

MINUTES OF THE DOÑA ANA COUNTY PLANNING AND ZONING COMMISSION

January 9, 2014
9:00 a.m.

(Note: These are not verbatim minutes, these are summary notes.)

MEMBERS PRESENT

Bob Czerniak, Commissioner
Natalie Mercado, Commissioner
Bill Zarges, Commissioner
Greg Daviet, Commissioner
Sandra Tatum, Secretary (joined the Commission telephonically at 9:10 a.m.)
Mel Acosta, Vice-Chairperson
Brent Westmoreland, Chairperson

OTHERS PRESENT

Janine Divyak, Chief Planner, Community Development
Jonathan Kesler, Planner
Dave Medeiros, Deputy County Attorney
Fred Kennon, Assistant County Attorney

MEMBERS ABSENT

None

CALL TO ORDER

Chairperson Westmoreland called the regular meeting of the Planning and Zoning Commission to order at 9:00 a.m., Thursday, January 9, 2014 in County Commissioners Chambers, Doña Ana County Government Center, 845 N. Motel Blvd., Las Cruces, New Mexico.

1. ROLL CALL

Commissioner Czerniak	Present
Commissioner Mercado	Present
Commissioner Zarges	Present
Commissioner Tatum	Absent (joined the Commission telephonically at 9:10 a.m.)
Commissioner Daviet	Present
Commissioner Acosta	Present
Chair Westmoreland	Present

2. APPROVAL OR CHANGES TO THE AGENDA

Chairperson Westmoreland asked to move the closed session item after Item 2. **Commissioner Zarges** made a motion to approve the amended agenda with **Commissioner Czerniak** seconding the motion. The motion was **APPROVED** by a vote of 6-0-0 with ayes from the present members of the Commission.

Commissioner Daviet moved to convene the Commission into closed session subject to the attorney-client privilege pertaining to threatened litigation in which the Commission may be a participant as authorized by the Open Meeting Act 10-15-1-H7. **Commissioner Acosta** seconded the motion.

Commissioner Czerniak	Aye
Commissioner Mercado	Aye
Commissioner Zarges	Aye
Commissioner Daviet	Aye
Vice-Chairperson Acosta	Yes
Chairperson Westmoreland	Aye

The motion was **APPROVED** by a vote of 6-0-0 and the Commission moved into closed session at 9:03 a.m.

Commissioner Tatum joined the Commission telephonically in closed session at 9:10 a.m.

The Commission returned from closed session at 10:25 a.m. and asked for a 5 minute recess.

The Commission reconvened from recess at 10:30 a.m.

Chairperson Westmoreland said nothing was discussed in closed session other than the item identified in the motion to go into closed session.

- 3. APPROVAL OF MINUTES:** Regular Meeting of October 24, 2013
Commissioner Daviet made a motion to approve the minutes of the October 24, 2013 meeting with **Commissioner Acosta** seconding the motion. The minutes were **APPROVED** with a vote of 7-0-0 with ayes from all members of the Commission.
- 4. PUBLIC INPUT**
None.

DISCUSSION AND ACTION ITEMS NEW BUSINESS

- 5. ELECTION OF OFFICERS**
Commissioner Daviet made a motion to re-nominate **Brent Westmoreland** for Chairperson of the Planning and Zoning Commission. **Commissioner Daviet** moved that he be elected by acclamation. **Commissioner Acosta** seconded the motion. The motion was **APPROVED** by a vote of all ayes by the members.

Commissioner Mercado re-nominated **Commissioner Acosta** as Vice-Chairperson. **Commissioner Zarges** moved that he be elected by acclamation. **Commissioner Czerniak** seconded the motion. The motion was **APPROVED** by a vote of all ayes by the members.

Commissioner Acosta re-nominated **Commissioner Tatum** as secretary. **Commissioner Daviet** moved that she be elected by acclamation. The motion was **APPROVED** by a vote of all ayes by the members.

6. APPROVAL of 2014 ANNUAL NOTICE REQUIREMENT FOR REGULAR, SPECIAL AND EMERGENCY MEETINGS AND THE 2014 SCHEDULE OF MEETINGS

Vice-Chairperson Acosta moved that the 2014 Annual Notice Requirement for Regular, Special and Emergency Meetings and the 2014 Schedule of Meetings be approved. **Commissioner Tatum** seconded the motion. The motion was **APPROVED** by a vote of 7-0-0 by the members.

7. REVIEW AND APPROVAL OF THE BY-LAWS

Jonathan Kesler, Planner, mentioned that since No. 6 was approved as is in the packet, he would request signatures at the end of the meeting.

Jonathan Kesler reported that for No. 7, there were just a few minor changes. On the By-Laws, Order of Business: the change is putting Public Input at the end, right after Administrative Approvals and before Staff Input.

Commissioner Daviet mentioned that Item 9, Public Input has been problematic. He made a motion that Item 9 be struck from the Order of Business of the By-laws.

No second was made. The motion died as a result of the lack of a second.

Vice-Chairperson Acosta made a motion that the By-Laws be adopted as presented by staff. The motion was seconded by **Commissioner Daviet**. Roll call was taken for the vote:

Commissioner Czerniak	Aye
Commissioner Mercado	Aye
Commissioner Zarges	Aye
Commissioner Tatum	Aye
Commissioner Daviet	Yes
Vice-Chairperson Acosta	Yes
Chairperson Westmoreland	Yes

The motion was **APPROVED** by a vote of 7-0-0.

8. ADMINISTRATIVE APPROVALS

Janine Divyak, Chief Planner, reported that for the month of November, applications were received for 16 single-family residences, 2 commercial, 16 additions to single-family residences, 3 additions to commercial and 7 mobile home installation permits. For the month of December, applications were received for 13 single-family residences,

no commercial, 2 additions to commercial, 10 additions to single-family residences, and 16 mobile home installation permits.

Last year's tally of permits issued was for 139 new constructions for single-family residences, 24 for commercial and 269 mobile home installations for a total of \$437,000.

9. STAFF INPUT

Janine Divyak, Chief Planner, reported that no meeting would be held in two weeks, on January 23, 2014; the next meeting was scheduled for February 13, 2014.

10. COMMISSION INPUT

Vice-Chairperson Acosta wished everyone a healthy and prosperous new year.

11. ADJOURNMENT

Chairperson Westmoreland adjourned the meeting at 10:46 a.m. The next meeting was scheduled for February 13, 2014.

Officer: Planning and Zoning Commission

Submitted by: Diane M. Duback, Secretary