

Minutes of

Meeting of the Professional Surveyors Committee
of the Board of Licensure for Professional
Engineers and Professional Surveyors held 10:00
a.m. February 6, 2014, Board Office, Hearing
Room 2, Santa Fe, NM

Members Present Glen Thurow PS, PSC Chair
Salvador Vigil, PS
Gilbert Chavez, PS
Augusta Meyers, Public Member

Others Present Perry Valdez, Team Leader, BLPEPS
Ericca Lopez, Executive Secretary, BLPEPS
Elisa Salazar, Licensing Manager, BLPEPS
David Cooper, PS, Board Investigator
Roman Garcia

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

Mr. Thurow convened the meeting at 10 a.m. Roll call was taken and it was noted that a quorum of the Committee was present.

Mr. Roman Garcia introduced himself as a guest.

2. **Meeting Notification**

The meeting was noticed in the Albuquerque Journal and the board's website.

3. **Approval of Agenda**

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

4. **Approval of Minutes**

a. **Minutes of November 7, 2013**

MOTION by Ms. Meyers, **SECONDED** by Mr. Vigil, and **PASSED** unanimously
VOTED: To approve the minutes of November 7, 2013 as presented.

5. **Public Comment/ Correspondence**

None at this time.

6. **New Business**

a. NM 2hr Surveying Exam- Exam Question Clarification-

Mr. Valdez stated that an examinee had come in to the office to review his two hour exam and had challenged the answers to two questions that he had wrong. The first challenge was the answer to the question where the Condo act defines horizontal boundaries as... The examinee stated that the Act does not provide a definition. After a short discussion...

MOTION by Mr. Chavez, **SECONDED** by Ms. Meyers, **PASSED** unanimously **VOTED:** To accept the challenge and give him credit for the question.

The second question challenged was a Right of Way is defined as... After a short discussion the committee stated the ACSM book of definitions, which is a nationally used book that provides a clear definition.

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously **VOTED:** To deny the challenge based on the reasoning.

b. Senate Bill Discussion Draft- Possible Land Grant Notification Legislation

Mr. Thurow stated he brought this to the committee for review. Mr. Thurow stated he was concerned about the language that is being used where it reads the Board shall "record" address and contact information of the board or commission. The board does not have the capabilities to do so and Mr. Thurow feels that the clerk's office should be the registrars and record keepers of this information. Mr. Thurow stated this item was just a discussion topic at this point but feels that it needs to be monitored if it actually becomes a bill.

7. **Old Business**

a. Complaint Manager Compliance Process- Failure to Respond-

Mr. Valdez reported he checked with other MBA's on how they handle matters when people who have complaints against them don't respond. Mr. Valdez stated the majority of the boards just continue with the process and some boards have it in their rules also add on failure to respond to the pending charges.

Mr. Thurow stated he is on the law enforcement committee for NCEES and only about fifty percent of the boards have a formal policy.

The committee decided this was a full board issue and should be taken to the full board for discussion.

8. Executive Session

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers,
VOTED: To enter into executive session to discuss items listed on the agenda pursuant to NMSA 1978, Sections 10-15-1(H)(1) and (3) to discuss matters pertaining to the issuance, suspension renewal or revocation of a license; to deliberate on pending cases; and to discuss pending litigation.

Roll Call Vote

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

8a. Actions on Items Discussed During Executive Session

Mr. Thurow brought the committee back into open session and stated only the items listed on the agenda under closed session were discussed.

a. Disciplinary Cases

1. Case 5-PS-5-31-2013

MOTION by Ms. Meyers, **SECONDED** by Mr. Chavez, unanimously
VOTED: To issue an NCA for unlawful practice of surveying and failure to respond.

2. Case 7-PS-7-26-2013

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, unanimously
VOTED: To dismiss on the basis of no merit.

3. Case 8-PS-7-31-2013

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, unanimously
VOTED: To dismiss with a cautionary letter going out to the surveyor on failure to meet the minimum standards.

b. Status Review of Complaints and NCAs-

The committee was given a report on the status of all pending complaints and NCAs.

c. Applications for Review

1. PS Exam

a) Hurst, D.

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, unanimously
VOTED: To approve the application for the PS Exam.

b) Jurica, C.

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, unanimously
VOTED: Not to accept the PS Exam application as previously decided. It still
does not meet the 18 core hours in surveying.

c) Lopez, A.

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, unanimously
VOTED: To approve the application for the PS Exam.

2. PS Endorsement

a) Bodin, T.

MOTION by Mr. Chavez, **SECONDED** by Ms. Meyers, unanimously
VOTED : Not to approve the related science degree.

b) Ceballos-Cepeda, E.

MOTION by Ms. Meyers, **SECONDED** by Mr. Chavez, unanimously
VOTED: To approve the PS Endorsement application.

c) Madsen, G.

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, unanimously
VOTED: To approve the PS Endorsement application.

3. PS Reinstatement

a) Bouet, R.

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, unanimously
VOTED: To approve the PS Reinstatement application

b) **Hardin, I.**

MOTION by Ms. Meyers, **SECONDED** by Mr. Vigil, unanimously
VOTED: To approve the PS Reinstatement application

4. PS applications for Inactive Status

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, unanimously
VOTED: To approve Mr. R. Del Castillo and Mr. M. Reynolds for Inactive Status.

5. PS Applications for Retired Status

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, unanimously
VOTED: To approve Mr. B. Rasberry, Mr. A. Potts, Mr. D. McHarg and Mr. D. Grochowski for Retired status.

9. Next Scheduled Meeting Date – April 24, 2014

10. Adjourn

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To adjourn the meeting.

Mr. Thurow adjourned the meeting at 12:55 p.m.

Submitted By:

Approved By:

s/ Ericca Lopez
Ms. Ericca Lopez, Executive Secretary

s/ Glen Thurow
Mr. Glen Thurow, Committee Chair

April 24, 2014 Approved Date