

MINUTES OF

Meeting of the Professional Surveyors Committee of the Board of Licensure for Professional Engineers and Professional Surveyors held 10:00 a.m. June 16, 2011 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 Mike Zoltek
 Liz Montoya, Acting Executive Director, BLPEPS
 Ericca Lopez, Executive Secretary, BLPEPS
 Mary Smith, Board Attorney
 Perry Valdez, Licensing Manager
 Candis Bourassa, Licensing Manager

1. CONVENE/ROLL CALL/INTRODUCTION OF GUESTS

Mr. Sanchez convened the meeting at 10:00 a.m. Roll call was taken and it was noted a quorum of the board was present.

Mr. Zoltek introduced himself as a guest to the board.

Mr. Sanchez asked the committee to take some time to review the May 12th meeting minutes prior to approving the agenda and beginning the meeting. Mr. Sanchez quickly pointed out a few errors that he had noticed immediately. He asked that for future meetings that the minutes be sent prior to the meeting so they could be reviewed for errors.

Mr. Sanchez questioned Ms. Montoya about item 7.1 Appointment of Application Chair.

Ms. Montoya stated she would like the committee to appoint a person the staff could send an application to if review was necessary. She stated that it becomes very disruptive if she has Ms. Bourassa and Mr. Valdez coming in scattered during the meeting.

Mr. Sanchez stated that he liked the way it was being done now because he likes that the staff prescreens the application prior to presenting it to the committee for approval. The committee decided that they would like to keep the application process as it is running currently.

Ms. Smith reminds the committee that they, and not staff, are ultimately responsible for approving applications for licensure.

2. APPROVAL OF THE AGENDA

MOTION by Mr. Chavez, **SECOND** by Ms. Meyers, and **PASSED** unanimously.

VOTED: To approve the agenda as presented

3. **APPROVAL OF MINUTES**

3.1 **May 12, 2011 Meeting minutes-**

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

VOTED: To table approval of the May 12, 2011 meeting minutes until the next meeting.

Mr. Vigil also asked that they staff prepare the meeting minutes with in the ten working days after a meeting and have them sent out to the board members.

4. **PUBLIC COMMENT**

There was no public comment at this time.

5. **EXECUTIVE SESSION**

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

VOTED: To convene in closed session pursuant to NMSA 1978, Section 10-15-1 (H) (1) and (H) (2) to discuss only the agenda items listed as 5.2, 5.2.2, 5.3 and 5.4. A roll call vote was taken.

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

6. **BOARD ACTION REGARDING EXECUTIVE SESSION MATTERS**

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers and unanimously

VOTED: To convene in open session pursuant to NMSA 1978, Section 10-15-1 (H) (1) and (H) (2) and only the items listed as 5.2, 5.2.2, 5.3 and 5.4 were discussed.

5.2.2 **PENDING NCA's and Pre NCA's-**

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

VOTED: To dismiss Case 10-09-09, Case 10-10-15, Case 10-10-22, Case 10-10-24, Case 10-10-26 and Case 10-10-27 due to the Statute of Limitations running.

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

VOTED: To close Case 10-10-17 due to no formal complaint ever being filed with the board.

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

VOTED: To direct staff to implement votes previously made by the Professional Surveyors Committee on Case 10-09-06, Case 10-09-11B, Case 10-09-13, Case 10-10-41, Case 10-10-42, Case 10-10-56 and Case 10-10-60 as expeditiously as possible.

5.3 **PERSONNEL**

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers and **PASSED** unanimously.

VOTED: To support Ms. Montoya on decisions and what she has to do concerning personnel issues and the upgrade for Mrs. Lopez.

5.4 **COMPLAINTS- Allegations of Corruption**

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil and unanimously

VOTED: To direct Ms. Montoya to break away all of the cases in this matter that belong to the PSC so that the matters can be considered at a future meeting.

7. NEW BUSINESS

7.1 Appoint Application Committee Chair- This matter was discussed at the beginning of the meeting. It was decided that the process would remain the same.

7.2 Ratification for Approval of Applicants for Licensure-Applications were brought in by Ms. Bourassa prior to the meeting beginning. Ms. Montoya explained that this was why she wanted to make sure that there was a time set in the beginning of the agenda so that she could be made aware of what was being brought before each committee.

5.1 COMPLAINT MANAGER CONTRACT- Mr. Sanchez states that the only problem that he has with Mr. Cooper is that he is not consistent and he would like for Mr. Cooper to use the format that he has previously provided to him when he is preparing his report for the committee on each case.

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil and unanimously,

VOTED: To offer the contract to Mr. Cooper and direct him to incorporate Mr. Sanchez's request to his work.

7.3 NM 2hr Survey Exam Report- This item was placed for informational purposes. The committee requested that the names of the examinees be placed on the list in the future.

8. OLD BUSINESS

8.1. Consider Approval of Complaint Process

8.1.1 Complaint Process - Ms. Montoya states that all closed cases will now immediately be going to Mrs. Lopez to be closed. Ms. Montoya also explained that the files are now in some type of order. The licensee files are all in filing cabinets now, in alphabetical order. She also explained that a new system will be created when these files are redone. Ms. Smith stated that she would also like for the board to consider dropping the cost of copies on an IPRA request. She made a suggestion that it be changed to twenty five cents per copy. This will need to be brought to the full board for a vote.

8.1.2 Complaint Templates- Form Letters, Reports- Will be presented at the full board meeting.

8.1.3 Complaint Tracking Log/ Change Numbering System- Together with the committee, Ms. Montoya and the committee came up with a new numbering system for the cases that will be implemented at the start of the next fiscal year.

9. FUTURE BOARD MEETING DATES & LOCATIONS

Ms. Montoya informed the committee that this item was on the agenda for informational purposes at this time and would be discussed at the full board meeting.

10. **ADJOURNMENT**

Mr. Sanchez adjourned the meeting at 12:40 p.m.

Submitted by:

Approved by:

s/ Ericca Lopez
Ms. Ericca Lopez, Executive Secretary

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

August 11, 2011 Approved Date