

Members Present: Rod Billingsley, PE/PS, Chair
Ron Forstbauer, PS
Charles G. Cala, Jr., PS

Members Absent: Don Kaufman, Public Member

Others Present: Elena Garcia, Executive Director
Anna Vigil, Investigator
Mary Smith, Assistant Attorney General
Edward Ytuarte, PE/PS, Complaint Manager

1. **CONVENE, ROLL CALL AND INTRODUCTION OF GUESTS**

Chair Billingsley convened the meeting at 1:30 p.m. A roll call was taken. It was noted that Mr. Kaufman had not been able to attend. A quorum of the Board was present.

2. **APPROVAL OF THE AGENDA**

It was moved by Mr. Cala, seconded by Mr. Forstbauer and unanimously, **VOTED:** to approve the agenda as presented.

3. **APPROVAL OF THE MINUTES**

3.1 **Minutes of the October 31, 2002 Meeting**

It was moved by Mr. Forstbauer, seconded by Mr. Cala and unanimously,

VOTED: To approve the minutes of the October 31, 2002 meeting.

4. **OLD BUSINESS**

4.1 Four Year Board-approved Surveying Curriculum & four Year Board-approved Related Science Curriculum – Mr. Forstbauer distributed a chart of the thirteen surveying programs across the country. A second handout summarized what he had not considered and the sources of information he used. The thirteen programs included degrees in surveying, surveying mapping, surveying engineering and geomatics. The ones not included were civil engineering, spacial information, geography, geographic information science. He stated he does not believe it makes sense to try to define what is a board-approved surveying curriculum if there are only thirteen curriculums in the whole country. He proposed the Committee look at this as a broader issue and perhaps discuss whether the four-year degree requirement is realistic at this time. He does not believe it is realistic, but does not have another alternative. Also, the statute calls for a degree in surveying, technically geomatics is not. The degree of survey engineering may have lots of

surveying in it, but it is an engineering degree and that raises the issue of whether the graduate is an engineer or a surveyor. He does not believe that what he was charged with is the proper avenue. Mr. Cala agreed with Mr. Forstbauer and feels that the board has not been successful in determining what is acceptable and what are not acceptable criteria. This warrants an evaluation. Mr. Billingsley stated he understands the difficulties that a four-year degree imposes on applicants. However, the skills that a four year degree provides are very essential to the surveyor for things that they are called to do such as providing testimony, entering into contracts, business relationships, etc. These areas demand a level of education that is at least approximate to a four-year degree. It is his opinion that the Board will continue to keep its four-year related degree requirements, and he believes that a large group of applicants will continue to come from this pool of candidates. If the Committee wishes to look at the four-year degree in surveying, it can be done. However, he does not agree to changing the statutes. He recommends that the evaluation of the statutory requirements include the related science degree to determine what the Board considers the related science degree to be. Mr. Forstbauer indicated he would like to see a major revamp of the requirements. The four-year surveying degree requirement in the statute is not practical, if the board gets the majority of the candidates from the related science category in the statute. Mr. Cala stated that many of the degree programs that the committee accepts now do not have a curriculum that includes fundamentals and advanced practices of boundary surveying. This is very important for surveyors. Mr. Cala suggested a re-evaluation of the Board's current policy be completed. It was moved by Mr. Cala, seconded by Mr. Forstbauer and unanimously,

VOTED: that this item be remanded to the rules committee for an evaluation of the criteria in the board's current policy of what constitutes an acceptable program.

Chairman Billingsley recessed the meeting to convene the Administrative Hearing on Mr. Savlan at this time.

5. HEARING – case 02-01-16– 2:00 p.m. - A transcript of the Hearing is in the Case File.

Chairman Billingsley reconvened the meeting at the conclusion of the hearing at approximately 5:00 p.m.

4.2 NMPS Convention – PSC Member Participation - Mr. Forstbauer indicated that he was working with NMPS and needs to determine who will be there. Mr. Billingsley and Mr. Cala will also attend. Ms. Garcia will not since examinations are being held at that time.

4.3 FLS, PPLS & NM PPLS Exam Results – Ms. Garcia presented the exam results, noting 67% pass rate (6 passed) for the surveyor intern exam. For the NMPPLS, four out of 6 passed. Statistics on the passing rates per exam item were also presented. No candidate sat for the NCEES PPLS (6-hr.) exam during the October 2002 session. It was moved by Mr. Forstbauer, seconded by Mr. Cala and unanimously,

VOTED: To approve the FLS and NMPPLS scores as reported.

6. CLOSED SESSION (Complaints and Violations)

It was moved by Mr. Forstbauer, seconded by Mr. Cala and

VOTED: to go into closed session pursuant to NMSA 1978, Section 10-15-1(H)(1) to discuss cases as listed in this section of the agenda and to discuss case 02-01-16. A roll call vote was taken: Voting yes: Mr. Billingsley, Mr. Forstbauer, Mr. Cala. Voting No: No one. Motion carried unanimously.

7. **OPEN SESSION – Actions on Cases** Chair Billingsley convened the meeting in open session and noted that only the matters referenced in the motion to go into closed session and on the agenda were discussed. No action was taken in closed session.

It was moved by Mr. Forstbauer, seconded by Mr. Cala and unanimously,

VOTED: to take the following actions on each case:

Case 02-01-03 Cipriano Martinez, PS #3995 [Show Cause Hearing] Deny the request to reschedule the hearing; revoke Mr. Martinez' PS license effective immediately, and ask Counsel to pursue enforcement of the Board's Decision and Order regarding the fines in District Court.

Case 01-01-18 Timothy R. Oden, PS – No action necessary. A written status of compliance with Board's Decision & Order was provided.

Case 02-01-16 – To dismiss the case and write a letter to the respondent thanking him for his participation and inconvenience.

8. **ADJOURNMENT**

Date Approved _____

Elena Garcia, Executive Director

Rod Billingsley, PE/PS, Chairman