



Coalition Of Arizona/  
New Mexico Counties  
For Stable Economic  
Growth

"Working together for responsible  
management."

**BOARD OF DIRECTOR'S Minutes**  
**Saturday March 28, 2015**  
**10:00 AM (Arizona MST) – 11:00 AM (New Mexico MDT)**  
**Glenwood Community Center**  
**Menges Road, Glenwood, New Mexico**  
**Call-in Number 218-895-3850 Passcode 6291303#**

**Board Present:**

Tom Klumker  
Tommie Martin  
Lewis Derrick  
Doug Decker  
Caren Cowan  
Kendell Buzard  
Drew John

Anita Hand  
Kim Chesser  
Darr Shannon

**Proxies**  
Richard Searle

**Non-Voting Members & Guests:** Robert Corbell, Jim Wells, David Bowser, Howard Hutchinson

The meeting called to order at 11:08 p.m. by President Drew John, Coalition Representative for Graham County, Arizona.

**OLD BUSINESS**

**Item #1: Consideration of Creating Litigation Review Committee**

The discussion centered around the need for having a technical review committee to provide information for Karen Budd-Falen's development of briefs for the Mexican Wolf 10(j) litigation. The primary concern was that all parties to the litigation were not being included in the preparation. One consideration brought forward was the additional cost and time needed by attorneys to be contacting all of the co-plaintiffs and exchanging information.

**No Further Action Taken:** It was stated that communication of needed technical information needed by the attorneys would continue to be communicated through the Coalition's central office and this process had improved. All communication concerning the litigation from our attorneys will be timely forwarded to all co-plaintiffs.

**Item #2: Finalize Listing of Co-Plaintiffs for Mexican Wolf 10(j) Suit**

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As put forward by Karen Budd-Falen later in the meeting we will have a little more time to amend the complaint and add co-plaintiffs since there will be an attempt by the Department of Justice to consolidate the litigation with a suit filed by environmental litigants in Arizona who are also challenging the 10(j) rule. Director Klumker stated that he wished to be included as a co-plaintiff with the understanding that outfitter & guide issues would be an expanded in the complaint and ensuing briefs. Mr. Klumker also stated that the New Mexico Council of Outfitters & Guides would be reconsidering joining the litigation in the next few days.

Caren Cowan noted that the New Mexico Trappers association have committed to joining the litigation and that their information has been sent to Karen Budd-Falen.

Howard restated the Coalition's position that it is beneficial to have as many plaintiffs as possible listed. This elevates the concerns a judge will take note of as the case goes forward. It was also stated that contributions to the costs of litigation were not a requirement for a party to join the litigation.

**Action: No vote required. Tom Klumker will forward his plaintiff information to Karen for inclusion in the complaint amendments.**

### Item #1: Minutes

**Action: The motion to approve the Minutes from the November 13, 2014, December 4, 2015 and December 15, 2014 Meetings made by Kim Chesser seconded by Kendell Buzard. The motion passed unanimously.**

### Item #2: Treasurer's Reports

**Action: The motion to approve the General Fund Treasurer Reports for filling for December, January and February, 2014 and Legal Fund Treasurer Reports for filing for December, 2014 and January and February 2015 for filling was made by Lewis Derrick seconded by Kim Chesser. The motion passed unanimously.**

### Item #3: Review of the 2014 Budget & Expenditure Comparisons and Approval of the 2015 Budget

Howard presented the review of the 2014 budgeted figures and expenditures pointing out that the Coalition expenditures mostly fell below budgeted amounts leaving positive balances in the general and litigation funds. He then presented the proposed budget for 2015 noting projected increases in general and litigation fund revenues and increased expenditures for litigation. All other budget items remained at the 2014 levels.

**Action: The motion to approve the 2014 Budget & Expenditure Comparisons and the 2015 Budget for filling was made by Lewis Derrick seconded by Kim Chesser. The motion passed unanimously.**

### Item #4: Litigation Update CBD Wolf Recovery Plan Intervention, Wolf 10(j) Suit, Jaguar Critical Habitat Suit

Karen Budd-Falen presented an update on the Mexican wolf 10(j) litigation. As stated previously she stated that the Department of Justice (DOJ) has moved to consolidate the litigation with a suit filed by environmental litigants in Arizona who are also challenging the 10(j) rule. She addressed the pros and cons of challenging the move to the Arizona Court. She stated that if we challenged the consolidation it would result in protracted briefings and answering briefs that would add considerable costs for the litigation with no guarantee of prevailing against the move. She provided another option of not replying to the request and letting the court decide based on the briefings put forward by the DOJ and environmental litigants.

**No Action Taken: Karen will allow DOJ to proceed without comment and will keep the Board apprised of the progress of the DOJ request.**

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Howard presented an update on the CBD Recovery Plan intervention. We are now awaiting a decision by the Court on the motions to dismiss by the Coalition and co-plaintiffs and DOJ.

**No Action Taken: Howard will keep the Board apprised of any actions taken by the court.**

Caren and Howard discussed the progress of the challenge to the Jaguar critical habitat suit. No information is currently available.

**No Action Taken: Caren will contact Pacific Legal Foundation to determine how the challenge is progressing and report back to the Board.**

### **Item #5: Conduct Review of Joint Powers Agreement**

Howard presented the current Joint powers Agreement and pointed out that it had not been reviewed since enactment in 1995. The Board agreed that a review should be undertaken. Director Doug Decker pointed out that unless there was something that really needed to be changed we should retain it in the current form since amending the JPA could take considerable time. Director Tommie Martin suggested that we place a deadline for the member counties to have their County Attorneys complete reviews. One of the primary concerns will be a review of retained sovereign immunity for litigation liabilities for member governmental entities.

**No Further Action: Howard will work with Doug Decker to prepare a letter to the member county attorneys to provide instructions on review with 60 day deadline to get comments returned.**

### **Item #6: Denounce Wolf Program Resolution**

Howard presented a resolution requesting the Arizona and New Mexico Governors to denounce the current wolf management program and request that the Mexican wolf management be transferred to the two states respective Game and Fish Departments for management as predators and nuisance species. After discussion the draft resolution was amended to include hunting, guiding, outfitting, recreation and other land use industries.

**Action: The motion to adopt the wolf program resolution was made by Tom Klumker seconded by Kim Chesser. The motion passed unanimously.**

### **Item #7: Renewal of Catron County Firestarter Contract**

Howard presented the contract with the Catron County Firestarter for renewal with no changes from the 2014 contract.

**Action: The motion to approve the renewal of the contract with the Catron County Firestarter was made by Lewis Derrick seconded by Kim Chesser. The motion passed unanimously.**

### **Item #8: Selection for Annual Awards**

President Drew John led the discussion on annual awards..

**Action: Howard was directed to have the awards prepared for presentation at a later date to be determined.**

### **Item #9: Upcoming Meetings: Next Meeting, Where, When & How?**

The next meeting will be at the call of the President on an as needed basis.

Adjourned at 1:16 p.m.