



LOS ALAMOS

County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Minutes

Board of Appeals

*Terry Priestley, Chair; Randall Ryti, County Councilor; and
Philo Shelton, Utilities Manager*

Tuesday, January 25, 2022

8:00 AM

1000 Central Ave.
Los Alamos, NM 87544

Continuation of the January 19, 2022 Board of Appeals

Pursuant to Section 10-15-1(E) this matter was recessed to reconvene
on Tuesday, January 25, 2022 at 8:00 a.m.

I. CALL TO ORDER

Board Chair, Terry Priestley, called the meeting to order at 8:02 a.m.

The following board members were in attendance:

Present: 3 – Board Member Terry Priestley, Board Member Randall Ryti,
and Board Member Philo Shelton

II. APPROVAL OF AGENDA

A motion was made by Board Member Ryti, seconded by Board Member Shelton, that the
agenda be approved, as presented.

The motion passed by acclamation with the following vote:

Yes: 3 - Board Member Priestley, Board Member Ryti, and Board Member Shelton

III. DELIBERATION

- A. Closed Session pursuant to NMSA § 10-15-1 (H)(3) for deliberations in connection with Action No. 2020-01
Sirphey, LLC, a New Mexico limited liability company, Appellant v. Michael Arellano, in his official capacity as
the Building Official for Los Alamos County, Appellee

A motion was made by Board Member Ryti, seconded by Board Member Shelton, that the
Board of Appeals enter into closed session pursuant to New Mexico Statute 10-15-1(H)(3) for
the purposes of deliberation in connection with this administrative adjudicatory proceeding.

Mr. Philip Dabney, Counsel for Appellant, interjected and asked that his objection to the closed session of the
proceeding be noted for the record.

The motion passed with the following vote:

Yes: 3 – Board Member Priestley, Board Member Ryti, and Board Member Shelton

RECESS

Board members went into closed session at 8:03 a.m. The Board returned from closed session at 9:32 a.m.

A motion was made by Board Member Ryti, seconded by Board Member Shelton, that the Board of Appeals exit the closed session and the following statement be included in the minutes: The matters discussed in the closed session were limited only to those specified in the motion for closure, and no action was taken in the closed session.

The motion passed with the following vote:

Yes: 3 - Board Member Priestley, Board Member Ryti, and Board Member Shelton

B. Possible Final Action on Proceeding

A motion was made by Board Member Shelton, seconded by Board Member Ryti, that the Board of Appeals approve the Board of Appeals decision regarding the stop work order at 813 Central Avenue with the Findings of Fact and Conclusion of Law and the Order on Appellants Motion to Reopen Board of Appeals Proceeding for Taking of New Evidence and Reconstitute Board of Appeals and he further moved that the Chair be Authorized to Execute these orders on behalf of the Board.

The motion passed with the following vote:

Yes: 3 - Board Member Priestley, Board Member Ryti, and Board Member Shelton

Chair Priestley advised that the decision shall be recorded with the County Clerk, posted online, and forwarded to the Los Alamos County Council. Copies shall be forwarded to the parties and this decision shall be final if neither party requests the County Council to review this decision within 5 days of receipt. On appeal Council shall overturn this decision only if it's supported by the evidence arbitrary or capricious or not supported by law. This Board of Appeals shall be dissolved at the time the Boards decision becoming final or Council review has been requested and Council has made their decision.

IV. ADJOURNMENT

The meeting adjourned at 9:34 a.m.

INCORPORATED COUNTY OF LOS ALAMOS

Terry Priestley

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Date: 2022.02.11 06:59:59 -07'00'

Terry Priestley, Appeals Board Chair

Attest:



Naomi D. Maestas, County Clerk



Meeting Transcribed by: Victoria L. Martinez, Senior Deputy Clerk