

**SANDOVAL COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
LOCATION: ADMINISTRATIVE BUILDING, COMMISSION CHAMBERS
1500 IDALIA ROAD, BUILDING D, 3RD FLOOR
BERNALILLO, NM 87004
NOVEMBER 1, 2018 6:00 P.M.**

1. CALL TO ORDER

Chairman Heil called meeting to order at 6:00 p.m. Present were Chairman Heil, Vice Chairman Eichwald, Commissioner Block, Commissioner Holden-Rhodes and Commissioner Chapman.

2. PLEDGE OF ALLEGIANCE AND NEW MEXICO PLEDGE

Pledge of Allegiance and the New Mexico Pledge was led by Chairman Heil.

3. CLOSED SESSION ANNOUNCEMENT

(David Heil, Chairman)

Chairman Heil read for the record "As previously noticed, prior to this meeting today, on November 1, 2018 at 5:00 p.m. the Sandoval County Board of County Commissioners convened as a Committee of the Whole in a closed session to discuss Threatened or Pending Litigation Regarding Taxation Matters, pursuant to Section 10-15-1(H)(7) of the Open Meetings Act. The matters discussed in the closed meeting were limited to those specified in the Notice of Closed Session."

4. INTRODUCTIONS & ANNOUNCEMENTS

Commissioner Block mentioned the win of the Red Sox and the challenge he made with Vice Chairman Eichwald. Chairman Heil advised that property tax bills went out on Friday.

5. APPROVAL OF AGENDA

Commissioner Chapman motioned, seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

6. CONSENT AGENDA

Approval of Minutes from the work Session Meeting of October 18, 2018.

Approval of Minutes from the Regular County Commission Meeting of October 18, 2018.

Vice Chairman Eichwald motioned, seconded by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

7. SANDOVAL COUNTY COMMISSION

Request for a Motion to Review, Discuss, and Draft the Oil and Gas Ordinance to submit for Publication for Final Action at a Future Meeting, Working from the Attached Drafts of Proposed Language, and also a Request for a Motion to Approve Resulting Oil and Gas Ordinance for Publication for Final Action to be taken at the November 29, 2018 County Board of Commission Meeting.

a. Citizen Working Group Science Ordinance Amended after Discussion with Chair David. Heil.

b. Amended Baseline Ordinance

c. Draft Ordinance Submitted by Commissioner Chapman.

Chairman Heil explained the process for the discussion, review, and possible publication of the Oil and Gas Ordinance. Commissioner Holden-Rhodes motioned to strictly consider the science ordinance, for the purpose of discussion Vice Chairman Eichwald seconded. Clerk Garbagni called for vote Commissioner Block and Commissioner Chapman voted no, Commissioner Holden-Rhodes, Vice Chairman Eichwald and Chairman Heil voted yes. Motion to consider the science ordinance passed. Vote was 3-2. Commissioner Holden-Rhodes motioned to leave the declarations in the ordinance, seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Commissioner Block voted no, Commissioner Holden-Rhodes voted yes, Commissioner Chapman, Vice Chairman Eichwald and Chairman Heil voted no. Motion to keep declarations failed. Vote was 1-4. Vice Chairman Eichwald motioned to include "unmarked graves" into the language. Motion died due to a lack of a second. Commissioner Block motioned to exclude "explosive" from the language, seconded by Chairman Heil. Clerk Garbagni called for vote. Commissioner Holden-Rhodes voted no. Commissioner Chapman abstained. Motion passed. Vote was 3-1 with one abstention. Commissioner Block motioned to delete item 3 from Reports of Authorization for both districts, seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Commissioner Chapman abstained. Motion passed. Vote was 4 in favor with one abstention. Commissioner Block motioned to remove R2 through 6 (Air Quality and Hydrogen Sulfide Contingency Plan Approval), seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Commissioner Holden-Rhodes and Vice Chairman Eichwald voted no. Commissioner Chapman abstained. Motion failed. Vote was 2-2 with one abstention. Chairman Heil motioned to replace S text with the baseline ordinance text (Water Usage and Sources Plan), seconded by Commissioner Block. Clerk Garbagni called for vote. Vice Chairman Eichwald and Commissioner Holden-Rhodes voted no. Motion passed. Vote was 3-2. Commissioner Holden-Rhodes motioned to remove "Relief" from the language (10-D) Motion failed due to lack of a second. Commissioner Chapman motioned to add additional language to article 10 'Relief', seconded by Commissioner Block. Clerk Garbagni called for vote. Vice Chairman Eichwald and Commissioner Holden-Rhodes voted no. Motion passed. Vote was 3-2. Commissioner Block motioned to delete the entire enforcement (F) and substitute it with the Enforcement of the Baseline paragraph 2.1 and 12.2, seconded by Chairman Heil. Clerk Garbagni called for vote. Commissioner Holden-Rhodes voted no. Commissioner Chapman and Vice Chairman Eichwald abstained. Motion failed. Vote was 2-1 with 2 abstentions. Chairman Heil recessed at 9:07 p.m. and reconvened at 9:18 p.m.

Commissioner Holden-Rhodes motioned to adopt the science map. Motion dies due to lack of a second. Commissioner Block motioned to adopt map A/B Exhibit A, seconded by Chairman Heil, Chairman Heil motioned to adopt the science map with the intention of having said map be sectionalized by the planning and zoning department, seconded by Commissioner Holden-Rhodes. Clerk Garbagni called for a vote. Commissioner Block and Commissioner Chapman voted no. Motion passed. Vote was 3-2. Commissioner Block motioned to delete Article VII, Section C, Second Paragraph on Item I, seconded by Chairman Heil. Clerk Garbagni called for vote. Vice Chairman Eichwald and Commissioner Holden-Rhodes voted no. Commissioner Chapman abstained. Motion failed. Vote was 2-2 with 1 abstention. Chairman Heil motioned to adopt floor amendment with the amendments that we have made to the floor amendment, seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Commissioner Block and Commissioner Chapman voted no. Commissioner Holden-Rhodes abstained. Motion failed. Vote was 2-2 with 1 abstention.

8. COMMENTS FROM THE COMMISSIONERS

Commissioner Chapman motioned to adjourn, seconded by Commissioner Block.

9. ADJOURN

Chairman Heil adjourned at 9:55 p.m.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 27 DAY OF Nov, 2018

Eileen Garbagni
COUNTY CLERK

APPROVED AS TO FORM:

K. Stamer
COUNTY ATTORNEY

David Heil
CHAIRMAN

Steve Chapman
VICE CHAIR

Joe Chapman
MEMBER

Holden Rhodes
MEMBER

[Signature]
MEMBER