

## MINUTES

MEETING OF THE PROFESSIONAL SURVEYING  
COMMITTEE of the Board Licensure of Professional  
Engineers and Professional Surveyors held 9:00 a.m.,  
Thursday, January 14, 2016, Training Room 2,  
Department of Transportation, General Office  
1120 Cerrillos Rd., Santa Fe, New Mexico

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

**Others Present-** Perry Valdez, BLPEPS Executive Director  
Naomi Velasquez, BLPEPS Compliance Officer  
David Montoya, BLPEPS Licensing Manager  
Allan Curtis, PS - Audience

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

Mr. Cooper convened the meeting at 9:10 am, roll call was taken, a quorum noted.  
Audience introductions were made at this time.

2. **Meeting Notification**

The meeting was noticed in the Albuquerque Journal as well as the Board's website.

3. **Approval of Agenda**

**MOTION** by Mr. Thurow to approve the agenda with 3 amendment to remove item 'a' in "Public Comment/ Correspondence" due to Mr. Pisano's absence, and to move item 6 and 7 until after executive session, **SECOND** by Ms. Meyers, **PASSED** unanimously.

4. **Approval of Minutes**

a. **Minutes of November 5, 2015**

**MOTION** by Mr. Thurow to approve the November 5, 2015 minutes as presented, **SECOND** by Ms. Meyers, **PASSED** unanimously.

b. **Minutes of December 11, 2015**

MOTION by Mr. Thurow to approve the December 11, 2015 minutes as presented, **SECOND** by Ms. Meyers, **PASSED** unanimously.

5. **Public Comment/Correspondence**

a. **Michael Paisano**

Mr. Paisano was unable to attend, item removed from the agenda.

Mr. Curtis addresses the Board and states that he is trying to get reinstated as a land surveyor and had been licensed since 1997. He currently runs his own business, no significant complaints from clients and no disciplinary actions. Mr. Curtis states that he was unaware of the lapse in licensure, he had attempted renewal and was unaware that his renewal was incomplete. Mr. Thurow asks Mr. Curtis when he became aware of the lapse in licensure. Mr. Curtis states that it was in November of 2015 a friend had informed him of the status of his license. Mr. Thurow asks if Mr. Curtis has completed all of the reinstatement requirements, Mr. Curtis states that he has. Mr. Thurow advises that the Board will have a further discussion regarding this in closed executive session, and that the Board is aware of some issues with the online renewal site.

**Mr. Spirock arrived at 9:15 am**

6. **New Business**

a. **NMAC 16.39.5.7 and Policy Advisory – Evaluating Academic Qualifications**

Mr. Cooper states that NMPS has been trying to evaluate the education requirements. NMPS would like the Board to review the policy to allow students to have the ability obtain more hours from CNM and other schools. Currently there is an articulation agreement between CNM and NMSU that 60 hours of their 4 year degree may be earned at CNM, however NMSU wants to ensure that they maintain their ABET accreditation. Mr. Thurow states that he was approached by members of NMPS in regards to this, he states that he's not received further correspondence as of yet. Mr. Cooper states that he advised NMPS to bring a proposal before the Board outlining the specifications for obtaining these hours. This will be tabled for further discussion.

7. **Old Business**

a. **Proposed Advisory Opinion - C. Spirock**

Mr. Valdez states that this is in reference to a proposed advisory opinion made by Mr. Spirock concerning the recordation of a survey without the owner's permission and permissible delays in recordation beyond the 60 day recordation requirement. Mr. Cooper states that there was an attempt to add this into the Minimum Standards, however the wording that was presented required that the Board review these instances on a case by case basis. The Committee determined that was not necessary. Mr. Spirock states that he'd like to proceed with the advisory opinion. Mr. Valdez states that he would try to condense the provided wording to submit to the Committee members for review before posting. Mr. Thurow states that he feels only the first two pages should be published.

**MOTION** by Mr. Spirock to prepare an advisory opinion (18) pursuant to the Minimum Standards of Surveying recordation of a survey without the owner's permission and permissible delays in recordation beyond the 60 day recordation requirement, **SECOND** by Mr. Thurow, **PASSED** unanimously.

**b. Proposed Changes to Minimum Standards**

**1) Rule Hearing**

Mr. Valdez states that the changes have been submitted to State Archives and Records. It is decided that the rule hearing will take place on March 22, 2016 with a PSC meeting to follow after the rule hearing.

**8. Executive Session –**

**MOTION** by Mr. Thurow that the Board go into closed executive session to discuss only those matters listed on the agenda under executive session, pursuant to NMSA 1978 Section 10-15-1 (H) (1, 2, 3)

**Roll call vote was taken, voting 'Yes':** Mr. Cooper, Mr. Thurow, Mr. Spirock, Ms. Meyers

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

Mr. Cooper states that the Board is back in open session and affirms 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, 2, 3)

**a. Disciplinary Cases**

- 1) **Case 10-PS-8-2-2012 Fulfillment of Default Order**  
MOTION by Mr. Thurow to close the case, **SECOND** by Mr. Spirock,  
**PASSED** unanimously
  
- 2) **Case 10-PS-09-24-2013 Requesting Closure**  
MOTION by Mr. Thurow to close the case, **SECOND** by Mr. Spirock,  
**PASSED** unanimously.
  
- 3) **Case 11-PS-9-25-2013 Requesting Payment Plan**  
MOTION by Mr. Thurow to approve the payment plan as presented and  
requests that a letter be sent to the respondent outlining the conditions of  
the payment plan, **SECOND** by Mr. Spirock, **PASSED** unanimously
  
- 4) **Case 11-PS-9-25-2013(B) Hearing Officer's Report**  
MOTION by Mr. Spirock to accept the hearing officer's report as well as  
sending the licensee a cautionary or reminder letter, **SECOND** by Ms.  
Meyers, **PASSED** with 1 vote "Nay" from Mr. Thurow.
  
- 5) **Case 4-PS-08-08-2014 Complaint Manager's Report**  
MOTION by Mr. Thurow to issue an NCA and accept the complaint  
managers' report, **SECOND** by Mr. Spirock, **PASSED** unanimously.
  
- 6) **Case 5-PS-09-23-2014 Complaint Manager's Report**  
MOTION by Mr. Thurow to issue an NCA and accept the complaint  
managers' report, **SECOND** by Mr. Spirock, **PASSED** unanimously.
  
- 7) **Case 6-PS-10-20-2014 Complaint Manager's Report**  
MOTION by Mr. Thurow to dismiss this case and accept the complaint  
managers' report, **SECOND** by Mr. Spirock, **PASSED** unanimously.
  
- 8) **Case 7-PS-11-14-2014 Complaint Manager's Report**  
MOTION by Mr. Thurow to issue an NCA and accept the complaint  
managers' report, **SECOND** by Mr. Spirock, **PASSED** unanimously
  
- 9) **Case 8-PS-12-01-2014 Complaint Manager's Report**  
MOTION by Mr. Thurow to dismiss this case and accept the complaint  
managers' report, **SECOND** by Mr. Spirock, **PASSED** unanimously.

**b. Self-Reporting**

**1) MB-01-07-2016**

**MOTION** by Mr. Thurow to accept the self-reporting with no further action, **SECOND** by Mr. Spirock, **PASSED** unanimously.

**c. Applications for Review**

**1) PS Exam**

**a) Allen, R.**

**b) Gajda, P.**

**c) Musick, C.**

**MOTION** by Mr. Thurow to approve all 3 applicants for the PS Exam, **SECOND** by Ms. Meyers, **PASSED** unanimously.

**2) PS Endorsement**

**a) Clark, A.**

**MOTION** by Mr. Thurow to approve, **SECOND** by Mr. Spirock, **PASSED** unanimously

**b) Dorf, A.**

**MOTION** by Mr. Thurow to not approve, **SECOND** by Mr. Spirock, **PASSED** unanimously

**c) Hassler, Z.**

**MOTION** by Mr. Thurow to not approve, **SECOND** by Ms. Meyers, **PASSED** unanimously

**d) McLaughlin, W.**

**MOTION** by Mr. Thurow to approve, **SECOND** by Ms. Meyers, **PASSED** unanimously

**e) Rusk, R.**

**MOTION** by Mr. Thurow to approve, **SECOND** by Mr. Spirock, **PASSED** unanimously.

**f) Whitson, J.**

**MOTION** by Mr. Thurow to approve, **SECOND** by Ms. Meyers, **PASSED** unanimously.

**3) PS Reinstatement**

**a) Curtis, A.**

**MOTION** by Mr. Thurow to approve, **SECOND** by Ms. Meyers, **PASSED** unanimously.

Mr. Cooper recuses himself from the vote.

d. Requests for Inactive/Retired Status

**MOTION** by Mr. Thurow to approve all requests for Inactive and Retired Status, **SECOND** by Mr. Spirock, **PASSED** unanimously.

10. **Next Scheduled Meeting Date:** April 14, 2016 – Taos, NM

11. **Adjourn**

Meeting Adjourned at 12:20 pm.

Submitted by:

Approved by:

s/ Sami Romero

s/ David Cooper

Ms. Sami Romero, Executive Assistant

Mr. David Cooper, Committee Chair

March 22, 2016 Approved Date