

**MEETING OF THE PROFESSIONAL SURVEYING  
COMMITTEE of the Board of Licensure for Professional  
Engineers and Professional Surveyors held at  
1:00 p.m., Thursday, August 11, 2022  
Office of Souder Miller & Associates,  
5454 Venice Ave. NE, Ste. D, Albuquerque, NM  
& Virtual**

**Members Present-** Robert Gromatzky, PS, Committee Chair  
Maxine McReynolds, Esq., Public Member  
John Wayne, PS  
Dr. Ahmed Elaksher, PEPS  
Karl Tonander, PE

**Others Present-** Perry Valdez, BLPEPS, Executive Director  
Miranda Gonzales, BLPEPS, Administrative Manager  
Isaac Maes, BLPEPS, Executive Assistant  
Angelica Urioste, BLPEPS, Compliance Officer  
Marlene Segura, BLPEPS, Licensing Administrator  
Valerie Joe, AAG, Legal Counsel  
Clark Fisher  
Brent Christensen  
Noah Buck  
Clifford Spirock, PS

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

Mr. Gromatzky read the meeting script regarding the virtual meeting protocols. He convened the meeting at 9:08 a.m. Roll call was taken and a quorum was noted. Audience introductions made at this time.

**2. Meeting Notification**

Mr. Valdez informed the Committee the meeting was noticed on the Board's website and at the Board office.

**3. Approval of Agenda**

**MOTION** by Ms. McReynolds to approve the agenda as presented, **SECOND** by Mr. Wayne

**Roll Call Vote:**

**Voting 'Aye':** Mr. Gromatzky, Ms. McReynolds, Mr. Wayne, Dr. Elaksher

The motion **PASSED unanimously**.

**4. Approval of Minutes**

**a. Minutes of November 4, 2021 – Amended**

Mr. Valdez explained to the Committee that the amendment of the November 4, 2021 minutes needed to occur due to an error being discovered in which typos were discovered and the motion for two cases were incorrect. The motions for the mentioned cases were 7-PS-02-27-2020 and case 2-PS-01-25-2021.

Mr. Gromatzky asked if there cases came to a resolution.

Ms. Urioste informed the Committee that case 7-PS-02-27-2020 would be discussed during this meeting.

**MOTION** by Ms. McReynolds to approve the amended Minutes of November 4, 2021 as presented, **SECONDED** by Dr. Elaksher

**Roll Call Vote:**

**Voting 'Aye':** Mr. Gromatzky, Ms. McReynolds, Mr. Wayne, Dr. Elaksher

The motion **PASSED unanimously**.

**b. Minutes of June 9, 2022**

**MOTION** by Ms. McReynolds to approve the Minutes of June 9, 2022 as presented, **SECOND** by Dr. Elaksher

**Roll Call Vote:**

**Voting 'Aye':** Mr. Gromatzky, Ms. McReynolds, Mr. Wayne, Dr. Elaksher

The motion **PASSED unanimously**.

**5. Requested Public Comment/Correspondence**

Mr. Gromatzky asked the audience if they had any comments they wished to make.

Mr. Buck informed the Committee that he had applied for SI certification but was not approved due to his course work not being able to be verified to meet the required standards. Mr. Buck notified the Committee that he was currently enrolled in courses at NMSU to meet said required standards. He would finish his comment by asking if the Committee would accept these courses for his SI certification.

Mr. Fisher told the Committee that he had provided the requested information for his application to be reconsidered.

Mr. Christensen informed the Committee that in conjunction with his application, he sent the Committee a letter. Mr. Christensen said he hoped the Committee would take the contents of his letter in consideration when reviewing his application.

Mr. Gromatzky thanked Mr. Buck, Mr. Fisher, and Mr. Christensen for their comments.

**6. Old Business**

Mr. Valdez informed the Committee that there was no “old business.”

**7. New Business**

Mr. Valdez informed the Committee that there was no “new business.”

However, Mr. Gromatzky added a new business item for informational purposes. He said the new 2022 datum ellipsoid and State Plane Coordinates are being worked on by several stakeholders. Mr. Gromatzky added the stakeholders are discussing replacement of the US Survey Foot with the International Foot, that there will likely be more discussion topics that develop in the future.

**8. Application Review – Recommended Approval**

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

**MOTION** by Mr. Wayne to approve the recommended approval list,

**SECONDED** by Ms. McReynolds

**Roll Call Vote:**

**Voting 'Aye':** Mr. Gromatzky, Ms. McReynolds, Mr. Wayne, Dr. Elaksher

The motion **PASSED unanimously.**

**9. Executive Session**

**MOTION** by Mr. Gromatzky 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 Dr. Elaksher

**Roll call vote taken, voting 'Yes':** Mr. Gromatzky, Ms. McReynolds, Mr. Wayne, Dr. Elaksher

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

Mr. Gromatzky 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).

*\*\*\*Ms. Joe noted that during closed session, Ms. McReynolds exited the meeting at 9:10 a.m. and returned to the meeting at 11:01 a.m.*

*During Ms. McReynolds absence, Dr. Elaksher substituted for her to ensure a quorum.*

*Dr. Elaksher exited the meeting at 11:18 a.m.*

*Mr. Gromatzky exited the meeting at 11:27 a.m. and returned at 11:45 a.m.*

*Mr. Tonander joined the meeting at 11:27 a.m. to substitute for Dr. Elaksher and exited the meeting at 11:56 a.m. \*\*\**

**a. Disciplinary Cases**

**1) Case 9-PS-06-28-2019**

Ms. Joes noted, for the record, that Mr. Gromatzky left the meeting and discussion during the time period when item a.1 and c.1.a were discussed.

**MOTION** by Ms. McReynolds to adopt the Hearing Officer's Report and dismiss the matter as recommended, **SECONDED** by Mr. Mr. Wayne

**Roll Call Vote:**

**Voting 'Aye':** Mr. McReynolds, Mr. Wayne, Mr. Tonander

**Recused:** Mr. Gromatzky

The motion **PASSED**.

Ms. Joe asked who Mr. Gromatzky would be delegating his authority to sign the decision and order, since he recused himself. Mr. Gromatzky responded Mr. Wayne would.

**c. Applications for Review**

**1) SI Certification**

**a. Buck, N. – Reconsideration**

**MOTION** by Ms. McReynolds to table the request for reconsideration pending applicant's fulfilling the course requirements including any credited course work that NMSU may provide, **SECONDED** Mr. Wayne

**Roll Call Vote:**

**Voting 'Aye':** Mr. McReynolds, Mr. Wayne, Mr. Tonander

**Recused:** Mr. Gromatzky

The motion **PASSED**.

Ms. McReynolds noted, for the applicant's clarification, that the Committee accepts the crediting of course work by NMSU. She said however, the Committee requests that applicants are clear in terms of what course are being credited and what credits are being transferred.

**Executive Session at 11:56 a.m.**

**MOTION** by Mr. Wayne 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 Ms. McReynolds

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

**Action on Items Discussed During Executive Session**

Mr. Gromatzky 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**

**2) Case 10-PS-09-25-2019**

**MOTION** by Mr. Gromatzky to issue a default order with a fine of six-thousand dollars and probation for six months, **SECONDED** by Mr. Wayne

**Roll Call Vote:**

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

The motion **PASSED unanimously.**

**3) Case 1-PS-01-27-2020**

**MOTION** by Mr. Gromatzky to issue a default order with a fine of five-thousand dollars, **SECONDED** by Mr. Wayne

**Roll Call Vote:**

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

The motion **PASSED unanimously.**

**4) Case 2-PS-01-30-2020**

**MOTION** by Mr. Gromatzky to close the case, **SECONDED** by Mr. Wayne

**Roll Call Vote:**

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

The motion **PASSED unanimously.**

5) **Case 7-PS-02-27-2020**

**MOTION** by Mr. Gromatzky to close the case, **SECONDED** by Mr. Wayne

**Roll Call Vote:**

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

The motion **PASSED unanimously.**

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

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

**c. Application for Review**

2) **PS Exam**

- a. **Farrell Jr., P.**
- b. **Pinedo, A.**

Mr. Gromatzky tabled these items for additional information.

3) **PS Endorsement**

- a. **Christensen, B.**
- b. **Christensen, S.**

Mr. Gromatzky tabled these items for additional information.

c. **Fisher, C. – Reconsideration**

**MOTION** by Mr. Gromatzky to approve for licensure and take the state specific exam, **SECONDED** by Mr. Wayne

**Roll Call Vote:**

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

The motion **PASSED unanimously.**

**11. Next Scheduled Meeting Date:** November 3, 2022 – Las Cruces/Virtual

**12. Adjourn**

Meeting adjourned at 12:53 p.m.

**Submitted by:**

s/Isaac Maes  
Isaac Maes, Executive Assistant

**Approved by:**

s/Robert Gromatzky  
Robert Gromatzky, Chair

November 3, 2022 Approved Date