

Meeting Minutes

**MEETING OF THE PROFESSIONAL SURVEYING
COMMITTEE of the Board Licensure for Professional
Engineers and Professional Surveyors held at
9:00 a.m., Thursday, April 20, 2023,
Inn of the Mountain Gods, Natzille/Magoosh Room
287 Carrizo Canyon Rd, Mescalero, NM 88340
& Virtual**

Members Present- Robert Gromatzky, PS, Committee Chair
John Wayne, PS
Benjamin Aragon, PS

Members Absent- Maxine McReynolds, Esq., Public Member

Others Present- Perry Valdez, BLPEPS, Executive Director
Crystal Herrera, BLPEPS, Administrative Operations Manager
Miranda Gonzales, BLPEPS, Administrative Manager
Isaac Maes, BLPEPS, Executive Assistant
Angelica Urioste, BLPEPS, Compliance Officer
Chuck Cala, PS Investigator
Aaron Andre
Sarah Salazar, AI New Mexico
Rafael Bombacini
Mr. and Ms. Warren Woodward

1. Convene, Roll Call and Introduction of Audience

Mr. Gromatzky read the meeting script regarding the virtual meeting protocols. He convened the meeting at 9:11 a.m. Roll call was taken and a quorum was noted. Audience introductions made at this time.

Mr. Gromatzky requested that any audience members who may have any connection to any disciplinary cases recuse themselves from discussion in any said cases.

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

Roll Call Vote:

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

The motion **PASSED unanimously**.

4. Approval of Minutes

a. Minutes of January 12, 2023

b. Minutes of January 27, 2023

MOTION by Mr. Aragon to approve the Minutes of January 12, 2023 and January 27, 2023 as presented, **SECONDED** by Mr. Wayne

Roll Call Vote:

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

The motion **PASSED unanimously**.

5. Public Comment/Correspondence

Mr. Valdez informed the Committee that there was no public comment or correspondence received.

Mr. Gromatzky asked the audience if there was any public comment.

Ms. Woodward requested a status update of a disciplinary case on the agenda.

Mr. Gromatzky said after the closed session, the Committee will be able to provide a status update.

6. Old Business

a. 2022 Datum Ellipsoid and State Plane Coordinates

Mr. Gromatzky reported that until NGS publishes their coordinate system parameters, there is no action the PSC can do to define the coordinate system and the State Statutes. We will retain the definition for the NAD 83 coordinate system, because one change may greatly impact municipalities and others.

Mr. Aragon stated that NGS will not unveil the Datum change until late 2023 or early 2024. Mr. Gromatzky stated it was his understanding it would not be made public until that time. He said the actual state plane definitions, projections, should be available next month or two, or some later date.

b. Survey Penalties Schedule

Mr. Gromatzky said there was no update to the Survey Penalties Schedule.

7. New Business

a. NMSU Geomatics Program

Mr. Valdez gave a presentation about the NMSU Geomatics program in regard to how many applicants passed the Fundamental Surveying (FS) exam and the Professional Surveying (PS) Exam from April 2021 to April 2023. He reported there were 12 individuals who passed the FS exam and 2 passed the PS exam.

Mr. Gromatzky presented data that showed the NMSU Geomatics program enrollment rate. He reported that the enrollment rate was increasing.

b. Updated Surveyor Application Form

Ms. Gonzales presented the new application that will go into effect July 1, 2023.

Mr. Gromatzky asked if these changes were updated for the military applicants with the legislative law in regard to active-duty military.

Ms. Gonzales responded that the changes were included.

Mr. Gromatzky also asked if the application has also been updated to include the changes to the Practice Act recently signed by the Governor that allow for the new licensure paths.

Ms. Gonzales and Mr. Valdez said the changes were included.

c. Expedited Licensure Application Approval Process

Mr. Valdez asked if the Committee would like to allow for him, as the Executive Director, to approve the applications which meet the requirements with the new changes. He would not approve those applications that are questionable and require board review and approval.

He explained that the PEC has allowed him to approve the engineering applications, who meet the requirements, in-house without going before the board.

Mr. Aragon stated that there would be two approval paths, one where the Executive Director approves the applications that meet the requirements and the

other path where the Board approves the applications in question. Mr. Valdez responded that was correct.

Mr. Gromatzky said he would request that the applicants have a complete exam record along with the New Mexico 2-hour exam.

Mr. Gromatzky also said he would allow for the Executive Director to approve applicants and if Mr. Valdez were to vacate the Executive Director position, the approval privilege for the replacement Executive Director would be revoked.

He asked Mr. Valdez if a vote was needed for this item.

Mr. Valdez said a vote was not needed at this time and it could be voted on at the next meeting.

d. NM Land Grant Committee Report

Mr. Gromatzky informed the Committee that he and Mr. Valdez attended the New Mexico Land Grant Committee in Espanola, New Mexico on March 24, 2023.

He noted the Land Grant Committee brought up about the lack of surveyors and he responded that there is a scholarship opportunity to allow for more professional surveying opportunities.

Mr. Valdez noted the presentation went well and said that the Board Staff gave a presentation about licensing.

Mr. Valdez said that someone raised the idea for NMPS to provide a mentorship of students for surveying to allow for more people to become licensed surveyors in New Mexico.

Mr. Aragon mentioned that he attended a career fair in Espanola for one of the high schools. He said it was very beneficial for the students.

8. Application Review – Recommended Approval

a. Recommended for Approval List (Exhibit A)

MOTION by Mr. Gromatzky to move Mr. Daniel Greenwald’s application to Closed Session, **SECONDED** by Mr. Wayne

Roll Call Vote:

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

The motion **PASSED unanimously.**

MOTION by Mr. Aragon to approve the remaining recommended for approval list (Exhibit A), **SECONDED** by Mr. Wayne

Roll Call Vote:

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

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 Mr. Aragon

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

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).

a. Disciplinary Cases

- 1) Case 8-PS-10-07-2021 – Investigator's Report** Mr. Gromatzky tabled this item.
- 2) Case 10-PS-11-16-2021– Investigator's Report**
- 3) Case 4-PS-10-20-2022 – Investigator's Report**
- 4) Case 3-PS-11-22-2022 – Investigator's Report**

MOTION by Mr. Gromatzky to dismiss the cases, **SECONDED** by Mr. Wayne

Roll Call Vote:

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

The motion **PASSED unanimously.**

5) Case 2-PS-01-25-2021

MOTION by Mr. Gromatzky to extend the action to the June 8, 2023 meeting,
SECONDED by Mr. Wayne

Roll Call Vote:

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

The motion **PASSED unanimously**.

6) Case 4-PS-02-05-2021

Mr. Gromatzky recused himself from this item.

Mr. Aragon tabled this item.

7) Case 3-PS-02-08-2021

MOTION by Mr. Gromatzky to close the case as the terms of the Pre-NCA settlement agreement were fulfilled, **SECONDED** by Mr. Wayne

Roll Call Vote:

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

The motion **PASSED unanimously**.

8) Case 7-PS-05-20-2019

Mr. Gromatzky tabled this item until the May Special Meeting.

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

a) Andree, A.

MOTION by Mr. Gromatzky to approve for PS Endorsement,
SECONDED by Mr. Aragon,

Roll Call Vote:

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

The motion **PASSED unanimously.**

b) Harlan, C.

Mr. Gromatzky tabled this item for more information.

c) Martin, T.

MOTION by Mr. Gromatzky to require applicant to make a request to retake the exam, **SECONDED** by Mr. Wayne

Roll Call Vote:

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

The motion **PASSED unanimously.**

d) Montgomery, L.

e) Greenwald, D.

MOTION by Mr. Gromatzky to approve Montgomery, L. and Greenwald, D. for PS Endorsement, **SECONDED** by Mr. Wayne

Roll Call Vote:

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

The motion **PASSED unanimously.**

11. Next Scheduled Meeting Date: June 8, 2023 – Santa Fe/Virtual

12. Adjourn

The meeting was adjourned at 11:53 a.m.

Submitted by:

s/Isaac Maes

Isaac Maes, Executive Assistant

Approved by:

s/Robert Gromatzky

Robert Gromatzky, Committee Chair

June 8, 2023

Approved Date