

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 19, 2012 at Board Office, 2550
Cerrillos Rd., Hearing Room 1, Santa Fe, NM

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

Others Present Eva Baca, Acting Executive Director
 Perry Valdez, Licensing Manager, BLPEPS
 Ericca Lopez, Executive Secretary, BLPEPS
 David Cooper, Case Manager
 Tanya Maestas, Board Attorney Stand In

I. Convene/ Roll Call

Mr. Sanchez convened the meeting at 10:02 a.m.
Roll call was taken and it was noted that a quorum of the Board was present.

1.1 Introduction of Guests

A. New Board Attorney- Michael Williams- Ms. Tanya Maestas introduced herself as a stand in for Mr. Williams for today only since he was unable to make the meeting due to a family emergency.

II. Approval of Agenda

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, and **PASSED** unanimously
VOTED: To approve the agenda as presented.

III. Approval of Minutes

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, and **PASSED** unanimously
VOTED: To approve the minutes of September 15, 2011 as presented.

Ms. Meyers joined the meeting.

IV. Complaints and Violations- Closed Session

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, and unanimously
VOTED: To convene in closed session pursuant to NMSA 1978, Section 10-15-1(H)(1) to discuss as listed, on the agenda, the licensing complaints.

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

IV A. Open Session

Mr. Sanchez brought the committee back into open session by stating that only items listed as items 4.1 through 4.9 were discussed during the closed session.

CASES 10-10-20A, 10-10-20B, 10-10-33, 10-09-13, and 10-10-19

MOTION by Mr. Chavez, **SECONDED** by Ms. Meyers, and **PASSED** unanimously
VOTED: To dismiss these cases due to the statute of limitations running.

CASE 10-10-44

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To dismiss for lack of merit.

CASE 11-10-22

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To dismiss for lack of merit.

CASE 11-11-36

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To dismiss due to lack of merit.

CASE 10-10-52A and 10-10-52B

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To approve the Settlement Agreement as presented.

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

None required at this time.

Mr. Sanchez stated from this point forward the entire committee would be set as the hearing officers.

V. New Business

The committee gave the directive for Ms. Baca to take over the cases in compliance.

Mr. Sanchez stated the board had some language changes in the statute that may be going through at this legislative session.

Mr. Sanchez also stated the JPC was working on some items concerning the procurement code. He stated there will be a document he will be reviewing on February 15th that will be taken to the governor's office regarding this matter.

Mr. Cooper asked the committee for clarification on SB369 that was passed into law last legislative session which requires surveyors to have their signatures notarized on plats when they are being recorded. Mr. Cooper stated he has received conflicting information on whether

or not they are required to do so. He also asked the committee for clarification on this item since this may be an item he is looking for when doing investigations on pending cases.

After a short discussion, it was decided that the committee would look further into the matter and if necessary, they will request for an opinion from the Attorney General's office.

VI. Old Business

None at this time.

VII. Review of Applications

7.1 FS Exam Applicants- None at this time.

7.2 PS Exam Applicants-

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To disapprove Mr. Ibarra's application due to lack of education taken after the last failure.

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To approve Mr. Hunter's application.

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To approve Mr. Neish's application.

7.3 PS Endorsement Applicants-

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED: To advise Mr. D. Coster that he has not met the requirements.

Mr. Chavez abstained from voting in this matter.

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To approve Mr. Faircloth's application.

MOTION by Mr. Chavez, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED: To approve Mr. Gulick's application.

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To approve Mr. Leslie's application.

MOTION by Mr. Chavez, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED: To approve Mr. Pollock's application.

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To advise Mr. Proud that he does not meet the requirements.

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To table Mr. Keene's application to get further clarification on the affidavit of
practice time frame.

7.4 PS Inactive Applicants- None at this time.

7.5 PS Retired Applicants-

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To approve Mr. Aalbers, Mr. Cutts, Mr. Ortiz and Mr. Isaacson's applications
for retirement.

VIII. Adjournment

Mr. Sanchez adjourned the meeting at 1:03 p.m.

Submitted By:

s/ Erica Lopez
Ms. Erica Lopez, Executive Secretary

Approved By:

s/ Fred Sanchez, PS
Mr. Fred Sanchez, PS, Committee Chair

April 19, 2012 Approved Date