



VALENCIA COUNTY PLANNING & ZONING COMMISSION MINUTES

February 22, 2012

4:00 PM

Valencia County Courthouse Commission Chambers
444 Luna Ave, Los Lunas, NM

1. CALL TO ORDER

Commissioner Lane

Commissioner Artiaga and **Commissioner Edeal** were not present for the meeting.

2. PLEDGE OF ALLEGIANCE

Commissioner McCartney

3. APPROVAL OF AGENDA

Commissioner Gaudette made a motion to approve.

Commissioner McCartney seconds the motion.

4. APPROVAL OF AMENDED MINUTES: January 25, 2012

Commissioner McCartney made a motion to approve.

Commissioner Gaudette seconds the motion.

5. SWEARING IN OF PARTICIPANTS

Commissioner Lane

6. ACTION ITEMS

- A. REQUEST FOR ZONE CHANGE FROM O-D TO C-1: Elise Hensley:** Legal Description: T7N, R1E, Section 20; W ½ Lot 46; Zoned O-D; Filed in Book 365, Page 6927, of the office of the Valencia County Clerk; Also known as 06 Wild Wolf Rd Los Lunas, NM.

Ms. Hensley stated that her name is Elise Hensley and her address is 02 Hormiga Ct Los Lunas.

Commissioner Lane asked Ms. Hensley if she has been before of the commission in the past.

Ms. Hensley stated that is correct.

Commissioner Lane stated that it was not for the zone change that she is currently requesting.

Ms. Hensley stated that when she was here before it was for a Conditional Use Home Occupation so that she could obtain her business license.

Commissioner Lane asked if she was successful in obtaining that license.

Ms. Hensley stated that she did get her license.

Commissioner Lane asked if Ms. Hensley would like to tell the commissioners what she is requesting from the commission.

Ms. Hensley stated that she brought in a couple of brochures because at the last meeting she did not say what she specifically what kind of work she does and the brochures will be helpful to understand her business, she is a physiotherapist and she works with children and families, and the brochure that they are looking at is about a type of therapy that she does which is called neuro feed back training and it utilized a computer system and works to help change brain waves to make people's brains higher functioning hopefully with no need of medication which a lot of children these days are taking, and she has had two offices in the past in Albuquerque and Los Lunas, and in the summer she decided to try to simplify her life by consolidating and acquiring a motor home to use as her office as well as weekend personal use so that she could see clients in Albuquerque as well as in Los Lunas, and she and her husband purchased the lot



VALENCIA COUNTY PLANNING & ZONING COMMISSION

that is at 6 Wild Wolf Rd to park the motor home because they really can't take it to their house because of the roads. Her business license is at her home address which is on Hormiga Ct, but she uses the motor home in Albuquerque two days a week and then she would like to use it three days a week at the address 6 Wild Wolf Rd, she understands that because Wild Wolf is currently zoned agriculture that she would have to have the property re-zoned commercial in order to conduct business there three days a week.

Commissioner Lane stated that the property is currently zoned O-D Outland District and it is not agriculture it's the other that could be grazing.

Mr. Martinez stated that it follows the entire RR-1 zoning ordinance and allows for grazing as well.

Ms. Hensley stated that presently what they have done is they have poured a concrete slab so that they could park the motor home on because they have already got the motor home stuck in the sand once and they really don't want to pay for the anymore, and they have also put in all the electric and septic to supply the motor home with electricity so that she does not have to use the generator all the time, and it just sits there other than on Tuesday, Thursday, and Saturday when she uses it to see clients and she see people one at a time or one family at a time so there will be very little traffic because one person will come in and the other person leaves so there will not be a lot of traffic, and she usually sees people between the hours of 10 am to 8 pm, and everything is done inside and there is no one outside or anyone making any kind of disturbance, and her main reason for asking for the zone change is so that she would be able to conduct her business there and she knows that she has heard through the neighborhood that and some people seem to believe that they are intending to put in a travel trailer park and that is not true, and that they are perhaps also in business with someone else that is out there with a home to do assisted living but her intention is to try to simplify her life because she and her husband are at the age where in about 5 years they would hope to retire and then the motor home would be used for travel and not for business, and as far as any other thing to do on the property is nothing but plant trees or grape vines or anything else they could think of that would not be destructive in any way.

Commissioner Lane asked Ms. Hensley drives to the motor home from her house.

Ms. Hensley stated that her house is about a mile in a half or two miles.

Commissioner Lane stated that when she gets there her car is parked outside of the motor home and then she would have a client show up in a car and they would go into the motor home and there is no outside noise, and then asked how long would a client be there at one time.

Ms. Hensley stated that they would be in there for about 50 minutes to one hour.

Commissioner Lane asked how many clients the motor home could see at one time.

Ms. Hensley stated that she would only see one person at a time.

Commissioner Lane asked if he would have multiple people in at one time.

Ms. Hensley stated no.

Commissioner Lane asked if it is a one on one time when she deals with her clients.

Ms. Hensley stated that is correct and she is the only person that will be practicing there and she does not employee anyone.

Commissioner Lane asked Ms. Hensley if she drives the motor home off the property and go to Albuquerque two days a week.

Ms. Hensley stated that is correct.

Commissioner Lane asked that if some of the neighbors would come up and he would ask them if they see the motor home is gone they are going to say that it is off the property two days a week.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Ms. Hensley stated that is correct.

Commissioner Lane asked Mr. Martinez if they could put a condition on this request if there is any concern with the neighbors.

Commissioner McCartney asked Ms. Hensley, when she got her conditional use permit was she parking the motor home on the same spot.

Ms. Hensley stated yes.

Commissioner McCartney asked Ms. Hensley why she didn't just continue with her conditional use permit.

Mr. Hensley stated that she was told that she could not practice there until she changed the zone of the property.

Mr. Martinez stated that from the last meeting what they found was that she was going in for a Conditional Use Home Occupation on her address of 02 Hormiga and she was able to get the home occupation on that site for office use because she lives on that site, and when they found that she was actually going to conduct her business off the 06 Wild Wolf address that has no home on it that would disqualify her for the home occupation therefore she would need to get a zone change for the site in question.

Commissioner McCartney stated that they were under the impression that she was going to conduct business out of her home.

Mr. Martinez stated that after everything came out they were thought that she could get a home occupation for general office use out of her home if she wanted to come back to do business on the Wild Wolf site then she would have to come by and get a commercial zone change.

Commissioner McCartney stated that because it was under two different proprieties it would require her to get a zone change now, and it was actually that the first time.

Mr. Martinez stated that the way he understands it is that she is not conducting business as of right now, and she is coming in for the zone change so that she would be able to practice on the site as of right now and the reason that she was able to get a home occupation on her address at Hormiga Ct because she lives there.

Commissioner Lane stated that they gave her a conditional use because she needed an office to get a business license.

Ms. Hensley stated that she does keep her files and does her administrative work, but she does not see any clients there because that was one of the restrictions that the commissioners put on the home occupation.

Commissioner McCartney stated that this request is a little confusing.

Ms. Hensley stated that she believes that what she is asking for is very confusing because it is not the norm and she knows that at the time there was discussion that when she was calling it a mobile office they asked if she was going to each person to go see them and she was not doing that, and when she thought about it more it was more like the mobile x-ray place were clients go to her motor home and see her there.

Commissioner McCartney thanked Ms. Hensley for clearing everything up.

Commissioner Lane stated that it says in their packet that she would have her main access off Wild Wolf instead of having the access off Highway 6.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Ms. Hensley stated that at this point she does have access off Wild Wolf and she hopes that if she does get approved for her zone change she would like to have an address off Highway 6 and have an access there, so that her clients would not interfere with the road on Wild Wolf.

Commissioner Lane asked Mr. Martinez if there was a way that they could put a condition on the zone change so that it does not become anything other than the mobile office.

Mr. Martinez stated that it has been done in the past were the commission has voted to pass a zone change and has put some conditions on the request, and he would like the commissioners to remember that this is a recommendation by the Planning Board for the County Commissioners, and the County Commission would make the final decision, they could add some conditions on their recommendations.

Commissioner McCartney stated that they would say that it is only for this business only.

Mr. Martinez stated that he has seen the commission has done that in the past and he does not know if he agrees with that practice but he has seen it done.

Commissioner Gaudette stated that once they change the zone it would be changed and if anyone comes in later would have a commercial zone

Mr. Martinez stated that is going to be the argument that once it is changed and any permissive use within that commercial zone would be allowed, and he thinks that if a person buys it as a commercial zone they would have some standing.

Commissioner Lane asked if Mr. Martinez would read the permissive uses under C-1 zone.

Mr. Martinez stated that under 154.120 Permitted uses, in the C-1 District, the following uses shall be permitted subject to the standards and limitations set forth in division (F) below and pursuant to 154.035 through 154.140 for site design review: Restaurants with or without a liquor license or refreshment stand; Retail stores not exceeding 5,000 square feet of floor space; General professional office; convenience food stores; business service office; dwelling in conjunction with a permitted use; accessory uses; temporary structures as may be required during construction of an authorized permanent structure; community or municipal sewer system; public facilities; flea markets subject to site design review; churches subject to site design review; signs pursuant to the sign provisions set forth in 154.166; Permitted uses allowed in RR Districts also similar uses in scale character and performance.

Commissioner Lane stated that the first thing was a business with or without a liquor license.

Mr. Martinez stated that is correct.

Commissioner Lane asked if the other commissioners had questions for Ms. Hensley.

Commissioner Gaudette stated that he may have some questions later but he wanted to see if there was anyone in the audience that wanted to speak on this topic.

Commissioner McCartney asked Ms. Hensley if she wanted to get access off of Highway 6.

Ms. Hensley stated that if they could obtain that then yes she would like that.

Commissioner McCartney stated that she would need to get a permit from the state to do something like that.

Ms. Hensley stated that she understands that.

Commissioner McCartney stated that with the way the ordinance reads there is a lot of allowed uses for that land when the zone changes, and that would scare the community because they went through a couple of stories last time and at first she did describe her business like she would drive her motor home to



VALENCIA COUNTY PLANNING & ZONING COMMISSION

different locations and then by the time the meeting was over it was said that she was going to park the motor home on one spot and the clients were going to come to see her there.

Ms. Hensley stated that she does not remember saying that specifically she may have said it so that it sounded that way because she did say that it was going to be a mobile office but that was not her intention to make it sound that way and her only intention was to say that it was an office that she could move to multiple sites as she needs to, but not to individual home she would like to just park in one place so that people could go see her.

Commissioner McCartney asked if she does not do that anymore, drive to different areas in the county.

Ms. Hensley stated no she only goes into Albuquerque, she used to have an office in Albuquerque just a standard office where people would go to her from all different counties, and her intention is to have one office where people could go to multiple sites but right now it is just Los Lunas and Albuquerque.

Commissioner McCartney asked if she realized that if the zone changes to commercial she would need to have a handicapped parking spot that is paved.

Ms. Hensley stated that she did not know that but that is not a problem for her.

Commissioner Lane asked if they were to approve this case right now, would she be willing to put in a 6 foot blind fence on the side where the residences are.

Ms. Hensley stated that she would be willing to do that, and what they have started to think about was to put the entrance off of Wild Wolf and then as they thought more about it if they could get the entrance off Highway 6 then of course they would put the fence on the back of the property which would be Wild Wolf so that there would be a barrier between the neighborhood and the business.

Commissioner Lane stated that he hopes that she realized that they are in a dilemma because converting the O-D zone in the only neighborhood that is pretty much there to a commercial that could change the feel of that community there.

Ms. Hensley stated that she does not think that was she does would, but if there is an assumption that it would change somewhere down the line it would change but her assumption is that eventually that Highway 6 would all be commercial because there are properties that are commercial east of her property and there are commercial properties for sale that are west of Jubilee and she knows that changing the zone would increase her tax rates and it would change the property values but she would assume that frontage road to a Highway is going to become commercial, there are people that are doing commercial work west of her property whether they have zoning permission she does not know but it is going on.

Commissioner Lane asked if there was anyone in the audience that is in favor of this request to please come to the podium, No one was in favor.

Ms. Hensley stated that she knows that one of the residents in Wild Wolf sent a letter in support of her business and she thinks that it came through to Denise's email address and then a copy to the commissioners and then one of her clients she did ask her to write a letter and she does have some clients that are here in support today and they live in Valencia County that she has seen for a long time and she would be glad to answer any concerns that people have and she hopes that if people have their protest then she could answer concerns before any decision is made, and she has been told by the Taylors that wrote the letter for her which she did not ask them to do they came to and introduced themselves and wanted to write the letter, that there are ordinances that apply to the Wild Wolf neighborhood but she does not know what they are because when she purchased the properties from Andrew Phillips they never saw any ordinances or agreed to anything.

Commissioner Lane asked if the lot that she is on have septic.

Ms. Hensley stated that they have put in the septic since they purchased the property.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner Lane asked if that is where she drains her motor home into.

Ms. Hensley stated yes.

Commissioner Lane asked if there was running water on the property.

Ms. Hensley stated that she does not have water right now but the motor home has a large storage tank where they could just go to the gas station and fill up the storage tank and they also have electricity and she does have a generator.

Commissioner Lane stated that he hear her mention that she had a generator but he did not know if they had a power pole to plug into or not.

Ms. Hensley stated that yes they have put that in.

Commissioner Lane stated that the letter that they received is from Page Abrahams and he thought that she said the letter was from a Taylor.

Ms. Hensley stated that the Taylor family is residents in the Wild Wolf neighborhood.

Commissioner Lane stated that just to point out, Page Abrahams letter is in support of the business but she does not live in the Wild Wolf neighborhood.

Ms. Hensley stated that is correct she does not live there, and the only reason that she offered to write a letter was as a character reference that she does what she says she is going to do and nothing different.

Commissioner Lane stated that he did not see the letter from the Taylor family unless it was in the packet.

Mr. Martinez stated that the planning office only received the letter from Page Abrahams and that is the letter that Denise gave to everyone to review.

Ms. Hensley asked Denise what letter she gave copies to the commissioners of.

Denise Garcia stated that the only letter that they received was the one from Page Abrahams and nothing came through on her email.

Ms. Hensley stated that she does have a copy of the Taylor's letter if they would like to see that letter.

Commissioner Lane stated that just for the reference they do not have a copy of the letter in their packet and usually they don't really take a lot of stock in a letter unless they are present, they feel that if it was important enough for them to write a letter then it should have been important for them to be present at the meeting as well, and then asked if there was anyone in the audience that would like to speak in opposition of this request.

Ms. Morales stated that her name is Christina and her address is 04 Duarte Los Lunas, NM and she lives in the property that is adjacent to the subject property and her question was how is this zone change going to affect her property, she eventually has plans for the property when she gets older that she would like to retire and possibly build a house on her property or put in a permanent mobile home there and if they do change the zone would that prohibit her from doing anything like that.

Commissioner Lane stated that no, it would not prohibit her from doing anything to her own property, and he asked her if she would want her home to be in back of a restaurant.

Ms. Morales stated that she would like not that.

Commissioner Lane stated that he is going to ask Mr. Martinez on possibly answering this question on how it could affect Ms. Morales's future investment.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Mr. Martinez stated that there is no easy answer for that but it would depend on a lot of factors by anyone that is going to do an assessment of the property and the property value, people who live in Old Town in the City Center of Albuquerque who live next to restaurants probably have a higher property value than someone who lives on the West side, but he does not know if this would warrant that type of appraisal.

Commissioner McCartney stated that this does not mean that a restaurant is going to be there she heard all the permitted uses under that zone and they just have to take a look at it by what Ms. Hensley is proposing.

Commissioner Lane asked Ms. Morales if her question was if she plans on building on her property, it would all depend on her choice to do that and the choice of the C-1 zone could be all of the things that Mr. Martinez read from the ordinance book, but once it gets changed to a C-1 there are permitted uses for that piece of property, and asked Ms. Morales if that answered her question.

Ms. Morales stated that they did answer her question and thanked the commissioners.

Commissioner Lane asked if there was anyone else in the audience that would like to speak against this request; No one came forward in opposition.

Commissioner McCartney stated that they know from previous request from the Assisted Living that people that live in the Wild Wolf community they do come out if they are in opposition of any request.

Commissioner Gaudette stated that he wonders if they were educated in knowing about the possible changes here, and stated that his problem is that it is his opinion is that once the property gets changed to C-1 if Ms. Hensley decides to sell her property and it is sold as a C-1 he doesn't think that they could put conditions on that it could only be used for the mobile therapy facility, he thinks that someone could come in and say that is a perfect place for a flea market or any other permitted use under that zone and then also it is going to allow other property owners to make it easy for them to change their zone and it is going to dramatically change the neighborhood and he is not inclined to be in favor of this request.

Commissioner Lane stated that Commissioner Gaudette has a very good point and no one took the time to show up to the meeting and he knows that in his packet he seen were all the notices were sent to and he would like to review that to make sure that everyone got notice of the meeting and usually the Planning department does a really good job sending notices to people, and they are only required to send notice to people that live 100 feet from the subject property and Mr. Martinez does go out of his way to give enough notice to people that would be affected, and in the packet there 5 places that are actually on Wild Wolf and out of all the notices that were sent out there was 13 notices sent out to property owners.

Mr. Foster stated that there are 11 on the map.

Commissioner Lane stated that knowing the past requests that have come from Wild Wolf it seems a little odd to him that no one showed up on this case and he does not know is going on but they are here now and he would like to record to show that no one showed up in opposition, and asked Ms. Hensley to come back up to the podium.

Mr. Martinez stated that the planning office did receive a concern from some neighborhood residents but they are not here to testify.

Commissioner Lane asked if it was a verbal concern.

Mr. Martinez stated that is correct.

Commissioner Lane stated that he would like to entertain a motion as the chairman he can't make a motion but he could second a motion.

Commissioner Gaudette stated that it was his understanding that once it is C-1 it will always be C-1 and he thinks that it is going to dramatically change the neighborhood and he thinks that would make it easy for



VALENCIA COUNTY PLANNING & ZONING COMMISSION

other people to come in and ask for C-1 zoning and then they would get into the spot zoning issues that they have talked about many times and he is going to make a motion to deny the application for the zone change from O-D to C-1.

Commissioner McCartney seconds the motion.

Mr. Martinez called for a vote.

Commissioner Gaudette stated yes.

Commissioner McCartney stated yes.

Commissioner Lane stated yes.

Mr. Martinez stated to Ms. Hensley that there has been a recommendation made to the county commission to deny the zone change this would need to go before one more board and they will make the final determination on that and the planning office will be in touch with Ms. Hensley to let her know when that meeting will take place.

Ms. Hensley asked if she would then go and met with them.

Mr. Martinez stated that is correct in the same setting.

Ms. Hensley asked if there was any other way that she could do her business on her land without it being zoned commercial.

Commissioner Lane stated that he would like to see her do business and that is the concusses of all the commissioners here, that the zone change is overkill for the type of business, and she could get with Mr. Martinez and talk about different ideas.

Mr. Martinez stated that he has thought about different things and he has not come up with any solution to that and he does agree that yes it is overkill for what it is that Ms. Hensley would like to do and he thinks that what Ms. Hensley would like to do would work but the zoning ordinance does not allow for a special use or a home occupation without a home on the property and maybe they could be creative and figure something out.

Commissioner McCartney asked Ms. Hensley if her home is about a mile away.

Ms. Hensley stated yes.

Commissioner McCartney asked how much acreage is her home on.

Ms. Hensley stated that it is on 2.5 acres.

Commissioner McCartney stated that is seems like that does have a lot of land and wondered if she couldn't park her motor home on that property.

Ms. Hensley stated that the problem is the road.

Commissioner McCartney asked what about the part where she uses her office for, when she received her conditional use home occupation for her office space, and asked if that portion of her house she could not use that for seeing clients there.

Ms. Hensley stated that knows what the commissioner is saying but she does not want to mix her business, because of what she does with her home life.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner McCartney stated that he agrees with Commissioner Gaudette that they are not against her business it is just that for whatever reason she decides to move and then someone would come in a buy her property then they could put all the permissive uses on that property.

Ms. Hensley stated she understands, and asked if she could get her motor home safely and park it at her house she would be able to do business on that site.

Commissioner McCartney stated that is correct.

Mr. Martinez stated that she has gone through a process before by which they have defined the home occupation and that home occupation was office use out of her house, and he thinks that they would have to go back to make sure what that language specifically says on that previous home occupation, it is possible that she might have to come back up to make a change to the home occupation.

Commissioner Lane stated that he thinks that would be more acceptable to the commissioners then it would be to change the entire zone.

Commissioner McCartney stated that he thinks that she provides a very good service with putting these younger children on drugs right away instead of trying to rehabilitate them is a positive function, and he wanted to make sure that she knew that the commissioners are not against her business.

Ms. Hensley stated that she understands that.

Commissioner McCartney told Mr. Martinez that he may have a couple of ideas and would like to get together with him to talk about that.

Mr. Martinez stated that would be fine, and once they have come up with something he will give Ms. Hensley a call to let her know what they have come up with.

Ms. Hensley thanked them for that.

Commissioner Lane asked what is the minimum home size that someone could build in Valencia County.

Mr. Martinez stated that there is not a minimum home size, but there is a minimum size for a mobile home which is 840 square feet.

Ms. Hensley asked if she could put in a single wide mobile home on her address would she be able to conduct her business.

Commissioner McCartney stated that he would have to split her land because she would only be able to have one dwelling unit per parcel of land.

Ms. Hensley was okay with that.

Mr. Foster stated that she would be able to put in a mobile home on that property that is in Wild Wolf.

Commissioner Lane stated that he would check the ordinances and convinces first to see if that would be okay, and stated that if he has any other questions then she should talk to Mr. Martinez's office.

Commissioner McCartney stated that he thinks that they could come up with something.

Ms. Hensley thanked the commissioners.

B. REQUEST FOR CONDITIONAL USE—HOME OCCUPATION TO OPERATE A SMALL DOG KENNEL:

Kristin Chavez: Legal Description: T6N, R2E, Section 23, Map 84; Lands of JA & BK Smith, Tract B4B; Zoned RR-2; Filed in Plat I-513, of the office of the Valencia County Clerk; Also known as 239 La Entrada Rd, Tome, NM.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Ms. Chavez stated that her name is Kristin and her address is 289 La Entrada Rd, Los Lunas, NM, and she has been raising dogs for about 7 years they lived at 03 Ramon B Chavez for the past 12 years and her mother passed away in November and they moved to her house and in order to afford both houses they had to rent their house and that is why she is applying for her kennel license for 289 La Entrada.

Commissioner Lane asked if she had previously come before the commission for the kennel licenses for her other property and asked what kind of dogs she raises.

Ms. Chaves stated that she has pugs, Jack Russell Terriers, Boston Terriers, and French Bulldogs.

Commissioner Lane stated that there is a kennel license and a breeder's license, so the kennel license would cover everything that she wants to do.

Ms. Chavez stated that is correct.

Commissioner Lane asked how large her piece of property is.

Ms. Chavez stated that it is 4 $\frac{3}{4}$ acres.

Commissioner Lane asked if the property was previously owned by her mom.

Ms. Chavez stated that is correct.

Commissioner Lane asked how long did Ms. Chavez's mom live there.

Ms. Chavez stated that she was there since May of 1980.

Commissioner Lane stated that she has been there for a long time.

Ms. Chavez stated that she grew up there.

Commissioner Lane asked Mr. Martinez if she would have to go through all the county fees for license all over again because it is a new location.

Mr. Martinez stated that because the home occupation does declare in it that any change in the home occupation actually giving provided not to the property but to the owner of the property and if there is any change with that home occupation then they would have to go through the re permitting process.

Commissioner Lane asked where Ms. Chavez's dogs are right now.

Ms. Chavez stated that they are at 289 La Entrada.

Commissioner Lane asked if that address is the new house.

Ms. Chavez stated yes.

Commissioner Lane asked how many animals she currently has.

Ms. Chavez stated that they have 30.

Commissioner Lane asked if that number includes all the puppies as well.

Ms. Chavez stated that is only the adult dogs.

Commissioner Lane asked how they are going to house the dogs.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Ms. Chaves stated that they way the property is set up is that there is a pole barn which was used for hay before and they put in force fence and then they covered it with a sandy gravel mix which is temporary for now until they could afford to put in a concrete slab.

Commissioner Lane asked if they did that so that the dogs can't dig.

Ms. Chavez stated that is correct, and there is an exercise run behind the barn for them to run and there is a puppy barn in between a shed and the house that is brand new and there is concrete on each side and the dogs could go in and out, the building is heated and could be cooled.

Commissioner Lane asked how much traffic does the site see a day.

Ms. Chavez stated that there should be no more than one or two cars a day.

Commissioner Lane asked how the noise level is and asked if the dogs are inside the pole barn at night.

Ms. Chaves stated yes, the dogs do bark if there is a cat they will bark, and right now they are having a big problem with people that have dumped a dog in the mesa that are coming down and the dogs go ballistic but that are just part of it.

Commissioner Lane stated that in the packet they have something from Mr. Foster and he has a site plan showing where the structure will be set on the property showing the setbacks off the property line, and that would be for any new construction and ask if they currently have plans to do new construction or are the going to just upgrade the pole barn.

Ms. Chavez stated that they have plans to upgrade what is already there.

Commissioner Lane asked Mr. Foster if he has had any complaints on her other residents and her other kennel license about anything on her business.

Mr. Foster stated that he hasn't but maybe the Zoning officer for that area had his input in there.

Commissioner Lane stated that he does not see anything negative.

Commissioner McCartney stated that there is something from Sonny Vega and it states that after inspecting the property there was no code violations there was no reason for Ms. Chavez not to be approved.

Commissioner Lane stated that he did not see anything negative in the packet.

Commissioner Lane stated that Animal Control also did a department review, and asked the animal control officers in the audience what brings them to the meeting today.

Animal Control officers stated that they were told to be here.

Mr. Martinez stated that they are here to answer any questions that the commissioners may have.

Commissioner McCartney asked if they have been to the property in question.

Animal Control officer stated that he has gone to her property and that it is very nice.

Commissioner Lane asked if they do an inspection every once in a while on a kennel is that why they would have to go get a kennel license is because they are monitored by the county.

Animal Control officer stated that is correct.

Ms. Chavez stated that they did her inspection in October.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner Lane asked if they would get two thumbs up from the guys in uniform.

Animal Control Officer stated yes.

Commissioner Lane asked if the other commissioners had questions for Ms. Chavez.

Commissioner Gaudette asked that they are on 4.75 acres where they proposed to keep the animals is it close to residents or neighbors.

Ms. Chavez stated that the only neighbor she has is her dad.

Commissioner Gaudette stated that they will not be getting any phone calls about the dogs keeping everyone up with the barking.

Ms. Chavez stated that the highly doubts that they will have any issues whatsoever.

Commissioner Lane asked Mr. Martinez who's district this is in.

Mr. Martinez asked if he wanted to know who was in charge of that district as far as code enforcement or commissioners.

Commissioner Lane stated that he would like to know who the commissioner for that area is.

Mr. Martinez stated that he believes that it is Georgia Kirkham-Otero's district.

Commissioner Lane stated that would be Commissioner Edeal's area who is not here today, and asked if there was any in the audience that is in support of this project.

Ms. Silva stated that her name is Ophelia and her address is 720 Montreal Dr in Belen, NM, but she owns property there and her question is with this project in anyway decrease the value of her property.

Mr. Martinez stated that is a tough question to answer but because she is going in for the kennel license they will be providing as least some over site by animal control to make sure that she is conducting business properly on that property, she currently has 4.75 acres which means that in the county ordinances she is allowed a cat or dog for every 3500 square feet of property which means that she could have up to 59 dogs.

Commissioner Lane stated that is adult dogs and that does not include the puppies.

Mr. Martinez stated that he believes that with the kennel there would be an over site and it would not decrease property value.

Commissioner McCartney stated that from previous knowledge in situations like this where the animals are very well taken care of, it wouldn't affect anyone at all.

Ms. Silva stated okay.

Commissioner McCartney stated that because the property is large in scale the neighbors would not even know if it was there.

Ms. Silva stated okay, and thanked the commissioners.

Commissioner Lane stated that Ms. Silva's comments were not in favor or against this request, and he asked Ms. Silva if she was for or against this project.

Ms. Silva stated that if it was not going to decrease the value of her property it is okay with her.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner Lane stated that they are going to call that 80% in favor of the request, and asked if there was anyone else that is in support of this project, no one came forward, and asked if there was anyone that was against this request, no one in opposition, and asked if there was any comments from the commissioners, and he had one comment with everything being said and without anyone speaking in opposition and with Ms. Chavez doing a good job with her other location and the two thumbs up from animal control he is so glad to hear that there is someone that is doing business and taking care of their dogs the way they should be.

Ms. Chavez thanked the commissioner for his comments and that was the whole reason for getting into this business.

Commissioner Lane stated that he would like to entertain a motion if there is nothing else from the other commissioners.

Commissioner McCartney stated that he would like to make a motion to approve her license for the new site location.

Commissioner Gaudette seconded the motion.

Mr. Martinez called for a vote.

Commissioner McCartney stated yes.

Commissioner Gaudette stated yes.

Commissioner Lane stated yes.

Mr. Martinez stated to Ms. Chavez that her application for Home Occupation for the dog kennel has been approved he would be sending out a letter in a couple of days and to note that the date on that letter is the official date of the approval and that there is a 15 day appeal process.

Ms. Chavez thanked the commissioners.

C. REQUEST FOR CONDITIONAL USE—HOME OCCUPATION TO OPERATE A SMALL DOG KENNEL:

Mike Swager: Legal Description: T6N, R2E, Section 22, Map 88; Land of Ron Chavez; Tract 18-E-3-A-2-A-7-B; Zoned RR-2; Filed in Book 363, Page 5115, of the office of the Valencia County Clerk; Also known as 03 Ramon B Chavez, Tome, NM.

Mr. Swager stated that his name is Mike and his address is 03 Ramon B Chavez in Tome.

Commissioner Gaudette stated that before Mr. Swager starts he would like to make a disclosure, his business is that he is a attorney and he represented Ms. Tammy Swager in an animal control case in Magistrate Court she was his client and that case has been completed in other words she is no longer his active client however he wanted to disclose the fact that he had represented her in the past he did not represent Mr. Swager though, and he does not know if that disqualifies his or not.

Commissioner Lane stated that is a little bit of a touchy subject if he represented her, and asked how long ago it was.

Commissioner Gaudette stated that they wrapped up the case about a month ago and it was at a different piece of property and not the one they are coming in for the license on today.

Commissioner Lane stated that it was fairly recent and he would like Commissioner McCartney's opinion on this.

Commissioner McCartney asked if he was the defendant.

Commissioner Gaudette stated yes.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner McCartney stated that would put Commissioner Gaudette in a position because he would have to abide by stuff and he would not want to do that to him and maybe if it was about two years ago but it was only a month ago he does not want to put him in a tough spot.

Commissioner Lane stated that case is at a different location.

Commissioner McCartney stated that the fact that it was involving animals and they will be voting on this case to approve the kennel, and obviously there was a problem with the other location and that might be why they have to move.

Commissioner Gaudette stated that it had nothing to do with the animals it was a matter of not having the correct paperwork.

Commissioner McCartney stated that would change the situation.

Mr. Martinez stated that going forward with the Home Occupation would help in getting all that proper paperwork.

Commissioner McCartney stated that he has not problem he was just trying to protect him.

Commissioner Gaudette stated that he appreciates that he just wanted to disclose that information.

Commissioner Lane stated that if he excesses himself from voting then here would not be a forum.

Mr. Martinez stated that is correct.

Commissioner McCartney stated that based on his response and he just wanted to be fully disclosed he thinks that he could be impartial and if the defendant was just paperwork.

Mr. Martinez stated that he has talked to the animal control director Eric Tanner and that is what he has indicated to him that if they go through this process that would fix all the paperwork.

Commissioner Lane stated that is okay and that there wasn't an issues with the mistreatment of animals or anything like that.

Mr. Martinez stated that is correct.

Commissioner Lane stated that since Commissioner Gaudette did not represent Mr. Swager then he would think that it would be good to continue knowing that.

Commissioner McCartney agreed.

Commissioner Lane stated that they will continue and asked Mr. Swager what he is requesting from the board and a little bit about the business.

Mr. Swager stated that he owns the dogs and owns the business but his wife runs the entire business and he would like her to come up and explain it.

Commissioner Lane asked if he could just explain it that way it would not put Commissioner Gaudette in any predicaments.

Mr. Swager stated that he did not prepare anything and she did and that is the reason that he would like to have her speak.

Commissioner Lane asked if he could just let the commission know what he is trying to do as a business owner and he is not going to stop him from bring her up.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Mr. Swager stated that if they had any questions he would direct them to her.

Commissioner Gaudette stated that they will see how he does and if they do need his wife then they could call her up.

Mr. Swager stated he has been raising quality AKC registered boxers and Boston's providing happy, healthy, and well socialized puppies and dogs to families for almost 5 years now, he is requesting a dog breeder's license so that he could continue to operate as a successful business, they have adequate kennels, exercise pens to keep the dogs from running loose they have the adequate set up to exercise, separate and maintain the health of the dogs and puppies, the property consists of 2.25 acres and they have 30 dogs that are being breed, all the dogs are and will remain up to date on all required vaccines, all the dogs have proper shelter, access to water and food at all times, the property has one drive way in and one drive way out, natural gas, septic tank, well water, drainage, and all waste is picked up daily and property is disposed weekly by waste management, and the dogs do bark but only when there is a reason and he is not aware of any complaints, the traffic will be 1-5 clients weekly and there is very little traffic, the odor will be maintained by picking it up daily and having waste management come in weekly.

Commissioner Lane stated that the property is 2.4 acres.

Mr. Swager stated that the property is 2.25 acres and this is Ms. Chavez old house.

Commissioner Lane stated that it is already set up for a kennel and they already heard how nice her kennel was before, and asked if they are buying the property or leasing.

Mr. Swager stated that they are going to lease it until they find the right property that they want because they want to eventually own 5 to 10 acres.

Commissioner Lane stated that since it was brought up that they didn't have a license before and this would correct the problem, he asked if Mr. Swager could go into a little bit more detail about that.

Mr. Swager stated that the house they were at they were having trouble getting the letter from the home owner they were going to buy the property but there was a divorce and that messed things up and they were waiting on the approval letter to give to animal control for their permits.

Commissioner Lane asked if animal control just caught them.

Mr. Swager stated that they had in the past got inspected and then they said that they would have to go through planning and zoning.

Commissioner Lane asked if they had a kennel license before.

Mr. Swager stated that yes they did.

Commissioner Lane stated that there has obviously been a successful kennel at the place they are applying for now, and in the pictures there he see a blue barrel there and he would want to know what is in that barrel.

Mr. Chavez stated that his name is Jarrod and he is the owner of the property that they are looking at renting, and the 55 gallon drums have about 2 gallons of used engine oil, and what he does is when he changes the oil on his vehicles and when they get about half full he takes them to work because he is a mechanic, and at work he put them into oil heaters that they go into and they burn the used oil.

Commissioner Lane stated that they are not putting the oil on the ground and that's good, and asked where the dogs stay at night.

Mr. Swager stated that they stay in the kennels.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner Lane asked if a certain building on the packet pictures have anything to do with the kennels or is it a garage.

Ms. Chavez stated that the building he is looking at is not on the property.

Mr. Martinez stated that Commissioner Lane is talking about the 03 Ramon B Chavez property.

Mr. Swager went to look at the picture, and stated that the building that he is referring to is a garage and where they are going to keep the dogs is behind the house it would be to the east of the house.

Commissioner Lane stated okay, and asked if they have dogs house and they are not inside of a pole barn or anything like that.

Mr. Swager stated that there will be some that will be under a structure and there is three exercise pins that will get rotated.

Commissioner Lane asked if the commissioner had any questions for Mr. Swager.

Commissioner McCartney asked since they have AKC boxers do they get inspected by the American Kennel.

Mr. Swager stated yes they do.

Commissioner McCartney asked how often they inspect.

Mr. Swager stated that it is every 18 months, and the last inspection they received an A.

Commissioner Gaudette stated that there is a form in the packets from animal control that states that they are currently breeding two breeds of dogs totaling 35 animals, not in compliance with vaccinations or licensing requirements on all but 6 animals, and he knows that the criminal complaint has been dismissed for failure to provide proof of licensing and vaccinations but, his question is are they in compliance now with all the vaccinations and licensing.

Mr. Swager stated that they are in compliance and they had a vet come to their house and do the vaccinations there.

Commissioner McCartney stated that he is sure that Ms. Chavez would makes sure that they do that too.

Commissioner Gaudette stated that the other question he has if they are not currently occupying this property.

Mr. Swager stated that not yet.

Commissioner Gaudette asked if the number of animals and production would be consistent with the previous owner already had.

Mr. Swager stated yes.

Commissioner Gaudette asked if he was aware of any complaints of any neighbors about the noise.

Mr. Swager stated not so far.

Commissioner Lane asked if there was anything else he would like to say before he asked if there is anyone in support or against this project.

Mr. Swager stated no.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner Lane asked if there was anyone that is in favor of this request to please come forward.

Ms. Silva stated that her name is Ophelia and her address is 721 Montreal Dr. Belen, NM, and said just has the same question that she had before will this decrease the value of her property.

Commissioner Lane asked if her property is next to this one too.

Ms. Silva stated that it is not real close but it is nearby.

Commissioner Lane asked how far these two kennels from each other are.

Ms. Chavez stated that they are about a mile and a half away from each other.

Commissioner Lane asked if she was in between this mile and a half.

Ms. Silva stated that no she is not she is a little bit further.

Commissioner Lane asked if her question was if the property value was going to decrease.

Ms. Silva stated yes.

Commissioner Lane stated that it would be the same answer.

Commissioner McCartney stated that there had been a kennel already there for a while and he thinks that these people have high standers so he doesn't think it would affect her at all.

Commissioner Lane asked if there was anyone else in support of this project.

Ms. Chavez stated that she would like to say that she and Tammy have been friends a long time and they have a lot of the similar practices and standers.

Commissioner McCartney stated that she has no concerns about renting the property and that the dogs will be kept as well as she had them.

Ms. Chavez stated that she has no concerns at all.

Commissioner Lane asked if there was anyone else, no one else to speak in support, and asked if there was anyone in opposition of this request to please come forward.

Ms. Sanchez stated that her name is Denise and her address is 20 Patricio Rd and she lives across the street from the kennel and as a neighbor she is going to say that it is very loud and disruptive and she completely oppose the request and she would hope that the commission would take some consideration of the neighbors and she is sorry that no one else showed up because they have voiced their options but no one else came.

Commissioner Lane asked how long she has lived at her current address.

Ms. Sanchez stated that she has lived there for 6 years.

Commissioner Lane asked if when she moved in was the kennel already there.

Ms. Sanchez stated that there was not kennel there it had come after they moved in.

Commissioner Lane asked if in the beginning when they came to apply for a kennel if she received a notice saying that there was going to be a kennel there.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Ms. Sanchez stated that she did receive notice but she did not go to the meeting because she didn't know what it was going to entail as a neighbor she thought it was going to be fine because she is an animal lover but after a year's time she could say that is in opposition now.

Commissioner Lane asked Ms. Sanchez to describe why she would be in opposition of this request.

Ms. Sanchez stated that there is a lot of barking and the dogs crying and she does not know how many dogs where there but it was very loud.

Commissioner Lane asked in the winter time when the doors are closed could she still hear the dogs from the inside.

Ms. Sanchez stated the noise is mostly in the summer to the point that they could not leave a window open.

Commissioner Lane asked Ms. Sanchez to come up and show him where her house is from the pictures they have of the property.

Ms. Sanchez showed Commissioner Lane where she lives.

Commissioner Lane asked how much property she currently owns.

Ms. Sanchez stated that she owns 50 acres.

Commissioner Lane asked Ms. Sanchez to show him where the kennels are on the picture.

Ms. Sanchez showed him where the kennels are.

Commissioner Lane asked if Patricio Rd is busy.

Ms. Sanchez stated that it is very busy.

Commissioner Lane asked if she could still hear the dogs with the all the cars going through that road.

Ms. Sanchez stated yes.

Commissioner Lane asked if there is anything that she would recommend to the commission that would help her out if this request was approved.

Ms. Sanchez stated that she does not have any recommendations.

Commissioner Lane thanked Ms. Sanchez, and asked if there was anyone else in opposition of this request.

Mr. Chavez stated that his name is Jarrod and he just would like to clarify a couple of the comments that Ms. Sanchez made.

Commissioner Lane asked him not to get personal.

Mr. Chavez stated that he would not because they are good friends and neighbors and he understand their concerns and he appreciates them coming to him with any concerns but with that being said, they are hobby breeder or hobby kennel license prior to having to go through this process so there were in fact dogs there prior to Ms. Sanchez living across the street.

Commissioner Lane stated that the dogs where already there just not as many as there is now.

Mr. Chavez stated that is correct, and dogs do bark and they have never had complaint from any of their neighbors including Ms. Sanchez, and he would think that if there was an issue they are neighbors and he



VALENCIA COUNTY PLANNING & ZONING COMMISSION

has been friends with Mr. Sanchez for a long time and he would think that if there was an issue they would have brought it to their attention sooner or on a more personal level.

Commissioner Lane asked if this is the first that he has heard of their concerns.

Mr. Chavez stated that is correct, and they haven't heard complaints otherwise.

Commissioner McCartney stated that now that they have heard the concerns is there something that they could do make it better for them.

Commissioner Lane stated that a sound wall.

Mr. Chavez stated that one of the biggest issues is the dogs bark when they see something that is out of the norm whether it be someone that is at the house that they don't know or a stray animal and one issue that they have had recently that they are handling is stray cats they had about 10 at that location and when a dog see a cat running wild and the first thing they want to do is get that cat, they have been trying to fix that problem and they have about 3 more that they need to get out of there but other than that they are quite.

Commissioner Lane asked if he realizes that Ms. Sanchez does have the right to enjoy her property, and once again Commissioner McCartney asked if there was anything that could be constructed to help the noise.

Mr. Chavez stated that he does not think that a wall would make a difference with the sound.

Commissioner McCartney stated that he was just asking because he does not really know but does he think that they could sit down with Mr. & Ms. Sanchez and work something out.

Mr. Chavez stated that he would be more than happy to do that.

Mr. Sanchez stated that his name is James and his address is 20 Patricio Rd, and he built his house about 14 years ago, and they are neighbors and they are friends and that is one of the reasons that he has never talked to him about the noise over there because he did not want to deny his neighbors that opportunity but since it has been there it has been noise and he hasn't said anything because he wanted to keep the peace and he wants to be neighborly but it is noise and you could heard the noise when the windows are closed as well, they can't sleep with the windows open in the summer because of the noise, and if there was some type of sound barrier he doesn't know if it would work but it would help something if there was a way to muffle that sounds he would be willing to somehow come to a compromise but he can't do it right now because it is very noise anything could trigger them and the entire kennel starts barking.

Commissioner Lane stated that he a fair and honest assessment and thanked Mr. Sanchez for his comments, and asked Mr. Swager to please come to the podium, and stated that the kennel has been there and he has heard the concerns from the neighbors.

Mr. Swager stated that he would be willing to work with them if they needed to do electronic bark ads or build a barrier.

Commissioner Lane stated that he would like to tell him what could happen, if they were to approve this conditional use they have every right to call Code Enforcement and say that there is a nuisance, and now that everything is out in the open because honestly if this is the first that they have heard about that, but now they know there is a little bit of a problem so it is up to him to make sure that the problem is under control to where the neighbors are set.

Mr. Swager stated that he can't stand the dogs to be barking and he tries to stay on top of his dogs.

Commissioner Lane stated that the point being is that if they call Code Enforcement and they go over and site them, because this is a conditional use permit and this permit is only renewable on the two year anniversary and it is approved administratively or it could be revoked depending on how many calls they



VALENCIA COUNTY PLANNING & ZONING COMMISSION

receive and he likes to think that this commission tries to work things out with the neighbors before it becomes a problem.

Mr. Swager stated that he doesn't want to wait for that he would like to fix the problem now.

Commissioner Lane stated that he does not know what kind of a wall or whatever they put on that side of the kennel that would help deflect the noise.

Mr. Swager stated that there is a house in between where the kennels will be so they will have to put something to deflect the noise if there is any noise to the east.

Commissioner Lane stated that he would highly recommend that he look into that, and with that being said he would like to hear from the other commissioners.

Commissioner McCartney stated his concern is that one of the breeds is a boxer and his son owns boxers and their barks are much higher pitched than the smaller dogs that Ms. Chavez breeds.

Ms. Chavez stated that they used to breed Labs until a month ago and wanted to take the Labs with them but she sold all of the Labs and she is really thinking that is what the Sanchez's are talking about because Labs are a lot louder than the small dogs.

Commissioner McCartney stated that Labs are natural born hunters and they will bark at anything that moves.

Ms. Chavez stated that is correct.

Commissioner McCartney asked that where the dogs are at now, without the Labs does she think that they are quit.

Ms. Chavez stated that not right now, because it is going to take them a while to adjust and get settled in.

Commissioner McCartney stated that usually in their hearing when neighbors are concerned they take that into play because this is all a matter of public record so if they do get sited its not like it's not going to be available to anyone that is involved.

Commissioner Lane stated that as a conditional use to this property would he be willing to construct something by the kennel to help the noise.

Mr. Swager stated that he would be willing to do something like that.

Commissioner Lane stated that if they put that down as a condition on the request he would construct something to help the noise.

Mr. Swager stated that he would even be willing to try the electric barking ads as well as the barrio.

Commissioner Lane asked if the commissioners do not have any questions he would entertain a motion.

Commissioner McCartney stated that he would like to make a motion to approve with the condition that something be done to help the sounds as much as possible and he would hope that Mr. & Ms. Sanchez would come back if that does not help the noise.

Mr. Swager stated that when he has to build the barrio it is going to be a permanent structure would he have to get a permit to build that.

Commissioner Lane stated that it is a fence, and asked Mr. Foster to help out with that.

Mr. Foster stated that nothing over 6 feet does not require a permit, if they do go over 6 feet he will have to get a permit.



VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner Lane stated that the motion was to approve with a effort to help the sounds including a 6 foot fence.

Commissioner McCartney stated that is correct.

Commissioner Gaudette stated that because of his prior representation he does not want to second the motion.

Commissioner Lane stated that he would second the motion.

Mr. Martinez called for a vote.

Commissioner McCartney stated yes.

Commissioner Gaudette stated that he would abstain.

Commissioner Lane stated yes.

Mr. Martinez stated to Mr. Swager that his application for Home Occupation has been approved with the condition that he install a sound barrier, he will be sending out a letter with that approval and to note that the date on the letter is the official approval date and there is a 15 day appeal process.

Mr. Swager thanked the commissioners.

Commissioner McCartney stated to Mr. & Ms. Sanchez if they understand to contact Mr. Martinez if they have any concerns.

7. DISCUSSION:

Commissioner Lane asked if there was any discussion. **Commissioner McCartney** stated that he likes the 3 o'clock starting time. **Commissioner Lane** asked how long the two animal control officers have worked for animal control. **They** stated that one has worked there for 9 ½ years and the other one has worked there for a year and a couple of months. **Commissioner Lane** asked why he never see them in his neighborhood. **Commissioner McCartney** stated that there are only so many places they could get and asked how many officers are there now. **They** stated that there are a total of 6. **Commissioner McCartney** stated that is good because when he used to work for the county they only had 2 for the whole county. **Commissioner Lane** thanked Commissioner Gaudette for disclosing that he had worked with Ms. Swager. **Commissioner McCartney** stated that he did not think that there was a conflict after he said that it was just about paperwork. **Commissioner Lane** stated that he thinks it's better to discuss it then to not say anything. **Commissioner McCartney** stated that they all do a good job with discussing something when there is opposition and he thinks that on Ms. Hensley he thinks is a great think but they do have to protect the people in case they do decided to move or sell and if someone buys it already as a commercial zone then they could put in whatever they wanted in that area. **Commissioner Lane** stated that it would still go before the County Commission for approval. **Commissioner McCartney** stated that Ms. Hensley could withdraw if something could be worked out. **Mr. Martinez** stated that is correct and the county would refund her the money she spend on the permit. **Commissioner Lane** stated that they only recommend zone changes to the commission and asked if there was any other discussion, and as how are things going for Mr. Martinez with a lot of people leaving. **Mr. Martinez** stated that the big one is Eric Zamora the county manager decided he is taking another position, and there is a lot of change going on in the county. **Commissioner McCartney** welcomed Julia from the News Bulletin. **Julia** stated that everything she misses a meeting she misses something really important. **Commissioner McCartney** stated that everything she misses a meeting they get appealed. **Commissioner Lane** asked if there is no more discussion then the next meeting will be March 28 at 4 o'clock. **Commissioner McCartney** made a motion to adjourn the meeting. **Commissioner Gaudette** seconded the motion.

8. NEXT MEETING: March 28, 2011

9. ADJOURN