

**Resolution No. 2010-43**  
**Resolution Establishing a Joint Land Use Committee**

As of 2009 the Department of Defense (DOD) awarded a community planning grant to Curry County to conduct a Joint Land Use Study (JLUS) for Cannon Air Force Base (Cannon) and the surrounding jurisdictions, including Curry County, the City of Clovis, Village of Melrose, Village of Floyd, City of Portales and Roosevelt County.

**WHEREAS**, Curry County is to act as the sponsor of the JLUS Study and;

**WHEREAS**, the JLUS program is a basic planning process designed to identify existing and potential land use conflicts that have the potential to impair Cannon's mission and impact to public health and safety confronting both the civilian communities and the military installation and;

**WHEREAS**, the JLUS process is a civilian-driven process that is community controlled and community directed and;

**WHEREAS**, Curry County wishes to encourage public participation in this JLUS which will include a variety of partners, including local professional planners, elected officials, business and development representatives, land owners, natural resource protection organizations, Cannon Air Force Base and other subject matter experts as needed and;

**WHEREAS**, the recommendations that come from this JLUS will be used as a guide for the local jurisdictions and the growth and implantation of future land use and development.

**BE IT RESOLVED**, by the Curry County Commission, which is the duly elected governing board of Curry County as follows:

1. **Purpose:** The overall purpose of this study is to ensure the operational effectiveness of Cannon Air Force Base and the training range. This JLUS is intended to mitigate or preclude land use incompatibility between the military, Curry and Roosevelt Counties, local land owners and governmental agencies. Its purpose is to put in place land use strategies between the military and the local communities that will foster better planning and consistent land use development in Curry and Roosevelt County.
2. **Delegation of Authority:** It is not the intent of this document to create or establish a separate governmental agency. Nothing in this document shall constitute or be considered as a delegation of any power or authority by Curry County to formulate public policy, including the development of any new rules, regulations or ordinances or to take any final action. The

Committees created under this Resolution are study committees and are to make recommendations only.

3. **Administration:** It is acknowledged and recognized that Curry County shall be responsible for the operation and administration of the JLUS program and process. Curry County shall be solely responsible for providing the staff for administrative services hereunder, except as may be provided by written agreement from time to time. Two (2) advisory committees shall be formed and shall act independently from one another, under the direction and guidance of Curry County. The first committee shall be referred to as the JLUS Policy Committee and the second committee shall be referred to as the JLUS Technical Committee.
4. **JLUS Policy Committee:** The JLUS Policy Committee shall consist of fifteen (15) members which shall include two (2) members from the Curry County Commission, two (2) members from the City of Clovis, two (2) members from Roosevelt County, one (1) member from the City of Portales, and one (1) member from Cannon Air Force Base. There shall also be five (5) public members from Curry County and two (2) public members from Roosevelt County. All public members shall be appointed by Curry County with input from each affected area.

The JLUS Policy Committee shall assemble and approve a final report that is to be submitted to the Curry County Board of Commissioners for their review. The JLUS Policy Committee shall also guide the overall direction of this study. The JLUS Policy Committee has the authority to make recommendations or submit policies to Curry County for its review and consideration. The JLUS Policy Committee is not given the authority to adopt any policy, procedures or take any formal action without the prior approval from the Curry County Commission.

The chairman of the JLUS Policy Committee, shall be appointed by the Curry County Commission, shall run and conduct all meetings of the policy committee. In an event that the chairman is unavailable, the vice-chair, appointed by the Policy Committee, shall conduct the meeting.

All meetings of the JLUS Policy Committee shall be conducted in an orderly manner, following parliamentary rules and procedures. While Robert's Rules of Order is not adopted, and there is no need to follow such rigid rules of procedure, in the event of a disagreement or conflict, the chair or vice-chair may use Robert's Rules of Order as a guide.

While public participation is critical to this study, members of the public, the media and others shall not be allowed to disrupt, delay or otherwise interfere with the orderly process of the JLUS Policy Committee Meetings. In that regard, the chair is to establish rules to ensure the orderly receipt of

public input, which may include limiting the number of speakers, limiting the time when the public may present or limiting the time when each individual participant may speak and/or requiring written input instead of comments during the meetings. These rules shall not be used to impede public input but, are intended to allow the JLUS Policy Committee to function in an orderly manner.

5. **JLUS Technical Committee:** The JLUS Technical Committee shall be comprised of local community officials, to include Cannon and other individuals with specific technical experience. Membership to the JLUS Technical Committee shall be appointed by the Curry County Commission and may be expanded at any time during the study when new technical issues emerge. The Technical Committee will be chaired by the Curry County Manager or his designee and will be comprised of nine (9) members. Additional technical experts may participate with the Technical Committee Chair's approval.

The JLUS Technical Committee shall be responsible for studying technical issues, either independently or in conjunction with other committees. The Technical Committee identifies and addresses technical issues and alternatives, provides feedback on report developments and assists in the development and evaluation of implementation strategies and tools.

6. **Open Meetings Act:** Neither the Curry County JLUS Policy Committee nor the Technical Committee shall be a New Mexico governmental entity as defined in the New Mexico Open Meetings Act, Section 10-15-1 *et. seq.* NMSA (2008). Nonetheless, public awareness is an integral part of the JLUS program and advance notification for any and all JLUS Policy Committee and/or subcommittees of the JLUS Policy Committee are to be given to the press for dissemination to the public at least seven (7) days prior to any meeting.
7. **Development of a Work Plan:** Curry County has contracted with HDR Engineering, Inc. to assist the JLUS Policy Committee and JLUS Technical Committee in the development of a final plan. This plan will be submitted to the Curry County Commission for their review. No plan or recommended plan will be effective until and unless it is approved by a majority vote of the Curry County Board of Commissioners at a public meeting.
8. **Ownership of Data and Documentation:** Neither the Policy Committee nor the Technical Committee shall release or distribute any written reports, drafts, recommendations or other data without the prior approval of Curry County. The release of information that is incorrect or which has not been adopted by this Curry County Commission could create unintended

problems, concern and confusion that would be contrary to the purposes hereinabove stated.

RESOLVED this 17<sup>th</sup> Day of August, 2010.

**BOARD OF COUNTY COMMISSIONERS  
CURRY COUNTY, NEW MEXICO**



*Robert Sandoval*  
Robert Sandoval, Chairman

*Caleb Chandler*  
Caleb Chandler, Vice Chairman

*Frank H. Blackburn*  
Frank Blackburn, Member

*Daniel Stoddard*  
Daniel Stoddard, Member

*Wendell Bostwick*  
Wendell Bostwick, Member

ATTEST:

*Coni Jo Lyman*  
Coni Jo Lyman, Curry County Clerk