

The Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors
PEALS Board Regular Meeting

Thursday, July 27, 2023, GEDA Board Room Suite 511, Tamuning Guam 2:02 PM–4:45 PM

Members Present:

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

Excused Absence:

Atty. Sandra Cruz Miller, Asst. AG

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

Item 1, Call to Order

Board's mission statement was announced. There being a quorum, the meeting was then called to order at 2:02 pm by Chairman Cruz.

Item 2, Laudatory

Mr. Nestorio "Nestor" Dela Cruz Ignacio, PLS #065

Nestorio was born in Jones, Isabela Province, Philippines on September 8, 1938, a long-time resident of Guam and was appointed a member of the Guam PEALS Board by Governor Felix P. Camacho in 2003, passed away on July 4, 2023, after a 3-year battle with lung cancer.

Nestorio earned his geodetic engineering degree from Far Eastern University (FEU) in the Philippines and practiced as a professional land surveyor in the Philippines immediately after graduation. In 1976, he immigrated to Guam and worked for several engineering and surveying companies. He spent the last 36 years of his professional career with Duenas, Camacho and Associates where he supervised a myriad of large topographic, cadastral, and construction-related survey and mapping projects on Guam and the Commonwealth of the Northern Mariana Islands. He loved his work so much that he continued practicing his profession until December 2022, well beyond the conventional age of retirement. He was a member and past president of the Guam Land Surveyors Association and was a member of the Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors. During his career, he cultivated a standard of excellence as he mentored many of the current land surveyors working in Guam.

He will be dearly missed.

BC Cruz requested a moment of silence to honor Mr. Ignacio's passing.

Item 3, Certificate Presentation & Oath

- a. Engineer Interns:
 - a. Kevin Joshua Maliwat Reyes EIT 344
 - b. Kiel Castro Laxamana EIT 345
 - c. Crystal I. Dela Cruz - Not Present - EIT 346
 - d. Arsenio L. Arpilleda EIT 347
 - e. Van Andrew G. Verango EIT 350

- b. Registered Architect:
 - a. Wilson S. Beatingo, RA 477

- c. Professional Engineer:
 - a. Joresa Mae S. Ollet, PE 2198 (Civil)

Item 4, Review / Approval of Meeting Minutes

- a. Review Meeting Minutes of February 16, 2023
- b. Review Meeting Minutes of March 8, 2023

It was moved by VC Arriola, seconded by BM Gogue, and unanimously carried to approve meeting minutes subject to corrections that are to be received by EBA Gutierrez no later than Friday, August 04, 2023.

Item 5, Executive Board Administrator's Report

a. Board Administrative Activities

Future Funded Meetings: Attendance is virtual and in-person for all meetings. All are fully funded through membership fees.

2023 NCARB Annual Business Meeting, Tampa, Florida - June 15 – 17, 2023

Board members in attendance were BC CRUZ (Virtually), BM Gogue, and EBA Gutierrez.

Attendees had the chance to learn more about NCARB's ongoing initiatives, hear updates on recent changes made in the past year, and explore ongoing efforts to evolve the path to licensure. Plus, members will share best practices, network, and discussed resources and tools to help carry out their board's essential mission to protect the public.

Members had also:

- Voted on resolutions related to potential updates to NCARB's official documents
- Receive updates from leadership about critical issues impacting specific licensing boards
- Elect new officers for the FY24 Board of Directors

PEALS board members are at the forefront of the profession, and the decisions they make will affect the future of NCARB, the architecture community, and you.

Upcoming Events:

2023 NCEES Annual Meeting, Boston Massachusetts, August 15 – 18, 2023

Board members to be in attendance are BM Gogue, BM Santos, and EBA Gutierrez.

NCEES member boards meet as a group annually to conduct Council business. The agenda includes

- Business sessions to vote on issues such as motions presented by NCEES committees and task forces and the elections of a new president-elect and treasurer
- A plenary session to prepare delegates for the business sessions
- Workshops for professional engineers and surveyors, member board administrators, and law enforcement staff
- Forums to discuss professional issues for engineers, surveyors, member board administrators, and law enforcement staff
- A First-Time Attendee Luncheon to help the newest member board members and staff learn about NCEES and how to navigate the annual meeting
- Attend Zone Meeting

b. Financial Summary - June FY 23:

PEALS Special Funds Account/Treasurer of Guam and the PEALS Bank of Hawaii account are enclosed in today's agenda packet for perusal. We are presently tracking \$3,061.00 less projected revenue for FY23 as of June 30, 2023. EBA Gutierrez assured the Board members that we will

exceed this number due to upcoming PEALS Certificate of Authorization renewals before year's end.

Item 6, Investigations | Enforcement

a. PB2022-03 – Complainant: Aaron Burger [Respondent: Eddy N. Sy, PE CE1249]

Accusation: Statute PEALS Law, Article 2, 1203. Not in Compliance, Competency for Assignments
Determination: EBA Gutierrez presented to the Board during this meeting that a Determination of No Merit was arrived based on the findings derived from the investigation conducted.

b. PB2023-01 - Complainant: Mark Mafnas Parks [Respondent: Narcisco G. Custodio, PE CE629]

Accusation: Issues with Septic Tank and Leaching Field
Determination: EBA Gutierrez presented to the Board during this meeting that a Determination of No Merit was arrived based on the findings derived from the completed investigation.

BC Cruz announced the arrival of Atty. Tom Keeler to the meeting.

Board members requested to TABLE EBA's decisions for further investigation with the assistance of VC Arriola and Board legal counsel regarding complaint number PB2023-01. Thereafter, proceed with the Board's request to have Mr. Sy come before the body to discuss alleged infractions on PB 2022-03.

Motion by BM Gogue and seconded by VC Arriola to table any decision on both cases pending further review. Amendment to motion made by BM Santos, and seconded by BM Cristi to have in person, Messrs. Sy and Custodio come before the Board to provide further clarity. All in Favor, Motion Passed.

Item 7, Old Business

Law, Rules, and Regulations Review – TABLED with new dates to convene the next session either the 1st or 2nd weeks of September. EBA Gutierrez to advise the Board on the availability of GEDA Conference room. Tentatively R&R is set for September 14th, with the next PEALS Regular Board meeting on September 28th, 2023.

Item 8, New Business

None.

Item 9, Board Discussions

- a. **RMA Architects Inc. – COA Amendment – Relocation of Guam office back to Hawaii.**
Board denied the decision to allow amendment and renewal of COA as requesting firm must have a physical Guam office when doing business on island.
- b. **Osman Yasin -Civil– Application for Registration via Comity by waiving the California Civil Seismic Principles Exam (CSCS) as per Peals Law §32113(a)(1)(D)(vi) based on his years of experience and education.** Board denied request for waiver.
- c. **Perry Paul – Application to take the Principles and Practice of Surveying CBT Exam and the Guam Land Matters Exam based on experience was reviewed.** Board feels that working at the Guam Power Authority does not allow for sufficient surveying experience. Board denied request for Mr. Paul to sit and take the exam.
- d. **Candido I. Castro, PLS 048 – Request for Reinstatement of lapsed registration on April 30, 2021, and non-disclosure of prior violation in 2008.** The Board approved reinstatement. EBA Gutierrez requested a “cutoff” date of prior violations, 10 years, be implemented. Board denied the request.

It was moved by BM Santos, seconded by BM Cristi, and unanimously carried to approve Reinstatement of Mr. Candido I. Castro, PLS 048.

- e. **Application Process – VC Arriola requested that all applications go through proper discipline channels prior to his review.**
Prior to providing his disposition of an applicant, VC Arriola prefers to defer his comments pending their review of the appropriate board member discipline associated to the applicant.
- f. **NCARB/NCEES Board Nominated Associate Members – Marie Villanueva, PEALS Administrative Assistant was nominated to become an Associate Member by EBA Gutierrez.** Board did not see a need to entertain this request, and moved to the next item on the agenda.
- g. **Travel Related Request – Travel requests are given to the Board for their vote and guidance three (3) months prior to set dates and yet EBA Gutierrez needs to request an extension date for selected members to attend.** NCEES & NCARB has requested the Board to please act promptly for future requests as no further extension will be honored. Board is advised.

Item 10, Public Comments

- a. BM Cristi, PE was recently appointed to participate in the NCEES 2023-2024 Committee of Education on behalf of her profession and the island of Guam.
- b. BM Santos has been officially appointed as PEALS Board Surveyor Member. 1ST Term Length: Four (4) YEARS: May 8, 2023, to May 7, 2027, by the power of our Maga’Hagan Guahan, Lourdes A. Leon Guerrero, Governor of Guam. Congratulations!

- c. Mr. Mark Ruth, Emeritus, RA 073, came before the Board saying he understood from the last PEALS meeting that there was an architectural complaint by Mateo Cruz Matanane RA 465 to the PEALS Board. He wondered why it was not included in today's Board Investigation Report. EBA Gutierrez advised that the original complaint was withdrawn by Mr. Matanane and that a new complaint was received. BI Isaac is working on the investigation and is pending a decision from EBA Gutierrez as to whether it has Merit.
- d. EBA Gutierrez suggested investigating the ability to have NCEES include in the Computer Based Testing (CBT) module of our PEALS Guam Land Matters exam. With the limitation of surveyors being able to come to Guam for exams, it would pave the way for others to be able to take the exam and become licensed in Guam. BM Santos stated this request is not feasible at this time as the exam is not a simple multiple-choice answer and must be reviewed by himself.

Item 11, DPW Permit & DLM Map Review


[TABLED]

- a. Department of Land Management - Office of the Chief of Cadastre/ April - June 2023
- b. DPW Building Permits – (Grading/Building/Demolition/Clearing) / April 2023

Item 12, Adjournment

There being no further business to discuss, a motion was made by BC Cruz, and seconded by BM Cristi, to adjourn the meeting at 4:45 PM. Motion carried.

Respectfully submitted:


/s/ Marie Villanueva
Administrative Assistant

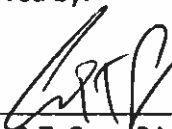
Reviewed and Approved by:


/s/ Catherine S. Gutierrez

Catherine S. Gutierrez
Executive Board Administrator

BOARD APPROVED:

Approved by:



Cedric Q.T. Cruz, RA
Board Chair

16/12/23

Date



Masoud K. Teimoury, PhD PE
Board Secretary & Treasurer

10-18-2023

Date

September 28, 2023

Minutes approved as is

Minutes approved with changes

Meeting Minutes reported today are a summary of Board discussions. 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

NCEES Events:

August 15 - 18, 2023	2023 NCEES Annual Meeting, Boston, Massachusetts
October 26, 2023	PE Structural Exam (Vertical), NCEES Regional Testing Locations
October 27, 2023	PE Structural Exam (Lateral), NCEES Regional Testing Locations
May 2 - 4, 2024	2024 NCEES Western Zone Meeting, Bozeman, MT
August 20 - 23, 2024	2024 NCEES Annual Meeting, Chicago, Illinois
August 19 - 22, 2025	2025 NCEES Annual Meeting, New Orleans, Louisiana

NCARB Events:

December 8 - 9, 2023	Committee Summit, Washington D.C.
February 29, 2024	Member Board Executive Workshop, Savannah, GA
March 1-2, 2024	Regional Summit, Savannah, GA
June 13 - 15, 2024	Annual Business Meeting, Chicago, IL