

Meeting Minutes

MEETING OF THE PROFESSIONAL SURVEYING
COMMITTEE of the Board Licensure of Professional
Engineers and Professional Surveyors held at
9:00 a.m., Thursday, June 6, 2024,
Carruthers Building, Yucca Room
1209 Camino Carlos Rey, Santa Fe, NM 87505
& Virtual

Members Present- John Wayne, PS, Committee Chair
Maxine McReynolds, Esq., Public Member, Vice Chair
Benjamin Aragon, PS
Robert Gromatzky, PS

Others Present- Crystal Bustamante, BLPEPS, Budget/Finance Manager, CPO
Miranda Gonzales, BLPEPS, Administrative Manager
Jessie James, BLPEPS, Compliance Officer
Marlene Segura, BLPEPS, Licensing Administrator
Kristin Hovie, NM DOJ, AAG, Legal Counsel
Chuck Cala, PS, Board Investigator
Marvyn Jaramillo
David Mackey
William Trout
Joseph Maez

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

Ms. Gonzales read the meeting script regarding the virtual meeting protocols. Mr. Wayne convened the meeting at 9:05 a.m. Roll call was taken and a quorum was noted. Audience introductions were made at this time.

2. **Meeting Notification**

Ms. Gonzales informed the Committee the meeting was noticed on the Board's website and at the Board Office.

3. **Approval of Agenda**

MOTION by Mr. Gromatzky to approve the agenda as presented, **SECONDED** by Mr. Aragon,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

4. **Approval of Minutes**

- a. **Minutes of April 11, 2024,**
- b. **Minutes of April 25, 2024**

MOTION by Mr. Gromatzky to approve the Minutes of April 11, 2024, and April 25, 2024, as presented, **SECONDED** by Mr. Aragon,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

5. **Public Comment/Correspondence**

Ms. Gonzales reported that there was no public comment nor correspondence at this time.

6. **Old Business**

- a. **SPCS 2022 Update**

Mr. Gromatzky stated that there has been no progress. He and Mr. Thurow will collaborate with the partners when the definitions are obtained.

- b. **NM Handbook for Building Officials**

Mr. Aragon stated that the JPC is reviewing the handbook for modifications against the Practice Act and based on the PE, PS, Architects, and Landscape Architects perspective.

He added that he and Ms. Dohleman are gathering questions and comments and will bring them before the JPC at the June 20th meeting, before modifying the handbook.

- c. **Advisory Opinion For the day-to-day right of way easements, are we going to have those surveyed?**

Mr. Gromatzky is working with Mr. Medrano to address his comments and hopes to have this finalized by the next regular meeting.

7. **New Business**

- a. **Election of Officers**

- 1) **Committee Chair**

MOTION by Mr. Gromatzky to nominate Mr. Aragon as Committee Chair, **SECONDED** by Mr. Wayne,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

2) Vice-Chair

MOTION by Mr. Aragon to nominate Ms. McReynolds as Committee Vice-Chair, **SECONDED** by Mr. Wayne,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

8. Application Review – Recommended Approval

a. Recommended for Approval List

MOTION by Mr. Gromatzky to approve the list of applications for PS Endorsement, **SECONDED** by Mr. Wayne,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

b. Confirmation of Staff Reviewed Applications

The Committee acknowledged the confirmation of staff reviewed applications.

9. Closed Session

MOTION by Mr. Wayne that the Committee enter into closed session at 9:18 a.m. 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. Gromatzky.

Roll call vote taken, voting 'Yes': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

****Mr. Gromatzky left the meeting at 9:59 a.m. for agenda item 10. a. 2) and returned to the meeting at 10:08 a.m.****

10. Action on Items Discussed During Closed Session

Mr. Wayne brought the Committee back into open session at 10:57 a.m. 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 closed session, in accordance with NMSA 1978 Section 10-15-1 (H) (1) and (3).

a. **Disciplinary Cases**

1) **Case 5-PS-2023 Investigator's Report**

MOTION by Mr. Gromatzky to attempt to enter into a pre-NCA settlement agreement and that if no agreement is executed within 30 days, the matter will be automatically referred to the Administrative Prosecutor for the issuance of an NCA., **SECONDED** by Ms. McReynolds,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

2) **Case 3-PS-2023**

MOTION by Ms. McReynolds to acknowledge that the respondent satisfied Item 3. B. of the pre-NCA settlement agreement and directed staff to move forward with carrying out Items 3. C. and 3. D. of the same settlement agreement, **SECONDED** by Mr. Aragon,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon

Recused: Mr. Gromatzky, he left the meeting during discussion.

The motion **Passed.**

3) **Case 7-PS-12-14-2017**

MOTION by Mr. Gromatzky for Board Staff to serve the respondent with a Notice of Disciplinary Hearing, **SECONDED** by Ms. McReynolds,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

4) **Case 7-PS-05-20-2019**

MOTION by Mr. Gromatzky for Board staff to engage with the Administrative Prosecutor to schedule a Disciplinary Hearing, **SECONDED** by Ms. McReynolds,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

5) Case 11-PS-09-27-2019

MOTION by Mr. Gromatzky to dismiss the case, **SECONDED** by Ms. McReynolds,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

b. Status Review of Complaints and NCAs

A report was reviewed on the status of pending cases and referrals for Notice of Contemplated Actions.

c. Applications for Review

1) PS Endorsement

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MOTION by Mr. Gromatzky to approve for PS Endorsement, **SECONDED** by Ms. McReynolds,

Roll Call Vote:

Voting 'Aye': Mr. Wayne, Ms. McReynolds, Mr. Aragon, Mr. Gromatzky

The motion **PASSED unanimously.**

11. Next Scheduled Meeting Date: August 8, 2024 – Albuquerque/Virtual

12. Adjourn

The meeting adjourned at 11:01 a.m.

Submitted by:

s/Crystal Bustamante
Crystal Bustamante, Budget/Finance Manager, CPO

Approved by:

s/John Wayne
John Wayne, Committee Chair

August 8, 2024 **Approved Date**