

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

**NOTICE OF PUBLIC MEETING
BOARD MEETING**

September 21, 2023

Date: September 21, 2023
Time: 8:30 AM
Location: 241 W Charleston Blvd
Suite 130
Las Vegas NV 89102
(775) 688-1231

Video Conference Information: Join from PC, Mac, Linux, iOS or Android:
<https://zoom.us/j/8286438008>
Or iPhone one-tap: +16699006833,,8286438008#
Or Telephone: +1 669 900 6833, Meeting ID: 8286438008

AGENDA

Please note: The Nevada State Board of Professional Engineers and Land Surveyors may 1) take agenda items out of order, 2) combine two or more items for consideration, 3) remove an item from the agenda or delay discussion related to an item at any time.

Members of the public may provide public comment by logging into the ZOOM webinar by accessing the following link: <https://zoom.us/j/8286438008>. This option will require a computer with audio and video capabilities or can dial into the Zoom meeting, +1 669 900 6833, Meeting ID: 8286438008, and provide comments by telephone. Additionally, public comment can be submitted prior to, during, and up to 10 minutes after the meeting is adjourned via email to board@boe.state.nv.us. Public comment received by email prior to and during the meeting will be read into the record. Public comment received by email within 10 minutes of meeting adjournment will be added to the record.

1. Meeting conducted by Chair Angelo Spata, call to order and roll call of board members to determine presence of quorum—board members Michael Kidd, Karen Purcell, Thomas Matter, Matt Gingerich, Robert Fyda, Brent Wright, Greg DeSart, Jay Dixon.
2. Pledge of Allegiance
3. Public comment. (**Discussion only**) Action may not be taken on any item brought up under public comment until scheduled on an agenda for action at a later meeting. The chair of the board may impose a time limit of three minutes.
4. Introductions

5. Consideration of initial licensure applicant requests to waive certain requirements of Nevada Revised Statutes and Nevada Administrative Code Chapter 625. **(For possible action)**
6. Board approval of non-appearance applications for initial licensure. Refer to Addendum A for list of applicants. **(For possible action)**
7. Discussion and possible action on approval of July 20, 2023, board meeting minutes. **(For possible action)**
8. Discussion and possible action on approval of August 10, 2023, interim board meeting minutes. **(For possible action)**
9. Discussion and possible action on financial statements. **(For possible action)**
 - a. July 2023
 - b. August 2023
10. Discussion and possible action on compliance reports by Compliance Officer. **(For possible action)**
 - a. Compliance officer report on complaints being investigated.
 - b. Consideration of probation reports:

Dooley Riva, PE #18231	Buckley Blew, PLS #24520
Jason Caster, PLS #19338	Lynn Affleck, PE #7676
Lazell Preator, PE #14982	Douglas Fellenz, EI #OT8691
Robert Mercado, PLS #10352	Armando Monarrez, PE #19652
Timothy Prockish, PE #12931	Mark Johnson, PE #19830
11. Discussion and possible action on delegation of formal hearings to a hearing officer, Nevada Revised Statute 625.150 (5). **(For possible action)**
12. Discussion on Board Counsel Report. **(Discussion only)**
13. Discussion and possible action on administrative report by Executive Director. **(For possible action)**
 - a. Approved licensees report
 - b. Action items related to 2021-2025 Strategic Plan
 - c. Items related to National Council of Examiners for Engineering & Surveying (NCEES)
 - i. Annual Meeting Conference Report and Action Items
14. Discussion and possible action on electronic submittals and digital signatures, Nevada Administrative Code chapter 625, NAC 625.610. **(For possible action)**

15. Discussion and possible action on board committee reports. **(For possible action)**
 - a. Administrative Procedures Oversight Committee, Chair Brent Wright
 - b. Legislative Committee report, Chair Greg DeSart
 - i. Consider proposed updated regulations from the PLS Regulation Subcommittee, see list of regulations, Attachment A (green fill). **(For possible action)**
 - ii. Consider proposed updated regulations identified by board members and staff to comply with Governor Lombardo’s Executive Orders 2023-003 and 2023-004, see list of regulations, Attachment A (blue fill). **(For possible action)**
 - iii. Consider proposed updated regulations identified by board members and staff, see list of regulations, Attachment A (yellow fill). **(For possible action)**
 - iv. Consider education matrix for licensing of professional land surveyors per Nevada Revised Statutes chapter 625, NRS 625.270. **(For possible action)**
 - c. Professional Association Liaison Committee, Chair Matt Gingerich
 - d. Public Outreach Committee, Chair Karen Purcell
 - e. PLS Standards of Practice Subcommittee of the Legislative Committee, Chair Matt Gingerich
16. Discussion and possible action on draft schedule for regulatory changes—regulations to comply with Governor Lombardo’s Executive Orders 2023-003 and 2023-004, regulation changes related to PLS Standards of Practice Subcommittee and any other proposed regulation changes, see list of regulations, Attachment A. **(For possible action)**
17. Discussion and possible action on board committee assignments for fiscal year 2023-2024. **(For possible action)**
18. Discuss legislative matters with board’s government liaison, Susan Fisher. **(For possible action)**
19. Consider any bill draft requests proposed by the Legislature to amend Nevada Revised Statutes related to regulatory boards and/or changes to Nevada Revised Statutes chapter 625, 329, and 327. **(For possible action)**
20. Discussion and possible action on status of Board and staff assignments. **(For possible action)**
21. Discussion and possible action on meeting dates. **(For possible action)**
22. 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. **(Discussion only)**
23. Public comment. **(Discussion only)** Action may not be taken on any item brought up under public comment until scheduled on an agenda for action at a later meeting.
24. Adjournment

Supporting material for this meeting may be requested from Patty Mamola, PE, Executive Director at (775) 688-1231 (board@boe.state.nv.us) and is available at 1755 East Plumb Lane, Suite 258, Reno, NV 89502.

AFFIDAVIT OF POSTING

The undersigned affirms that in accordance with NRS 241.020, this public notice and agenda was posted on or before 9:00 AM on September 15, 2023, on the Nevada State Board of Professional Engineers and Land Surveyors website, <http://www.nvbpels.org/>, the State of Nevada's Public Notice website, <http://notice.nv.gov>, and physically posted at the Reno board office.

SIGNATURE

Name: Patty Mamola

Title: Executive Director

Date and Time of Posting: _____

Addendum A - September Initials

LNAME	FNAME	ABREV	COMMENTS
Balajadia	Gavin	CE	
Barragan	Joseph	CE	
Durham	Katie	CE	
Esguerra	Edward John	CE	
Felix Ferreira	Daniel	CE	
Gombert	Carolyn	CE	
Hayes	Benjamin	CE	
Javidialesaadi	Abdollah	CE	

LNAME	FNAME	ABREV	COMMENTS
Nasiri	Fazan	CE	
Schmaling	Tyler	CE	
Stawska	Sylwia	CE	
Tsikaradze	George	CE	
Walters	Michael	CE	
Runion	Grant	CSE	
Kracaw	Emma	EE	
Lackey	Austin	EE	
Williard-Schmoe	Ella	EE	

LNAME	FNAME	ABREV	COMMENTS
Ellis	Daniel	SE	
Hollinger	Stephan	SE	

ATTACHMENT A

Regulation		Status	Proposed Action
GENERAL PROVISIONS			
625.010	Definitions.	No change	
625.011	“Biennial renewal period” defined.	No change	
625.012	“Board” defined.	No change	
625.0123	“Board Liaison” defined.	No change	
625.0125	“Examination” defined.	No change	
625.013	“Firm” defined.	No change	
625.014	“Licensee” defined.	No change	
625.016	“Professional development hour” defined.	No change	
625.017	“Quarter credit hour” defined.	No change	
625.018	“Respondent” defined.	No change	
625.019	“Semester credit hour” defined.	No change	
625.020	Engineering and land surveying licensed as separate professions.	No change	
STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS			
625.100	Officers: Election; term; vacancies; removal.	No change	
625.110	Meetings.	No change	
625.125	Appointment of members emeriti.	No change	
LICENSURE, CERTIFICATION AND REGISTRATION			
625.210	Application for licensure or certification; fees.	Proposed to Amend	Waive application fees for active military, active military spouses, military veterans and military veteran spouses
625.215	Experience in land surveying.	No change	
625.217	Active experience in engineering.	Added in 2021	
625.220	Disciplines of engineering.	No change	
625.230	Applications for licensure in multiple categories or disciplines.	Proposed Repeal	Priority 1 - Repeal
625.240	Licensure on basis of previous licensure in another jurisdiction; examinations; evaluation of applications; issuance of license.	Proposed to Amend	Waive application fees for active military, active military spouses, military veterans and military veteran spouses Additional edits for LegComm consideration
625.260	Licensure as structural engineer required for certain activities; exceptions.	Updated in 2019	
625.310	Examinations: Generally.	Proposed to Amend	Remove Nevada specific exams to streamline and speed licensing process
625.330	Examinations: Notice and duty to appear.	Proposed Repeal	Priority 2 – Repeal proposed
625.410	Expiration and renewal of licensure; fees.	Updated in 2021	
625.420	Retired or inactive status of licensee; reinstatement to active status.	No change	
625.425	Registration of firm: Application; requirements; renewal; fees; notice to Board of certain changes.	Updated in 2021	
CONTINUING EDUCATION			
625.430	Requirements for renewal of license; carry forward of excess professional development hours.	Updated in 2021	
625.440	Exceptions to requirements for renewal of license.	No change	
625.450	Waiver of requirements for renewal of license.	No change	

625.460	Inactive status: Requirements for renewal of identification card.	Proposed Repeal	Priority 5 – Repeal
625.470	Assignment of professional development hours to certain activities.	Updated in 2021	
625.480	Proof of completion of professional development hours; form.	No change	
625.490	Notification of failure to complete required number of professional development hours.	No change	
CODE OF CONDUCT			
625.510	Fundamental principles.	Updated in 2021	
625.520	Relations with the public.	Updated in 2021	
625.530	Relations with employers and clients.	Updated in 2021	
625.540	Relations with other engineers or land surveyors.	Updated in 2021	
625.545	Written contract required for each client.	Proposed to Amend	Edits for LegComm consideration
625.550	Licensee employed by governmental entity: Notification to Board of certain conduct by another licensee.	Updated in 2021	
MISCELLANEOUS PROVISIONS			
625.610	Stamps, seals and signatures on documents; revision of original plans prepared by another licensee.	Updated in 2022	
625.611	Plans, maps and specifications submitted to public authority: Contents; stamps and signatures.	Updated in 2022	
625.612	Reports, studies, test results, certifications and calculations submitted to public authority: Stamps and signatures.	No change	
625.613	Documents prepared by licensee: Inclusion of supplemental information; contents.	Updated in 2022	
625.615	Contact information of licensee: Filing with and use by Board; notice of change.	Updated in 2021	
625.620	Fictitious names.	Proposed Repeal	Priority 3 – Repeal
625.625	Notice of change in licensee’s employer, category or discipline.	Proposed Repeal	Priority 4 – Repeal
625.630	Prohibition on advertising for or offering to perform engineering in discipline in which licensee or firm is not licensed.	Updated in 2021	
PRACTICE BEFORE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS			
Parties			
625.635	Representation of parties; qualifications of attorneys.	Proposed Repeal	Priority 6 – Repeal
Disciplinary Action			
625.640	Procedure for complaints concerning professional misconduct or incompetence.	Updated in 2022	
625.642	Licensee to provide written notice of disciplinary action taken by another entity.	Updated in 2022	
625.645	Conditions of probation.	Updated in 2022	
Advisory Committees			
625.646	Establishment of advisory committee to provide assistance and participate in certain evaluations; members; travel expenses and subsistence allowances.	Updated in 2022	
625.6465	Evaluation and investigation of complaint: Duties of Executive Director; procedures for conference between advisory committee and respondent.	Updated in 2022	
625.647	Evaluation and investigation of complaint: Duties of advisory committee; report to Executive Director and Board Liaison.	Updated in 2022	

625.6475	Evaluation and investigation of complaint: Conference with respondent; effect of refusal of respondent to participate in conference or review of complaint; continuance of conference; hearing de novo.	Updated in 2022	
Miscellaneous Petitions			
625.649	Petitions for adoption, amendment or repeal of regulations.	No change	
STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS			
General Provisions			
625.651	“Positional certainty” defined.	No change	No change recommended by PLS Sub Committee
625.655	Applicability of statutes and regulations.	Proposed to Amend	Edits approved by PLS Subcommittee
625.660	Responsibility for compliance with standards of practice.	Proposed Repeal	Priority 7 – Repeal recommended by PLS Sub Committee
625.662	Units of measurement.	No change	No change recommended by PLS Sub Committee
625.664	Positional certainty: Minimum confidence level.	No change	No change recommended by PLS Sub Committee
625.666	Positional certainty: Horizontal and vertical components of certain land surveys.	Proposed to Amend	Edits approved by PLS Subcommittee
625.668	Positional certainty: Horizontal and vertical positions of monuments.	Proposed Repeal	Priority 8 – Repeal recommended by PLS Sub Committee
Land Boundary Surveys			
625.670	Required research, identifications, measurements and computations.	Proposed to Amend	Edits approved by PLS Subcommittee
625.680	Disagreements concerning measurements or positions of monumented corners.	Proposed to Amend	Edits approved by PLS Subcommittee
625.690	Location of corners, boundaries and monuments.	Proposed Repeal	Priority 9 – Repeal recommended by PLS Sub Committee
625.700	Report to client of discrepancies concerning boundary lines.	Proposed to Amend	Edits approved by PLS Subcommittee
625.710	Identification and description of monuments.	Proposed to Amend	Edits approved by PLS Subcommittee
625.720	Drawing of survey; certification.	Proposed to Amend	Edits approved by PLS Subcommittee
625.740	Classifications of surveys; use of classifications and requirements for positional certainty.	Proposed to Amend	Edits approved by PLS Subcommittee
Construction Surveys			
625.760	Contract drawings and specifications; special instructions.	Proposed to Amend	Edits approved by PLS Subcommittee
625.765	Establishment of final location of points.	Proposed Repeal	Priority 10 – Repeal recommended by PLS Sub Committee
625.770	Verification of location of certain points; notification of insufficient dimensions or details.	Proposed to Amend	Edits approved by PLS Subcommittee
625.775	Positional certainties for marking locations of proposed fixed works.	Proposed to Amend	Edits approved by PLS Subcommittee
625.780	Sketches, cut sheets and field notes.	Proposed to Amend	Edits approved by PLS Subcommittee
625.785	Verification surveys: Exchange of information.	Proposed to Amend	Edits approved by PLS Subcommittee
Miscellaneous Provisions			
625.790	Preparation of legal description of property.	Proposed to Amend	Edits approved by PLS Subcommittee
625.795	Duties regarding geographic information systems.	Proposed Repeal	Priority 11 – Repeal recommended by PLS Sub Committee