and licensees

Ms Mamola said that a digital signature workshop was held in northern Nevada on September 19, 2019. She said there was a general consensus to create a digital signature and electronics submittal task force. That group has been formed and includes entities from the north and south, with the first meeting scheduled for Wednesday January 8, 2020 at 4:00 PM in the Reno office board room. Ms Mamola said participants will be able to join via video conference and we'll endeavor to have the Las Vegas office available for those in the south who can't join from their desktop. (ACTION)

Mr Spata said that UDOT was currently working on digital signature and electronic submittal solutions and maybe a resource. He said looking at the progress of other states who may be further ahead could provide some lessons.

Mr Mamola asked that Mr Spata forward along any UDOT contact information. (ACTION)

Mr Matter asked if rural entities were involved in the taskforce.

Ms Mamola said not as yet but she would reach out to the City of Elko who had expressed an earlier interest. (ACTION)

Ms Purcell asked that Ms Mamola update the board following the taskforce meeting. (ACTION)

13. Discussion and possible action on board committee reports.

a. Administrative Procedures Oversight Committee, Chair Michael Kidd

Ms Mamola said that during the audit process she took the time to review the chart of accounts and after discussions with the auditor made revisions to layout and added account categories to better define expense items. She said deferred cost accounts were also added in the new format.

Ms Mamola said the budget for 2019/2020 fiscal year is presented in the new format. She added that the budget has been updated with a slight adjustment downward reflecting expenses that ended up falling in the previous fiscal year.

19-56 A motion was made by Ms Larkin-Thomason, seconded by Mr Kidd to approve the updated budget and the new chart of accounts format. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

Ms Mamola said the committee reviewed and discussed adjustment to a number of fees charged by the board. Ms Mamola listed the proposed adjustments as outlined in the board packet. She added that there is one edit to the listing in that the Nevada Specific PLS Exam fee would remain at \$100 to recover the costs incurred in the revision of the exam content.

Ms Mamola asked that Mr MacKenzie review the legislative history behind the Appeal to the Board fee.

(ACTION)

19-57 A motion was made by Ms Larkin-Thomason, seconded by Mr Matter to approve the fee adjustments, noting that the Nevada Specific PLS Exam fee will remain at \$100. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

b. Legislative Committee, Chair Angelo Spata

Mr Spata said that the committee has a sizeable list of work. He added that he and Ms Mamola were putting a draft agenda together and scheduling a committee meeting prior to the next board meeting.

i. Proposed changes to NRS/NAC 625

c. Professional Association Liaison Committee, Chair Greg DeSart

Ms Mamola said the main discussion item was NRS 625.530 in relation to the now defunct AB 2 put forward by Clark County. She said that Mr DeSart asked for feedback from PAL member associations relating to the QBS monetary threshold and asked that they report back – if possible – at the January 2020 PAL meeting. Ms Mamola added that NRS 625.530 will be on the legislative committee agenda.

Ms Mamola said there was also a review of ReConnect 2019 held in Reno. The feedback was very positive. She said Mr DeSart said he would recommend to the public outreach committee that strong consideration be given to continuing the event for another south and north cycle.

Mr Spata asked for clarification on the subsidy for the event. Mr Blaney said that the board had approved a \$10,000 amount per event.

Ms Mamola added the any recommendation from the committee would need to be ratified by the board.

d. Public Outreach Committee, Chair Greg DeSart

i. Continuing Education Event October 10, 2019

Ms Purcell asked, following on from the review of the ReConnect event in the PAL section, if the board wanted to consider or take action about continuing the event.

Mr Spata said he would like to see the event continue with the same subsidy per event, but would recommend that an event in the south (Las Vegas) and the north (Reno) be held in the same year.

19-58 A motion was made by Mr Spata, seconded by Mr Wright to approve the board hosting ReConnect events in 2020 in both Las Vegas and Reno with a continued subsidy of \$10,000 per event. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

ii. Presentation by Vogel Designs on planned communications/public outreach/social media plan

Ms Mamola said the communications/public outreach/social media plan documents had only been uploaded for board member access yesterday. She apologized for the late presentation but said that edits were needed following the first review of the plan at the Public Outreach Committee meeting late last week. Ms Mamola added that a presentation had originally been planned but Mr Vogel had taken ill and was not available today. She said Ms Jolly and Ms Collins were joining by teleconference to answer any questions.

Ms Mamola said that Mr DeSart had asked that board counsel to review the social media policy relating to board member participation. As currently written it states that board members should not engage on social media. Consideration was being sought to relax that guideline. She added that her understanding was the policy, as stated, was to protect board members from any possible violation of open meeting law.

Mr MacKenzie said he would research the issue (ACTION), but open meeting law training cautions against any

serial communications on subject matter that could possibly come under board jurisdiction. He said that the communications could be construed as deliberation on a matter outside of an agenda meeting. He added that even if a topic is not a current action item it would be difficult to determine if the subject matter could possibly come before the board in the future for consideration.

Mr Blaney summarized the communication plan and calendar document and asked if board members had any questions or comments.

Mr Anderson asked that an edit be made to the content generation protocol in the social media policy where suggestions be routed through staff first as opposed to going directly to the public outreach committee. Ms Mamola agreed and asked that Ms Jolly make the adjustment to the document (**ACTION**)

Mr Spata asked that board members be given more time to review the documents presented and offer any feedback. Ms Mamola agreed and asked that any board member comments be emailed to Mr Blaney.

- iii. Discussion and possible action on communications/public outreach/social media professional services for 2019-2020 fiscal year

14. Discussion and possible action on Nevada specific Professional Land Surveyor exam, Nevada Revised Statutes 625.280 and Nevada Administrative Code 625.310 (4).

Mr Kidd reported information for the study guide and practice exam has been forwarded to staff for formatting and integration into the website. He said the hope is to have a finished product in the early stages on next year.

15. Discussion and possible action on National Geodetic Survey's replacement of the North American Datum of 1983 (NAD 83) and the North American Vertical Datum of 1988 (NAVD 88) with a new geometric reference frame and geopotential datum in 2022 and impacts to the Nevada State Plane Coordinate System

Mr Kidd said that this item pertained to the legislative committee as the revisions coming up will have an impact on the state plane coordinate system. The changes will replace the ground-based references with a satellite-based system. He said it also presents an opportunity for Nevada to develop some smaller zones in the two populated areas - Reno and Las Vegas - that will be more efficient in GIS terms with a state plane grid that is relative to the actual elevations. Mr Kidd continued to say that there will be some recommended changes to statutes supporting the adjustments and input would need to be sought from the state survey association, the DOT and GIS community in the state.

Ms Mamola said the changes may not necessarily impact NRS/NAC 625 but require amendments to other portions of state law or regulation. She said the information would be forwarded to the legislative committee

for consideration. (ACTION)

16. Discussion and possible action on corporate name requests

Ms Mamola said this item relates to a corporate name request from a firm called Structural Engineering Excellence, LLC. The firm is an engineering firm with civil engineers in responsible charge. They do not have a licensed structural engineer on staff. The request has been submitted for board consideration.

Mr Wright said that if you have engineering in your name coupled with a discipline licensed by the board then you have to have an engineer licensed in that discipline. If you don't then the firm should have a different business name. Mr Wright added there are many civil engineers that do structural engineering under the limitation, but they don't advertise in their name structural engineering in a way that could be misleading as this name (Structural Engineering Excellence, LLC) is.

Mr MacKenzie said with them having licensed civil engineers and being able to do some structural with limitations, could they inform their customers that they don't do anything in Nevada three stories and above.

Mr Wright said they would still be bound to not have the term structural in their firm name.

Mr Matter said the images on the firms website includes high rise buildings in the back-drop which could be misleading to the public who don't have a comprehension of the law.

Ms Mamola agreed that the public may very well not understand the nuances between civil and structural engineering licenses.

Mr MacKenzie said we did amend our statute regarding use of the terminology engineering where it's paired with a specific discipline. You can use the term engineering, but you can't use it paired with a specific discipline if you are not licensed in that discipline. That would be a basis to refuse and deny the application.

Mr Wright said he had empathy if they are from a state that doesn't have that qualification required by our statute. If the engineer is planning on getting a Nevada structural license or employ a licensed structural engineer then it would be a non-issue.

Ms Kern said she spoke with the applicant and he said that is not his intent. He does not want to become a licensed structural engineer in Nevada or employ a Nevada licensed structural engineer.

19-59 A motion was made by Mr Kidd, seconded by Mr Matter to deny the corporate name request by Structural Engineering Excellence LLC. The motion passed. Mr Wright abstained. Mr Gingerich and Mr DeSart were not present for the vote.

17. Consideration of applicant requests to waive certain requirements of NRS/NAC Chapter 625 for initial licensure

Ms. Purcell recommended the granting the waiver request of NRS 625.183 (4) (b) by Armin Saraei, applying for mechanical engineering licensure.

19-60 A motion was made by Ms Purcell, seconded by Mr Spata to approve the waiver. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

Ms Purcell recommended denying the waiver request of NRS 625.183 (4) (b) by Ralston Pedersen, applying for mining engineering licensure.

Ms Purcell said Mr Pedersen obtained his bachelor's degree and then immediately thereafter obtained his master's degree in engineering concurrently with a master's in business, and at the same time gaining his two years active engineering experience. Ms Purcell said the board requires 4 years of education and 4 years of experience or 6 years of education and 2 years of experience to get the full 8 years. She said she was concerned not only that the two years engineering experience was not under a PE licensed in the same discipline, she also felt strongly that you cannot get four years of experience in two years even though he was working while he was going to school. In her opinion this is "double-dipping". Ms Purcell said with these considerations her recommendation would be to deny the waiver.

Mr Pedersen asked for the opportunity to speak. Ms Purcell opened the floor to public comment.

Mr Ralston Pedersen:

It's just a, part of the reason I pursued my master's degrees right out of the gate like I did, along with working full time as an engineer it was because when I read NRS 625.183 the first time, 2 years ago, there wasn't a direct statement that said I couldn't get my master's degree for active experience while working full time as an engineer. The double dipping I didn't even hear about until I had submitted my application to the Nevada State Board and there wasn't any verbiage next to the board's discretion in Section 3 of NRS 625.183 that mentioned that I couldn't do what I had done. So, it was my understanding that by completing my master's degree and you know working full time as an engineer under a licensed engineer that I had accomplished both parts 4A and 4B of NRS 625.183 and 4 years of subsequent active experience under 4A and 4B.

Mr Dan Pedersen also asked to speak during public comment.

Mr Dan Pedersen:

I'm Dan Pedersen, I'm a geologist, exploration geologist, structural geologist and I work for Ralston. He started along with working full time as an engineer at Robison Engineering for the last couple years, he has started a mining company, he just brought in a multi-million-dollar contract from a large mining firm that's going to be leasing properties from us. Ralston has done this, he's done things that I don't, I don't know how many people have started a company as well as working full time and he's bringing the bacon in. I mean this young man is an extremely hard worker, the fact that he wants the PE more than anything else, he's got a family now, so and you know that takes a lot of money as well. So, not only has he done all these things, but he's got a new baby as well. I worked in the field all my life, but I've never had the kind of ability to juggle as many balls as Ralston. It's just absolutely amazing to me but the fact that he could put a company together and you know how hard it is with an LLC, having to do that, there's so much paperwork involved, there's the taxes every year, there's, they change the change the rules in 2018, which even makes it more difficult and confusing but he has a business master's degree

too plus in high school you know he took accounting for several years. He's like a one man show, it's pretty amazing. I know when you look at the surface of it you would say, yes on the one hand he has gone to school simultaneously. He could have started you know into engineering with just his bachelors but no he went forward. He had the ability to be able to go forward and not only do a good job for Robison Engineering for the last couple years and bringing in contracts for that, then he starts his own company and he actually did a complete survey a couple years ago on his property for Robison, we hired Robison to do that, that was a \$35,000 contract. So, he put that together himself as well, so pretty amazing young man. So, I don't, I'm biased, I'm his dad but the fact that you know that now we're working with major mining companies and it's all on him, so it... I'm dumbfounded; I mean even if he wasn't my son I would be absolutely dumbfounded that this this young man is capable of putting all this together.

Ms Mamola said Mr Pedersen should be cautious and not offer professional mining engineering services without having a licensed mining engineer on staff.

Mr Ralston Pedersen asked to respond in public comment.

The licensed mining engineers in the state of Nevada primarily work at the mines, that's where you're going to find them. As a consulting engineer in Reno, to find a licensed engineer that practices here in a municipality is almost impossible. Nathan my professional engineer that I worked under, his father is a professional mining engineer retired and I have worked under him however he's retired status and I did not include him as a reference. They both included a letter with my application for your review over their applicable experience in the mining industry and he's a licensed civil engineer, but he's worked his whole life in mining. I just happen to be mining engineer that's working under license civil engineer that works in mining industry, and so it's just happenstance in my opinion that this is so heavily considered.

Mr Wright asked for clarification on the issue with Mr Pedersen's experience.

Ms Purcell said the issue is that Mr Pedersen is claiming the equivalent of four years of experience in a two-year period. And that is combined with the issue of no supervision under a PE in the same discipline.

Mr Wright said that there is nothing specific in the statute that says you can't work full time for two years the same time you're getting your masters and that counts as four.

Ms Mamola said that the statute does say experience of four years or more that is approved by the board – allowing for board discretion. She added the board historically has not allowed “double-dipping” out of concern for the quality of that experience gained while you're working full-time on a bachelor's or master's degree.

Mr Wright added depending on the number of Nevada licensed mining engineers it might be difficult to get access to the required supervision.

Ms Mamola said in those situations where the board has had a question on lack of PE supervision and/or the quality of their experience, or whether their experience was always appropriate for licensure competency, oral interviews have been conducted.

Ms Purcell said she took the lack of supervision into consideration, but of greater concern was the four years' experience in a two-year period.

Mr Wright suggested that clarifications be made in the statute to avoid any future misunderstandings, and if in the nearer term, could the board present a written opinion as a point of clarification.

Mr MacKenzie said it may be difficult offering an opinion in writing defining the many possible scenarios applicants may have. The language as written currently gives the board discretion in their consideration of applications.

Mr Wright asked if in a FAQ section of the website addressing the application process give an expanded explanation regarding gaining engineering experience, explaining that “double-dipping” may not meet the progressive engineering experience requirement (ACTION). He also asked that the legislative committee review the text as written to address anything that could be seen as a loophole. (ACTION).

19-61 A motion was made by Ms Purcell, seconded by Mr Anderson to deny the waiver. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

Mr Anderson recommended the granting the waiver request of NRS 625.193 (1) (a) by Lalita Oka, applying for civil engineering licensure.

19-62 A motion was made by Mr Anderson, seconded by Ms Larkin-Thomason to approve the waiver. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

Mr Anderson recommended the granting the waiver request of NAC 625.210 (1) by Sean Cross, applying for civil engineering licensure.

19-63 A motion was made by Mr Anderson, seconded by Mr Kidd to approve the waiver. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

18. Board approval of non-appearance applications for initial licensure. Refer to Addendum A for list of applicants.

The board reviewed 33 non-appearance applications for initial licensure and recommendations were made.

19-64 A motion was made by Mr Spata, seconded by Mr Anderson to approve the initial licensure applications as noted. The motion passed unanimously. Mr Gingerich and Mr DeSart were not present for the vote.

19. Discussion and possible action on status of Board and staff assignments

Ms Mamola reviewed those items completed and those still pending.

Mr Wright asked for the status of the review of continuing education regulations. Ms Mamola said the item had been added to the draft agenda for the legislative committee which will be scheduled before the January board meeting.

20. Discussion and possible action on meeting dates.

Ms Mamola reviewed the future meeting dates and asked for board member input. There were questions regarding the September board meeting date. Ms Mamola said she would further review the date and get back to the board. She also asked that board members contact her if they had any conflicts.

21. Discussion and identification of topics for future meetings including possible proposed amendments to the Nevada Professional Engineers and Land Surveyors Law, Nevada Revised Statutes and Nevada Administrative Code Chapter 625.

There were no future topics put forward.

22. Signing certificates of licensure

The board signed wall certificates for those persons who were licensed by comity or initial licensure.

23. Public comment

There was no additional public comment.

24. Adjournment

Chairwoman Purcell thanked the board guests for attending and their participation. The meeting was adjourned at 1:05pm, on November 14, 2019.

Respectfully,

Patty Mamola, PE
Executive Director