



Bernalillo County Code of Conduct Review Board (“BCCCRB”)

**Meeting Minutes For Wednesday, September 25, 2013, Meeting
One Civic Plaza NW, Albuquerque, New Mexico 87102**

10th Floor County Manager’s Conference Room B

Members Present:

Don Bruckner, District 5
Michael Flynn, District 4
Alan Packman, District 3
Edmund Perea, District 2

Alternate Members Present:

Bruce Barnaby, District 3
Peter Vredenburg, District 5
Catherine Howell, District 4 (Telephonically Only)

BCCRB Staff Present:

Robert D. Kidd
Rachel F. Nickels

Bernalillo County Staff Present

Randy Autio, County Attorney
Peter Auh, Deputy County Attorney

Alternate Members Absent:

N/A

Attendees:

Kristopher Schafer, Complainants
George Castillo, Respondent
Carlos and Elizabeth Martinez, Complainants
Vincent Lujan, Respondent
Joseph Gribble, Attorney for Carlos and Elizabeth Martinez

Call to Order:

The CCRB meeting was called to order at 5:02 p.m., by Chairman, Alan Packman.

Approval of Agenda:

Chairman, Alan Packman, motioned to approve the Agenda which was seconded and approved unanimously.

Sworn Complaint Preliminary Hearing:

Kristopher Schafer v. George Castillo, SC2013-001, was heard first wherein Mr. Schafer, Complainant, presented and provided a brief restatement of his claim of Mr. Castillo’s conflict of interest which prohibited him from making a fair decision. Board Members, Mr. Flynn, Mr. Bruckner, Vice-Chair, Perea and Chairman, Packman each asked for clarification from

Mr. Schafer during his statement and Mr. Schafer answered accordingly.

Mr. Castillo, Respondent, responded to the Complainant's statement. Chairman, Packman, Vice-Chair, Perea, each asked for clarification from Mr. Castillo during his statement and Mr. Castillo answered accordingly.

Mr. Autio, County Attorney, stated to the Board that Mr. Castillo was advised by Michael Garcia, Assistant County Attorney, during the Planning Commission's Board Meeting, and Mr. Autio said that because it is a procedural issue, he could not take a position in the case because of Mr. Garcia's advisement on behalf of the County Attorney's Office, for which the Complaint was brought. Mr. Autio also informed the Board that the case before the Planning Commission is on appeal at District Court.

Sworn Complaint Preliminary Hearing:

Carlos and Elizabeth Martinez v. Vincent Lujan, SC2013-002, was heard second wherein Mr. and Mrs. Martinez, Complainants, and their attorney, Joseph Gribble, presented and provided a brief restatement of their claim of a County employee using their position and property for personal gain. Board Members, Mr. Bruckner, Mr. Flynn, Chairman Packman, each asked for clarification from Mr. and Mrs. Martinez and Mr. Gribble during their states and Mr. and they all answered accordingly.

Mr. Lujan, Respondent, responded to the Complainants' statement. Board Members, Mr. Bruckner, Mr. Flynn and Chairman Packman and Vice-Chair Perea each asked for clarification from Mr. Lujan during his statement and Mr. Lujan answered accordingly.

Closed Session of Preliminary Matter SC2013-001:

Chairman Packman motioned to vote on SC2013-001, which was second by Vice-Chair Perea, and unanimously voted to dismiss the claim based on the Bernalillo County Code of Conduct, Sec. 2-132 (a)(5)a. Reporting violations of code of conduct, which states in part: "The review board shall issue a preliminary order that:

- a. Dismisses the complaint if it does not state a claim under the code, ..."

Closed Session of Preliminary Matter SC2013-002:

Chairman Packman motioned to vote on SC2013-002, which was second by Vice-Chair Perea, and unanimously voted to refer this claim for disposition as an employee investigation based on the Bernalillo County Code of Conduct, Sec. 2-132 (a)(5)c. Reporting violations of code of conduct, which states in part:

"The review board shall issue a preliminary order that:

- c. Refers complaints involving classified county employees that report to the county manager or county attorney for disposition as an employee disciplinary investigation;"

Approval of Minutes:

Reviewed by Chairman, Alan Packman, and to be signed and dated at a future date.

New Business:

Chairman, Packman, moved to table Agenda Item Number 6. Review and Discussion of BCCCRB Rules of Procedure, which was seconded, and the Board approved unanimously.

Announcements/Discussion only items/Public Comment:

Robert Kidd, Compliance Officer, updated the Board on the status of the appointment of a fifth (5th) Member.

Peter Auh, Deputy County Attorney, updated the Board on the status of having Robert M. White, as the attorney for the Board.

Next Meeting:

To be determined in the next Quarter based on when the fifth (5th) Board Member is appointed or sooner if a Sworn Complaint is filed with the Compliance Office prior to then.

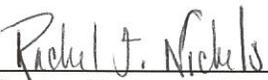
Adjournment:

With no further business, the meeting adjourned at 6:39p.m., on September 25, 2013.



Alan Packman, Chairman
Bernalillo County Code of Conduct Review Board

12/4/13
Date



Minutes Prepared By Rachel F. Nickels
Compliance Office

December 4, 2013
Date