

**Draft Meeting Minutes**

**MEETING OF THE PROFESSIONAL SURVEYING  
COMMITTEE of the Board Licensure of Professional  
Engineers and Professional Surveyors held at  
9:00 a.m., Friday, June 25, 2021,  
Virtual/Telephonic Meeting**

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

**Members Absent-**

**Others Present-** Perry Valdez, BLPEPS, Executive Director  
Miranda Gonzales, Administrative Manager  
Angelica Urioste, Licensing Administrator  
Valerie Joe, Legal Counsel  
Chuck Cala, PS, Board Investigator  
Earl Burkholder, PEPS

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

Ms. Meyers read the meeting script regarding the virtual meeting protocols. Ms. Meyers convened the meeting at 9:17 a.m. Roll call was taken and a quorum noted. Audience introductions made at this time.

**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, **SECONDED** by Mr. Cooper,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED** unanimously.

**4. Approval of Minutes**

**a. Minutes April 15, 2021**

**b. Minutes May 14, 2021**

**MOTION** by Mr. Spirock to approve the Minutes of April 15, 2021 and May 14, 2021 as presented, **SECONDED** by Mr. Cooper,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED** unanimously.

**5. Requested Public Comment**

**a. Letter Regarding Licensed Professional Surveyor Not Responding**

Mr. Valdez informed the Committee of the letter received from an individual advising the Board that a professional surveyor had not responded to their phone calls. Mr. Spirock stated the letter appeared to be a grievance because the clients have not been contacted by the surveyor. Mr. Cooper said he did not think the Board could take any action without a formal complaint.

Mr. Valdez briefed the members he spoke with the Rules Committee regarding this issue. He said the Rules Committee concluded there was nothing in the rules at this time and there was nothing the Board can do at this point. Mr. Cooper asked the Committee if this individual deserved some type of response from the Board. Ms. Meyers responded the Committee was likely to get another letter if we did not respond. Mr. Cooper suggested the Board write a response that we have reviewed their letter and that if they feel there is a violation of the rules or statutes, then they should file a formal complaint. Ms. Meyers agreed with Mr. Cooper and asked Mr. Valdez if staff needed to be directed to draft a response. Mr. Valdez indicated that he would draft a letter to send to the individual.

**6. Old Business**

Mr. Spirock stated the Full Board meeting would be scheduled for Friday, July 9<sup>th</sup>. The Rules Committee meeting was scheduled for that date, and he was canceling that meeting so he can attend the Full Board meeting.

**7. New Business**

**a. Election of Officers**

**1) Committee Chair**

**MOTION** by Mr. Spirock to nominate Mr. Cooper as Committee Chair,  
**SECONDED** by Ms. Meyers,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED** unanimously.

**2) Vice Chair**

**MOTION** by Mr. Cooper to nominate Mr. Spirock as Committee Vice Chair, **SECONDED** by Ms. Meyers,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED** unanimously.

**8. Application Review – Recommended Approval**

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

**MOTION** by Mr. Spirock to approve Exhibit A, dated June 25, 2021, the recommended for approval applications, **SECONDED** by Mr. Cooper,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED** unanimously.

**9. Executive Session**

**MOTION** by Mr. Spirock 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, **SECONDED** by Mr. Cooper,

**Roll call vote taken, voting ‘Yes’:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**10. 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 1-PS-01-27-2020 – Complaint Manager’s Report**

**MOTION** by Mr. Spirock to issue an NCA for violations of 12.8.2.9 F and 12.8.2.9 J. (5), (6) (a)(b)(c)(d), (8), (12) and (14) NMAC, **SECONDED** by Mr. Cooper,

**Discussion:** Ms. Joe clarified, for the public in attendance, the acronym ‘NMAC’ as the New Mexico Administrative Code which are the rules, and in

this case, the motion referred to violations of the New Mexico Minimum Standards of Surveying.

Mr. Spirock also stated the acronym 'NCA' stood for Notice of Contemplated Action.

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED unanimously.**

**2) Case 3-PS-03-04-2020 – Complaint Manager's Report**

**MOTION** by Mr. Cooper to table to the next scheduled meeting, **SECONDED** by Mr. Spirock,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED unanimously.**

**3) Case 4-PS-05-29-2020**

**MOTION** by Mr. Spirock to direct the Executive Director to amend the previous letter to elaborate on the specifics of the closure, **SECONDED** by Mr. Cooper,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED unanimously.**

**b. Status Review of Complaints and NCA Referrals**

Ms. Gonzales, in closed session, provided a report to the Committee on the status of pending cases and referrals for Notice of Contemplated Actions.

**c. Applications for Review**

**1) PS Endorsement**

- a) Deitz, A.
- b) Maywhort, A.
- c) Tompkins, J.
- d) Walsh, C.

**MOTION** by Mr. Cooper to approve the applications from Mr. Deitz, Mr. Maywhort, Mr. Tompkins, and Mr. Walsh for PS Endorsement,  
**SECONDED** by Mr. Spirock,

**Roll call vote taken:**

**Voting Aye:** Ms. Meyers, Mr. Spirock, Mr. Cooper

**PASSED** unanimously.

**11. Next Scheduled Meeting Date:** August 12, 2021 – Albuquerque or Virtual

**12. Adjourn**

Meeting adjourned at 10:42 a.m.

**Submitted by:**

**Approved by:**

\_\_\_\_\_  
Miranda Gonzales, Administrative Manager

\_\_\_\_\_  
Augusta Meyers, Committee Chair

\_\_\_\_\_ Approved Date