

**MINUTES OF THE
NEW MEXICO MINING COMMISSION MEETING
October 5, 2000**

The New Mexico Mining Commission meeting was convened at 10:00 A.M, Thursday, October 5, 2000 in Room 317 of the State Capitol Building (the Roundhouse) in Santa Fe, NM.

The following members were present:

Terry Fletcher	Chairman and Public Representative
Pete Maggiore	Vice Chairman, Environment Department
Peter Scholle	NM Bureau of Mines and Mineral Resources
Tod Stevenson	Department of Game and Fish
Larry Kehoe	State Land Office
John Bartlit	Public Representative
J. R. Roybal	Designee, NM Soil and Water Conservation Comm.
Dinus Briggs	Ex-Officio, NM Agricultural Experiment Station
Bruce Thomson	Alternate
Pat Freeman	Alternate

Daniel Rubin Commission Attorney

The following members were absent:

Bob Rogers State Engineer's Office

Announcements: Chairman Fletcher declares a quorum for purposes of conducting the meeting and introduces Drs. Briggs and Thomson to the Commission.

The Meeting starts at 10:08 A.M.

1. Roll call

The Commissioners announce their own names.

2. Approval of the agenda

Mr. Maggiore moves to adopt the agenda, with second by Mr. Kehoe. Motion passes unanimously on a voice vote.

3. Adoption of the minutes of the August 2, 2000 Meeting

The Commission takes a moment to review the minutes. Mr. Freeman requests that the August minutes be amended to show that he was present. Motion by Mr. Kehoe to approve the minutes, as amended; second by Mr. Maggiore. The motion passes unanimously on a voice vote.

4. Discussion and adoption of the Open Meetings Act Resolution

After a short discussion confirming the proposed resolution contained changes made by the Commission a year earlier, motion by Mr. Stevenson to approve the resolution, as presented. Second by Mr. Scholle. Motion passes unanimously on a voice vote.

5. Discussion and action on a motion for resolution to consider changes in the appeal process

Mr. Freeman reads the motion for resolution to consider changes to the appeal process dated October 5, 2000. After some discussion, there is a motion by Mr. Freeman to approve the resolution with amendments to the last sentence. With amendments the last sentence reads as follows: "Secondly, within 6 months of legislative action, the Mining and Minerals Division consider and present to the Commission recommendations from the Division, the Director's Advisory Committee and other effected and interested parties suggestions or proposed amendments to the appeals process which could facilitate improved efficiency and equity under the Act." Second by Mr. Scholle. Motion passes unanimously on a voice vote.

6. Continuation of the hearing on a petition for rulemaking (00-02) submitted on April 27, 2000 by MMD

Doug Bland discusses the regulatory changes before the Commission. After review of the other proposed changes a discussion ensues about specific amendments to Rule 1208. Amendment language is agreed upon and read back to the Commission by Bruce Rogoff. Motion by Mr. Scholle to adopt the regulations, as amended; second by Mr. Stevenson. Motion passes unanimously on a voice vote.

Dan Rubin reads to the Commission the reasons that he proposes be listed in the Order approving 00-02. Motion by Mr. Kehoe to approve the reasons in the Order, as presented; second by Mr. Scholle. Motion passes unanimously on a voice vote.

7. Presentation of MMD's Annual Report to the Commission

Fernando Martinez provides the Mining and Mineral Division annual report to the Commission. After some questions and answers the Commission accepts the report.

8. Other business

None.

9. Adjourn

Motion to adjourn by Mr. Bartlit; second by Mr. Stevenson. Meeting adjourns at 12:33 p.m.

Approved:

Minutes by:

Terry Fletcher, Chairman

Date

John J. Pfeil, Commission Clerk