

**SPECIAL MEETING OF THE PROFESSIONAL SURVEYING
COMMITTEE of the Board Licensure of Professional
Engineers and Professional Surveyors held at
9:00 a.m., Thursday, July 23, 2020,
Virtual/Telephonic Meeting**

Members Present- Augusta Meyers, Public Member, Committee Chair
Clifford Spirock, PS
Glen Thurow, PS

Members Absent- David Cooper, PS

Others Present- Perry Valdez, BLPEPS, Executive Director
Miranda Gonzales, Administrative Manager
Miguel Lozano, Legal Counsel
Chuck Cala, PS, Board Investigator
Earl Burkholder, PEPS
Jashe Alcon, PS

1. Convene, Roll Call and Introduction of Audience

Ms. Meyers convened the meeting at 9:05 a.m., roll call was taken, and a quorum noted. Audience introductions made at this time. Mr. Burkholder and Mr. Alcon introduced themselves.

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 approve the agenda as presented, **SECOND** by Mr. Thurow,

Roll call vote taken:

Voting 'Aye': Ms. Meyers, Mr. Spirock, Mr. Thurow

PASSED unanimously.

4. Executive Session

MOTION by Ms. Meyers 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) and (3) 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': Ms. Meyers, Mr. Spirock, Mr. Thurow

5. Action on Items Discussed During Executive Session

Ms. Meyers 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) and (3).

a. Disciplinary Cases

1) Case 5-PS-09-23-2014

MOTION by Mr. Spirock to defer until September 30, 2020 for the respondent to comply with the Pre-NCA settlement agreement, **SECOND** by Mr. Thurow,

Roll call vote taken:

Voting 'Aye': Ms. Meyers, Mr. Spirock, Mr. Thurow

PASSED unanimously.

2) Case 7-PS-12-14-2017

MOTION by Mr. Spirock to take no action, **SECOND** by Mr. Thurow,

Roll call vote taken:

Voting 'Aye': Ms. Meyers, Mr. Spirock, Mr. Thurow

PASSED unanimously.

3) Case 8-PS-11-01-2018

MOTION by Mr. Spirock to issue an order to show cause for plat deficiencies not being addressed, **SECOND** by Mr. Thurow,

Roll call vote taken:

Voting 'Aye': Ms. Meyers, Mr. Spirock, Mr. Thurow

PASSED unanimously.

4) Case 3-PS-02-25-2019

MOTION by Mr. Thurow to issue a letter to the county that the respondent complied with the requirements of the Pre-NCA settlement agreement, **SECOND** by Ms. Meyers,

Mr. Thurow stated the idea being that the respondent complied with the pre-settlement agreement, but the Committee is not approving the survey plat.

Roll call vote taken:

Voting 'Aye': Ms. Meyers, Mr. Spirock, Mr. Thurow

PASSED unanimously.

5) Case 4-PS-03-19-2019 – Complaint Manager's Report

MOTION by Mr. Spirock to attempt to enter into a pre-NCA settlement agreement to correct the deficiencies in the survey plat and that if no agreement is executed within 30 days, the matter will be automatically referred to the Attorney General's Office for the issuance of an NCA, **SECOND** by Mr. Thurow,

Roll call vote taken:

Voting 'Aye': Ms. Meyers, Mr. Spirock, Mr. Thurow

PASSED unanimously.

6) Case 10-PS-09-25-2019 – Complaint Manager's Report

MOTION by Mr. Spirock to refer for an NCA due to the survey plat being deficient, **SECOND** by Mr. Thurow,

Roll call vote taken:

Voting 'Aye': Ms. Meyers, Mr. Spirock, Mr. Thurow

PASSED unanimously.

Mr. Cala requested clarification on the motion for case 5-PS-09-23-2014. Mr. Spirock clarified the motion by stating if the deficiencies are not corrected by September 30, 2020 then further action could be pursued.

6. **Next Scheduled Meeting Date:** August 6, 2020 – Albuquerque or Virtual

7. **Adjourn**

Meeting adjourned at 11:54 a.m.