

**MINUTES OF SPECIAL MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD WEDNESDAY, JUNE 23, 2010, BEGINNING AT 1:30 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held a special meeting on June 23, 2010, beginning at 1:30 p.m. The meeting took place at the County Commission Chambers, San Miguel County Courthouse, 2nd floor, 500 West National Ave., Suite 200, Las Vegas, New Mexico 87701.

ROLL CALL:

Chairman David R. Salazar, Vice-Chair June J. Garcia, and Commissioners Albert J. Padilla, Marcellino A. Ortiz, and Nicolas T. Leger were present, and a quorum was duly noted by Chairman Salazar.

PLEDGE OF ALLEGIANCE:

SALUTATION TO THE NEW MEXICO STATE FLAG:

“I salute the flag of the State of New Mexico and the Zia Symbol of perfect friendship among United Cultures.”

APPROVAL OF AGENDA:

Motion made by Commissioner Nicolas T. Leger to approve agenda as submitted. Second by Commissioner Marcellino A. Ortiz. Motion carried.

NEW BUSINESS:

1. CONTINUATION OF THE APPEAL OF PLANNING AND ZONING RESOLUTION NO. PZ-235 FOR PECOS RIVER RANCH

Chairman David Salazar advised the Commission that on May 4, 2010, the Board of County Commissioners conducted a public hearing on Planning and Zoning Resolution No. PZ-235, which Resolution approved Application No. CU-0224, submitted by Pecos River Ranch, for a conditional use permit. After hearing evidence and testimony from the appellant Mr. Abran Tapia and other interested persons, the Board of County Commissioners voted to table the appeal and continue its public hearing at such time as the applicant, Mr. Val Kilmer, is given an opportunity to appear before the Commission and address the concerns which were expressed by appellant and other interested persons, and otherwise address his application for conditional use permit.

Chairman David Salazar advised all in attendance that appellant Abran Tapia would be designated as the spokesperson for all those in opposition to the application for conditional use permit, who had spoken previously at the hearing/meeting held May 4, 2010.

Upon being administered the witness oath, Appellant Abran Tapia addressed the Commission, and expressed his disagreement with the Commission's decision to not allow everyone to speak again. He proceeded to express to the Commission his opposition to the application for conditional use permit, and again spoke concerning comments attributed to Mr. Val Kilmer, as quoted in Rolling Stone Magazine.

County Attorney Jesus Lopez asked Mr. Kilmer's counsel, Santa Fe attorney John Silver, to respond to Mr. Tapia's comments and otherwise address the matter before the Commission.

Mr. Silver briefly addressed the Commission and stood for questions.

Upon being administered the witness oath, Val Kilmer addressed the Commission, explaining the comments attributed to him, and expressing his apology.

Commissioner Nicolas T. Leger asked Mr. Kilmer if the use of water would be metered by the State Engineer's office. Kilmer answered that water would be used no more than usual.

County Attorney Lopez asked that Mr. Kilmer be given an additional three (3) minutes to read his prepared statement, whereupon Kilmer read the same. Mr. Lopez then asked that the written statement be made a part of the Planning and Zoning record in this matter.

Mr. Abran Tapia was then allowed additional time to reply to Mr. Kilmer's presentation, and Tapia again addressed the Commission.

County Attorney Jesus Lopez advised the Commission that the Application for conditional use permit met County requirements, and there being no lawful reason to deny the same, it was in order to approve the conditional use permit as requested by the Pecos River Ranch.

Commissioner Leger moved approval of the application for conditional use permit, and upon a second by Commissioner Garcia, the motion carried and passed unanimously.

ADJOURNMENT

Commissioner Marcellino A. Ortiz made motion to adjourn. Second by Commissioner Albert Padilla. Motion carried. The meeting ended at 2:15 P.M.

Approved this _____ day of _____, 2010 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of the special meeting/hearing held June 23, 2010.

David R. Salazar, Chairman

June J. Garcia, Vice-Chair

Nicolas T. Leger, Commissioner

Marcellino A. Ortiz, Commissioner

Albert J. Padilla, Commissioner

ATTEST

Melanie Y. Rivera, County Clerk

Minutes Submitted by Michelle J. Padilla