

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Minutes of the Public Hearing Intent to Act Upon Regulations
Held virtually Thursday, November 18, 2021, at 9:15am

Board members participating were Chairman Michael Kidd, PLS; Vice Chair Thomas Matter, public member; Karen Purcell, PE; Angelo Spata, PE; Matthew Gingerich, PLS; Lynnette Russell, PE; Robert Fyda, PE; and Brent Wright, PE/SE. Also joining were Patty Mamola, Executive Director; Chris MacKenzie, Board Legal Counsel; and Murray Blaney, Operations/Compliance.

There were 12 members of the public participating virtually.

1. Meeting conducted by Chair Michael Kidd, call to order and roll call of board members to determine presence of quorum.

Mr Kidd determined a quorum was present and called the Public Hearing to order at 9:16am.

2. Pledge of Allegiance.

3. Public comment.

There was no public comment.

4. Open hearing for LCB file number R141-20RP1 by Chair Michael Kidd. Presentation, discussion, and adoption of proposed changes to Nevada Administrative Code 625 as drafted by the Nevada Legislative Council Bureau, LCB file number R141-20RP1.

Mr Kidd asked if Mr Spata, as Chair of the Legislative Committee, had any opening remarks.

Mr Spata said the current file was part of the larger full regulatory review which began in 2019. He added the proposed amendments presented had received edits from the LCB and were reviewed by the board at its September 16, 2021, and approved to move forward to today's public hearing.

Mr Spata asked Ms Mamola to review the amendments being proposed.

Ms Mamola said as an overview, the proposed changes to Nevada Administrative Code chapter 625 authorizes the State Board of Professional Engineers and Land Surveyors to designate a Board Liaison to work with the Executive Director of the Board in resolving complaints; changes disciplinary reporting to be submitted to the Board within 60 days, instead of 30 days; revises conditions of probation; revises provisions relating to the establishment of advisory committees; revises provisions relating to the duties of the Executive Director of the Board that relate to advisory committees; revises

provisions relating to the evaluation and investigation of a complaint by an advisory committee; provides that such advisory committee evaluations and investigations of complaints are not subject to the Open Meeting Law; repeals certain provisions relating to advisory committees; and other minor related edits.

Ms Mamola noted the specifics to each regulation:

→ NAC 625.010 adds a definition for “Board Liaison”

→ NAC 625.640 describes Executive Director and Board Liaison roles related to complaints

→ NAC 625.642 changes licensee reporting of disciplinary action from 30 days to 60 days

→ NAC 625.645 clarifies that any conditions deemed appropriate by the board is limited to those to facilitate probation

→ NAC 625.646 updates the use of an advisory committee as an investigative tool

→ NAC 625.6465 adds details related to establishing advisory committees and also notes that it is not held in a public setting unless requested by the respondent.

→ NAC 625.647 adds details related to function and duties of an advisory committee

→ NAC 625.6475 updates a respondents rights related to an advisory committee

→ NAC 625.648 is repealed

Ms Mamola said there are two edits of the LCB text and are included in the board’s adoption of these regulations—

- NAC 625.6465 (1)(d), remove remanent text, “***Inform the Board of the recommended disposition of the complaint***”, that was inadvertently left in the draft language
- NAC 625.6475 (2), change of word from “***participant***” to “***participate***”

Mr Kidd asked if there were any questions from the public relating to the proposed amendments. There were none.

Mr Kidd asked if there was any comment or discussion from board members. There was none.

21-68 A motion was made by Ms Purcell, seconded by Mr Fyda to adopt the changes proposed in LCB file number R141-20RP1. The motion passed unanimously.

5. Public comment.

There was no public comment.

6. Close hearing for LCB file number R141-20RP1.

Mr Kidd said hearing no public comment, he would bring the hearing to a close.

7. Adjournment.

Mr Kidd thanked the board and the members of the public for their participation and adjourned the public hearing at 9:26am.

Respectfully,

Patty Mamola
Executive Director