



LOS ALAMOS

Agenda - Final County Council - Special Session

Randall Ryti, Council Chair; Denise Derkacs, Vice-Chair; Melanee Hand; David Izraelevitz; David Reagor, and Sara Scott, Councilors

Wednesday, March 23, 2022

6:00 PM

Due to COVID-19 concerns, meeting will be conducted in a hybrid manner.

<https://us02web.zoom.us/j/88076449542>

Continuation of the March 22, 2022 Council Special Session

This appeal hearing shall be conducted in a hybrid manner with the County Council convening in chambers with an invitation to the parties and counsel to be present in Council chambers to present their case.

Members of the Public can, also, join this appeal hearing via Zoom by pasting into their browser the following:

<https://us02web.zoom.us/j/88076449542> once the session has started.

or by Telephone:

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 880 7644 9542

As this is a quasi-judicial proceeding considering an appeal of administrative decision no public comment will be allowed.

1. OPENING/ROLL CALL
2. APPROVAL OF AGENDA
3. HEARING ON ACTION NO: 2020-01. An appeal to the Los Alamos County Council of two orders issued by the Board of Appeals on January 25, 2022 which included Board of Appeal's Decision Regarding the Stop Work Order at 813 Central Avenue with Finding of Fact and Conclusions of Law, and Order on Appellant's Motion to Re-Open Board of Appeals Proceeding for Taking New Evidence and Reconstitute Board of Appeals

[15551-22](#)

ACTION NO: 2020-01. An appeal to the Los Alamos County Council

of two orders issued by the Board of Appeals on January 25, 2022:

a. Board of Appeal's Decision Regarding the Stop Work Order at 813 Central Avenue with Findings of Fact and Conclusions of Law.

b. Order on Appellant's Motion to Re-Open Board of Appeals Proceeding for Taking New Evidence and Reconstitute Board of Appeals.

Presenters: County Council - Special Session

Attachments: [A - Board of Appeal's Decision Regarding the Stop Work Order at 813 Central Avenue with Finding of Fact and Conclusions of Law.](#)
[B - Order on Appellant's Motion to Re-Open Board of Appeals Proceeding for Taking New Evidence and Reconstitute Board of Appeals.](#)
[C- Notice of Hearing and Procedural Order for Appeal](#)

- a. **Introductory statement of the Chair.**
- b. **Consideration of recommended rulings of the Hearing Facilitator on pending motions. Each party will be allowed five minutes to present their motion with the Appellant proceeding first and Appellee second.**
- c. **If needed: Closed Session for Deliberations of a Public Body in Connection with an Administrative Adjudicatory Proceeding pursuant to NMSA § 10-15-1 (H)(3) for the purpose of deliberating on the pending motions and recommended ruling of the Hearing Facilitator on the pending motions.**
- d. **Action on recommended rulings of the Hearing Facilitator on pending motions.**
- e. **Appellant's 30 minutes of oral argument.**
- f. **Questions from Council and/or the Council's legal advisor to appellant.**
- g. **Appellee's 30 minutes of oral argument.**
- h. **Questions from Council and/or the Council's legal advisor to appellant.**
- i. **Appellant's rebuttal argument if time reserved from allotted 30 minutes for oral argument.**
- j. **Questions from Councilors and/or the Council's legal advisor to appellant.**

- k. **Appellee's rebuttal argument if time reserved from allotted 30 minutes for oral argument.**
- l. **Questions from Councilors and/or the Council's legal advisor to appellee.**
- m. **Final questions form Councilors and/or the Council legal advisor to appellant to appellee.**
- n. **Close of oral argument.**
- 4. **Closed Session for Deliberations of a Public Body in Connection with an Administrative Adjudicatory Proceeding Pursuant to NMSA § 10-15-1 (H)(3) for final deliberations on this matter.**
- 5. ***Possible Final Action on this Proceeding or motion to recess and reconvene meeting.***
- 6. **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the County Human Resources Division at 662-8040 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the personnel in the Office of the County Manager at 663-1750 if a summary or other type of accessible format is needed.