

MINUTES

MEETING OF THE PROFESSIONAL SURVEYING  
COMMITTEE of the Board Licensure of Professional  
Engineers and Professional Surveyors held 09:00 a.m.,  
Friday, January 12, 2018,  
Hearing Room 1, Toney Anaya Building,  
2550 Cerrillos Rd, Santa Fe, NM 87505

**Members Present-** Glen Thurow PS, Committee Chair  
David Cooper, PS  
Cliff Spirock, PS

**Members Absent-** Augusta Meyers, Public Member

**Others Present-** Perry Valdez, BLPEPS, Executive Director  
Angelica Urioste, BLPEPS, Executive Assistant  
Felicia Martinez, BLPEPS, Licensing Administrator  
Miranda Baca, BLPEPS, Compliance Officer  
Chuck Cala, Surveying Investigator  
Marylou Poli, Legal Counsel

1. **Convene, Roll Call and Introduction of Audience**

Mr. Thurow convened the meeting at 1:26 p.m., roll call was taken and a quorum noted. Mr. Thurow recognized Joe Wertz, Chris Benson, and Robert Watt in attendance of the meeting.

2. **Meeting Notification**

Mr. Valdez informed the Committee the meeting was noticed in the Albuquerque Journal as well as the Board's website.

3. **Approval of Agenda**

MOTION by Mr. Spirock to amend the agenda as presented and to change item number 7, Public Comment/Correspondence to the new Agenda item number 5, making item number 6 the Executive Session, **SECOND** by Mr. Cooper, **PASSED** unanimously.

4. **Approval of Minutes**

a. **Minutes of November 2, 2017**

MOTION by Mr. Cooper to approve the Minutes of November 2, 2017,  
**SECOND** by Mr. Spirock, **PASSED** unanimously.

5. **Public Comment/Correspondence**

a. **J. Ludwig – Santa Fe County Clerk and Digital/Electronic Signatures**

Mr. Ludwig thanked the Board for allowing him to discuss his concerns regarding

the Santa Fe County Clerk rejecting Digital/Electronic Signatures. He stated he reviewed the Advisory Opinions, Administrative Code, among other statutes. Mr. Ludwig expressed his concern regarding the issue of clients filing a complaints based on the fact that the County Clerk does not accept the signature. He stated he is requesting guidance and clarification from the Board. Mr. Thurow inquired if Mr. Ludwig had shown the Country Clerk the Board Policy? Mr. Ludwig replied he has provided all of the information to the County Clerk. Mr. Thurow stated the Board does not have the authority over the requirements set in place with the County Clerk but recommended advisement of the policy. Mr. Valdez stated this issue regarding Digital/Electronic Signatures is under review by the Rules Committee. Mr. Spirock suggested the Committee revisit the issue once it has been reviewed by the Rules Committee. Mr. Thurow suggested to Mr. Ludwig to revisit the existing policy and informed him the rules committee will review and update the policy to incorporate current technology.

6. **Executive Session**

**MOTION** by Mr. Cooper that the Committee enter into closed Executive Session to discuss the items listed on the agenda pursuant to NMSA 1978, Section 10-15-1 (H) (1), to discuss matters pertaining to the issuance, suspension, renewal or revocation of a license and to deliberate on pending cases. **SECOND** by Mr. Spirock, **PASSED** unanimously.

**Roll call vote taken, voting 'Yes':** Glen Thurow, David Cooper, Cliff Spirock.

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

Mr. Thurow brought the Committee back into open session and affirmed that while in closed session it discussed only those matters specified in the motion to close the meeting and listed on the agenda under executive session, in accordance with NMSA 1978 Section 10-15-1 (H) (1)

a. **Disciplinary Cases**

1) **Case 1-PS-05-27-2015- Appeal Hearing**

**MOTION** by Mr. Spirock for the respondent to pay a \$1,500.00 fine including hearing costs. In addition to a 1 year supervised probation under a licensed Professional Surveyor (Supervising Surveyor must be satisfactory to the Board by sending the information to the Chair for approval), the respondent has 30 days to find a Professional Surveyor to review plats. At the end of the 1 year probation time period a letter from the supervising surveyor indicating the respondent has complied. The supervising surveyor will review all plats and documents to ensure they comply with the Minimum Standards, Rules and Laws of the Board. Respondent is to complete an Ethics course that is no less than 4 PDHs. Failure to comply will result in the original Board Vote of a 1 year

suspension and a fine of \$3,000 to be paid within 6 months, **SECOND** by Mr. Thurow, **PASSED** unanimously.

**2) Case 5-PS-09-23-2014**

**MOTION** by Mr. Spirock for the respondent to either create a new plat via a claim of exemption plat or subdivision plat that corrects the deficiencies in easements, legal access and the proper depiction of the division of property; or amend the existing plat that reports easements that do not exist and record that in the same manner as the initial recordation i.e. plat of survey to include a clear statement of purpose and correct deficiencies, the respondent has 90 days to complete second option, if respondent chooses the first option he must report to the Board within the 90 days with a proposed remedy, **SECOND** by Mr. Thurow, **PASSED** unanimously.

**3) Case 1-PS-05-27-2015 (B)**

**MOTION** by Mr. Spirock to close since the respondent passed away, **SECOND** by Mr. Thurow, **PASSED** unanimously.

**4) Case 3-PS-06-09-2017- Complaint Manager's Report**

Tabled.

**5) Case D-412-CV-2017-00623**

**MOTION** by Mr. Spirock for a payment plan of \$75.00 a month for 24 months and \$200 upfront, failure to pay will result in a court judgment against respondent, **SECOND** by Mr. Thurow, **PASSED** unanimously.

**6) Case 5-PS-10-18-2017 (A)**

Tabled.

**7) Case 6-PS-11-13-2017**

Tabled.

**b. Status Review of Complaints and NCAs**

Table until next scheduled meeting.

**c. Applications for Review**

**1) PS Exam**

a) Crowley, A. – Reconsideration

Tabled until next scheduled meeting.

**7. Old Business**

a. **Mail-out Exam**

**1. Exam Concerns**

Tabled until next scheduled meeting.

b. **Chairman Review of Policy Advisories and Advisory Opinions**

Tabled until next scheduled meeting.

**8. New Business**

a. **61-23-30- NMSA – Right of Entry**

Tabled until next scheduled meeting.

b. **Veterans as New Applicants – Disciplinary Status**

Tabled until next scheduled meeting.

**9. Application Review – Recommended Approval**

a. **Recommended for Approval List (Exhibit A)**

**PS Endorsement Application(s)**

**MOTION** by Mr. Spirock to approve the Recommended Approval List,

**SECOND** Mr. Thurow, **PASSED** unanimously.

b. **PS Retired Status Request(s)**

**MOTION** by Mr. Spirock to approve the PS Retired Status Request(s),

**SECOND** Mr. Thurow, **PASSED** unanimously.

c. **PS Inactive Status Request(s)**

**MOTION** by Mr. Spirock to approve the PS Inactive Status Request(s),

**SECOND** Mr. Thurow, **PASSED** unanimously.

**10. Next Scheduled Meeting Date: April 12, 2018 – Albuquerque, NM**

**11. Adjourn**

Meeting adjourned at 4:45 p.m.

Submitted by:

s/ Angelica Urioste  
Angelica Urioste, Executive Assistant

Approved by:

s/ Glen Thurow  
Glen Thurow, Committee Chair

April 12, 2018 Approved Date