

BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Minutes of the Regular Board Meeting
held in Las Vegas, Nevada Thursday, January 11, 2018

Chairman Robert O LaRiviere, PLS, declaring a quorum present, called the meeting to order at 8:29am, in the Clark County Department of Building and Fire Prevention, Conference Room 1222 at 4701 W Russell Road, Las Vegas Nevada. Board members present were Vice Chairman Karen D Purcell, PE; Michael G Kidd, PLS; Bud A Cranor, Public; Amy Y Cheng, PE, Gregory P DeSart, PE; L Brent Wright, PE/SE; Kent B Anderson, PE; and Tracy Larkin-Thomason, PE. Also present were Patty Mamola, PE, Executive Director; Murray Blaney, Compliance Officer; Sarah Wiley, Administrative Assistant; and Chris MacKenzie, Board Legal Counsel. Board member Tracy Larkin-Thomason, PE, joined the meeting at 10:24am. The following person attended as a guest of the board:

Marc St-Jacques, VP Sales
Notarius, Montreal, Quebec

1. Call to Order and Roll Call of Board Members

Board member Tracy Larkin-Thomason, PE will arrive later in the meeting.

2. Pledge of Allegiance

3. Public Comment Period

There were no public comments.

4. Introductions and Guest Orientation

Those present introduced themselves.

5. Approval of November 9, 2017, Regular Board Meeting Minutes

The Board considered the minutes.

18-01 Motion was made by Ms Purcell, seconded by Mr Wright, to approve the minutes. The motion passed unanimously.

Ms Larkin was not present during this agenda item.

6. Financial Statements

a. October 2017 Financial Statements

Ms Mamola reviewed the financial statements. Updated financials sent to the board's Dropbox due to an error in original.

b. November 2017 Financial Statements

Ms Mamola reviewed the financial statements. Chairman LaRiviere inquired about interest earned. Ms Mamola will follow up. Mr DeSart asked about increased revenue compared to expenses and if it was normal

or due to renewals. Ms Mamola answered that it was a trend over the last five years with this year expected to be even higher. Mr Blaney explained it's also due to additional Comity applications, late renewals and a growing state.

18-02 Motion was made by Mr DeSart, seconded by Ms Purcell, to approve the financial statements. The motion passed unanimously.

Ms Larkin was not present during this agenda item.

7. **Compliance Reports by Compliance Officer and Board Counsel**

a. **Compliance Officer Report on Complaints Being Investigated.**

Mr Blaney discussed the four cases to report:

- Cursory stamping of documents sent to public authority. Stipulated agreement sent. Document signed by respondent.
- Unethical employee conduct and missing project files. Case is in investigation stage.
- Labor dispute between two parties. Investigation determined no regulations violated by respondent and recommended case dismissal.
- Property line dispute. Case in investigation stage.

b. **Consideration of Probation Reports:**

Mr Blaney followed up on the report for Mr Larry J Sanchez, PE #15752. He is closing his company and is working for LR Nelson. He is committed to a period of tutelage under a structural engineer and understands training is not a class, but experience under a licensed professional.

c. **Board Counsel Report**

In the process of regulatory and NRS review. Board to consider stipulated agreement under item nine.

8. **Consideration of Digital Signatures and Board's Role in Controlling Use of Licensee Seals in Digital Format. Presentation by Marc St-Jacques with Notarious.**

Mr St-Jacques provided a presentation to the Board members.

Ms Mamola began a discussion with the board to answer questions and concerns about implementing digital signatures as an option for electronic submittals.

18-04 Motion was made by Mr Cranor, seconded by Ms Cheng, to meet with department and planning officials to inform them of what the board is considering and provide a report to the board on possible action to move forward with providing this option to licensees. Motion carried.

9. **Consideration of Stipulated Agreement – Sajan Abraham, PE #**

Mr MacKenzie discussed the case regarding responsible charge concerns against Mr Abraham. First complaint deals with documents prepared by Arizona engineer and stamped by Mr Abraham. Second complaint was for concrete mix designs stamped by Mr Abraham. A stipulated agreement was proposed. Mr Abraham admitted to the violations and agreed to a \$250 fine, \$2000 in administrative expenses, prepare a white paper and take engineering ethics course from Murdough Center for Engineering Professionalism.

Mr Kidd declared he would be abstaining as he and Mr Abraham work in the same department. Mr Cranor disclosed he works for the City of Henderson, which is also Mr Abraham's employer. They do not know each other, and Mr Cranor's decision should not be influenced by this fact.

Mr DeSart asked for clarity of the violation. A discussion ensued regarding the law and its relation to how and when a person should be responsible. The board agreed to put this on the agenda for a future meeting to discuss.

18-03 Motion was made by Mr DeSart, seconded by Mr Anderson, to approve the stipulated agreement. The motion passed unanimously with Mr Kidd abstaining.

Ms Larkin was not present during this agenda item.

10. Administrative Report by Executive Director.

a. Approved Licensee Report

Ms Mamola provided the Administrative report.

b. 2017-2021 Strategic Plan

Business plan is in the early stages and should be ready for the May board meeting. Mr LaRiviere asked if this would include budget items. Ms Mamola calls them deferred costs and they would need to be addressed in either the budget or the business plan.

c. NCEES

Ms Mamola reported that individuals attending the Western Zone meeting on April 5, 2018, are Mr DeSart, Ms Larkin, Mr LaRiviere, Ms Purcell, Mr Anderson, Ms Cheng and Mr Cranor. Mr Wright and Mr Kidd will not be attending. The board will pay expenses for Wednesday through Saturday (four days).

Ms Mamola spoke of the effort that Governor Sandoval is leading with governors of eleven other states to look at occupational licensures that are perceived as license barriers. Their goal is to create a compact for best practices to remove barriers that prevent efforts to put people back to work. Ms Mamola stated that she would keep the board posted on the progress of this effort.

Ms Mamola stated that elections will be held for the Western Zone Vice President in November. Ms Purcell will be the candidate and the board will need to send a letter in support of Ms Purcell.

18-05 Motion was made by Ms Larkin, seconded by Mr Cranor, to recommend Ms Purcell for the position of Western Zone Vice President. The motion passed unanimously.

11. Board Committee Reports

a. Administrative Procedures Oversight Committee, Chair Karen Purcell

Ms Purcell stated that the APOC met on November 29, 2017, to review and approved the new office space in Las Vegas. Ms Mamola reported that the lease was approved by the Board of Examiners and final drawings were received for review. Once approved and permit received, the office should be up and running by May 2018. Ms Mamola also stated that Allison McKenzie's contract was approved and is good for three years.

b. Legislative Committee, Chair Michael Kidd

Mr Kidd and Ms Mamola reported that they met with Paul Anderson, a representative from the Governor's office, and were impressed that he was engaged, listening and receptive. Mr Kidd then discussed the revisions, sequence of events and board approval required for the planned workshops.

Ms Mamola stated that she and Mr MacKenzie need to get together to figure out the schedule. She said there would need to be a Legislative Committee meeting on February 22, 2018, and that the board would need to approve the draft language on or before the March board meeting to be able to move forward with the workshops. An additional board meeting may be scheduled to discuss the outcome of the Legislative Committee meeting and work on any additional changes to the language before it goes before the board final approval.

Proposed Changes to NRS/NAC 625

Mr Blaney stated the need to update the proposed draft of NRS/NAC related to encryption or authentication of electronic stamping after the discussions that took place today.

Ms Mamola was asked to talk about the Nevada Legislative Commission's Sunset Subcommittee and that the board is one of 25 other boards being evaluated by Sunset. The board must prepare a Sunset report and testify before the Legislative Counsel Bureau (LCB) to justify its existence. Ms Cheng asked how many commissions there are within the state and how often this process takes place. Ms Mamola answered that these 25 boards have not gone before the Sunset Subcommittee and there is a list of 40 to 50 boards and commissions within the state.

Ms Mamola commented that she is looking forward to this process to develop the board's "elevator pitch", and validate why the board exists and to take an introspective look at how it could work better.

c. Professional Association Liaison (PAL) Council, Chair Greg DeSart

Mr DeSart provided an update from the last meeting, in which they talked about offering a one-day Professional Development Hours (PDH) seminar. They also discussed a certificate ceremony and tagging on an awards recognition ceremony in southern and northern Nevada American Public Works Association

(APWA) luncheon. There is also good interest from the professional organizations in the board's calendar where associations and organizations can place events to avoid conflicts and overlaps.

d. Public Outreach Committee, Chair Greg DeSart

Mr DeSart spoke about the latest meeting. Two functions were discussed:

- A "PDH Fest" in late October or early November as a one-day opportunity for licensees to obtain up to eight PDHs with a possible budget of \$10,000 and a cost per person of \$20-30.
- A certificate ceremony by possibly tagging along with other events such as the Engineer's Dinner in the South or an APWA luncheon in the North, and the possibility of having licensee family and friends to participate.

12. Corporate Name Requests.

No corporate name requests.

13. Nevada Geological Exam

Ms Mamola stated that this topic was slated on the agenda because the professor who writes the exam retired last fall. There has been no recommendation on who to author future exams. Does it make sense to continue this? Mr Blaney said that there are 23 active geological engineers in Nevada, the majority of which are ready to retire. The exam has been administered seven times in the last 15 years.

Mr DeSart has a geological degree from UNR. Mr LaRiviere suggested that the board retain the geological engineering exam. Mr Wright will contact UNR to find out if the geological degree is being eliminated, and who would be the next person in line that could assist the board and volunteer to author future exams.

14. Possible Licensing of Software Engineers

Mr LaRiviere opened discussion regarding the education, licensing and definition of what is covered for "Software Engineers". Ms Mamola provided information in regard to education and licensing requirements in other states. Discussion proceeded on definition of the guidelines put forth on page 144 of the Board Book.

The question remained of whether the software engineers should be required to take the NCEES Exam in order to obtain their PE for licensing. Ms Mamola talked about the future of the software engineer and how this field can do nothing but grow in the future.

It was decided by the board to conduct further research with the state of Texas obtaining clarification on the guidelines to follow ensuring compliance with this process. Mr Anderson suggested that the board write any questions that they would have to be presented for further research. Ms Mamola and Mr Blaney will proceed with this research.

Further discussion will be placed on the agenda for a future board meeting.

15. Entertainment Engineering Degrees in Nevada and Possible Future Licensing of Entertainment Engineers.

Mr LaRiviere inquired about the engineering class at UNLV and wanted to know about the strength of the program. Ms Mamola will follow up with UNLV on the status of this program and how many students are currently in the engineering class.

Mr LaRiviere asked that the board reach out at the NCEES zone meeting to write a proposal and obtain support and then write the letter. Definition is needed from UNLV, of an Entertainment Engineer and what they would do in a work environment.

16. Board Approval of Non-Appearance Applications for Initial Licensure

The Board considered 14 non-appearance applications for initial licensure and recommendations were made.

Please refer to Appendix "A" of these minutes for the names and action taken by the Board.

17. Status of Board and Staff Assignments

Ms Mamola reviewed those items completed and those still pending.

18. Meeting Dates

The next Board meeting is scheduled for March 8, 2018, at the Ed and Mary Alice Pine Boardroom, Suite 130, 1755 Plumb Lane - Reno, NV.

The Western Zone meeting is scheduled for April 5-7, 2018. in Hawaii.

The Annual Meeting is scheduled for August 15-18, 2018, in Scottsdale, AZ.

19. Topics for Future Meetings, Including Possible Proposed Amendments to the Nevada Professional Engineers and Land Surveyors' Law, NRS/NAC 625

Board members to notify Ms Mamola of any additional agenda items.

20. Signing Certificates of Licensure

The Board signed wall certificates for those persons who were licensed by comity and initial licensure.

21. Public Comment Period

There were no public comments.

Adjournment

There being no further business, Chairman LaRiviere adjourned the meeting at 2:08 p.m. on Thursday, January 11, 2018.

Respectfully,

Patty Mamola, PE
Executive Director