

Minutes of

Meeting of the Professional Surveyors Committee
of the Board of Licensure for Professional
Engineers and Professional Surveyors held 10:00
a.m. April 11, 2013, Worker Comp. Administration,
2410 Centre Ave. SE, Albuquerque, NM

Members Present Gilbert Chavez, PS, PSC Chair
 Salvador Vigil, PS
 Glen Thurow, PS
 Augusta Meyers, Public Member

Others Present Eva Baca, Acting Executive Director
 Michelle Padilla, Licensing Manager, BLPEPS
 Elisa Salazar, Licensing Manager, BLPEPS
 Ericca Lopez, Executive Secretary, BLPEPS
 David Cooper, PS, Board Investigator
 Mona Valecente, Board Attorney

1. Convene, Determination of Quorum and Introductions

Mr. Chavez convened the meeting at 10:07 a.m.
Roll call was taken and it was noted that a quorum of the Board was present.

2. Approve Agenda

MOTION by Mr. Vigil, **SECONDED** by Mr. Thurow, and **PASSED** unanimously
VOTED: Under item number four, section three, it should be marked as part five
instead of seven and to approve the agenda as corrected.

3. Public Comment

No public comment.

4. Old Business

a. Approval of Meeting minutes for February 21, 2013

MOTION by Mr. Thurow, **SECONDED** by Mr. Vigil, and **PASSED** unanimously
VOTED: To approve the minutes of February 21, 2013 as presented.

b. Review of Proposed Changes- Continue Discussion

I. Administrative Code Title 16, Chapter 39-Parts 5.7

II. Approval of Proposed Endorsements- Title 16, Chapter 39- Part 16.39.3-12

III. Approval of Proposed Definition- Related Science Degree- Title 16- Chapter 39-Part 7 16.39.7.7

IV. Non-ABET accredited 4 year surveying degrees acceptable to the Board.

Mr. Thurow stated the committee had worked on the additions and changes as needed to the administrative code. He stated the changes were made in the surveying section to mirror those changes that were made on the engineering side.

Mr. Thurow noted the Minimum Standards for Surveying would also have to be updated once all of the changes were made in the Administrative Code and the Practice Act to ensure that the all coincided with one another.

Mr. Thurow also noted that he had reviewed the programs as requested by two applicants at the previous meeting. He stated that that the four year program offered by the Great Basin school seemed to meet all of the requirements for surveying. He noted that the program offered at OSU did not seem to meet the requirements of the board. Mr. Thurow asked that staff prepare letters to the two applicants to inform them of the board's findings on their inquiries.

5. New Business

I. Discussion Item:

II. Reduction of hours changing the NMSU Surveying Engineering Degree from 131 credits to 120 credits

III. Model Law 106.10, Certificates of Authorization for Firms

IV. 160.20 Managing Agent and Resident Professional

Mr. Thurow expressed a concern because NMSU was considering reducing the number of credit hours needed to obtain a surveying degree from 131 hours to 120 hours. Mr. Thurow stated that a reduction in the number of hours would be a step back for those trying to obtain a degree because this would mean that the courses would be cut down.

MOTION by Mr. Thurow, **SECONDED** by Mr. Vigil, and **PASSED** unanimously

VOTED: To prepare a letter of concern to Ms. Sonia Cooper at NMSU outlining concern regarding the reduction of hours.

Mr. Chavez stated that there was a concern for both engineers and surveyors on companies that were coming in to the state and doing work. He stated that the board may want to consider issuing Certificates of Authorization to these out of state companies in the future. Mr. Chavez stated this was an item that was to late

to include in current changes but was an issue that may be considered at the next sunset.

Mr. Chavez also addressed the issue of having a non-resident engineer or surveyor overseeing projects that are happening here in New Mexico. He would like this item to also be on the agenda for the June meeting.

Mr. Chavez also suggested that a binder or folder be kept with items like these that are to be considered at the next sunset.

6. Application Review

a. PS Exam/ Endorsement Application Review

Barker, W.

MOTION by Mr. Thurow, **SECONDED** by Mr. Vigil, and **PASSED** unanimously **VOTED:** To approve Mr. Barker's application by endorsement.

Gay, H.

MOTION by Mr. Thurow, **SECONDED** by Mr. Vigil, and **PASSED** unanimously **VOTED:** Not to approve Mr. Gay's application by endorsement due to not meeting the educational requirements.

Huntington, N.

MOTION by Mr. Vigil, **SECONDED** by Mr. Thurow, and **PASSED** unanimously **VOTED:** To approve Mr. Huntington's application to take the exam.

7. Executive Session

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, and **PASSED** unanimously **VOTED:** To enter into executive session to discuss items listed on the agenda pursuant to NMSA 1978, Sections 10-15-1(H)(1), (3) and (7) to discuss matters pertaining to the issuance, suspension renewal or revocation of a license; to deliberate on pending cases; and to discuss pending litigation.

Roll Call Vote

Voting Yes: Mr. Chavez, Mr. Thurow, Mr. Vigil and Ms. Meyers

I. Discussion Items:

- 1. Case #5-PS-04-26-2012**
- 2. Case #7-PS-07-2012**
- 3. Case #11-PS-9-14-2012**

7. **Action on Items Discussed During Executive Session**

Ms. Meyers brought the committee back in to open session by stating the committee only discussed the items listed under item 7 and nothing else.

Case #5-PS-04-26-2012

MOTION by Mr. Vigil, **SECONDED** by Mr. Thurow, and **PASSED** unanimously **VOTED:** To dismiss this matter as unfounded.

Case #7-PS-07-2012

MOTION by Mr. Thurow, **SECONDED** by Mr. Vigil, and **PASSED** unanimously **VOTED:** To dismiss as a civil matter.

Case #11-PS-09-14-2012

MOTION by Mr. Thurow, **SECONDED** by Mr. Vigil, and **PASSED** unanimously **VOTED:** To issue an NCA in accordance with Section 12.8.2.9 (F) with the possibility of an early resolution to include rectifying the plat by monumenting the corners and amending the plat to meet the minimum standards and a one hundred dollar fine to be completed in sixty days.

8. **Action on Items Discussed During Executive Session**

No action necessary at this time.

9. **Schedule Next Meeting Date- June 13, 2013**

10. **Adjourn**

Mr. Chavez adjourned the meeting at 12:10 p.m.

Submitted By:

Approved By:

s/Ericca Lopez
Ms. Ericca Lopez, Executive Secretary

s/Gilbert Chavez
Mr. Gilbert Chavez, Committee Chair

June 13, 2013 Approved Date