

Minutes of

Meeting of the Professional Surveyors Committee
of the Board of Licensure for Professional
Engineers and Professional Surveyors held 10:00
a.m. January 24, 2013, Office of the State
Engineer, 5550 San Antonio Dr., NE, Albuquerque,
NM

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

Others Present Eva Baca, Acting Executive Director
 Michelle Padilla, Licensing Manager, BLPEPS
 Ericca Lopez, Executive Secretary, BLPEPS
 David Cooper, Case Manager
 Rick Word, Board Attorney
 Alan Grace
 Chris Chavez
 Leslie Byrne
 Trace Hicks

I. Convene/ Roll Call

Mr. Chavez convened the meeting at 10:08 a.m.
Roll call was taken and it was noted that a quorum of the Board was present.

1.1 Introduction of Guests

Mr. Grace, Mr. Chavez, Ms. Byrne and Mr. Hicks introduced themselves as guests to the board.

II. Approval of Agenda

MOTION by Ms. Meyers, **SECONDED** by Mr. Vigil, and **PASSED** unanimously
VOTED: To move item V. New Business and item VI. Old Business before item IV.
Closed Session in order to accommodate the guests.

III. Approval of Minutes

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, and **PASSED** unanimously
VOTED: To approve the minutes of November 8, 2012 as presented.

V. New Business

5.1 2013 Legislation- Senate Bill #10 Land Grant- Guest: Alan Grace, PS-

Mr. Grace gave the committee a brief description of Senate Bill #10 stating it was the repeal of the land grant section on the four land grants requiring certification and notification. Mr. Grace stated the reason for the repeal was that it was a duplicate version. Mr. Grace stated the NMPS was asking for repeal of both laws.

Mr. Grace requested, on behalf of NMPS, that the board write a letter to the legislature in support of repealing both laws.

Mr. Chavez thanked Mr. Grace and acknowledged the request from NMPS. He stated the committee would look to the board's attorney for direction in this matter.

VI. Old Business

6.1 Proposed Changes- Endorsements- Ms. Baca stated this was an item that was previously being worked on by Mr. Sanchez to mirror the endorsement section with that of the engineers. Ms. Baca asked that the committee review the work done by Mr. Sanchez and complete it.

Mr. Chavez set a special meeting for February 21, 2013 so that the committee could work as a group and complete this item.

IV. Complaints and Violations- Closed Session-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED: To Convene into closed or executive session pursuant to NMSA 1978, Section 10-15-1 (H)(1) to discuss , as listed on the agenda, the licensing complaints.

Roll call vote was taken.

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

IVA. Open Session-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED: To convene into open session and that only the items listed in section IV. Closed Session were discussed.

Renewals

4.1 R-348

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To allow licensee to renew.

R-647

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To allow exemption for this renewal cycle and flag for next renewal cycle.

Case Files

4.2 10-10-43-Marie vs. Sandoval-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To accept first settlement agreement.

4.3 10-10-54- Alcon vs. Dominguez-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To close the case because all requirements have been met.

4.4 11-10-15- Board vs. Scanlon-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To close the case.

4.5 3 -PS-03-06-2012

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To close the matter due to death of the respondent.

4.6 6-PS-05-16-2012

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To dismiss as unfounded due to no jurisdiction. This is a civil matter.

4.7 8-PS-7-31-2012

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To dismiss as unfounded.

4.8 9-PS-7-31-2012

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To dismiss due to statute of limitations running on this matter.

4.9 10-PS-8-2-2012

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To issue an NCA with the possibility of an early resolution to include fixing all of the technical errors and sending a certified letter of notification.

IVA.1 Appointment of Hearing Officers (if required) for New Cases

Hearing officer for Case 10-PS-8-2-2012 will be Mr. Vigil , if necessary.

VII. Review of Applications

- 7.1 PS Exam Applicants**
- 7.2 PS Endorsement Applicants**
- 7.3 PS Retired Applicants**
- 7.4 PS Inactive Applicants**

Buckner, H.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To approve application for FS Exam.

Kaber, T.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To approve application for PS Exam.

Martin S.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To approve application for PS Exam.

Regensberg, J.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To approve application for PS Exam.

Acosta, N.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To accept application by comity.

Broussard, C.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: Not to approve application due to not meeting the educational requirements.

Drake, J.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To accept application by comity.

Forth, C.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: Not to approve application due to not meeting education requirements.

Jones, J.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To accept application by comity.

Jones, R.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: Not to approve application due to lack of education.

Wilson, L.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To accept application by comity.

Nance, L.-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To accept application by comity.

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **Passed** unanimously
VOTED: To accept application for inactive status for Mr. J. Schantz and applications for retirement status for Mr. L. Whitmer, Mr. C. Tullis and Mr. M. Pyeatt.

VIII. Adjournment

MOTION by Ms. Meyers, **SECONDED** by Mr. Vigil, **Passed** unanimously
VOTED: To adjourn the meeting at 12:30 p.m.

Submitted By:

Approved By:

s/ Ericca Lopez
Ms. Ericca Lopez, Executive Secretary

s/ Gilbert Chavez
Mr. Gilbert Chavez, Committee Chair

February 21, 2013 Approved Date