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, on Wednesday, March 4, 2020

Chairwoman Karen Purcell, PE, declaring a quorum present, called the meeting to order at 9:30am. Board members present were Vice Chairman Michael Kidd, PLS; Kent Anderson, PE; Brent Wright, PE/SE; Tracy Larkin-Thomason, PE; Angelo Spata, PE; Matthew Gingerich, PLS and Gregory DeSart, PE. Also present were Patty Mamola, PE, Executive Director; Chris MacKenzie, Board Legal Counsel; Murray Blaney, Operations/Compliance; and Louisa Kern, Administrative Assistant. Kristin Kramer, CE, attended as a guest of the board. Thomas Matter, public member, arrived at 10:15am.

1. **Meeting conducted by Chair Karen Purcell, call to order and roll call of board members to determine presence of quorum.**

2. **Pledge of Allegiance**

3. **Public comment.**

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 was public comment from Robert LaRiviere.

Mr LaRiviere:

I am Bob LaRiviere, past board member and chair of this board. I would like to make a comment regarding item 13.b.i on the proposed changes to NRS and NAC relating to continuing education. In my opinion I believe this Board needs to lead by example for other licensing boards and to our licensees in this state to stand firm on the 30 PDH required every two years. We as professionals need to keep up with technology of our chosen professions by
attending seminars, lunch and learns that most companies sponsor. In my opinion is not very difficult to earn 15 hours per year. Thank you.

4. **Introductions and guest orientation**

Board members, staff and guests introduced themselves.

5. **Discussion and possible action on approval of January 16, 2020, board meeting minutes.**

20-18 A motion was made by Mr Spata, seconded by Mr Wright to approve the January 16, 2020 board meeting minutes. The motion passed unanimously. Mr Matter as absent for the vote.

6. **Discussion and possible action on approval of February 4, 2020, special board meeting minutes.**

20-19 A motion was made by Mr Anderson, seconded by Mr Gingerich to approve the February 4, 2020 special board meeting minutes. The motion passed unanimously. Ms Larkin-Thomason abstained (she did not attend that meeting), and Mr Matter was absent for the vote.

7. **Discussion and possible action on January 2020 financial statements.**

Ms Mamola reviewed the January 2020 financial statements presented to the board and answered board member questions.

20-20 A motion was made by Mr Kidd, seconded by Mr Anderson to approve the January 2020 financial statements. The motion passed unanimously. Mr Matter was absent for the vote.

8. **Discussion and possible action on compliance reports by Compliance Officer.**

   a. **Compliance officer report on complaints being investigated.**

Mr Blaney gave a summary of the seven complaints currently under investigation. There were no questions from the board.
b. **Consideration of probation reports:**

  Larry J Sanchez, PE #15752  Dooley Riva, PE #18231
  John Mutiso, PE #22799    Richard LaPrairie, PE #12970
  Mingqiao Zhu, PE #15943    John Skwiot, PE #20561
  Richard Warren, PE #17389

Mr Blaney reviewed the status of the licensees on probation. There were no questions from the board.

9. **Discussion on Board Counsel Report.**

Mr MacKenzie reported that he had sent out the proposed stipulated agreement resulting from the previous formal hearing. He added that the terms of the agreement were based on a motion of the board and therefore did not need further consideration by the full board. Mr MacKenzie said the finalized agreement will be presented to Chairwoman Purcell for signing.

10. **Discussion and possible action on Larry Sanchez, civil engineer license number 15752, petition to reinstate practice area of structures under his civil engineering license.**

Ms Mamola said that per a stipulated agreement with Mr Sanchez, executed on September 7, 2017, he was to not perform any structural engineering services under his civil license until he provided sufficient evidence to the board, by petition, that he has received adequate structural engineering training. The determination of when Mr Sanchez may again provide structural engineering services is at the discretion of the board per the stipulated agreement. Ms Mamola reported that Mr Sanchez had met the terms of his probation and that his petition materials were included in the board materials for consideration.

Ms Purcell asked if Mr Sanchez for his opening statement.

Mr Sanchez:

As you know my structural engineering capability was suspended with a ceased and desist. Since then I have been practicing a structural engineering limitations training program where I've worked with various engineers in the Las Vegas area. I provided some letters of recommendation of my work. I've also worked in LR Nelson for a short of time and due to my obligations of my previous work, I decided that I needed to leave that position in LR Nelson so I can finish up the work with the clients that I had at the time. Since then I've attended various industry meeting I took my code of ethics a lot more serious to the point where I know what my limitations are now, I feel now that I have grown not only as an engineer, but as a better professional in the sense that my engineering judgment and decision are a lot more effective in resolving problems that may arise during a project. Whereas before not too proud of some of the shortcomings I had, with some of the things I got myself involved with. That being said,
my character has changed for the better. Again, my ethical training has improved, and I've come to the realization that residential design is where my strength lays. My weakness is in steel or concrete or big projects. So, you can rest a sure as board that you don't have to worry about my judgment. I know where I stand, and I've been doing this for 15 years. So I know that my character and my intent has always been in the right place, it's just unfortunate that I made some poor decisions along the way but now that I know about specialty engineering and possibly outsourcing things, parts of projects that I cannot accomplish, I am knowledgeable about what my part of the industry is no. Moving forward you can rest assured that this isn't about me, this is about the betterment of my clients, the people who reach out to me to look for some good professionalism. I know more since I last met with you, I feel a lot more confident, and the board doesn't have to worry about me making mistakes.

Mr Wright said that Mr Sanchez’s petition included several letters of recommendation from engineers he knew and respected, certifying his capability and vouching for his ability. He asked Mr Sanchez did he do projects with them or how did they come to this determination? How did you work with them to do that?

Mr Sanchez said he was under their instruction on various projects. He continued to say he would do calculations and draft plans under the review of the licensed structural engineers. One of the biggest projects was one of the reasons why I was here 2017, and I had the opportunity to work with Mr Barber at LR Nelson who officially sealed that project and let me know about my competency and he gave me a lot of mentoring along the way. Mr Sanchez said with the other engineers he got a lot of very good positive mentoring on where I should go and what I should do and that's what really helped me.

Mr Wright asked for clarification from Mr Sanchez whether he was doing the structural design under the direction of the licensed engineer.

Mr Sanchez replied he was. He said he was under their supervision, under their direction. They saw his plans; they would give red lines or corrections and he would have to go back and make adjustments. Through this experience with working with the engineers has given me more know-how on how to discuss the issues at hand, particularly on large projects. I did learn a lot. My focus is in residential, I don’t do commercial and that is where I am at now and that is where I would like to continue.

20-21 A motion was made by Mr Wright, seconded by Ms Larkin-Thompson to reinstate Mr Sanchez’s ability to practice structural engineering within his level of competence under his civil engineering license. The motion passed unanimously, with Mr Matter abstaining from the vote (he joined the meeting toward the end of the discussion).
12. Discussion and possible action on American Society of Plumbing Engineers request for Nevada’s support in adding a plumbing option to the NCEES mechanical engineering principles and practices exam.

Mr Smith:
My name is Billy Smith, Executive Director and CEO of American Society of Plumbing Engineers. The presentation I’m going to give you today has been developed by our board of directors of which several are professional engineers.

The American Society of Plumbing Engineers is dedicated to the advancement of the science of plumbing engineering, to the professional growth and advancement of its members and the health, welfare and safety of the public.

Our Society disseminates technical data and information, sponsors activities that Facilitate education and expands the base of knowledge of the plumbing engineering industry. ASPE members are leaders in innovative plumbing design, effective materials and energy use, and the application of advanced techniques throughout the world.

Most importantly, ASPE strives to represent our members and promotes the profession among all segments of the industry.

Having shared our society’s and industry’s goal, one of my first comments today would be that ASPE wholeheartedly understands and supports the protection and advancement of licensure of the Professional Engineer.

ASPE supports and encourages the PE registration and the applicable processes, ASPE promotes professional ethics and the advancement of the role of the professional engineer.

ASPE recognizes that the plumbing engineer/designer and the Professional Engineer have a shared interest in the objective that plumbing and mechanical systems are designed in a manner that safeguards public health and safety.

Likewise, ASPE works diligently in promoting the engineering profession and the need for professional engineering licensure and certification programs with a dedication to protecting public health and safety as a top priority.

ASPE can see that the rapid changes in technologies and standards and codes creates a need among our members for increased awareness of education regarding the emerging technical, scientific, legislative and regulatory developments in the world marketplace.

The practice of engineering encompasses many disciplines that contain many specific sub-disciplines. One such sub-discipline not currently represented within the subset of Mechanical Engineering is plumbing engineering.
The Mechanical Engineering Principals and Practices exam currently has three engineering disciplines or specialties which include HVAC and Refrigeration, Machine Design and Materials, and Thermal and Fluid Systems.

Today, ASPE is here to petition to the State of Nevada Board of Professional Engineers to strongly consider the addition of a fourth engineering discipline or specialty within that exam. This fourth specialty would be a “Plumbing Option”.

At one time, plumbing systems were designed by the HVAC mechanical engineer because it was felt to be simplistic enough that any Mechanical Engineer with an ABET-accredited BSME degree could adequately handle the demands of the discipline.

As the Plumbing Engineering discipline has increased, this philosophy still holds true in only the smallest of firms. Within mid-sized firms the Plumbing Engineer may also be responsible for the design of the Fire Protection system, where in the largest of firms the Plumbing Engineer becomes the industry experts, focusing solely on Plumbing Engineering.

Again, ASPE is working to promote the image of professional engineering and its ethical responsibilities to the public.

While ASPE does support the certification of and for plumbing engineering designers and support staff, professional registration to protect public health and safety is ASPE’s top priority.

Most importantly, as stated, ASPE seeks the support of the State of Nevada Board of Professional Engineers in adding a Plumbing Option to the National Council of Examiners for Engineering and Surveying NCEES Mechanical Engineering Principals and Practices exam.

As Plumbing Engineering continues to become more complex than it was in the past. Plumbing has an immense impact on public health, safety, and welfare.

Some of the systems that the Plumbing Engineer must design and manage are domestic/potable water (including specialized systems such as distilled, softened, deionized, reverse osmosis, graywater, and black water, among others), sanitary waste and vent (with specialized systems such as clinical, medical, laboratory, and kitchen waste systems along with the removal of fats, oils, and grease [FOG]), compressed air and pneumatic systems, pool and water feature design and filtration, storm water removal and reuse (both conventionally and symphonically), fuel systems (including natural gas, liquefied petroleum [LP and propane], gasoline, and others), industrial gases (oxygen, nitrogen, acetylene, argon, carbon dioxide, and others), medical gas systems (oxygen, breathing air, instrument air, vacuum, waste anesthesia gas removal, and others), laboratory gas systems (which can feature medical gases, industrial gases, fuels, etc.), and sustainable (“green”) systems such as rainwater and waste reclamation systems.
When one considers the design and regulatory requirements, Plumbing Engineering has achieved a complexity all its own.

It is for these reasons that a “Plumbing Option” placed within the framework of the Mechanical Engineering Principles and Practices examination has become a necessity for the engineering community.

This will ensure that the Engineers sealing and signing plumbing documents have a level of verifiable knowledge and competency of the discipline, and the welfare and safety of the public at large will be addressed and enhanced.

ASPE’s desire is only for the inclusion of a “Plumbing Option” consistent with the procedures and policies employed by the ABET, NCEES and State Boards model that exists.

ASPE is appreciative of the assistance from NCEES as to our first steps in beginning this process. NCEES has agreed to move forward with this proposal once the state licensing boards of ten states are also in agreement. The States of Ohio, Arizona, Georgia, and Florida have agreed to this initiative. In addition to the State of Nevada, the States of Washington, Alabama, Iowa, West Virginia, Texas, Pennsylvania and California are working with us as to an agenda appointment just as today. Additionally, we are working with the States of Indiana, Michigan, Massachusetts, New York and Virginia to do likewise.

A reminder: ASPE is not pursuing the development of Plumbing Engineering as a stand-alone exam (such as Civil, Electrical, or Fire Protection, but only seeking the approval to add the specialty to the existing Mechanical Engineering exam.

Additionally, ASPE is not attempting to create a separate designation of “Plumbing Engineer,” as all candidates who successfully complete the necessary steps to licensure are considered Professional Engineers.

While some states employ discipline-specific titles, most states do not employ this type of designation.” ASPE is just seeking an avenue for the proper licensing, not certification, of individuals that have the necessary qualifications.

This “Plumbing Option” will not change any of the existing requirements for examination but will only add a specialty to the existing exam. Registration will still require those that have obtained a qualifying degree from an ABET-accredited course of study and the requisite experience under the responsible charge of a Registered Engineer to ultimately sit for the MEPP exam and take it under the option of “Plumbing.”

By providing a path to professional registration (which does not exist in the Plumbing discipline), those that choose to practice in our discipline will have a viable career path to licensure which can only make a career in plumbing engineering to be much more attractive (and as older practitioners within our discipline are retiring, the need for new blood is
becoming more and more acute), we will have a measurable level of competency established and, most importantly, the health, safety and welfare of the public-at-large is addressed.

Once ten states have supported this agenda, ASPE will work with NCEES in developing the questions and framework for the exam.

In closing, I urge the State of Nevada Board of Professional Engineers to support the inclusion of a “Plumbing Option” within the Mechanical Engineering PP exam and to advise NCEES of this support.

Thank you for your time, consideration, and support.

Now I will try to answer as many questions as I can, not being a PE. But the presentation today was developed by PEs that are ASPE members and understand what you’re looking at protecting, we want to assure you that is our goal as well. We’re just trying to give those that are in, that are ASPE members that are involved in plumbing engineering design has a path to licensure in choosing their discipline to be plumbing engineering.

We also have a document here from NCEES and they asked specifically 3 questions of us - why this is so important. And as long as we can satisfactorily answer those questions, this is what will make them agree to sign on to this initiative. And so that’s why I’m here today. I can go over these questions for you or just leave a copy with you.

Also, if you choose to support this initiative, we will ask that you write a letter to NCEES saying that you do, and you can attach a copy of this. To assist you, if that be, your decision, I have a sample letter that state of Florida provided for your assistance, you can duplicate it, add to it, however you choose to.

I think one of the biggest things that some of our members that are PEs and some that aren’t but want to be, they want to sit for that exam, but they would love to have the opportunity to do so with a Plumbing option and let that be their career path.

We have done a tremendous outreach at ASPE and trying to reach younger people and talk about engineering, and the many different disciplines. And making them aware of plumbing engineering.

I hope I’ve been able to convey today that we understand the protection of the professional engineer and licensure thereof. We’re not seeking another exam. We just want to be part of that exam with a plumbing option.

Mr Smith asked if the board members had any comments or questions.

Mr Anderson and Ms Mamola questioned whether the mechanical exam options needed to be
expanded. Mr Anderson cited civil engineering as an example. If it used the same logic as being proposed by ASPE, the number of current exam options within civil engineering would need to be greatly expanded – which in his opinion would not be warranted. Ms Mamola agreed.

Mr Wright and Mr DeSart asked about the number and type of plumbing related questions in the current ME exam. Mr Anderson said it varied dependent on several different factors. He gave a brief overview of the NCEES exam development process to explain. He questioned whether there’s going to be a sufficient level of interest to specialize in plumbing even though it can be done through existing mechanical programs and exam.

Ms Purcell asked if plumbing engineering was an ABET credited program. Mr Smith said it was not. He explained the need for 10 states to sign-on supporting the exam expansion was part of the NCEES process toward seeking ABET accreditation.

Mr Anderson commented that the 10-state signatory method to expand exams is somewhat flawed and used the example of the software engineering exam expansion.

Mr Smith acknowledged the issues with the software engineering exam, but said ASPE has a high number of membership who are PEs that see the value in this, we also have a high number of our members who aren’t PEs who would like to sit for the PE and really a plumbing option available. He added estimated numbers were around 150 seeking that option and clarified that a was a total not a yearly estimate.

Mr Matter said he understood that a sizeable portion of a mechanical engineering degree involved plumbing system classes, but he had concerns for graduates in the workplace who focus on plumbing engineering - does gas piping and gas piping design for permitting and installation etc - and that forms the basis of their professional experience. He said when they sit for the PE exam there may be a disadvantage when they have to study for something that is, in his opinion, predominantly HVAC focused.

Ms Mamola acknowledged the issue and said that is one of the reasons why Nevada decoupled their exams from experience is because in many of the disciplines, the farther you get away from when you graduated the more you forget, and candidates have to go back and relearn areas that are not applicable in their workplace experience.

Ms Mamola clarified what ASPE was asking the board to consider. She said it was whether the board would endorse (send a letter of support) asking NCEES to consider adding a plumbing specialty to the ME exam options.

Ms Purcell said the decision would likely require further board discussion and suggested the item be added as agenda item at a future board meeting. [ACTION Item]
Ms Mamola asked Mr Smith for a copy of the Florida letter of support and suggested that board members discuss the issue with other state delegates at the upcoming interim zone meeting before a board discussion.

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

   a. Approved licensees report

Ms Mamola reviewed the licensee report and answered board member questions.

   b. Action items related to 2017-2021 Strategic Plan

Mr DeSart suggested that planning begin for the next review and update of the board’s strategic plan.

Ms Mamola gave a brief overview of what is involved in the lead-up to the strategic planning process.

Ms Purcell said it should be added to the agenda of the next board meeting for an expanded discussion. *(ACTION Item)*

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

      i. Western/Southern/Central/Northeast Zone meeting

Ms Mamola said the deadline for registration for the NCEES interim zone meeting in Houston, Texas April 23rd through 25th, is March 13, 2020. Those not who are not funded delegates would need to contact Ms Kern to finalize travel arrangements.

      ii. Annual meeting

Ms Mamola said the NCEES annual meeting is in Chicago, IL, August 26 through 26-29, 2020. She said NCEES funds new board members plus three additional members.
d. **Consideration of board authorized digital signatures, input received from southern and northern Nevada building departments and licensees**

Ms Mamola reported that the second digital signature electronic submittal task force meeting was held February 18, 2020. Based on discussions at that meeting, former board chair Chris Roper volunteered to draft amendments to NAC 625.610, the digital signature electronic submittal regulation. It is included in the board materials for consideration.

Mr Anderson asked if the taskforce was considering how to deal with electronic submittals that require approval from multiple agencies.

Ms Mamola said that issue has been raised and is going to be addressed in the taskforce recommendations.

Mr Kidd said the taskforce also needs reach out to smaller outlying government entities to include in and inform about the electronic submission/digital signature transition process. *(ACTION Item)*

e. **Executive Branch and Audit Committee meeting agenda item 4.A. Nevada’s Independent Occupational and Professional Licensing Boards and Governor’s Office of Finance Division of Internal Audits, Audit Report, DIA Report No 19-03 dated June 25, 2019**

Ms Mamola said this item is to keep the board informed of the Governor’s Finance Office initiatives and the Nevada Department of Business and Industry actions on working to establish executive branch oversight of boards. The intention is to put boards under the Department of Business and Industry with a timeframe listed in their report is to do this by January of 2022. Business and Industry are to provide a status report to the Executive Branch Audit Committee in 6 months – so by August of 2020 we will know little bit more what's happening. Ms Mamola added that she would suggest we hold off revising the strategic plan or extend our current plan until we have a better understanding what impacts, if any, there will be and how it affects this board and how we operate.

Mr MacKenzie said in reading the report, there would be a lot of consolidation of administrative functions, potentially, and it could be all boards, it could be some boards, it could be ones that are struggling administratively. It seems to be about trying to get efficiencies, but that may not necessarily be the end result - but that's the intent. He said another factor is to have uniform application of administrative laws, because there is quite a bit of distinction between the different statutory requirements of each board. An example
might be hearing officers for all disciplinary matters rather than the board hearing them. Because many boards, such as the contractors board, have a higher number of disciplinary matters, they are addressed via hearing officers.

Mr MacKenzie said at this early stage the review has been a generalization of all the boards, and he would hope there would be more specific reviews of each board to determine what's wrong and what needs to be potentially fixed individually – rather than a look through one lens. He said he believed there is a possibility that well-run boards might have more autonomy than others and they’re worried about the oversight because of the Dental Board case that revolved around anti-competitive measures. The level of necessary state oversight is up for debate, and it’s going to be interesting because there would have to be some major changes to many statutes. There is a lot to be done and determined. There’s a concept, and then there is implementation – which is a whole different animal.

14. Discussion and possible action on board committee reports.

   a. Administrative Procedures Oversight Committee, Chair Michael Kidd

   Mr Kidd said APOC had nothing to report on since the last board meeting – but a committee meeting is scheduled for March 31, 2020.

   b. Legislative Committee, Chair Angelo Spata

   Mr Spata gave a general update on the committee’s progress to date. He said committee convened on January 15, 2020 where it was decided that the 10-year audit of regulations be undertaken. In addition, the committee was tasked with the reviewing items that had come to the board's attention over the previous nine months. He continued to say that leads were assigned to be responsible for the various items and tasked with completing an initial review.

   Mr Spata said at the next meeting on February 4, 2020, each of the leads presented an update of their research or thoughts on the topics assigned. Individual items and topic groupings were then prioritized related the immediate need and the length of process for any amendment considerations.

   Mr Spata said that at the meeting held on February 18, 2020 the committee reviewed and discussed the proposed amendments to items considered to be of a higher priority. Based on the committee’s discussion and recommendations, today's agenda has been separated into
two sections – items that have been reviewed and put forward for board approval; and items
that committee felt need broader discussion and input at the board level.

  i. **Proposed changes to Nevada Revised Statutes Chapter 625, 327, 329 and Nevada Administrative Code Chapter 625 and 329, refer to Addendum B**

Mr Spata said that items listed under 13b.i. “for board approval” are generally editorial in
nature. He said the committee felt these could be put forward for approval and could start to
move onward while we continue to discuss some of the other bigger items. Mr Spata added
that notes were included with each item to give context to the proposed amendment.

Mr Spata said he had identified three proposed amendments in the first section that my need
to be highlighted for additional discussion - 625.425, 625.613 and 625.615. Ms Mamola asked
that 625.21X also be added to that list. Mr Wright requested that 625.220 be added as well.

Mr Spata said he thought be best approach would be to review each item individually to see if
any board member had questions or comments, and then consider taking a vote for approval
or give direction for amendment or further discussion and research. He added that even
though an amendment may be approved by a vote of the board today, there is a lengthy
public review process involving small business impact studies, public workshops and public
hearings, before the possibility of adoption. Any vote today is to approve the proposed
language moving forward in the review process.

Mr Spata said staff had reviewed all regulations, and there are a number where no changes
are recommended, but that does not mean the board cannot recommend an amendment if
we see an issue.

**→ NAC 625.21X**

Ms Mamola said that a need was seen, from board discussion, to create this regulation to
clarify the issue related to master’s degree and what we call “double-dipping”. The language
originally proposed was amended (parts stricken) following discussion at the recent
Legislative Committee meeting.

The board discussed whether the proposed regulation – as amended – did in fact improve the
understanding of the statute. Mr Spata and Ms Mamola explained the reasoning for the
language being removed and that the revised text, when reviewed in conjunction with
referenced statute subsection – NRS 625.183.4 – would remove previous misunderstandings
related to the statute.
20-22 A motion was made by Mr Spata, seconded by Mr Anderson to approve creating the new regulation with the language as presented. The motion passed unanimously.

→ NAC 625.220

Mr Spata asked if there were any comments or questions.

Mr Wright questioned why Architectural Engineering was included in the description narrative.

Ms Mamola replied that it was included as a reference to the exams offered by NCEES, the board could reconsider adding it as a licensed discipline.

Mr Wright said the board had previously decided against licensing Architectural Engineering and he was not in favor of reopening the discussion, and asked that it be removed from further consideration.

20-23 A motion was made by Mr Gingerich, seconded by Mr Wright to approve the amended language as presented. The motion passed unanimously.

→ NAC 625.230

Mr Spata said 625.230 related to a text revision to include the NCEES record that is being utilized in the application process. There were no comments or questions.

20-24 A motion was made by Mr Spata, seconded by Mr Kidd to approve the amended language as presented. The motion passed unanimously.

→ NAC 625.310

Mr Spata asked if there were any questions or comments the adjustments to text related to state specific exams.

Mr Gingerich questioned the verbiage uses to describe the exam related to chapter 625 of the NRS and NAC. A discussion ensued and the consensus was to retain wording presented.

20-25 A motion was made by Mr Spata, seconded by Mr Anderson to approve the amended language as presented. The motion passed unanimously.

→ NAC 625.320
Mr Spata said it is proposed that 625.320 be completely deleted as it's no longer applicable. It's redundant to section 625.310 that was just approved.

20-26  A motion was made by Mr Gingerich, seconded by Mr Kidd to approve the removal of the regulation. The motion passed unanimously.

→ NAC 625.330

20-27  A motion was made by Ms Larkin-Thomason, seconded by Mr Spata to approve the amended language as presented. The motion passed unanimously.

→ NAC 625.340

20-28  A motion was made by Ms Larkin-Thomason, seconded by Mr Spata to approve the removal of the regulation. The motion passed unanimously.

→ NAC 625.350

20-29  A motion was made by Ms Larkin-Thomason, seconded by Mr Spata to approve the removal of the regulation. The motion passed unanimously.

→ NAC 625.360

20-30  A motion was made by Ms Larkin-Thomason, seconded by Mr Spata to approve the removal of the regulation. The motion passed unanimously.

→ NAC 625.410

Mr Spata said this item relates to a correction in terminology.

20-31  A motion was made by Mr Wright, seconded by Ms Larkin-Thomason to approve the amended text as presented. The motion passed unanimously.

→ NAC 625.425

Ms Mamola outlined the proposed amendment to the regulation and asked for board discussion.

Mr DeSart said with the past amendment to NRS 625.407 he would recommend that just the firm be registered to offer professional services in the state, and that the registration can list
who is in responsible charge of each discipline. He added that removal of the brick & mortar 
requirement made listing branch offices obsolete. Mr Wright and Mr Kidd agreed.

20-32 A motion was made by Mr DeSart, seconded by Mr Wright to direct staff to change the 
language so it is more about registering the firm and less about registering each 
office. The motion passed unanimously.

Ms Mamola said staff would re-work the language of the amendment based on the board’s 
recommendation and present the revision to the Legislative Committee for consideration, and 
if the committee approves the change then the item can move forward in the public approval 
process. (ACTION)

→ NAC 625.611

20-33 A motion was made by Ms Larkin-Thomason, seconded by Mr Spata to approve the 
amended language as presented. The motion passed unanimously.

→ NAC 625.613

20-34 A motion was made by Mr Spata, seconded by Mr Kidd to approve the 
amended language as presented. The motion passed unanimously.

→ NAC 625.615

20-35 A motion was made by Ms Larkin-Thomason, seconded by Mr Kidd to approve the 
amended language as presented. The motion passed unanimously.

→ NAC 625.625

20-36 A motion was made by Ms Larkin-Thomason, seconded by Mr Wright to approve the 
amended language as presented. The motion passed unanimously.

Mr Spata said that completes the first review section of “For Board Approval”. He said all were 
passed except for NAC 625.425 which we’re going to reword regarding registering the firm only 
and then it’ll come back to the Legislative Committee, and if approved, it will follow the 
schedule of the other board approved regulations.

Mr Spata said that the second group of “For Board Discussion”, similar to the first group, we 
can vote on these and pass them through, he said there’s going to be a few that will require 
more debate prior to taking board action. The items related to continuing education will be
held and discussed with the survey results under agenda item 13.b. ii.

→ NAC 625.210

Ms Larkin-Thomason said coming from a public agency the issue of not being able to provide references to applicants within the organization is a very common challenge, she said she would strongly support the amendment.

Ms Mamola said that a fee change is included within the amendment and the financial analysis is being compiled for review by APOC. She continued to say that any motion would need the caveat that APOC would need to approve the fee reduction after considering the financial impacts.

20-37  A motion was made by Ms Larkin-Thomason, seconded by Mr Kidd to approve the amendment pending consideration and approval of the fee reduction by the Administrative Procedures Oversight Committee. The motion passed unanimously.

Mr Spata said there was no recommended changes to NAC 625.215 but there is a discussion item related to its associated statute NRS 625.270.

→ NRS 625.270

Ms Mamola said this item is about considering updating NRS 625.270 to decouple the exam from experience which allows land surveyors to take the PLS exam at any time they feel they're ready to take it.

20-38  A motion was made by Mr Spata, seconded by Mr Gingerich to approve the amended language to the statute as presented. The motion passed unanimously.

→ NAC 625.240

Ms Mamola said these changes are to update this regulation to say specifically endorsement licensure and to streamline current process, as it relates to SB 69, for applicants that meet or exceed the NCEES Model Law Engineer or Model Law Surveyor requirements. Ms Mamola added that APOC will need to review the fee reduction component impacts. (ACTION)

20-39  A motion was made by Mr Spata, seconded by Mr Kidd to approve the amendment pending consideration and approval of the fee reduction
by the Administrative Procedures Oversight Committee.
The motion passed unanimously.

Mr Spata suggested that the next series of regulations be discussed together as they are related to continuing education in 13.b. ii. – but the following had no changes recommended - NAC 625.440 and NAC 625.460

Ms Mamola said that items NAC 625.510 through NAC 625.540 are related to the Code Of Conduct section. She asked the board to consider repealing those NACs and replace with NSPE’s Code of Ethics or replace with NCEES’ Model Rules.

Ms Mamola said the proposed language adopts by reference NSPE’s Code of Ethics and is modelled after NSBAIDRD regulations that adopted by reference The Architects Institute Code of Ethics. She added the option to consider is the NCEES Model Rules. Ms Mamola continued to say that all options are open; repeal and replace, edit current language, or make no changes.

Mr Kidd said, for reference, similar to the NSPE Code of Ethic, NSPS has a Creed and Canons for professional surveyors. He asked that they be included for consideration.

Mr DeSart said he was concerned with “by reference” in that we may be tied to something that can be changed and we may not agree with.

Ms Mamola said that would be true with the NSPE code, and suggested that the NCEES Model Rules might be the preferred option. Then if we don't like something, we can strike it, if we think we need to add something we can. It is an option that can be sent to the Legislative Committee to take a more detailed look.

Ms Mamola said she thought the NCEES option was more detailed than what we currently have in regulation.

Mr Spata said the brevity of the current code could be by design.

Mr MacKenzie said in terms of enforcement it is beneficial to be more specific, in giving licensees more guidance. Being brief allows a larger net to be cast.

Mr DeSart said he preferred it be brief and had general concern about having too much specific regulation, but he could see how it could clarify things – though on the other hand, it may also open the door to the filing of frivolous complaints.
Mr Kidd said he felt the section needed more time with legislative committee to review and weigh the options.

Mr Spata said this was a good input from the board. He said in general terms that the NCEES option is probably more applicable, but we need to look at it and see if it’s just overly detailed or can be abbreviated versus what we currently have in regulations. The section will be moved to the Legislative Committee for further review and recommendation. \textit{(ACTION)}

Ms Mamola said NAC 625.550 relates to whether the current language could be construed to be used against an agency if they weren’t filing complaints with the board. She said that the intent was a mechanism to support and enable public entities as opposed to being punitive.

Mr DeSart said considering our conversations at other committees, it’s quite common for legitimate reasons to have more than three reviews. It seems like changing this may make sense.

Mr MacKenzie suggested adding clarifying statements of scenarios that would form the basis of and support a governmental agency licensee filing a complaint. That could be a way of removing the “shall” vs “may” question.

Mr Wright said perhaps the language ought to be revised to maybe clarify that these three scenarios are evidence of the possibility that they’re acting incompetently or without the best interest of the public or however the wording would be. But in saying that, a licensee that has evidence of another’s incompetence or possible public harm can file a complaint anyway – so this might be a waste of a regulation.

Mr MacKenzie said he would work on revised language options. \textit{(ACTION)}

\textbf{NAC 625.610}

Ms Mamola said that proposed revisions to this item are to remedy the problematic issues involved with electronic submissions and digital signatures. She added that a referenced statute – NRS 625.565 – is include and has a suggested change for discussion.

Ms Mamola reviewed the proposed changes. She said instead of signing across the stamp, it says you sign legibly across or adjacent to the image. The problem has been that some agencies are not accepting documents because the signature has to be across the stamp - but licensees say that often when they sign over the stamp it obscures it. So hopefully this settles the issue. Changing impression to image because no longer do we impress it is an image and we want to make it clear that we allow an image and then under item 10 is where the
significant changes are, 10a we would like to delete. 10a says the files containing the
document are locked electronically to prevent any changes to the document. That's where
the agencies are having problems because the documents are locked, and then we're
proposing additional language in b that says, “secure methods are in place to”, and then we
propose deleting “prevent the transferring or removing of the seal and digital signature”. So,
it's says, “secure encryption methods are in place to identify the licensee and to track any
changes made to the document after the documents are submitted”. Ms Mamola added that
staff had questions whether 12. d. was necessary. The recommendation was to strike that
section of the regulation.

20-40 A motion was made by Mr Spata, seconded by Mr Wright to approve the
amended language in supplemental section 625.610, additionally striking out
item 12. d. The motion passed unanimously.

→ NRS 625.565

Ms Mamola asked if there was any discussion relating to NRS 625.565.

Mr Kidd said that land surveyors that are doing small scale drainage plans may not be taking into consideration the drainage picture and anticipating larger issues – and this could be problematic.

Mr Gingerich said taking into the account rural areas with lesser outside expertise, he would be a little reluctant to take a tool away from somebody that has the knowledge and is doing small scale drainage plans, that may have no other options. He added that there still would be grounds to be held in violation if a license was practicing outside of their expertise.

20-41 A motion was made by Mr Gingerich, seconded by Mr DeSart to not amend
NRS 625.565. The motion passed. Mr Kidd opposed.

Ms Mamola said the next item NAC 625.620 relates to firms and fictitious names. The filing procedure the regulation outlines is not something that is currently done in the firm registration process. Ms Mamola asked Mr MacKenzie for his opinion on whether the regulation should be edited or possibly deleted.

Mr MacKenzie said his recommendation would be to keep the regulation as is and add a requirement to firm registration that that any dba name be listed on the application form.

Ms Mamola agreed and recommended that no action be taken on the regulation and that an adjustment be made to the firm registration application. (ACTION)
Mr Spata said with the next item NAC 625.635 there were no recommended changes.

Ms Mamola said regulations NAC 625.640 through NAC 625.648 relates to disciplinary action and advisory committee. As part of the process she suggested that staff review the regulations with Mr MacKenzie with a view to possibly codifying our Rules of Practice. Any proposed changes would be presented to the Legislative Committee before going to the board for any proposed changes. [ACTION]

ii. Consider survey results related to continuing education requirements for professionals

Mr Spata suggested rather than getting into the specifics of the proposed amendments to the continuing education section NAC 625.430, NAC 625.450, NAC 625.460, NAC 625.470, NAC 625.480 and NAC 625.490, that the board first discuss the survey results and then have an open discussion on continuing education and profession development hours. Mr Spata asked Mr Wright to summarize the survey results.

Mr Wright – The survey was sent out to 12,000+ licenses and 2,100 responses were received. Of those, about 69% of all the respondents responded to the question of, will the modifying of the CEU requirement from 30 hours per biennium to the proposed 3 hours per biennium, two in ethics and one in Nevada laws and rules, impact public protection. Will it improve, or will it detract from it, basically 69% said it would improve to make the change or would make no change. Of just Nevada respondents about 72% responded it would improve or have no change on public safety. In the written comments, Mr Kidd noted that there was a reasonably high percentage of people that spoke well of PDHs and didn’t have a problem with current number of CEU’s or they thought that continuing education was important. Mr Wright stated his take-away was that many of the comments showed there might have been confusion among the respondents about the question. Respondents might have confused the need for continuing education to ensure engineers stayed abreast of technology and practices, which he said he didn’t think anybody disagrees is necessary, with the need for the state to mandate continuing education. Mr Wright stated he felt clarification was needed around whether CEU should be state mandated and if it should be, how much should be state mandated. He also stated that when the board hosts the required workshops, the board needs to provide clarity so people can understand the board is not saying you shouldn’t have continuing education, the board is just questioning whether or not the board needs to mandate continuing education.
Ms Purcell said she would like to go around the table to get individual board member's opinions.

Mr DeSart – Generally speaking, I think this proposal is sensible and realistic and I believe, I guess I would fall into the camp of continuing education likely promoting public safety, then to hurt it and I say that through my experience in the past three and a half years on the board where most but not all of the things that have gone to the board have been due to ethics violations or a misunderstanding of the Nevada laws. And I think that if you have less continuing education requirements, then state mandated PDH requirements would be better if focused on those two things—ethics and Nevada laws. I think that's going to improve the practice and improve the promoting of public safety. I also believe that a lot of the things that people currently use as PDHs fall into two categories that I don't think meet the spirit of PDHs. One of them are last-minute internet classes that are taken the week before their renewal so that they can check the box if they have the 30 hours and the other are social events where they go out and mix and mingle and network with their peers. The social events, honestly, I think are more valuable than the last minute internet classes because I do think that networking and exchanging ideas with your peers raises the bar, you know when you have relationships with other engineers you can exchange ideas and you start to get a feel for the standard of practice, at the same time I don't think that's really the spirit and intent of the thousands of comments that said we need professional development. They are talking about keeping up with technology and the changing practice and I think these networking events primarily networking events don't really accomplish that. The other thing that I would say is that if you are a practicing engineer or land surveyor in order to stay relevant, you have to keep up with technology. You have to keep up with the latest things or you pretty much go out of business. I was a little bit surprised to see the results, because I expected to see more opposition and at the same time as I pointed out earlier in the PAL committee meeting the people who are opposed to this idea are emotionally and strongly opposed to this idea and that if we move forward with it, we should expect extreme opposition, but I think it’s a worthwhile cause.

Mr Matter – It’s tough for me to provide input, since I am not required to take PDHs, but I think to a certain extent I think continuing education is important for growth and understanding, from listening to the comments I've heard here, I think there's a lot of classes that people, I can agree with Greg’s sentiment, that there's a lot of classes that you know fit the bill, I guess or allow you to get CEU’s without having to do much. I’ve heard the same arguments made by doctors, the same arguments made by nurses, which my wife is, to PDHs and why you do them and reality of when they get done. I think it would be a definite benefit if it was reduced and far more effective if it was narrowed to specific requirements, and that comes with a cost and who's going to pick up that cost. The man who sat before us today got his license back, was it something we could have done as a board to require PDHs that might have informed
him to not do what he did prior to it happening. I think you are going to see a lot of push back from NCEES and professional societies. I understand it is very difficult, everybody who's working in any profession right now working more hours and doing more things with less time, they might take PDHs online, running in the background while continuing to do other work. Is it really doing anything other than wasting time and distracting them from the efficiency in their work and productivity? I don't have a good answer for it other than I do think they are necessary, but maybe not as many and more directed, I guess.

Mr Anderson – First of all, I'll tell you that I'm 100% in favor of continuing education because I have to do it all the time, but it's the things that I'm doing for continuing education that can't be documented in credits, downsizing my company and getting rid of designers and stuff like that. I am on YouTube finding out how AutoCAD does this, doing hydro analysis - I haven't done this in 20 years. Those are things that I have to do, they are things that need to be done. It doesn't help anybody for the state to mandate. You have to have certain things, so many credits done, and you know done by accredited classes and things like that. If you are interested you will do it, if you want to go through self-study, you'll do it and anybody staying in business, I've been in this business 48 years. I didn't do things back then the same as I do now, 48 years later. Like I said, I'm 100% in favor of continuing education, but I don't think mandating, putting it in a regulation should possibly jeopardize somebody's license, because you know he is busy or he doesn't have the time, he is in an administrative position where he is not really practicing any more or things like that and you're not even doing engineering but need to have his license. I'm against having it as a regulation.

Ms Larkin-Thomason – Not to follow trend here, but I would say I do think having something like ethics and maybe Nevada law would be beneficial because I think that's something that typically we don't get in typical training, as my career has changed over the years I am reaching out and learning new and different things. I'm very much into connected infrastructure, learning new traffic communication methods, these are relevant to my work and it is something that I need to do if I want to continue my work and be relevant when I am speaking, but to say that it’s a mandate, you know, I'm checking a box. For my traffic certification, which is a different certification, it still requires 15 PDHs of traffic engineering and that's to check the box and that is literally just check the box because I have to find 15 of those a year specific to that area and frankly those classes don't mean a lot to me because it's not an area that I practice in. But I think a good engineer is going to continue to learn. I do think ethics and Nevada law would be good to mandate, because how many times before being on the board did you check, you know, check the regs on a regular basis? So, if something changes, you might note that there was some regulatory change. So, I'm all for reducing or at least reduce it down to 3 or reduce it to a half or... and not mandating the level we have now.
Mr Wright – I’m all for continuing education and I think any responsible engineer is and I’m not seeing in any of my time on the board, as short as it’s been, that anyone’s come in for any discipline or any problem because they weren’t kept abreast of the developments in their particular field. Checking the box to fulfill a 30 PDH requirement I don’t think moves the needle at all. Even through us, ReConnect which I thought was great, the board put that on, you know if I want to learn something interesting, I can watch Ted Talks on YouTube, but it doesn’t change my competency in what I do. Our mandate as board members is to ensure a minimal competency of the licensees and to protect the health, welfare and safety of the public and there’s no evidence that I’ve seen, that I’ve heard of that the engineers in California, Arizona or Colorado where CEUs are not required are any less competent or any less abreast of the latest developments. There’s no evidence that the residents of those states are any less safe or the projects are done more poorly. You know that the fact that things are changing, which they are changing they have, and they always will be not a reason for the state to mandate engineers to check a box of 30 PDHs, everyone needs to have continuing education to keep abreast. Just because other states are doing it, isn’t a good reason for us to do it, and the fact that professional organizations are all for it because that helps support them is also not a good reason to do it. So, this is my opinion, I think changing continuing education to focus just on those items that we’ve seen are an issue and trusting engineers to stay abreast without us looking over their shoulder is a much better way to go.

Mr Gingerich – So, I guess my concerns are, as I think about changing this to what we propose is really a setback, I think in 1995 when they proposed this addition I think there were 10 states that did continuing education and now it’s 40 or more. I think all the other professions, doctors, lawyers, school teachers, all have some requirement for continuing education and I think I would struggle as a professional and I know, you know, we’re obligated to do it to learn, to stay current with everything. But if you remove a requirement, I think people will tend to let it go and then maybe a couple years later they haven’t had any sort of education. I do tend to agree that maybe there needs to be a little bit of focus put into the requirements, perhaps some specifics as to business classes or ethics seminar, might be warranted and maybe a little more direction as to what counts as continuing education. Certainly, when the law was put in 10 years ago or in 95, the resources weren’t as broad as they are today, a YouTube video on AutoCAD is something that you’re learning and can count and maybe we can specify that a little better in the regs. So, I’d be reluctant to change it.

Mr Kidd – Couple of things. I think first of all, I think this group has a little bit of a bias with our peers that we associate with because this group I think is intermixed with the top performers of our professions and I think there’s a good portion of our professions that don’t function and think the same way that this group does and with the peers that we associate with. I’m a big fan of specifying more focus, but going from 30 to 3, I think is hard for me to accept. I’m somewhere in between, you know, improving safety, reducing or getting rid of or going from
30 to 3, I think is, it's difficult to justify, for me personally. I think a lot people use the regulation, the requirement of state-mandated continuing education, helps them get support from their employers to go to some of these continuing education events, to go to conferences and professional organization meetings. I'd support some kind of reduction in continuing education, with better focus on what is considered continuing education. I think a mix of ethics and regs, but I think there still should be some kind of requirement for something technical, that's my view.

Mr Spata – I think that continuing education is needed and very important to be mandated but to what degree? I think that's what we're debating, I know for myself most my continuing education fits the needs, like Tracy where you're at in your career. Unfortunately, it's not as much tactical as it may be used to be, you know, I just recall, I think how this got on the agenda initially we were getting some letters and some input and you don't know this Matt, but you know middle or late last year we were getting some suggestions to make it even looser than what I think it already is and that's what kind of raised the discussion, are we getting any value the looser we make it and so I think at a minimum we do need to have something regarding the law and ethics as a requirement. Sounds like we almost all agree on that. I was against loosening it up further, which was some of the suggestions from some of the PEs here in Nevada. So, I think if anything, if we're going to have it, we need to make it focused. I'm on the fence if it drops all the way down to three. It just seems odd to me to drop it all the way to 3. I don't know that I'm against it either, but if we're going to have something, I think it needs to be less specific. You must take an AutoCAD class, but I don't think it should be as loose as you go socializing or you be a mentor, I'm trying to think of what some of the others are, I think we need to not loosen it up. If everybody feels it's of value, especially some of the letters like we got today then, you know, we shouldn't water it down any further than it already is and I think having 30 hours of watered down stuff doesn't get us what we need. Maybe people are doing 5 of that 30 of something meaningful. So, let's make it 5 for the 30, you know, if that's what it is. I don't know. So, I'm still kind of on the fence. I think we need to revamp it. I think we need to lower it, just what the number is and how specifically the requirements, I'm still trying to wrap my head around.

Ms Purcell asked board guest Ms Kramer for her opinion.

Ms Kramer – I think I can maybe provide a little perspective of someone younger in their career, I actually felt when I got my license that taking the ethics exam was very helpful. I didn't really realize the importance of it beforehand and it was helpful to go through and see the different laws and requirements. I think having that when you start out is helpful, and then maybe providing an update when a code does change would be great. But I am for continuing education, especially as I am growing right now, I think, you know learning and attending
conferences and different seminars is very important to me and as Michael brought up, it was actually helpful being able to share that as the requirement with your employer.

Ms Larkin-Thomason – I just have a comment. I want to acknowledge the points that both Kristin (Ms Kramer) made and Mike (Mr Kidd). We are, there is a part of us that we are looking at this profession from a fairly advanced stage in our career and it's something that we tend to forget, I think as we move on in our careers maybe we're ticking the boxes because it no longer pertains to us. We're past that part in our career and maybe I don't do as much technical work anymore. So I think it's a good point to consider particularly as you're starting your career or you're in the middle of your career and still advancing and that having a continuing education requirement, and I will also admit, Brent, that while I do not think that we should have PDHs just so that firms can make money off of offering PDHs but it is a reality in belonging to a number of organizations, they do raise money and they do it by bringing valued education resources. But if they weren't bringing that value they might not still be in existence. I don't know the answer to that question, but I am just throwing that on the table.

Mr DeSart – One observation just listening to everybody and you know, and I think it's important that if we do decide to move forward with this that we are all clear that there's consensus that everybody in this room believes PDHs are important and that continuing education is important. And I think the question is should it be state-mandated? Right? And at what level should it be state-mandated? And I think if we go forward with that, I mean, I think it's a much more productive conversation with the public in our workshops and I think it's more accurate representation of what we are moving forward with, that we're not moving forward with you know, I read, I didn't read all 1,700 comments, but I skinned all 1,700 comments and some of them are really strong negative comments to the concept. Where you know, you're dumbing down the profession, you're watering down the profession, you're going to put the public at risk and a lot of people had that opinion and I don't think that the board, anybody on this board is proposing that. Nobody is proposing to dumb down the profession, nobody's proposing to put the public in harm. What we're debating and what we're discussing is at what level should it be state-mandated and are there some areas that we should actually require to enhance public safety and based on the experience of the board who sees the bottom 10% of the professions. And what do those we generally see involve, it mostly ethics. Like the guy who was here today, understanding the law like do you have to have a contract? And occasionally, there's somebody who's completely incompetent and that I've seen before too for sure, but I don't know that person has been licensed for a decade and whatever continuing education they got didn't help him with that. So, the fact that I'm clear and everybody else is clear, I think that we all agree PDHs are important.

Mr Wright – Continuing education is important.
Mr Spata – With that messaging, if we go forward, we got to be prepared to answer the question. Why are we looking to modify it? I mean, what harm does it do, like we’re talking about on some of the others, well it’s been that way and it’s been working for us why change it, right? I mean this hasn’t caused problems necessarily, right? Other than like I was saying earlier maybe adding to it, but we just got to be prepared to answer the question, why, I think.

Ms Purcell – My opinion, like the rest of you, is that I feel that continuing education is very important, and I do think that we should ask the public about what should be state-mandated. However, I feel that maybe it’s somewhere more than three, but maybe less than 30 hours that there is some sort of level that is state-mandated and there hasn’t been any harm that I know of like you just said Angelo with it being in our regulations. And so, I am personally in favor of keeping the continuing education or PDH requirement but maybe not the full 30 hours that we currently require. I think it was very interesting to hear what you had to say Kristin, as someone that’s newer to the profession as well. And so, I think we all feel that continuing education is an important part of being an engineer or land surveyor. And so, I guess with that I guess we throw it back to the leg com committee to do the next steps.

Ms Mamola - Here's what I would suggest, I'm thinking this needs to take a separate track from our other regulations, even if it's going to take a little bit longer. I think we need to be thoughtful and purposeful in what we're doing, and I think we do need to collect some additional information, that was interesting comments that you made Kristin and I appreciate those comments. I think at some point we need to do another survey and be more specific like Brent said about whether it's state-mandated or if it's something else and if it's going to be state-mandated what does it look like? But I think we should also include demographics of age group because I hadn't thought about the younger people in our profession because employers may be less inclined to support them in their continuing education, so they gain the skills that they need if it's not mandated. So that'd be interesting feedback to hear. So, what I would suggest is that we do an article in the newsletter kind of framing and explaining because people have been asking for that information--where is this coming from, what's the board thinking? Brent could work with staff to draft a newsletter article. We can get it out quickly in another newsletter and then follow that up with a survey. We can write the survey questions to get more information that we need and then bring it back to the leg com for further evaluation before we bring back the board.

Mr Wright – Comments on the one thought it's not doing any harm so why get rid of it? We can add a regulation that says all engineers have to stand on one leg for 10 minutes a day, it's not that hard. Doesn't do any harm but it doesn't move the needle right? So I don't think that's a good reason to keep it and I'm not so sure that the line of thinking that if employers aren't, don't have an incentive because of a state-mandated CEUs to give training to their younger engineers they are not going to do it, let me just tell you as an employer of literally hundreds
of engineers over the last 20 something years. As an employer I set a high priority on training because trained engineers make me more money. So, I don't know that I agree with that line of thinking.

Mr MacKenzie – If you do this in a newsletter, I think you have to be careful not to be initially advocating for a particular position, it's still in deliberation. And so, having Brent Wright and kind of knowing where he's coming from might not be advisable, it might be better a third-party, represent pros and cons and get feedback.

Ms Mamola – I am proposing staff write it. We don’t have a dog in the fight, and we don't want a bias, that’s why we did the survey questions to begin with. We tried to make it benign, even though it was Brent’s idea. So, we'd like to keep it benign in the newsletter too but just to provide some framework, you know, here's why the board’s talking about it and here is what they're thinking.

Mr MacKenzie – And maybe present both sides opinions and not even ask a question. But I mean just be careful about advocating one side or the other for something that’s not determined yet. That is the only thing I'm concerned about, is deliberation when the board has not yet taken action.

Mr Kidd - With the message the board throws out there in whatever form or fashion the newsletter or through these public meetings, whatever. I think one thing we have to be able to answer and should stay in front of us is, what is the improvement? What are we doing here, what are we improving? And I think that quickly gets lost as soon as you start having the discussion with both points of view.

Ms Mamola - We don’t have to do a newsletter, the reason I thought about that is the phone has been ringing off the hook with that survey and people want to show up at our public meetings. I asked callers to hold up. I said the board is doing its due diligence to explore the topic. They're exploring the options the board is asking questions and having a discussion, and I think that's the kind of things we could communicate to calm concerns.

Mr Spata - Does it add value to maybe to share the survey results, explain it's preliminary, maybe it's just the responses and the number of responses or something. Just at least acknowledge that we have the survey, saying thank you and then add that clarification will follow.

Mr Blaney – I think people would like that because they did the survey and we did say at the end of the survey that we would let them know. People when they do a survey would like to know what's happening next and I think that would be a good way to do it.
Ms Mamola – We could do that instead of a newsletter article.

Mr Wright – I have a question and I can't even believe I am asking this question but, not too long ago, there were concerns that maybe the Governor, somebody, others were not valuing the profession of engineering and maybe you know getting rid of the board or not considering it to be one of the learned professionals like a like a doctor or a lawyer, whatever. So like I don't know the answer to this and this would be my only reason for maybe considering not reducing the PDHs would be simply from the highly irrational, but very real reason that if we were to dumb it down by getting rid of these PDHs that all the other learning professions require even though there's no evidence that any of them can point to, that might somehow diminish the profession of engineering in the eyes of the public or government regulators or whoever.

Ms Larkin-Thomason – I think that is a good strategic point.

Mr Kidd – I think along those lines the part of the answer to how we're improving it is, we all agree and we end up with, we think of a reduction is a good idea, but with the reduced number having more focused requirements, I think that's the improvement that that we're presenting.

Mr Wright – That would seem to be an easy compromise. And a justifiable one, I mean you can justify either way I suppose.

Ms Mamola – That's what I've explained to people when I responded back to their inquiries on the issue, I said the board is doing its due diligence on this issue and everything is on the table as it relates to this, so your feedback is important to help the board to determine what they're going to do.

Ms Purcell – Have there been any states that had the continuing education requirement and then has since eliminated it.

Ms Mamola – No. But there have been other states that are asking the question, are these meaningful and are they doing what we need them to accomplish and do we need to change it similar to our current discussions. Do we need to shift our focus? Do we need to be specific? Do we need to pre-approve providers? So they are, now that the requirements have been in place for a while, other states are asking the same questions that were asking ourselves. So, there's been no states that have done away with continuing education requirements.

Mr DeSart - And to be clear, we're not proposing to do away with it.
Mr Wright – Just laser-focus.

Mr DeSart – Just laser-focused, just to add, at the very least I think this is a good conversation that the board should be having with industry. When I talk to people on the street the vast majority think that reducing them is a good idea. I obviously don’t represent a 12,000 person survey by any stretch but there are occasional people who strongly believe that it’s a good thing in its way it’s currently written it and I think a lot has to do with how people interpret what it really means, you know, some people believe that PDH only counts if you go to an accredited technical workshop, you know, where you study you take a test at the end and you get a grade, you know, those kinds of things and other people once again believe it’s sort of a box checking exercise that makes politicians feel better, so they can say that they have a law that has teeth in it. But you know, it doesn’t really have it. But having the conversation collecting the data like we’ve done so far. Making a thoughtful informed decision, it’s the time do it, it’s been since 1995 and it really hasn’t been that long, but you know 23 years ago somebody thought this was a good idea probably starting with NCEES. And so, it’s time to re-evaluate and make it right.

Ms Mamola – I will say one other thing, Florida pre-approves their providers and they only require 12 PDHs a year – so 24 every two.

Mr Spata – So, the action is staff will write a document or something that we will send out if that’s part of a newsletter or what not, and we will frame out the what and why and where we’re going with it. [ACTION]

Mr Wright – You mentioned maybe having the entire leg com review and provide feedback, right? Because that’s going to be a better cross-section of both camps.

Mr Kidd – And show the survey result data with what you’re putting together.

Mr Spata – We will look at putting out another survey and send that all back to leg com and figure out what’s next and then bring it back to the board. [ACTION]

Mr Kidd: I would just like to add a thank you to Angelo for his doing the thankless job of leading the legislative committee at the 10-year review because that is a huge monumental task. So, thank you for that. Most of the work has been staff so thanks go to them. Back to you madam chair.

  c.  Professional Association Liaison Committee, Chair Greg DeSart
Mr DeSart said the main discussion topic was put forward by the City of Henderson related to them seeing a higher percentage of incomplete/design by review submittals and they wanted to get the temperature of the professional associations to see if there would be support for possibly implementing some sort of fee scale if more reviews are required. Penalizing the worst offenders or incentivizing the non-offenders. He added that the PAL members were given the homework of coming back with a position from their association - what they would support. He said that would be a viable way for the City of Henderson to build consensus and get some industry support around the concept.

Mr DeSart added it was good to see an entity using the PAL council as a vehicle to communicate and be a conduit for conversations with professional associations. He said it allows for direct feedback and allows for some resolution within the profession without it becoming a board issue.

d. Public Outreach Committee, Chair Greg DeSart

Ms Mamola said the team from Vogel Designs is going to give an update on the public outreach/social media communications plan.

Mr Vogel said the group wanted to report on phase two of the campaign. He said the presentation would recap the activity to date, review the strategy, take a first look at the analytics, talk about the website adjustments, give a budget summary, and then discuss what will be happening in phase three.

Ms Jolly:
*The first phase is about getting the project moving forward – building momentum. The action at this point is to start publishing, to start posting content to the blog and content to the social media site and build up the posts, build up the information, build up the content, so it's about processes, it's making sure everything is on target and everything has voice in terms of the types of content, in terms of the posts and then it's about building up that steam. The first thing is to simply get started posting and as we've all seen we've been working on this for a while, so it does take a little while to get the ball rolling. One of the ways that we're looking at it, there's a couple different approaches that we are taking, the first one is just reminding everybody at all times that we are your Nevada board. So, we're really coming from a position of servicing public, health and welfare and safety, servicing professional engineers and land surveyors and servicing the future of engineering and land surveying by encouraging licensure. The other thing that we've done, so we've kind of taken that approach to apply some further filters in that we are posting on a consistent basis something that is specific to current practicing engineers and land surveyors who are licensed and involved with the community, we are posting something every week for the public just to maintain and build up*
that awareness about the impact that this has in their everyday life. So, that’s just really one of the things we’re trying to focus on. You know, how does this make a difference in my daily life and what are some of the great things that you all are providing to the community as a result of the board and then the third thing we try to do every single week is publish something that will be helpful to future engineers, future land surveyors and additionally professionals and firms we are trying to build up encouragement and provide avenues for them to join us in that pursuit of excellence in future professionals. So, join us in helping get information out, helping to drive more licensure, helping to drive more opportunities for talented young people to get into these fields and succeed. Sorry one more thing, the way that we are doing that, examples of posts would be things about, rules and regulations that are in effect and how they impact professionals, things like quotes, we are definitely driving traffic to the blog and to the website providing information and infographics about licensure and what that process looks like. And it is really just a focus on events related to the professions and general things that happened in the world and in life. And how the NVBPELS is relevant to those events.

Mr Vogel:
We only got started just a little over a month ago. So, it’s, you know, these things take time and it’s going to take time to build up traction and see some results. In terms of strategy really, we’re kind of trying to eat the bear in small pieces. And right now, it’s about just building that awareness. A lot of the content that we’re pushing out there is the “did you know”, providing information to the public and other engineers that maybe they’re not quite aware of, I think that’s helpful and I think the more people see that over time will, their awareness will build. What we will do once we feel like we’ve achieved some awareness based on some analytics, then we can transition to the next stage which is more of the engagement. And once we have some following with people, we can start reaching out to them using some other means that dovetail with social media to try to get them engaged in this process.

Ms Collins reviewed the shared screen analytics graphic for the board.

Ms Collins:
This is just a general overview, the month of February, next month we will have a better idea because we’ll be able to compare with March so we will be able to see growth there. But this just gives you a general overview of the type of analytics we are pulling, so that you can know, and it gives you an idea of the number of sessions on your website. The number of users, your bounce rate, your goals completions. Your goals are when a user visits three or more pages on your website. So that’s what it is referring to, below you can see a line graph of where traffic is coming from. So here right now you are seeing organic search direct which is a link on somebody else’s site that is going back to your site and social media and you can also see when your users are most active. So right now, it looks like Tuesday is your most active day. You can also see a pie chart down below those breaks down more details where people are
coming from and then the time of day to see when users are most active. So, it looks like right now 10 am is the most active time of day for users. This shows your top search engine, Google is usually always number one, because everybody goes to Google for searching anything, you can see people search from the address bar and going straight to your website third and ncees.org is the fourth and then you can see the following down below. For you guys desktop is the biggest device people are using to access your website, which is some interesting information because people are more active on mobile, but I’m assuming it’s because you know people are at work visiting the website, so that’s probably why they are on a desktop, which makes since at that time of day Nevada is where people are coming from the most, you can also see, the darker area as well as accessing you website and then to the right you’ll see obviously throughout the state of California, Nevada, Utah. Just looking down a bit more. So, what you’re searching for are the number sessions, you can also see a pie chart to see your organic engagement to give you an idea as to what people are going to first. So the homepage it’s pretty normal to see that that’s the top landing page, the second top is professionals, there is a large section under others, so that could be considered blogs, other hidden pages on the website and then you’re also looking fourth at the find Engineers and Land Surveyors page.

Your top queries, this is what people are looking for when they are using a search engines, so people search your name, Nevada Board of Engineers is your top hit and then also Nevada PE license lookup is your second highest, so that’s really awesome because that’s the whole goal of your guys organization, but you can see down below to see what other people are searching. This is good information to have because you can implement the key words onto more posts as well as the website Then in regard to the top landing pages overall, you can see the URL impressions click-through rate.

About social media, again so we just started, so we’re not seeing a huge push yet but while months go on, we will be seeing more. It takes a solid good three months, because right now we are pushing content to let the users know that you are a valuable resource for the type of content. As continuously posting out content people are going to start engaging more people and are going to visit your site more. So, you’ll see these numbers increased and next month we will be able to look at the difference between February and March and see that increase.

Mr Vogel said the analytics graphic can be made available as a PDF and be made available to any interested board members. He said he would connect with board staff to circulate to the board. [ACTION Item – also requesting March report and April report]

Mr Vogel:
I want to move on and give a quick update on the website. One of the things we did to tie into the social media campaign is update the website, we changed some things around structurally to accommodate some of the new things that we’re doing. We made, hopefully,
the path to licensure at least informationally on the site a little bit more clear, labeled the top navigation, I’m sure you’ve all seen the changes but hopefully that makes things a little bit more understandable, a little bit better for people seeking to renew or start a new license. That was the primary focus of the changes, also adding the social media links on the site so they’re readily accessible. The blog, a lot of what we’re doing in terms of pushing social users back to the website is going to be accommodated in the blog. We’ve posted a couple blog posts that provide good information. So, we will continue to use that to get out information, it’s easier to update the website that way, we’ll continue to do that. And then also the newsletter that’s also another helpful source to drive people back to your website.

Mr Vogel reported the phase one and two of the campaign have been completed. He said budget overall is tracking as anticipated, with the first phase coming in over the estimated amount, but the first second phase should come in under budget.

Mr Vogel:
Phase three of the campaign will begin immediately, building on the awareness component, but also engaging with some of our constituents and communicating with the legislature. Also, we’re looking at doing a day in the life videos. We started the ball rolling with that a little bit in terms of thinking about how we’re going to reach out to engineers that would be willing to volunteer for that kind of thing. We can follow them around with a camera and ask them some questions, that kind of thing. We want to target recent grads, were also coming up on graduation here in the not-too-distant future in the next couple months. We really want to hammer on this “get your license” soon afterschool and you know, we just did a post that, details the process. The simple steps to get your license. We also have March Madness that happens in a couple weeks and so not engineering-related, but we certainly want to leverage any kind of public activity events, things like that while we, people are sort of online we can maybe grab some eyes and throw in some interesting facts about you know, what engineers have done related to basketball. Becky’s working on digging up some of that information right now. So other ideas; I think it would be helpful is to provide a blueprint or I called it a script, but really it’s a blueprint that we can give you and also our member engineers who own firms that can be sent to their personal contact lists to encourage their employees and constituents to become active and follow NVBPELS on social media. (ACTION Item) Then additionally we may want to do a follow-up with a MailChimp campaign that says hey, you know, just a reminder we’re very active on social media providing lots of useful information. Make sure you follow us, that kind of thing. And then finally, I just encourage all of you to as well if you haven’t already. I know that there are some legal limitations on what you as board members can do in terms of engaging with social media, but at the very minimum if you could all just follow, just go to Twitter and LinkedIn and Facebook and YouTube and just click the follow
button and then you're not endorsing anything, you're not sharing anything, you're just simply following.

Ms Collins:
I have one more note to build off that. Another great reason why it would be nice for you to follow the NVBPELS social channels is because that gives us access to the people that you engage with on social media, which allows us to reach out to them to follow them in the hopes that they will follow us back or engage with more of the content. But when it comes to the number of followers and likes it's about quality over quantity. So, we want to make sure that we're really getting those people on our social channels that are going to engage with us and actually take advantage of the content. So, if you do follow us that will give us access to your contacts, which will be very helpful.

Mr Vogel:
To follow up on what Nicole said, we have on behalf of the board's social media we have been going out and following other organizations, like NCEES, the universities. Nicole you had a big long list of some of the organizations that you follow for the board. I don't remember all of them off the top of my head, but it was quite a long list. So we are doing that, that will help with reciprocal following, that's really what we're hoping for, we can make that a little bit more affective by communicating these messages anytime you have a conversation with your staff, our when you're at a PAL meeting, or when you are at another organizations meeting, you mention, hey I would appreciate it if you would follow the board, we've got this outreach campaign going on, appreciate if you follow us and help us out.

Ms Purcell asked if board members had any questions or comments

Mr DeSart said he would schedule a Public Outreach Committee meeting before the next board meeting to review the campaign and the analytic reports in more detail. **ACTION Item**
He added that he would like to keep the conversation going about how board members can participate. Mr DeSart continued to say that the idea of sending an email with social media links to board members would be good, giving them something that they can forward to their staff.

Ms Mamola suggested it may be better to do an e-blast through MailChimp to all licensees, that way it doesn’t have to come directly from board members. We can send to everybody, so you will get it, and your licensed staff will receive it as well.

Mr DeSart asked that the social media links be more prominent in the newsletter eblast, somewhere more prominent then just the footer. **ACTION Item**

Ms Purcell asked for clarification that it was okay for board members to follow the NVBPELS social media accounts. Mr MacKenzie said it was okay to follow but discouraged any “likes” or
Mr Spata suggested for campaign content and messaging, NCEES public outreach resources should be shared with Vogel Designs. He added that the presentation material about why the professions are important, and why registration is important, is very thorough and could definitely add value.

Ms Mamola said the materials had been initially shared but she would remind the Vogel team. (ACTION Item)

Ms Larkin-Thomason said she would be curious to see just what kind of subject matter peaks the most interest on the social media platforms.

Ms Mamola said she would ask Vogel to provide information for the next committee meeting about the social media platform performance. (ACTION Item)

Mr Spata said the appears to be two Nevada State Board of Professional Engineers LinkedIn pages, and he wasn’t sure which one was correct.

Ms Mamola said we are trying to take the old version down. A whole new page has been created, and the old one has been left open and we are redirecting people to the new site. She added that it will be taken down in a few more weeks. (ACTION Item)

Mr Matter said he was having some difficulty searching for the NVBPELS on Twitter search using various search terms. Ms Mamola she said would connect with the Vogel team to see if the search can be improved. (ACTION Item)


Mr Blaney said he didn’t have anything to report since the last meeting as the focus has been on the 10-year review of the regulations. He added, if the Small Business Impact surveys and statements associated with the regulations go smoothly the target date of getting it live is still very doable - and that starts with June 1, 2020 for the practice exam going live.

15. Discussion and possible action on corporate name requests.

There were no corporate name requests for the board to consider.
16. **Consideration of initial licensure applicant requests to waive certain requirements of Nevada Revised Statutes and Nevada Administrative Code Chapter 625.**

Mr Anderson recommended denial of the waiver request of NRS 625.183 (3) (a) and NAC 625.210 (1) for Michael Brown, applying for civil engineering licensure.

20-42 A motion was made by Mr Anderson, seconded by Mr Kidd to deny the waiver request. The motion passed unanimously.

Mr Anderson recommended denial of the waiver request of NRS 625.183 (4) (b) for Anthony Peressini, applying for civil engineering licensure.

20-43 A motion was made by Mr Anderson, seconded by Mr DeSart to deny the waiver request. The motion passed unanimously.

Mr Anderson recommended granting the waiver request of NRS 625.183 (3) (a) and NAC 625.210 (1) for Charles Walker, applying for civil engineering licensure.

20-44 A motion was made by Mr Anderson, seconded by Mr Kidd to approve the waiver request. The motion passed unanimously.

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

The Board reviewed 25 applications for initial licensure and recommendations were made.

20-45 A motion was made by Mr Kidd, seconded by Mr Gingerich to approve initial licensure applications as noted. The motion passed unanimously.

18. **Discussion and possible action on status of Board and staff assignments.**

Ms Mamola reviewed the action items listed in the board packet, reported on status, and answered questions from the board.

19. **Discussion and possible action on meeting dates.**
Ms Mamola reviewed the meeting dates as listed in the board packet. There were no questions from the board.

20. **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.**

Ms Purcell: Does anyone have any items that they would like to add as a topic at a future meeting? There were none.

21. **Signing certificates of licensure.**

22. **Public comment.**

There was no public comment.

23. **Adjournment**

Chairwoman Purcell thanked Ms Kramer for attending and her participation. The meeting was adjourned at 2:37pm, on March 4, 2020.

Respectfully,  
Patty Mamola  
Executive Director