Occupational Health and Safety Review Commission
Minutes of November 15, 2018 Meeting

The meeting of the Occupational Health and Safety Review Commission was held on November 15, 2018, starting at 10:00 a.m. in the Training Room of the Marquez Place Building, 525 Marquez Place Santa Fe, NM.

1. CALL TO ORDER.

Acting Chair, William "Brock" Carter, called the meeting to order at 10:00 a.m. A quorum was established by roll call.

2. ROLL CALL.

Members Present:
- William "Brock" Carter, Acting Chair
- Robert Roehm
- Jeff Kokos

Members Absent

Others Present:
- John Kreienkamp, Assistant Attorney General (Commission Counsel)
- Pam Castaneda, Hearing Clerk (Commission Administrator)
- Robert Genoway, OSHA Bureau Chief
- Doug Johnson, Director of Quality for Lovelace Medical Center
- Renee Ayala, Quality Manager for Lovelace Medical Center
- Kathryn Becker, Assistant General Counsel, New Mexico Environment Department
- Gregory Marquez, Compliance Manager, Occupational Health and Safety

3. APPROVAL OF THE AGENDA.
MOTION: Mr. Roehm questioned the numbering on the agenda. It was not sequenced correctly and it went from item 9, 11 and 12. The item numbers were fixed correctly with item 9, 10 and 11. Mr. Roehm moved to approve the agenda as amended. Mr. Kokos seconded the motion. The motion passed by a voice vote.

4. APPROVAL OF MINUTES OF September 18, 2018.

MOTION: Mr. Kreienkamp requested a change to line 25-page 1 insert “acting” in front of Chair. Mr. Roehm requested on item 49 page 2 NMED v. GM and should be GN. On line 8 page 2 should read “Mr. Carter instead of Mr. Brock”. Mr. Roehm requested some changes to item 11 page 3, the sentence “0020 being confirmed” should be stricken and on page 4 Mr. Roehm was spelled incorrectly and needed to be corrected. Mr. Kokos requested on page 3 item 11 his last name was misspelled twice and misspelled on page 4. Mr. Carter requested on line 50-page 2 Shred needed to be corrected. Mr. Kokos moved to approve the meeting minutes as amended. Mr. Roehm seconded the motion. The motion passed by a voice vote.

5. Discussion of open/pending OHSRC cases.

Mr. Genoway discussed and reviewed the closed/pending cases listed with the Commissioners. Mr. Roehm had a question regarding OSHA case 16-35, if there was an Order that was ready to be signed for this case to be closed. Mr. Roehm congratulated Occupational and Health and Safety on the hard work that had been done closing out cases.

6. Lovelace Medical Center (OSHA 18-14) Consideration of Motion to Dismiss Late Notice of Contest.

Ms. Kathryn Becker, Assistant General Counsel presented to the Commission. The New Mexico Environment Department filed a Motion to Dismiss a late Notice of Contest. There was no objection by the parties.

Mr. Roehm moved that the Commission entered into closed session as authorized by the administrative in accordance with the Open Meetings Act 10-15-1 (H)(3) for the Commission to enter into discussions relating to Lovelace Medical Center (OSHA 18-14) consideration of Motion to Dismiss Late Notice of Contest. Mr. Kokos seconded the motion. When the Commission went into closed session the time was 10:14 a.m. The Acting Chair asked the Commission Administrator to take a roll call vote. The vote was 3 yes and 0 nay. The motion passed by a voice vote.

The Commission returned to open session at 10:22 a.m. and reconvened the regular meeting. The Acting Chair stated that the record should reflect that the matters discussed in closed executive session were limited to only those specified in the motion for closure and that no votes or official action was taken. The Acting Chair entertained a motion. Mr. Kokos moved to grant the New Mexico Environment Department's Motion to Dismiss Late Notice of Contest OSHA 18-14. Mr. Roehm seconded the motion. The motion passed by a voice vote.

7. Discussion regarding OHSRC website.
Mr. Roehm thanked the Commission Administrator for the work done on the website. Mr. Roehm requested to continue to post the draft minutes to the website.

8. In Service Presentation and Legal Training by Commission Counsel.

Mr. Kreienkamp, Commission Counsel gave a presentation and legal training for the Commissioners and the Commission Administrator.

The Commission took a break at 11:18 a.m. and reconvened at 11:21 a.m.

9. Other.

Mr. Roehm mentioned that the financial disclosures will be due in January. Mr. Roehm requested that the Open Meetings Act should be on the next agenda. The Acting Chair had a question on confirmations by the Governor.

10. Next Meeting

A meeting will be scheduled regarding OSHA 18-08. A date and time will be determined.

11. Adjournment

The meeting was adjourned at 12:05 a.m.

Motion: The Acting Chair moved for adjournment. Mr. Kokos seconded the motion. The motion passed by a voice vote.

William B. Carly
Chair