



Coalition Of Arizona/  
New Mexico Counties  
For Stable Economic  
Growth

"Working together for responsible  
management."

## BOARD OF DIRECTOR'S MINUTES

Thursday, November 13, 2014

9:00 AM

Conference Call

Call-in Number 218-895-3850 Passcode 6291303#

**Board Present:** Drew John  
Tom Klumker  
Kim Chesser  
Lewis Derrick  
Tommie Martin  
Caren Cowan  
Richard Searle  
Nita Taylor  
Sylvia Allen  
Robert Corbell

### Proxies

Darr Shannon  
Jackie Powell  
Doug Decker

**Non-Voting Members:** Howard Hutchinson

The meeting called to order at 9:00 a.m. by Caren Cowan, Coalition Secretary/Treasurer and Livestock Director Board Representative.

### **Item #1: Discuss the Mexican Wolf and Jaguar Litigation**

Howard described the meeting with Karen Budd-Falen, Blair Dunn and the attorney from Pacific Legal foundation concerning the challenge to the declaration of critical habitat for the jaguar. Pacific Legal Foundation is representing New Mexico Cattle Grower's, New Mexico Federal Lands Council and New Mexico Farm & Livestock Bureau. There was discussion at that meeting on the strategy to bring in other plaintiffs by having Pacific Legal initiate the suit in New Mexico and secure venue. Karen Budd-Falen would then develop ours and other parties' complaint and file to join the suit. This would be an attempt to have the suit filed in the 10<sup>th</sup> Circuit and reduce the chance of having interveners and the government attorneys attempt to move the case into Arizona.

The Coalition would be asked to cover the cost of Karen preparing the motion to join. After the parties were joined in a New Mexico venue Karen would fall back into a support role with Pacific Legal taking the lead attorney position. Pacific Legal does not charge for their services but does require covering filing fees,

## Coalition Of Counties

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copying costs and postage. In the past this has never exceeded \$2,500.00 that in this case the New Mexico Farm & Livestock Bureau has already committed to pay. Tommie Martin asked if there were sufficient amounts in the legal fund to cover this expense and Howard responded in the affirmative.

**Action: The motion to have Karen Budd-Falen prepare the motion to join the suit to not exceed \$7,000.00 in cost from the legal fund was made by Tommie Martin and seconded by Richard Searle. The motion passed unanimously.**

### Item #1: Continued with Discussion on Mexican Wolf Litigation

Before starting on the litigation discussion Caren Cowan asked if everyone had seen the notice that CBD had filed their suit seeking a court order for the U.S. Fish and Wildlife Service to develop an updated recovery plan for the Mexican Wolf. Tommie Martin and Caren were going to forward the article on the suit to the Board members. There was some discussion on whether or not we should seek to intervene. It was decided to follow the case and place that item on a future agenda.

Howard reported that Karen was working on the complaint and expected to be able to deliver a draft some time in December so that the parties could be prepared to file the complaint as soon after the record of decision as possible. Richard Searle was asked if Mary Darling would be available under Cochise County's retainer of Mary to have her work with Karen on the complaint development. Richard said that could be done. Howard reminded the county representatives that they are required to seek approval of commitment of county funds through action by their respective Boards of Supervisors and Commissioners. Howard drew attention to the October 13<sup>th</sup> Doodle Poll of members concerning approving \$6,000.00 from the legal fund to pay the Budd-Falen Law Offices to initiate development of the complaint. He stated that it would be better to have the action taken by vote of the Board in an official meeting.

**Action: The motion to approve \$6,000.00 for Karen Budd-Falen to initiate development of the complaint on the Mexican wolf 10(j) NEPA document and record of decision was made by Kim Chesser and seconded by Robert Corbell. The motion passed unanimously.**

### Item #3: Discuss contributions to the litigation fund & billing for Mexican wolf 10(j) Comments

Howard reported that a letter and invoices would be prepared to seek legal fund contributions from the county members. He also stated that a letter and requests for contributions to the development of the comments on the 10(j) rule would also be sent out. He also reported that the billing from Norma Hamilton had been paid and that two other invoices from Alex Thal and Karen Budd-Falen were being questioned and that efforts were being made to resolve issues with the billings. Richard Searle asked how much had been billed. Howard responded that the billings had exceeded the \$7,000.00 estimate by around \$15,000.00. There was discussion on having a face-to-face meeting in conjunction with the New Mexico Joint Livestock Convention on December 4, 2014.

**No Action Taken: Howard will send out the letters and invoices and work with Caren Cowan on setting a meeting date and time at the Joint Livestock Convention and notify the Board.**

### Item #2: Elect a New President from Arizona Since Sylvia Allen has Won a Seat in the Arizona Senate

Vice President Lewis Derrick presided over the election of a replacement for President Silvia Allen. He called for nominations and Richard Searle nominated Drew John to serve out Sylvia's term. The nomination was seconded by Robert Corbell. Vice-President Derrick sought further nominations from the Board. Tom Klumker nominated Robert Corbell. Mr. Corbell declined the nomination. Vice-President Derrick made two more calls for nominations.

**Action: The motion to elect Drew John as President to serve out Sylvia Allen's term was made by Richard Searle and seconded by Robert Corbell. The motion passed unanimously.**

Adjourned at 9:59 a.m.