

*Approved*

**Occupational Health & Safety Review Commission  
MINUTES OF THE December 2, 2014 MEETING**

The meeting of the New Mexico Occupational Health & Safety Review Commission was held on December 2, 2014 starting at 10:00 a.m. in the Annex Conference Room L1015, Harold Runnels Building, 1190 St. Francis Drive, Santa Fe, New Mexico.

**Item #1: Call to Order**

Chair Drennan called the meeting to order at 10:00 a.m.

**Item #2: Roll Call**

Members Present:

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

Others Present:

Timothy Briggs, Miller Stratvert P.A.  
Sally Worthington, NMED  
Kathryn Becker, NMED OGC  
Billy Jimenez, NMED OGC  
Bob Genoway, NM OSHA  
Herman Hernandez, NM OSHA  
Kelly Stevenson, NM OSHA

**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 September 25, 2014 Meeting Minutes**

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

**Item #5 Presentation and vote on the Settlement Agreement in the matter of NMED v. Otero & Sons Roofing, OSHA 13-024. Billy Jimenez, NMED/OGC and Wayne Bingham for Respondent.**

**ACTION: Billy Jimenez stated that the parties signed a Settlement Agreement and filed it with the Administrator on November 21<sup>st</sup> and the 20 day time period for**

protest will expire on December 11<sup>th</sup>. The Settlement Agreement will then be finalized.

**Item #6** Scheduling conference before the Commission in the matter of NMED v. McVay Drilling Company, OSHA 13-035. Christopher Atencio, NMED/OGC and Timothy Briggs and Dan Akenhead for Respondent.

**ACTION:** There is a Stipulated Order to stay all deadlines and any other procedures in this matter for a period of three (3) months.

**Item #7** Evidentiary hearing and possible decision in the matter of NMED v. Pirtle Farms LLP, OSHA 14-015. 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 Tracy Jenks and Louis Rose for Respondent.

**ACTION:** Ms. Becker stated that the Bureau did not oppose the Unopposed Motion to Vacate and Continue Hearing. The hearing will be re-set for a later date no more than 60 days from December 2, 2014.

**Item #8** Other Business

None.

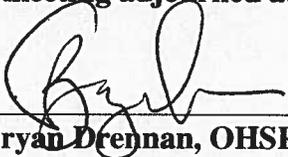
**Item #9** Next Meeting

To be announced at a later date.

**Item #10** Adjournment

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

The meeting adjourned at 10:12 am.

  
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C. Bryan Drennan, OHSRC Chair