

**NEW MEXICO COAL SURFACE MINING COMMISSION**

**Robert Q. Rogers, Jr., Chairman**

**SPECIAL MEETING**

**August 24, 1999**

**9:30 A.M.**

**Room 322 of the State Capitol Building  
Santa Fe, New Mexico**

**AGENDA**

1. Roll Call
2. Approval of the Agenda
3. Possible Executive Session and action on pending litigation in Santa Fe County District Court Cause No. 98-30(c) Pueblo of Zuni v. New Mexico Coal Surface Mining Commission, et al.
4. Other Business
5. Adjourn

**MINUTES  
NEW MEXICO COAL SURFACE MINING COMMISSION  
SPECIAL MEETING**

**August 24, 1999**

A New Mexico Coal Surface Mining Commission Special Meeting was held on August 24, 1999 at 9:30 a.m. in Santa Fe, New Mexico in Room 322 of the State Capital building.

The following members were present:

Mr. Robert Q. Rogers, Jr.	Chairman, State Engineer's Office
Ms. Gretchen Hoffman	Bureau of Mines and Mineral Resources
Mr. Robert McCaslin	Agricultural Experiment Station
Ms. Jami Bailey	State Land Office
Mr. John Bokich	Public Member
Mr. Richard Mertz (for Pete Maggiore)	Environment Department

The following members were absent:

Ms. Amy Fisher	Department of Game and Fish
Mr. J. R. Roybal	N. M. Soil and Water Conservation Districts
Mr. Dushan P. Milovich	Public Member

Also Present:

Mr. John Pfeil	Clerk
Mr. Pat Simpson	Office of the Attorney General

Chairman Rogers calls the meeting to order at 9:32 a.m.

**1. Roll Call**

Chairman Rogers asks the Clerk to perform the roll call.

**2. Approval of the Agenda**

Chairman Rogers asks if there are any comments/changes to the agenda. No changes were made.

### 3. Adjourn to Executive Session: Discussion of Pending Litigation

Chairman Rogers asks if there is a motion to adjourn to executive session. Mr. Bokich makes a motion, second by Ms. Bailey. Mr. Simpson reminds the Commission that adjournment to executive session is pursuant to NM Statute 10-13-1(H)(3) and that adjournment requires a roll call vote. Chairman Rogers then conducts a roll call vote on the motion to move into executive session. The motion passes unanimously and the Commission goes into executive session at approximately 9:35 a.m.

The Commission goes into executive session.

Chairman Rogers reopens the meeting on a motion by Mr. McCaslin, second by Mr. Bokich at about 11:10 a.m. Mr. Simpson makes a statement that the only thing discussed in executive session is pending litigation. In addition, Mr. Simpson states that the Commission has instructed him to provide them with briefs in the district court case developed for the October 15, 1999 meeting with Judge Pfeffer. He states that he will have them to the Commissioners by Friday.

Timing of the next special meeting is discussed.

### 4. Other Business

None discussed.

### 5. Adjourn

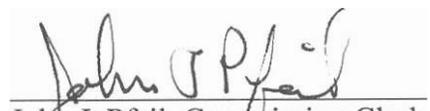
Mr. Bokich moves to adjourn the meeting, second by Ms. Bailey. Meeting adjourns at 11:30 a.m.

Approved:

  
R. Q. Rogers, Chairman

8-24-99  
Date

Minutes by:

  
John J. Pfeil, Commission Clerk