

Approved July 24, 2014

**Occupational Health & Safety Review Commission
MINUTES OF THE July 9, 2014 MEETING**

The meeting of the New Mexico Occupational Health & Safety Review Commission was held on July 9, 2014 starting at 9:08 a.m. in the Annex Conference Room L1015, Harold Runnels Building, 1190 St. Francis Dr., Santa Fe, NM.

Item #1: Call to Order

Chair Drennan called the meeting to order at 9:08 a.m.

Item #2: Roll Call

Members Present:

Mr. Bryan Drennan, Chair
Mr. Brock Carter
Mr. Arturo Archuleta

Others Present:

Charles Kraft, AGO
Sally Worthington, NMED
Robert Genoway, NMED OHSB
Kathryn Becker, NMED OGC
Wayne Bingham, Bingham, Hurst & Apodaca
Jose Vargas, Everguard Roofing
James Kinsey, Everguard Roofing
Dave Simmons, Everguard Roofing
Michael Vonderheide, NMED EPD
Duwayne Roybal, OHSB

Item #3: Approval of Agenda

ACTION: Mr. Carter made a motion to approve the Agenda. Mr. Archuleta seconded. Motion carried unanimously.

Item #4: Approval of the March 20, 2014 Meeting Minutes

ACTION: Mr. Carter made a motion to approve the minutes. Mr. Archuleta seconded. Motion carried unanimously.

Item #5 Evidentiary hearing and possible decision in the matter of NMED v. Everguard Roofing, LLC, OSHA 13-033. The Commissioners may adjourn into Closed Executive Session to discuss this matter pursuant to Section 10-15-1(H)(3),

NMSA 1978 of the Open Meetings Act. Kathryn Becker, NMED/OGC and Wayne Bingham for Respondent.

ACTION: A transcript of the proceedings was made by Kathy Townsend Court Reporters and the transcript will be in the custody of the Administrator. It is available for viewing upon request.

After the end of the evidentiary hearing the Commission's Counsel, Mr. Kraft, stated that no decision would be made today and that both parties would be given time under the rules to submit Findings of Fact and Conclusions of Law. The Commission will issue its Final Order 60 days after the date which the transcript is filed with the Administrator.

The Chair entertained a motion to go into Executive Session to discuss the OSHA 13-033 case. Mr. Carter made a motion to go into Executive Session and Mr. Archuleta seconded. A roll-call vote was taken and the motion carried. The OHSRC entered into Executive Session at 3:21 pm. The recorder was turned off.

The OHSRC came back into open session at 3:34 pm. The matters discussed in Executive Session were limited to only those specified in the motion for closure.

Item #6 Other Business

None.

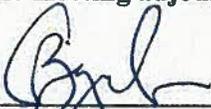
Item #7 Next Meeting

The next OHSRC meeting is scheduled for July 24, 2014.

Item #8 Adjournment

ACTION: **Mr. Archuleta made a motion to adjourn. Mr. Carter seconded. Motion carried unanimously.**

The meeting adjourned at 3:38 pm.



C. Bryan Drennan, OHSRC Chair