

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, November 2, 2023,  
New Mexico Institute of Mining and Technology Campus,  
Room 113 of the Speare Building.  
801 Leroy Pl., Socorro NM 87801  
Hybrid

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

**Others Present-** Perry Valdez, BLPEPS, Executive Director  
Miranda Gonzales, BLPEPS, Administrative Manager  
Marlene Segura, BLPEPS, Licensing Administrator  
Jessie James, BLPEPS, Compliance Officer  
Isaac Maes, BLPEPS, Executive Assistant  
Todd Baran, AAG, Legal Counsel  
Chuck Cala, PS Investigator

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

Mr. Valdez read the meeting script regarding the hybrid meeting protocols. Mr. Wayne convened the meeting at 9:20 a.m. Roll call was taken and a quorum was noted. There was no audience in attendance.

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

4. **Approval of Minutes**

a. **Minutes of September 22, 2023**

MOTION by Mr. Gromatzky to approve the Minutes of September 22, 2023 as presented, **SECONDED** by Mr. Aragon, **PASSED** unanimously.

5. **Public Comment/Correspondence**

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

## 6. Old Business

### a. **University Support Program**

Mr. Gromatzky was requesting an update and asked if the approved program support funds for NMSU and NM Tech were distributed to each of the institutions.

Mr. Valdez explained to the Committee that a budget adjustment request was submitted to move the money to the appropriate account for the program support fund. The request was approved, and the money is being moved into the program support fund. The approved funding for each institution will be issued.

Mr. Gromatzky asked when the funds would be disturbed.

Mr. Valdez said the funds would be distributed next week.

Mr. Aragon asked when do University Support Program funds request have to be submitted.

Mr. Valdez said that university support program funds have to be submitted by June 30<sup>th</sup>, before the end of the fiscal year.

### b. **SPCC 2022 Update**

Mr. Gromatzky said there was no change to the SPCC 2022 update, but he noted that he contacted the sponsor of Geodetics and was informed the SPCC update would not be implemented until 2024-2025 timeframe. He added that new definitions of the coordinate system are not available for dissemination at this point.

Mr. Gromatzky explained that there are certain considerations that need to be looked at before adopting the language that the NGS, the National Geodetics Survey, has proposed. One of the considerations that the statute they are proposing points to a standard that has not been set yet. NGS doesn't have a definition for the coordinate system. In addition, it remains unclear what the impact the US survey foot would be and what changes to that NAD 83 coordinate system would have, since it points to a standard that has not been defined yet.

Mr. Wayne asked Mr. Gromatzky if the SPCC 2022 update will go past the 2024 date to implement due to legal review as well as the legislative process.

Mr. Wayne asked Mr. Valdez, based on his experience, how long this would take.

Mr. Valdez informed the Committee that the last time an SPCC update occurred was before he was the Executive Director so he did not know how long it would take. Research was done and was not sure who sponsored the bill and what changes were made.

Ms. McReynolds asked if this matter could come up before the next Rule Committee meeting.

Mr. Gromatzky stated that as far as what happened to surveys, surveys regulated by the Board. It would be within the purview of the Board to decide to specify which units would be used.

Mr. Valdez said he would look into this.

7. **New Business**

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

8. **Application Review – Recommended Approval**

a. **Recommended for Approval List**

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

**Discussion:**

Mr. Aragon asked if the degree from Utah Valley University, for Mr. Neilson, was ABET accredited.

Ms. Gonzales responded that the degree was accredited in 2020.

**PASSED** unanimously.

b. **Confirmation of Staff Reviewed Applications**

**MOTION** by Mr. Gromatzky to approve all items in 8.b., **SECONDED** by Ms. McReynolds,

**Discussion:**

Mr. Aragon asked if the disciplinary for applicant Slaton disqualified them for expiated licensure since one of the requirements for PSC expedited licensure is to have no disciplinary actions within ten years.

Mr. Gonzales clarified that the requirement stated that the applicant has no disciplinary action within five years of applying, which Mr. Slaton did not have.

**PASSED** unanimously.

**c. PS Retired Status Request(s)**

**MOTION** by Mr. Gromatzky to approve the PS retired status request, **SECONDED** by Mr. Aragon, **PASSED** unanimously.

**d. PS Inactive Status Request(s)**

**MOTION** by Mr. Gromatzky to approve the PS inactive status request, **SECONDED** by Mr. Aragon, **PASSED** unanimously.

**9. Closed Session**

**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 Mr. Gromatzky,

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

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

Mr. Wayne brought the Committee back into open session at 11:14 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 executive session, in accordance with NMSA 1978 Section 10-15-1 (H) (1) and (3).

**a. Disciplinary Cases**

**1) Case 2-PS-2023 Investigator's Report**

**MOTION** by Mr. Gromatzky to approve Board Staff to negotiate a pre-settlement agreement and report negotiating terms back to the Committee at the next Professional Surveying Committee meeting, **SECONDED** by Mr. Aragon, **PASSED** unanimously.

**2) 2-PS-11-30-2021**

Mr. Wayne stated that no action would be taken on this item and noted that it was only informational.

**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) Condron, C.**

Mr. Wayne tabled this item and directed the Board Staff to gather more information.

11. **Next Scheduled Meeting Date(s)**: January 11, 2023 – Santa Fe/Virtual

12. **Adjourn**

The meeting was adjourned at 11:18 a.m.

**Submitted by:**

s/Isaac Maes  
Isaac Maes, Executive Assistant

**Approved by:**

s/John Wayne  
John Wayne, Committee Chair

January 11, 2024 **Approved Date**