

# DRAFT

Minutes of the Meeting of the **Professional Surveying Committee** of the Board held February 6, 2003 in Jett Hall, NMSU, Las Cruces, NM.

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

Members Absent: No one.

Others Present: Elena Garcia, Executive Director  
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 1:10 p.m. A roll call was taken. It was noted that all members were present.

## 2. APPROVAL OF THE AGENDA

It was moved by Mr. Forstbauer, seconded by Mr. Cala and unanimously,  
**VOTED:** to approve the agenda as presented with the deletion of 6.1 "Four-year, Board-approved Surveying Curriculum & Four-year Board-approved Related Science Curriculum".

## 3. APPROVAL OF THE MINUTES

### 3.1 **Minutes of the December 13, 2002 Minutes**

It was moved by Mr. Forstbauer seconded by Mr. Cala and unanimously,  
**VOTED:** To approve the minutes of the December 13, 2002 meeting.

## 4. NEW BUSINESS - None

4.1 **NCEES Professional Activities and Knowledges Survey (PAKS) for Land Surveying** – Mrs. Garcia reported that NCEES was initiating a new PAKS for surveying. It includes the development of a job analysis and survey questionnaire that will be sent to surveyors across the country. She had responded to NCEES with the number of in-state and out-of-state surveyors in New Mexico. NCEES will be requesting a roster of certain surveyors in order to send them a survey.

4.2 **Invitation to Provide Presentation** – Ms. Garcia stated that David Freienmuth, President of the SW Chapter of the Land Surveyors of Colorado had called and inquired if someone from the Board might be able to give a presentation during their Four Corners Area Surveying Seminar 2002. He stated that 30 to 40 NM licensed surveyors attend this function. The seminar is scheduled for June 6-7, 2003. The NM presentation would be on Saturday, June 7<sup>th</sup> at Fort Lewis College, Durango. It was moved by Mr. Kaufman, seconded by Mr. Cala and unanimously,

**VOTED:** for Ron Forstbauer to provide this presentation. Ms. Garcia will contact Mr. Freienmuth.

## 5. COMMUNICATIONS

5.1 **John R. Fenn, President, NSPS – RE: Registration Boards Forum** – The committee concurred that it would not send a representative to this forum. Mrs. Garcia will notify them.

**5.2 Tom Rollag – Photogrammetry and Licensing Act** – Mr. Rollag’s letter related to the potential inclusion of a “tiered” structure of licensing under the practice of surveying definition to include such functions as geodetic surveying, construction surveying, some GIS activities as well as photogrammetry. It also included a letter to Representative Mary Helen Garcia. It was noted the rules and regulations committee will continue to study the issues.

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

**VOTED:** To respond that the Board is currently studying the issues noted in his letter and has not yet fully evaluated all the issues.

**6. OLD BUSINESS**

**6.1 Presentation during April 10-11, 2003 NMPS Conference –Update** – The Committee agreed that the session should be structured. Mr. Forstbauer will assign issues to the participating members, with attendees allowed time to ask questions. Ms. Garcia is to contact the President Elect to determine if the association will pay for the expenses, e.g. conference fee, room, etc.

**7. 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. A roll call vote was taken: Voting yes: Mr. Billingsley, Mr. Forstbauer, Mr. Cala, and Mr. Kaufman. Voting No: No one. Motion carried unanimously. Mr. Cala recused himself from any discussions on cases 02-02-24 & 02-02-29 and exited the room when these two cases came up for discussions.

**7A. OPEN SESSION – Actions on Cases** [*...All charges, unless dismissed as unfounded, trivial, resolved by reprimand, or settled informally shall be heard in accordance with the provisions of the ULA, 61-23-27.11(D), NMSA 1978*] Chair Billingsley convened the meeting in open session. He noted that the only items discussed in closed session were the cases listed on the agenda.

Mr. Billingsley opened the meeting and stated that the cases listed on the agenda, and noted in the motion to close the hearing, were the only ones discussed in closed session.

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

**VOTED:** To take the following actions:

- 7.1 Case 02-02-22 – DA declined to prosecute. Refer case to the Office of the Attorney General.
- 7.3 Case 02-02-27 [continue to next meeting]
- 7.5 Case 01-01-17 Decision & Order Compliance – Close case.
- 7.6 Case 02-02-30 [continue to next meeting]

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

**VOTED:** To take the following actions in the following cases:

- 7.2 Case 02-02-24 – Issue an NCA on the following charges: 500.3F and including 500.10 C , 500.3.J.8, and 500.3.J.14
- 7.4 Case 02-02-29 - Continue to the next meeting.

Mr. Cala abstaining from voting on 02-02-24 and 02-02-29.

**7B. Appointment of Hearing Officer(s) [If necessary]**

**8. REVIEW OF APPLICATIONS**

**8.1 Retired Status Application – [Retired status confirmed under full board –PSC report]**

**8.2 Inactive Status Application** - None

**8.3 Review of Applications for Exams** - The Committee reviewed three applications from Brian D. Dollar, James W. Farren, and David M. Hamilton and approved all under comity and exams.

**9. ADJOURNMENT**

Date Approved\_\_\_\_\_

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Elena Garcia, Executive Director

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Rod Billingsley, PE/PS, Chairman