

Minutes of

Meeting of the Professional Surveyors Committee
of the Board of Licensure for Professional
Engineers and Professional Surveyors held 10:00
a.m. June 19, 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, Acting Executive Director, BLPEPS
Ericca Lopez, Licensing Manager, BLPEPS
David Montoya, Licensing Manager, BLPEPS
Naomi Velasquez, Compliance Officer, BLPEPS
David Cooper, PS, Board Investigator
Rick Word, Board Attorney
Michael Don Brady

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. Michael Don Brady introduced himself as a guest to the committee.

2. Meeting Notification

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

3. Approval of Agenda

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

4. Approval of Minutes

a. Minutes of April 24, 2014

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, and **PASSED** unanimously
VOTED: To approve the minutes of April 24, 2014 as presented.

5. **Public Comment/ Correspondence**

a. D. Brady- Reconsideration for Licensure

Mr. Brady gave a brief overview of his application for licensure and the education concerns that were brought forth to him by staff. Mr. Brady provided the committee and staff with a new copy of his original transcripts for reconsideration of his education.

Ms. Meyers joined the meeting at this time.

6. **New Business**

a. Proposed Legislation: Statute of Repose-

Mr. Cooper brought forth a concern that surveyors have no Statute of Repose to protect themselves. Mr. Cooper stated NMPS approached Representative Larry Larranaga regarding this issue. Mr. Larranaga requested that NMPS speak to the Board and find out their opinion on the matter.

There was great concern regarding this matter and the committee asked Mr. Cooper to provide them with proposed language for them to review at a future meeting.

b. Election of Officers-

Mr. Vigil notified the committee that he would be stepping down as a board member as soon as a new board member was appointed.

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To elect Ms. Meyers as Chair of the PSC.

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To elect Mr. Thurow as Vice Chair of the PSC.

7. **Old Business**

None at this time.

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: 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 by affirming 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).

a. Disciplinary Cases

1. Case 11-10-17B

MOTION by Ms. Meyers, **SECONDED** by Mr. Vigil, **PASSED** unanimously **VOTED:** To close case due to all conditions being met.

2. Case 11-10-18

MOTION by Mr. Chavez, **SECONDED** by Ms. Meyers, **PASSED** unanimously **VOTED:** To accept the hearing officers report and adopt his findings. The respondent will be notified that any further findings or reports of him practicing surveying in the state of New Mexico, the committee will seek an injunction in District Court and prosecute to the fullest extent of the law.

3. Case 6-PS-7-01-2013

MOTION by Mr. Chavez, **SECONDED** by Ms. Meyers, **PASSED** unanimously **VOTED:** To dismiss as unfounded.

4. Case 12-PS-10-08-2013

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously **VOTED:** To issue an NCA for violations of the Rules of Professional Conduct.

5. Case 13-PS-11-06-2013

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously **VOTED:** To accept the complaint managers' report and direct surveyor to file a corrected plat.

b. Status Review of Complaints and NCAs-

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

c. License Renewals

1. MB-05-05-2014

MOTION by Mr. Chavez, **SECONDED** by Mr. Vigil, **PASSED** unanimously
VOTED: To accept the renewal.

d. Applications for Review

1. PS Exam

a) **R. Cortez**

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To approve Mr. Cortez' application to take the PE exam.

2. PS Endorsement

a) **D. Brady- Reconsideration**

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED : To approve Mr. Brady's application by endorsement.

b) **V. Kalogirou**

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED: To approve Mr. Kalogirou's application by endorsement.

c) **B. Moser**

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To approve Mr. Moser's application for endorsement.

d) **E. Phan**

MOTION by Mr. Vigil, **SECONDED** by Ms. Meyers, **PASSED** unanimously
VOTED: To approve Mr. Phan's application by endorsement.

3. PS Reinstatement

a) **D. Mouland**

MOTION by Mr. Vigil, **SECONDED** by Mr. Chavez, **PASSED** unanimously
VOTED: To approve Mr. Mouland's application for reinstatement.

9. Next Scheduled Meeting Date – August, 2014- Las Cruces

10. Adjourn

Mr. Thurow adjourned the meeting at 12:25p.m.

Submitted By:

s/Ericca Lopez
Ms. Ericca Lopez, Executive Secretary

Approved By:

s/Glen Thurow
Mr. Glen Thurow, Committee Chair

August 14, 2014 Approved Date