

**MINUTES OF THE JOINT WORK SESSION OF THE TOWN OF SILVER CITY COUNCIL
AND THE GRANT COUNTY COMMISSION
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
August 14, 2007 – 3:00 p.m.**

Present: James R. Marshall, Mayor
A. Judy Ward, District 1
Thomas Nupp, District 2
Simon Wheaton-Smith, District 3
Steve May, District 4

Also Present: Alex C. Brown, Town Manager-Finance Director
Ann L. Mackie, Town Clerk
Robert Scavron, Town Attorney
Peter Russell, Community Development Director

Present from Grant County were Commissioners Rudy Martinez, Mary Ann Sedillo, and Henry Torres, and County Clerk Howie Morales. Also present were members of the ETJ Committee.

CALL TO ORDER / PLEDGE OF ALLEGIANCE - Mayor Marshall and Chairman Martinez called the work session to order at 3:10 p.m.

NEW BUSINESS – Discuss the proposed Grant County/Silver City Extraterritorial Jurisdiction Subdivision Regulations. This is a work session, no decisions will be made. - Mayor Marshall talked about the work session the Town had a few months ago in reference to the draft ETJ plan and discussed the difference of an authority versus a commission. He stated that the Council's consensus was to have a commission, leaving the final votes in the hands of the elected officials in that capacity.

Attorney Scavron gave a brief history of the process that began in 1995 to form a Cooperative Agreement of Grant County Silver City Extraterritorial Jurisdiction Advisory Board. He stated that a finished product never came forward; so the Town and County agreed that this issue had to be revitalized. He explained the difference between an authority, JPA, and commission. The discussion continued as to how the joint endeavor of the Town and County was created in the ETJ; whether by zoning ordinance or joint powers.

Tom McArthur, Chairman of the ETJ Advisory Board, discussed the process and how it was supposed to work. The discussion continued on forming a commission and the number of members the Town and County would have. The concept of the process was that there would be one application, one set of design standards to be applied, and one process. Then a group of people would make a recommendation and take it to their entity for approval or denial. The difference between the JPA and a zoning board was discussed. Attorney Scavron read a portion of the state statute in reference to Procedure for Extraterritorial Zoning. Attorney Scavron stated that there is a Cooperative Agreement in place but it does not look towards zoning; it looks towards subdivision. It was stated that the County has no zoning and the Town has no zoning in the ETJ. Attorney Scavron stated what made most sense was to start out with a JPA that takes care of subdivisions, and if in the future the entities decide to enter into an agreement to do zoning in the ETJ, then form the board and fold the subdivision commission into it. Attorney Scavron stated that would help accomplish the goals and make it one stop shopping for developers.

The discussion continued on the difference between an authority and commission. Councilor Wheaton-Smith voiced his concern reference the regulations, Page 105, Section 11.5. Mayor Marshall explained the process with a commission and authority by using a drawing. Attorney Scavron stated that the time spent on these regulations was not wasted, they did an excellent job. Mr. Russell stated that design standards need to be addressed in reference to private roads and easements.

Mayor Marshall directed Mr. Scavron to proceed to draft a JPA. Mr. Brown stated that the JPA would require DFA's approval. Mr. McArthur commented that zoning in the County needs to be looked at. Chairman Martinez stated that the JPA would be shared with all involved and thanked everyone for their work.

ADJOURNMENT - Councilor May made a motion to adjourn at 4:10 p.m... Councilor Ward seconded the motion, all were in favor, motion passed. Commissioner Sedillo made a motion to adjourn. Commissioner Torres seconded the motion, all were in favor, motion passed.

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk