

**NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**  
**Minutes of the Regular Board Meeting**  
**Held at 1755 E Plumb Lane, Suite 258, Reno, NV 89502**  
**at 9:30am Thursday, March 9, 2023**

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

**1. Meeting conducted by Chair Michael Kidd, call to order and roll call of board members to determine presence of quorum—board members Karen Purcell, Thomas Matter, Angelo Spata, Matt Gingerich, Robert Fyda, Lynnette Russell, Brent Wright, Greg DeSart.**

It was determined a quorum was present, and Mr Kidd read the board's purpose and mission.

*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.*

**2. Pledge of Allegiance.**

All rose for the pledge of allegiance.

**3. Public Comment.**

There was no public comment.

**4. Introductions.**

Board members and staff introduced themselves.

**5. Consideration of initial licensure applicant requests to waive certain requirements of Nevada Revised Statutes and Nevada Administrative Code Chapter 625.**

Ms Purcell recommended approval of the request to waive NRS 625.183 (4)(b) made by Angelica

Rodriguez applying for mechanical engineering licensure.

23-17 A motion was made by Ms Purcell, seconded by Mr Spata to approve the waiver request.  
The motion passed unanimously.

Mr DeSart recommended approval of the request to waive NRS 625.183 (1)(a) made by Patrick Vradenburg applying for civil engineering licensure.

23-18 A motion was made by Mr DeSart, seconded by Mr Fyda to approve the waiver request.  
The motion passed unanimously.

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

The Board reviewed ten applications in the board packet for initial licensure and recommendations were made.

23-19 A motion was made by Mr Gingerich, seconded by Ms Purcell to approve the initial licensure applications contained in the board packet with recommendations noted. The motion passed unanimously.

The Board reviewed six additional applications in the supplement to the board packet for initial licensure and recommendations were made.

23-20 A motion was made by Mr Fyda, seconded by Mr Wright to approve the initial licensure applications contained in the supplemental board packet with recommendations noted. The motion passed unanimously.

**7. Discussion and possible action on approval of January 19, 2023, board meeting minutes.**

23-21 A motion was made by Ms Purcell, seconded by Mr Wright to approve the January 19, 2023, board meeting minutes with correction noted. The motion passed unanimously.

**8. Discussion and possible action on approval of February 9, 2023, interim board meeting minutes.**

23-22 A motion was made by Mr DeSart, seconded by Mr Gingerich to approve the February 9, 2023, interim board meeting minutes. The motion passed unanimously.

**9. Discussion and possible action on January 2023 financial statements:**

Ms Mamola reviewed the January 2023 financial statements as presented in the board packet and provided clarifications for the board.

23-23 A motion was made by Mr Spata, seconded by Mr Gingerich to approve the January 2023 financial statements. The motion passed unanimously.

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

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

Mr Blaney reported on the status of the seven (7) open compliance case files. There were no questions from board members.

**b. Consideration of probation reports:**

Dooley Riva, PE #18231	Timothy Prockish, PE #12931
John Skwiot, PE #20561	Ali Fakih, PE #28788
Jason Caster, PLS #19338	Lynn Affleck, PE #7676
Lazell Preator, PE #14982	Douglas Fellenz, EI #OT8691
Robert Mercado, PLS #10352	Armando Monarrez, PE #19652

Mr Blaney reviewed the status of licensees on probation. He reported that Mr Mercado was still not in compliance with his stipulated agreement and that based on the board's decision at the January board meeting, Mr Preator's license is now suspended.

Mr Gingerich asked for clarification on Mr Preator's license status at the end of his probation period.

Mr MacKenzie said his license is suspended for the term of the discipline which is defined by the probation period. If there are no other issues during the probation period, there can be consideration for lifting the suspension at the end of that time.

Ms Mamola added if there continues to be issues in complying with the stipulated agreement, the board may need to consider additional action which would require a formal hearing at a future board meeting.

**11. [Intentionally left blank]**

**12. Discussion on Board Counsel Report.**

Mr MacKenzie reported that there were two disciplinary matters pending. The first relates to a proposed stipulated agreement that will be presented to the respondent following final review by

staff and the board liaison. The second is the drafting of a formal complaint for continuing non-compliance by one of the people under probation, which will be before you at the next meeting. Mr MacKenzie asked if there were any questions from the board. There were none.

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

**a. Approved licensees report.**

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

**b. Action items related to 2021-2025 Strategic Plan.**

There were no questions or comments from the board relating to the strategic plan.

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

Ms Mamola reviewed items related to board members attending the NCESS Mega Zone Meeting in April 2023 in Houston, TX, and noted that the NCEES funded delegates were Ms Purcell, Mr Spata, and Mr Kidd.

**14. Discussion and possible action on board committee reports.**

**a. Administrative Procedures Oversight Committee, Chair Angelo Spata.**

Mr Spata reported the committee had not met since the last board meeting. The next meeting is scheduled for March 30, 2023, at 2:00pm.

**b. Legislative Committee report, Chair Greg DeSart.**

Mr DeSart said much of importance was covered in the February Interim Board meeting, and the next Legislative Committee meeting is scheduled for March 28, 2023.

**c. Professional Association Liaison Committee, Chair Brent Wright.**

Mr Wright said the committee met yesterday and had good participation. We're scheduled to talk about the quality of plan submittal document that was put together, but the person that was going to do that was out of town. That agenda item has been rescheduled for our next meeting on May 10, 2023.

**d. Public Outreach Committee, Chair Robert Fyda.**

Mr Fyda said the committee had not met since the last board meeting. The next meeting will be toward the end of this financial year, likely just before the July board meeting.

**e. PLS Standards of Practice Subcommittee of the Legislative Committee, Chair Matt Gingerich.**

Mr Gingerich reported that the sub-committee had not met since the last board meeting. He said the review for the regulations would pause while we work through the requirements of the governor's executive orders.

**15. Consider survey results and Small Business Impact study related to Governor Lombardo Executive Order 2023-003.**

Ms Mamola said the regulations were grouped into three categories as outlined in the agenda and gave a brief overview of the regulations within each category.

**i Licensing and exam regulations proposed for updating.**

**a. Regulations**

**b. Survey results**

**c. Small Business Impact statement**

**ii. PLS standards of practice regulations proposed for repeal.**

**a. Regulations**

**b. Survey results**

**c. Small Business Impact statement**

**iii. Miscellaneous regulations proposed for repeal.**

**a. Regulations**

**b. Survey results**

**c. Small Business Impact statement**

Ms Mamola said the survey was sent to 18k email addresses to elicit feedback on impacts to small businesses. The survey was sent to all licensees, certified EI and LSI, and interested parties who have signed up for board communications via the website for information relating to the board. Ms Mamola added the open rate of the email was just under 18%, above the industry average, with 253 survey responses received. Based on the survey results a draft Small Business Impact statement has been prepared and is presented for board review and comment.

Mr Gingerich asked for clarification that the Small Business Impact statement related only to the financial/economic impacts on small businesses.

Ms Mamola said that was correct. There were no comments or edits to the SBI report from the board.

#### **16. Consider approval of report related to Governor Lombardo Executive Order 2023-004.**

Ms Mamola gave an overview of the executive order and how it was addressed in the report.

Mr MacKenzie noted a correction relating to endorsement licensure signed into statute that was signed by a previous governor.

Ms Mamola said the correction, noting the correct governor, would be made prior to the report being released. (ACTION Item)

23-24 A motion was made by Mr DeSart, seconded by Ms Russell to approve the report related to Governor Lombardo Executive Order 2023-004 with the noted correction. The motion passed unanimously.

#### **17. Discussion and possible action on information provided by government liaison representative from McDonald Carano related to Nevada's legislative session and other board related matters.**

Ms Fisher was excused from the meeting.

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

Ms Mamola said the action item list and status of board and staff assignments is shown in the board packet. There were no questions from the board.

#### **19. Discussion and possible action on meeting dates.**

Ms Mamola reviewed the upcoming meeting dates as presented in the board packet and said calendar

invites were be sent out to board members. (ACTION Item)

**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.**

No topics were put forward.

**21. Public comment.**

There was no public comment.

**22. Adjournment.**

Mr Kidd thanked the board members for their participation and adjourned the meeting at 10:15 am.

Respectfully,

Patty Mamola  
Executive Director