



# County of Bernalillo

State of New Mexico

Compliance Office

One Civic Plaza NW, 10th Floor, Suite 10111

Albuquerque, New Mexico 87102

Office: (505) 468-1382

www.bernco.gov

February 25, 2019

**Delivered Electronically Only to me@mattcone.com**

Matthew Cone

1413 Dennison Rd. SW

Albuquerque, NM 87105

**Re: Sworn Complaint (SC2019-001) Submitted to the Compliance Office on  
February 18, 2019**

Dear Mr. Cone:

I refer to your Complaint filed with our office on Monday, February 18, 2019. After reviewing the statements and Exhibits contained in your Complaint and consulting with the Code of Conduct Review Board's attorney, it appears that you have failed to properly state a recognized violation of the Bernalillo County's Code of Conduct. Any potential relief that you might be seeking in the allegations that are contained in your statements would be more appropriate for the courts during the appeal process for the special use permit application (CSU2019-0001) rather than this administrative board.

Section 2-135. County Compliance Officer, subsection (3) of the Code of Conduct (attached herein) provides that this office may resolve complaints that are easily answered and do not allege a code of conduct violation, and report such resolution to the Board. Given that your Complaint does not allege a code of conduct violation, and based upon information provided, it appears that these matters are best suited to be resolved by the Planning and Development Services Director for further resolution, and that any additional legal issues that you raise are more properly decided by the courts. The filing of your Complaint will be reported to the Board at their

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#### COMMISSIONERS

*Maggie Hart Stebbins, Chair, District 3      Debbie O'Malley, Vice Chair, District 1*

*Steven Michael Quezada, Member, District 2*

*Lonnie C. Talbert, Member, District 4*

*Charlene E. Pyskoty, Member, District 5*

#### ELECTED OFFICIALS

*Tanya R. Giddings, Assessor*

*Linda Stover, Clerk*

*Cristy J. Carbón-Gaul, Probate Judge*

*Manuel Gonzales III, Sheriff*

*Nancy M. Bearce, Treasurer*

#### COUNTY MANAGER

*Julie Morgas Baca*

next Meeting, but not set for a hearing.

A copy of your Complaint and this resolution will be forwarded to the Respondent, Stephanie Shumsky, Director of the Planning and Development Services, the Code of Conduct Review Board and County Manager for their records.

Thank you,



Robert D. Kidd, Compliance Officer

RDK/rf

Enclosures

cc: Stephanie Shumsky, Respondent  
Enrico Gradi, Director of Planning and Development Services  
Code of Conduct Review Board (w/Enclosures)  
Julie Morgas Baca, County Manager (w/Enclosures)