

The Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors
PEALS Board Regular Meeting
Thursday, May 9, 2024 GEDA Board Room Suite 511, Tamuning Guam 2:11 PM–3:55 PM

Members Present:

Cedric Q.T. Cruz RA, Board Chair	Zenon E. Belanger PE, Vice Chair
Paul L. Santos PLS, Sec. & Treas.	Cathyann C. Gogue, Public Member
Maria Elizabeth V. Cristi, PE	Vincent P. Arriola, DPW Director
Nixon Isaac, Board Investigator	Catherine S. Gutierrez, Exec. Board Adm
Marie Villanueva, Admin. Asst.	

Absent: AAG, Atty. Tom Keeler

Also Present: See [Appendix A. Guest List Sign-in Sheet]

Item 1, Call to Order

Chairman Cruz called the meeting to order at 2:11 pm, announced the board’s mission statement, and took roll call of the board members and attendees.

Item 2, Laudatory Memorial – Victor P. Ovalles, PE489 (Civil)

BC Cruz requested a moment of silence and reflection to honor the passing of Mr. Victor P. Ovalles, PE 489, a Civil Engineer who had been a registered engineer member of the PEALS Board since February 21, 1979, and who passed away on April 2, 2024. BM Cristi remarked that Mr. Ovalles was a respected civil engineer in Guam, known for his passion for golf and his exceptional skills, as evidenced by his remarkably low handicap. In addition to his expertise in transportation and civil structures, his amiable presence, always accompanied by a smile, will be deeply missed. Our heartfelt thoughts and prayers go out to Mr. Ovalles’s family.

Item 3, Certificate Presentation & Administration of Oath

- a. Kyo, Kentaro - (Civil) PE 2222
- b. Tiru, Joel Christian S. – (Electrical) PE 2235
- c. Burger, Aaron J. – (Registered Architect) RA482

Item 4, Review / Approval of Meeting Minutes

- a. Review Draft Meeting Minutes of February 1, 2024

BM Cristi moved to approve the minutes pending any proposed amendments. These comments are to be submitted to EBA Gutierrez for revision no later than May 16, 2024. The motion was seconded by Sec. & Treas. Santos and unanimously carried.

All in Favor: 6/6 Not In Favor: 0 Abstained: 0

Item 5, Executive Board Administrator's Report

- a. Updates on Action Items required by the Board from last Board Meeting:

- a. Walter, Vernon EE957 – Disciplinary Action from Florida Board
- b. Plump, Richard Adam CE 1986 – Disciplinary Action from Kentucky Board
- c. Kohl, Eric Scott, CE 1938 – Notice of Reprimand from North Carolina Board

The board has requested confirmation regarding whether the individual indicated disciplinary action from the Florida State in his previous Guam PEALS renewal of registration form. EBA Gutierrez has reviewed the records and confirmed that he indeed did so. Subsequently, he has provided the PEALS Board Office with a letter of Good Standing from the Florida Board. He has also been informed that renewal will be reviewed in light of his disciplinary action. As the matter is now resolved with the State of Florida, there will no longer be a need to verify this on his upcoming renewals. The same process applies to Richard Adam Plump, PE CE1986, and Eric Scott Kohl, PE CE1938. Letters have been sent to them requesting letters of Good Standing from the states that issued the disciplinary action.

- d. Annual Fees charged by NCARB and NCEES – EBA Gutierrez verifies the following:
The annual membership fee for NCEES amounts to \$6,500. The payment was made on January 10, 2024, while the due date for the fee is February 7, 2024.

The NCARB annual membership fee totals \$5,000 and is to be paid upon receipt of the invoice. The due date for this payment is June 30, 2024.

- b. Financial Reports, System update, and laws and regulations
 - a. PEALS Special Funds Account revenues, as of April, are tracking \$7,910 over last year's figures. This figure is not included in the Bank of Hawaii account, which has an additional \$18,671.45.

- b. The newly implemented Guam Financial Management Information Systems (GFMS) by the Department of Administration is currently in progress. The PEALS Board office has yet to be integrated into the system but is ready.
 - c. The work session for the Rules & Regulations in March was held as scheduled. Senator Roy A.B. Quinata, Chairperson, Committee on Infrastructure, Economic Development, Simon Sanchez High School, Disability Services, Self-Determination and Historic Preservation, Housing, Public Accountability, and the Guam Buildup confirmed that the laws and rules listed on our PEALS website are correct. We are now awaiting the submission of the newly revised rules. Availability dates for the GEDA conference room to complete our submission after the first week of July will be shared with board members for their preference.
- c. NCEES has introduced new FE Practice Exams, aligning with NCARB's online practice format. While the printed and e-book formats will still be available, the new practice exams will be offered online, and the questions can be timed.

6. Board Investigator's Report

- a. **PB2023-07 – Complainant: PEALS Board vs [Respondent: Wenefredo E. Gallega, PE CE1199]**
Accusation: Stamping out of Discipline with Commercial Plans
Determination: EBA determined "Merit."

BI Isaac gave oral testimony on basis of Merit ruling. The Board did not accept ruling as nothing was documented indicating Mr. Gallega's repeated violation to Stamping out of Discipline.

VC Belanger moved and was seconded by BM Gogue to draft a letter of caution detailing the dates on which discrepancies were discovered in the drawings, and expressing gratitude for the subsequent corrections made. Sec. & Treas. Santos proposed an amendment to the motion, adding the statement "this is not a disciplinary action" and offering the opportunity to attend the next PEALS Board meeting for further clarification on the matter. The motion was seconded by BM Gogue and unanimously approved.
All in Favor: 6/6 Not In Favor: 0 Abstained: 0

- b. **PB2023-08 - Complainant: PEALS Board vs. [Respondent: Future World Corporation]**
Accusation: Advertising in the Guam Daily Post for a generic process to actually perform engineering work by recruiting engineers without registration of firm and individual with the PEALS Board.

Determination: No Merit

The case closed on May 9, 2024. On April 16, 2024, a caution Letter was issued to the company via registered mail, but there was no response. The file is now CLOSED.

c. PB2023-09 - Complainant: PEALS Board vs. [Respondent: Core Tech International Corp]

Accusation: Advertising in the Guam Daily Post for a generic process to actually perform engineering work by recruiting engineers without registration of firm and individual with the PEALS Board.

Determination: No Merit

The case closed on May 9, 2024. On April 16, 2024, a caution Letter was issued to the company via registered mail, but there was no response. The file is now CLOSED.

d. PB2024-01 – Complainant: Joseph B. Cruz, Jr vs [Respondent: Eddy N. Sy PE CE1249]

Accusation: Unethical Professional Practice

Determination: Pending Investigation – Open Status

Item 7, Old Business

- a. Law, Rules, and Regulations review continued. The next work session date is to be determined.

Item 8, New Business

- a. Sec. & Treas. Santos initiated a discussion on Board Approved Surveyors who are awaiting to take and pass the Guam Land Matters Exam. Due to our proximity to the United States, it is common practice for interested candidates to fly here to take the exam. We hope that they pass it on the first try to make the flight costs feasible. If the Board allows, Sec. & Treas. Santos suggested that, since there are two candidates who are respective board members in their state and members of the NCEES, we allow them to take the exam under his personal supervision, and another Guam Board Member or Executive Board Administrator, as an alternative to their dilemma. The next NCEES event is scheduled in August of this year. If the Board allows, Sec. & Treas. Santos is proposing to administer the Guam Land Matters exam to them at the annual meeting.

BM Cristi proposed that the PEALS Board members be given the opportunity to administer the Guam Land Matters exam at locations where Board Representatives and the applicants are present. This will help to address the need for registered land surveyors on the island. It is understood that appropriate chain of custody documentation will be provided for the exam, and verification of the individual taking the exam will be required. The exams will be graded upon their return to Guam.

A motion was presented to approve, with provisions for the confidentiality of test material. However, it was deemed moot as it was not clearly identified in the agenda notice in accordance with 5 GCA Government Operations, Ch. 8 Open Government Law for today's meeting. EBA Gutierrez will ensure its inclusion in the next Meeting Agenda Notice in compliance with the law.

BM Cristi exited the meeting.

- b. EBA Gutierrez referenced a local radio show that criticized the Guam PEALS Board for not adhering to 5 GCA Government Operations, Ch. 8 Open Government Law. This led to a discussion, highlighting the need for additional information to be added to ensure clarity and comprehension of all listed agenda items for everyone involved.

Item 9, Board Discussions

- a. FE Exams Admission: It was reiterated that University of Guam students, in their senior year, are approved by the board to take the Fundamentals of Engineering Exam. If they pass the exam and provide proof of graduation, they will be certified to enroll as an engineering intern, provided they meet all other prerequisites are met.
- b. Required Letters of References for Architectural Engineers: Board Tabled this topic of discussion for consideration in the Rules & Regulations Workshop.
- c. Structural Engineer Requirements: Board Tabled this topic of discussion for consideration in the Rules & Regulations Workshop.

BM Gogue exited the meeting.

10. Public Comment

None.

11. DPW Permit and DLM Map Review

- a. Department of Land Management – Office of the Chief of Cadastre Report of Maps Submitted Approved – Feb, 2024
- b. PEALS Building Permit Clearances – December 2023, January and February 2024 Respectively

Item 12, Adjournment

There being no further business, it was moved by Sec & Treas. Santos, seconded by BM Arriola, and unanimously carried to adjourn the meeting at 3:55 PM.

All in Favor: 4/6 Not In Favor: 0 Abstained: 0


Taken and recorded by:



Marie Villanueva

Administrative Assistant

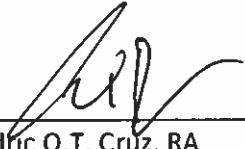
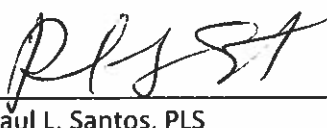
Reviewed and Approved by:



Catherine S. Gutierrez
Executive Board Administrator

BOARD APPROVED:

Approved by:

	<u>9/30/24</u>		<u>10/2/2024</u>
Cedric Q.T. Cruz, RA Board Chair	Date	Paul L. Santos, PLS Board Secretary & Treasurer	Date

September 30, 2024

- Minutes approved as is
- Minutes approved with changes

Meeting Minutes reported today are a summary of discussion. Complete Audio file of today's meeting can be located at the Office of Accountability, Boards and Commissions website per Public Law 31-233 added Section 8113.1, Reporting Requirements for Boards and Commissions, to Chapter 8 of Title 5 GCA. Section 8113.1. And PEALS Website via Zoom Link. Government Meetings

[Appendix A.]

Appendix A

PEALS BOARD REGULAR MEETING
MAY 9, 2024 - 2:00 PM
GEDA Board Room, Suite 515, South Marine Corps Drive
Tamuning

GUEST(S) LIST

	<u>NAME (in Print)</u>	<u>BUSINESS or AFFILIATION</u>
1.	Joel Christian S. Tiru ✓	PEALS
2.	Joel M. Tiru	Guest
3.	Maria Socorro S. Tiru	Guest
4.	Kentaro Iyo ✓	Obayashi Corporation
5.	MARK RUTHER	OBSEVIE
6.	AARON BURGER	OATH
7.		
8.		
9.		
10.		