

**MINUTES OF THE SPECIAL MEETING/PUBLIC HEARING
HELD BY THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, NEW MEXICO, ON
MONDAY, OCTOBER 15, 2012, BEGINNING AT 1:00 P.M.
AT THE STUDENT UNION BUILDING, BACA AVENUE, NMHU CAMPUS**

CALL TO ORDER AND ROLL CALL

Chairman Nicolas T. Leger called the meeting to order at 1:22 p.m., at the Student Union Building (Stu Clark) on Baca Avenue on the Highlands University campus. Upon a call of the roll by the Clerk, four of the five County Commissioners were present, and a quorum was duly established and noted as follows: Chairman Nicolas T. Leger, Vice Chairman Ron R. Ortega, and Commissioners Marcellino A. Ortiz and Arthur J. Padilla.

(Chairman Leger noted the absence of Commissioner David R. Salazar, and informed all in attendance that Mr. Salazar regretted his absence, but unavoidable personal matters required his presence elsewhere.)

PLEDGE OF ALLEGIANCE AND SALUTATION TO THE NM FLAG

Joined by staff and all in attendance, Commissioners pledged allegiance to the U.S. flag and offered their salutation to the NM state flag.

AGENDA AND INTRODUCTORY REMARKS

Chairman Leger introduced the one-item Agenda, and announced that the special meeting was called for the purpose of soliciting and gathering public comment concerning the Commission's on-going efforts to adopt an ordinance regulating oil and gas exploration in San Miguel County. Leger emphasized that the Commission has at no time agreed upon any form of ordinance, and that the draft prepared by county staff is nothing more than a working draft, subject to change and revision as later determined by the Commission – that it is not a proposed ordinance, and is simply a beginning draft.

Chairman Leger also recognized commissioner-elect Gilbert Sena, who was in attendance, and will assume office on January 1, 2013.

AUDIO AND VIDEO RECORDING OF ENTIRE PROCEEDINGS

In adopting these minutes, the Board of Commissioners makes the following findings concerning the proceedings held during the special meeting and public hearing, for which these minutes constitute the official public record:

1. The entire meeting/public hearing was captured contemporaneously by means of audio and video recordings.
2. The aforesaid audio and video recordings will become part of these minutes, and shall be maintained by the County, available at all times for public inspection and copying as provided by law.
3. Because the aforesaid audio and video recordings provide an actual and verbatim record of the entire proceedings, the same are not repeated in these minutes, which will only summarize the proceedings, provide a listing of the persons who appeared before the Commission, and a general description of the comments made by them.
4. During the course of the proceedings, as reflected in the audio and video recordings, questions were propounded by Commissioners or County staff, which questions and answers are not recited herein, but preserved as part of the minutes and public record in the audio and video recordings referenced above.
5. During the course of the proceedings, as reflected in the audio and video recordings, some persons who addressed the Commission, submitted written comments, memoranda, publications, DVD's, or other written memoranda or data, and the same shall be preserved by the County as part of these minutes and shall constitute part of the official record of the proceedings held herein.
6. During the proceedings, some persons in attendance remarked that the acoustics in the room made it difficult to hear, and both the Commission and staff made every effort to remedy the situation, including moving the lectern closer to the Commission table, asking all persons to speak slowly and clearly, and directly into the microphone, and also asking all in attendance to move closer to the Commission table, to the many empty seats available at the front of the room. (The positioning of the Commission table, lectern and audience chairs was rearranged from the previous meeting held October 11, 2012, and it appeared the acoustics were somewhat improved.)

PUBLIC COMMENT

At 1:25 p.m., Chairman Leger announced that the Commission would entertain public comment as aforesaid, and invited anyone in attendance to come forward.

Whereupon, the following persons appeared before the Commission, each of whom expressed one or all of the following positions concerning oil and gas exploration in San Miguel County, for all the reasons noted verbatim in the audio and video recordings which are made an integral part of these minutes: (1) that oil and gas exploration and drilling should be banned entirely, (2) that hydraulic fracturing should be banned, (3) that oil and gas exploration and drilling should be strictly regulated, (4) that severe drought conditions and the unavailability of water throughout the County should preclude any oil and gas exploration and drilling in the county, and (5) that the County's existing oil and gas moratorium be extended:

Eileen Ireland, Catherine A. Miller, Meredith Britt, Kim Delgado, Nickie Sebastian, Aramae, ? Trujillo, Salvador Higgins, Barbara Perea Casey, and Brenda Miller.

[At 1:50 p.m. Chairman Leger announced that his presence was required elsewhere for a few minutes, and upon his departure, Vice Chairman Ron R. Ortega presided; and at 2:50 p.m. Chairman Leger returned to the meeting and resumed his role as presiding officer.]

Also addressing the Commission, beginning at 2:15 p.m., were Kent Cravens and Wally Gregmeister, who appeared on behalf of the New Mexico Oil & Gas Association and who were supportive of oil and gas exploration and drilling in San Miguel County, and answered numerous questions by Commissioners and staff.

At 3:02 p.m., Chairman Leger called a recess.

At 3:20 p.m., Chairman Leger reconvened the meeting, and all four Commissioners continued in attendance, and Kent Cravens and Wally Gregmeister continued to address the Commission and answer questions, ending their presentations at 4:10 p.m.

Whereupon, at 4:11 p.m. Chairman Leger invited further public comment, and the following persons addressed the Commission, each of whom expressed one or all of the following positions concerning oil and gas exploration and drilling in San Miguel County, for the reasons noted verbatim in the audio and video recordings which are made an integral part of these minutes: (1) that oil and gas exploration and drilling should be banned entirely, (2) that hydraulic fracturing should be banned, (3) that oil and gas exploration and drilling should be strictly regulated, (4) that severe drought conditions and the unavailability of water throughout the county should preclude any oil and gas exploration and drilling in the county, and (5) that the County's existing oil and gas moratorium be extended:

Marci Matlock, Lorenzo Flores, Betty Quick, Bill Madison, Bob Mishler, Pat Galligan, Kevin Tracey, Cristino Griego, Virginia West, Bernadette Fernandez, Margaret McKinley, Paula Hern, Ronald Balty, Clara Lucero, Samantha Hern, Elizabeth Ratzlaf, Michael Montoya, Ernesto Lujan, Ellen Drew, Ralph Laumbach, ?? Cordia, Bernard Schaer, Dr. Galen Castillo Loughery, Christine Gardner, Leslie Hammel-Turk, Lee

Einer, Zi Pinsley, Miguel Pacheco, Salvador Higgins, [Paula Hern], [Ernesto Lujan], Sarah Moore. **[Brackets indicate the person addressed the Commission for a second or subsequent time during the meeting.]**

(At 5:33 p.m., during the above presentations, Vice Chairman Ortega was informed of a death in his family, and noted that his presence was required elsewhere, immediately. Ortega then departed the meeting and did not return, and a brief time later Chairman Leger offered his condolences to Ortega, on behalf of the Commission and staff.)

Whereupon, at 8:00 p.m., noting that no other persons sought recognition, Chairman Leger entertained a motion to adjourn, and upon a motion by Commissioner Padilla and a second by Commissioner Ortiz, the meeting and public hearing was duly adjourned, all three Commissioners remaining in attendance, voting in the affirmative.

MOVED, SECONDED AND ADOPTED this 13th day of November, 2012, as the minutes of the special meeting and public hearing held by the Board of Commissioners of San Miguel County, New Mexico, on Monday, October 15, 2012.

Nicolas T. Leger, Chairman

Ron R. Ortega, Vice Chairman

David R. Salazar, Member

Marcellino A. Ortiz, Member

Arthur J. Padilla, Member

Attest:

Melanie Y. Rivera
San Miguel County Clerk

(S E A L)