

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**

**February 13, 2024**

Hank Hughes, Chair - District 5  
Camilla Bustamante, Vice Chair - District 3  
Justin Greene - District 1  
Anna T. Hamilton - District 4  
Anna Hansen - District 2

SFC CLERK RECORDED 03/13/2024

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1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:00 p.m. by Chair Hank Hughes in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

**B. Roll Call**

Roll was called by Deputy County Clerk Jennifer Wilson and indicated the presence of a quorum as follows:

**Members Present:**

Commissioner Hank Hughes, Chair  
Commissioner Camilla Bustamante, Vice Chair  
Commissioner Justin Greene  
Commissioner Anna Hamilton  
Commissioner Anna Hansen

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. O'ga P'ogeh Owingeh Land Acknowledgement**

**F. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Chair Hughes, and the Moment of Reflection by Wendy Johnson of Community Services Department. Chair Hughes acknowledged that this building and Santa Fe County as being in the original homeland of the Tewa people also known as O'ga P'ogeh Owingeh, "White Shell Watering Place."

Commissioner Hansen asked for a moment of silence for Michael Campbell, and Chair Hughes asked for a moment of silence for those suffering from war and famine throughout the world.

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**G. Approval of Agenda**

CHAIR HUGHES: Manager Shaffer, are there any changes to the agenda?

GREG SHAFFER (County Manager): Mr. Chair, Commissioners, no recommended changes to the agenda as presented. I would just note that we did post our initial agenda for today's meeting last Tuesday, February 6<sup>th</sup>, and the amended and final agenda was posted on Friday, February 9<sup>th</sup> at approximately 6:27 pm which is more than 72 hours before our meeting today as required by the Open Meetings Act.

The changes between the original and amended agenda were to add items 3.B and 3.C as well as Miscellaneous Action Items 6. D, 6. E and 6 F. And finally add subparagraph 1 enumerating Suboxone anti-trust litigation under Executive Session from Matters from the County Attorney. Thank you.

CHAIR HUGHES: Thank you, Manager. What's the pleasure of the Board for the agenda?

COMMISSIONER HANSEN: Mr. Chair, I move to approve the agenda as presented.

COMMISSIONER GREENE: Second.

CHAIR HUGHES: Okay, we have a motion by Commissioner Hansen, seconded by Commissioner Greene to approve the agenda.

**The motion passed by unanimous [5-0] voice vote.**

**2. Approval of Meeting Minutes**

**A. Request Approval of the January 9, 2024, Board of County Commissioners Meeting Minutes**

CHAIR HUGHES: The first minutes we're looking at are the minutes of January 9, 2024. What's the pleasure of the Board?

COMMISSIONER HAMILTON: Move to approve.

COMMISSIONER HANSEN: Second.

CHAIR HUGHES: Okay, a motion from Commissioner Hamilton, seconded by Commissioner Hansen to approve the minutes of January 9<sup>th</sup>.

**The motion passed by unanimous [5-0] voice vote.**

**B. Request Approval of the January 23, 2024, Board of County Commissioners Special Meeting Minutes**

COMMISSIONER HAMILTON: Move to approve.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: I have a motion by Commissioner Hamilton, a second by Commissioner Bustamante.

**The motion passed by unanimous [5-0] voice vote.**

**3. Consideration Proclamations, Resolutions, and/or Recognitions**

**A. Request Approval of a Letter from the Santa Fe Board of County Commissioners to the U.S. Department of Transportation in Support of the North Central Regional Transit District's RAISE Funding Request to Implement its Bus Rapid Transit Network**

CHAIR HUGHES: That's my item, since I worked as the Board's representative on the Regional Transit District, and we're requesting that you approve this letter which will support a grant to buy seven battery electric buses as part of our sustainability plan. Commissioner Hansen.

COMMISSIONER HANSEN: I think that it is a wonderful initiative, letter, and thank you for doing this. I really appreciate it. North Central has made a tremendous effort in the goals towards sustainability and we should be incredibly proud to have a transit organization such as them in New Mexico. And with that I'll move to approve the letter.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: Okay, we have a motion from Commissioner Hansen, seconded by Commissioner Bustamante, who beat out Commissioner Greene by a hair. Any discussion?

COMMISSIONER GREENE: Just in support of this and in support and cautiously optimistic that better for the ranges that these buses need, especially in cold weather. So I hope they have the right infrastructure to support this and that the battery technology is there. But as you know, I'm a pretty big advocate for these. Let's see if it works. It will be great.

CHAIR HUGHES: Let's go ahead and vote.

**The motion passed by unanimous [5-0] voice vote.**

**3. B. Request Approval of a Proclamation Proclaiming February 21, 2024, as "Serene Mountain Day at the Upaya Center"**

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much. I want to recognize that Upaya and Roshi Joan Halifax is in the audience along with members of her board from the Upaya Center. So I'm really honored to have you all here. Thank you for showing up. I'm bringing this resolution forward because of all of the good work that they are doing in the community, plus what they have done on Upper Canyon to preserve land and wilderness that is really important. Roshi asked me to speak at their dedication on the Serene Mountain Day and I gladly accepted since I have a very, very long history with this piece of land. Fifty years ago when I came to New Mexico, or 51 years, the first place I want was to this area where this is a small little stupa, so it has been something that has been part of my life in Santa Fe since the very beginning.

But I want to really recognize Upaya's years of commitment to serving the County's most vulnerable constituents. Upaya Center is a global community for those

working to create racial, economic, environmental justice, compassionate care for the most vulnerable, and a place of commitment, daily contemplative practice and learning through its retreats, training programs and community. And I will read briefly some of the highlights in the proclamation which will be presented on February 21<sup>st</sup>.

In 1973 Bodhi Stupa was built on the land that is now known as Upaya Center, and many great sentient beings have come and blessed this land which has created an environment for awareness to grow and develop.

Whereas, the Upaya Center is a place of practice and an educational center dedicated to the development of the relationship between traditional and compassionate engagement with our world, which was established in 1990; and

Whereas, the Upaya Center is a global community for those working to create racial, economic and environmental justice, compassionate care for those most vulnerable and a place of commitment; and

Whereas, Upaya realizes its vision by being a refuge to many who come through its temple doors and offering mature programs, traditional, experimental and system-based that meet the needs of the people, society and environment upon Upaya's socially engaged activism links contemplative practice with social and environmental action, including addressing issues related to structural violence. It also engages in direct service to vulnerable populations, including dying people, the incarcerated, the homeless, refugees and those who are materially impoverished; and

Whereas, Upaya's residents engage in bearing witness, practice and serving to hundreds of people who are at risk for homelessness, offering shared, healthy home-cooked meals at the Interfaith Shelter, Pete's Place, and St. Elizabeth's men's shelter; and

Whereas, Upaya's prison project helps inmates cultivate wholesome and pro-social change of mind and behavior to facilitate a more positive experience during incarceration and successful re-entry into society; and

Whereas, Upaya Center has done an impressive job of acquiring land surrounding the monastery to protect and preserve the wildlife of the Santa Fe River Corridor and to ensure that no further development occurs.

Whereas, a ceremonial consecration and dedication of Upaya's new building, Serene Mountain, will take place on the evening of February 21<sup>st</sup>; and

Whereas, Santa Fe County recognizes years of commitment to serving the county's most vulnerable constituents.

Now, therefore be it resolved that we, the Board of County Commissioners of Santa Fe County do hereby proclaim the 21<sup>st</sup> of February as Serene Mountain Day at Upaya Center.

So I would like to make a motion to approve this proclamation.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: I have a motion and a second. Is there any discussion?

COMMISSIONER BUSTAMANTE: Mr. Chair, I would just like to thank you for bringing this forward and thank the Upaya Center for all the good work that you do in the community, sincerely.

CHAIR HUGHES: Yes. I would also like to thank the Upaya Center. I'm somewhat familiar with some of the good work you've done. So we have a motion from Commissioner Hansen, second from Commissioner Hamilton.

**The motion passed by unanimous [5-0] voice vote.**

COMMISSIONER HANSEN: And then I would like to ask Daniel to please take a picture of us with Roshi and the board of directors.

[Photographs were taken.]

**C. Request for Ratification and Approval of Comments from the Santa Fe County Board of County Commissioners to the U.S. Department of Energy Re: Chromium Draft Environmental Assessment**

CHAIR HUGHES: All right. Commissioner Hansen, I'll let you explain this.

COMMISSIONER HANSEN: Okay. Thank you very much. So Commissioner Hughes and I have sent this letter off because the deadline was happening, but then DOE at the last moment decided that they should extend the deadline again. Even though I think we have produced a very good letter that addressed the issues of the chromium plume and the issues between NMED. We have a hexavalent chromium plume above our water system. It is a serious threat to the Buckman Direct Diversion. The Buckman Direct Diversion also wrote a letter that has concerns about this.

One of my big concerns is that DOE likes to call it a chromium plume when it's really a hexavalent chromium plume, and there's a huge difference between a chromium plume, which is C-3, which is benign, and a hexavalent chromium plume which is poisonous and deadly. And so I think it's misleading. I just came home from Washington, DC and I had the opportunity to meet with senior advisor Ike White from DOE and Undersecretary Jill Hruby from NNSA. They had my letter. They knew a letter was there. I had it in his notebook. She said you're very efficient. You got it to me the day before you arrived. So that was good.

We need to stay on top of them. The reason we wrote this letter. The reason the Buckman Direct Diversion wrote this letter is because if we're not watching they're not going to protect us. I know they're a federal government agency and it is their job to protect us, but we are the citizens that are being affected by their contamination of land in New Mexico and so therefore I think it's really important that we continue to let them know that we are watching. And so that is part of what the letter is about besides – and I also let my fellow Commissioner on Buckman, if you would like to say a few words about it.

CHAIR HUGHES: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. There's really not too much to add. You've really covered it. I think part of the idea is to take a very important issue and keep it in front of them and in this case it was – we've worked on this issue for so long that having it under this available for the letter were not the biggest lift, but letting our position be known can be valuable. You never know when it tips the balance. So I appreciate you doing this.

COMMISSIONER HANSEN: So on that point, one of the things that we

say in the letter, because I'm not going to read it to everybody is that we are supporting NMED's position of option 2, which means that we support the idea of them continuing to extract the hexavalent chromium plume, but we support the idea of a land application elsewhere. What's happening is that for the last couple of years DOE has continued to re-inject once they take the water out of the chromium plume they've been re-injecting it back into the chromium plume. NMED feels like this just moves everything around. It doesn't provide a dome of protection, so to speak. And so what we feel they need to do is do a land application elsewhere. So they take the hexavalent chromium out of the plume, clean the water with reverse osmosis and a number of ways they clean it, and then put a land application somewhere else so that it's not diluting what's already in the plume. I know that might not be a perfect example, but if you read the letter, the letter explains it much better than I might have done right there.

But I think you get the gist, and so I think it's important that we as a Board vote all of us to pass this and continue to work on this issue with NMED and DOE.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you, Commissioner Hansen and Chair Hughes. This is an important issue and as a new alternate on the BDD Board it was interesting to hear some of the technical aspects of the alternatives and how important it is for us to be involved as stakeholders, and as very close at hand stakeholders in the decision making. And any good environmental assessment has stakeholder involvement. From what regularly is applied by the federal government, sometimes they forget about the local guys that have to live with their decisions. So this is good for us to show that we're paying attention, that we understand the consequences of each of the decisions and that we have technical expertise supporting our position. So I'm in full support of this and thank you for bringing this forward.

COMMISSIONER HANSEN: And I think it's important that when we go to DC that we continue to meet with DOE, we continue to remind them that we are here, we watch them and we know what they're doing so that those letters don't fall on deaf ears. And remind them when they come here that they need to meet with the County Commissioners alike. So I just want to add that in. Thank you.

CHAIR HUGHES: Would you care to make a motion?

COMMISSIONER HANSEN: Yes, I make a motion to request ratification and approval of comments from the Santa Fe County Board of County Commissioners to the U.S. Department of Energy.

COMMISSIONER GREENE: Second.

CHAIR HUGHES: Okay, is there further discussion? I would just like to add that I'm glad that we brought this forward and in case you didn't catch it, Commissioner Hansen and I signed a letter just from the two of us so that we could meet the deadline but now we have a chance for the letter to be from all of us.

**The motion passed by unanimous [5-0] voice vote.**

**4. Consent Agenda**

- A. Final Order for Case # 23-5160, The Village at Las Campanas, Preliminary and Final Subdivision Plat. La Tierra Assoc., Inc.,**

**Applicant, JenkinsGavin Inc., Agent, Requested Preliminary and Final Subdivision Plat for the Proposed Village at Las Campanas. The 104.64-Acre Parcel is Within the Las Campanas Planned Development District (PD-16). The Proposed Subdivision Comprises 100 Single-Family Residential Lots, Plus One Open Space Tract and Three Reserve Tracts for a Total of 104 Lots. The Development Will Access Via Las Campanas Drive and via Paseo del Aragon. The site is Within Township 17 North, Range 8 East, Section 12 Township 17 North, Range 8 East, Section 15 (Commission Districts 2). (Growth Management Department/Kenneth Quintana, Case Manager) (APPROVED 5-0)**

- B. Resolution No. 2024-020, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$2,177,697. (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)**
- C. Resolution No. 2024-021, a Resolution Requesting a Budget Increase to Various Funds in the Net Amount of \$6,882 for the Public Works Department. (Finance Division/Yvonne S. Herrera and Public Works Department/Brian K. Snyder)**

CHAIR HUGHES: Are there any items on the Consent Agenda that Commissioners would like to remove for discussion? Seeing none, would somebody like to make a motion on the Consent Agenda?

COMMISSIONER GREENE: I will make a motion to approve the Consent Agenda as items A, B, and C as presented.

COMMISSIONER HANSEN: Second.

CHAIR HUGHES: Okay, we have a motion from Commissioner Greene, seconded by Commissioner Hansen.

**The motion passed by unanimous [5-0] voice vote.**

[Deputy Clerk Wilson provided the resolution numbers throughout the meeting.]

**5. Appointments/Reappointments**

- A. Request Approval of Appointment of Two County Planning Commission Members to the Extraterritorial Land Use Commission (ELUC)**

CHAIR HUGHES: We have Penny Ellis-Green to explain that to us.  
Thank you.

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Mr. Chair, Commissioners. The Extraterritorial Land Use Commission is made up of five members of the Planning Commission and the remaining two members of the Planning Commission serve as alternates. Two Planning Commission members' terms expired in December 2023 and new Planning Commission members have been appointed. So the



current Planning Commission members serving on ELUC are Carl Trujillo as an alternate, Erik Aaboe, Rhea Serna and Wendy Pierard as members. And so the new Planning Commission members who now need to be appointed are Jeremy Mier and Dan Pava, so our recommendation is for appointment of Jeremy Mier on the ELUC to serve the previous two year term to expire on August 30<sup>th</sup> of this year, and Dan Pava to serve as an alternate, again, to expire August 30<sup>th</sup> of this year. And I stand for questions.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Any discussion? I have a motion from Commissioner Hansen, seconded by Commissioner Hamilton.

**The motion passed by unanimous [5-0] voice vote.**

CHAIR HUGHES: You have your appointments. Thank you everybody. I know we're trying to make this the shortest meeting on record and so far I think we're doing a good job.

**6. Miscellaneous Action Items**

- A. Final Order for Case # 23-5091 Francis Phillips Variance Appeal.  
Francis Phillips, Appellant, Appealed the Santa Fe County Planning Commission's Final Order Regarding a Variance Request. The Appellant Requested a Density Variance to Allow Two Dwelling Units on a 6.54-acre Parcel. Currently, there is an Existing 1,340-sq. ft. Residence and a 1,440-sq. ft. Residence on the Site. The Subject Property Lies Within the Rural Residential Zoning District (RUR-R) Where the Base Density is One Dwelling per Ten Acres. The Property is Located at 35 Mescalero Trail. SDA-2, Within Township 15 North, Range 10 East Section 2 (Commission District 4). (Growth Management Department/Jose E. Larrañaga, Case Manager)  
(APPROVED 4-1)**

MANAGER SHAFFER: Mr. Chair, Commissioners, this is on as Miscellaneous Action Items only because the case did not have a unanimous vote. So Mr. Larrañaga is here if there are any questions but we didn't intend to make a presentation, given that it's on this part of the agenda again only because the vote was four to one. Thank you.

CHAIR HUGHES: Okay. Thank you. Would someone care to make a motion?

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay, any discussion from the Board? So we have a motion from Commissioner Hansen, seconded by Commissioner Hamilton.

**The motion passed by unanimous [5-0] voice vote.**

**6. B. Request Consideration and Approval or Disapproval for the County Manager to Execute a Lease Between the Edgewood Soil & Water Conservation District and Santa Fe County for the Purpose of Leasing Office Space Located at 2506 Route 66 in Moriarty NM for the County Extension Office to Support the Agricultural and 4-H Community in Southern Santa Fe County**

CHAIR HUGHES: That would be Tom Dominguez and Scott Kaseman to explain what's being asked here. Go ahead, gentlemen.

SCOTT KASEMAN (Public Works): Mr. Chair and Commissioners. Good afternoon. Several weeks ago, the County Extension Office came to the County requesting we assist them with executing the lease with Edgewood Soil & Water Conservation District for a small office space within their existing building near Edgewood. So we went ahead and took a look at that and there does appear to be a need for additional space there. We currently provide office space for them at our fairgrounds property on Rodeo Road, but that's quite a distance for our constituents in the southern part of the county to come to acquire services.

So the Edgewood Soil & Water Conservation District agreed to lease to us 160 square foot office space. Included in that is utilities, wifi, access to a kitchen off a conference room and a copy room. So when you take into account all of those features that are added to the office space, a lease rate of 500 hours a month was defensible and justifiable. We feel like it's a good deal. So the County Manager is – it does fall within the County Manager's signature authority to go ahead and execute and sign this lease, but he wanted to bring it to you today for a couple of reasons: to provide an opportunity for Tom Dominguez, the County Extension Office Director to give an overview of the Extension education programs and activities within the County's Cooperative Extension Office, including the anticipated benefits of having office space in the Edgewood area, and also because this could lead to a request for continued funding in future years. Right now, there is sufficient budget in the Extension Office to pay for the lease for fiscal year 2024. With that –

TOM DOMINGUEZ (Extension Office Director): Thank you, Commissioners. I want to introduce my co-workers, Callie Butterfield, 4-H Ag, Paige Miles, 4-H SDS. We have Michelle Stizza, who also has just joined us here recently in the last year, family consumer science adult. She's doing some programming in the office today. We have two I can ideas in cooking and nutrition educators. One that serves up here in Santa Fe and Terri Werner who serves down in the Edgewood area as well.

So in the Edgewood office, this kind of just came about all of a sudden. We were looking to serve Edgewood. We go there on a pretty regular basis. Before the pandemic I received from grant money or some monies from the Land Use Department. We worked together on a community garden down at the Edgewood Senior Center. That really expose us or exposed the extension services and our educational services down in the Edgewood area and really caused an influx of clientele and constituents to come in to our office requesting information and help.

In the last, this past year, post-COVID, there were some rumblings as to why

didn't we have an office down there to better serve some of those folks. We have nine 4-H clubs, five of which are in that Edgewood area. Edgewood Soil & Water Conservation District serves a million acres, a little over 500,000 acres of that is in Santa Fe County. I go down to the Soil & Water Conservation board meetings there to over services and gain information from their issues and seeing how extension education can help address those. I also attend the Santa Fe/Pojoaque Soil and Water Conservation District meetings as well.

They had some office space, made it available to us. In fact we've been using it free of charge thus far. I met with Commissioner Bustamante about maybe getting a lease down there with Edgewood Soil & Water Conservation District. It just makes sense. We serve that clientele. I think the Fair Board has even had some meetings down there as well. We share the same clientele, the same services. We provide education to landowners there as well. There's been a big influx of small acreage landowners that come in wanting to know how they can be better stewards of the land, 4-H activities of course in the school in Edgewood down there as well, so we have a lot of activities going on all over the county. It just makes sense to have a place for them down there as well. Any questions?

CHAIR HUGHES: Any questions or comments from the Board?

COMMISSIONER BUSTAMANTE: I definitely have comments, and I want to thank you for being here. I know that we spoke a while ago, but I am so proud of what Edgewood does, and I think number-wise, even though there's just one less 4-H entity as far as that goes. Aren't most of our extension people in the Edgewood-Moriarty area? The Stanley area?

MR. DOMINGUEZ: Yes, Commissioner Bustamante. We'd say a majority, a little over half of our total 4-H volunteers, as well as our youth membership is down there.

COMMISSIONER BUSTAMANTE: Yes. So I'm glad you brought it here and I'm happy to see that you've brought some folks here. You mentioned who they were.

MR. DOMINGUEZ: I also brought some folders with a little bit of information. Nothing that needed to be reviewed before had, if I can pass those out. It's just fliers and newsletters. We do the master gardener program as well. We have over 300 volunteers there. We accumulate over 12,000 volunteer-hours in the county. Maybe some other time when I come with a little more time I can give the whole spiel. I can take you back to 1862 land grant and the 1914 Smith-Lever Act. There's a lot of history there in extension – extension education and legislation that's been passed and we've been here hundreds of years and we'll be there and we're serving the constituents of Santa Fe County. And I like to share all that good information with you all at some time.

COMMISSIONER BUSTAMANTE: Thank you for that. And when we go to the state fair and we run over to see what was grown in Santa Fe County and who had the biggest squash and the best tomatoes and the kids who had their 4-H signs, that has a little bit to do with some of your leadership in our 4-H groups, isn't it?

MR. DOMINGUEZ: That's correct. Our biggest event for sure is the County Fair. You can come out and see us then, first week of August. But we would like to spread the word and wave the flag. 4-H is must more than that. It's a lot of leadership

program, leadership building. We just took – there's a leadership activity three or four days down in Albuquerque. We took a van full of kids down there. So it's much more than that. It's much more than kids and cows, and I always like to say, we're not in the business of raising blue ribbon animals but we are in the business of raising blue ribbon kids. And certainly so seeing these kids grow up through the program is quite rewarding.

COMMISSIONER BUSTAMANTE: Thank you, Tom. 4-H kids do better in school. 4-H kids have more friends. 4-H kids learn a lot of responsibility earlier on.

MR. DOMINGUEZ: Absolutely.

COMMISSIONER BUSTAMANTE: Whether it's raining or not, you've got to go feed the animals.

MR. DOMINGUEZ: We'll teach financial management. We had a parliamentary procedure team as well that went to state contests, participated. They know how to conduct a meeting. They know how to talk to their – we also had a 4-H Day at the Roundhouse just a week or two ago. They'd get up there and they know how to talk to their representatives up there. So it's a great program. Absolutely.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR HUGHES: Thank you. I think Commissioner Hamilton was next.

COMMISSIONER HAMILTON: Thank you. My question has nothing to do with the wonderful work that you guys do. I'm looking forward to a day might retire and join the master gardeners program. But besides that, how would you plan to man the office? Are you going to ship somebody down there full time?

MR. DOMINGUEZ: Commissioner, that's something we'll be talking about for sure. Right now I go down there twice a week. 4-H goes down there twice a week or that's our plan. So, yes. We'll have a plan as to how to man that. That office has people in there all the time anyway. If we're not there, they're there to accept plant samples, soil samples, 4-H projects, things like that. So there's somebody there Monday through Friday for sure.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Tom. I want to thank you again for coming to our Coffee and Tea under the Trees last year. You were my kickoff speaker and I think it was a really good way to start the summer. I think that – I recognize how many children we have come up from Edgewood to Santa Fe and I recognize that by all the thank you notes that we get. And so I want to recognize all the children and their parents and everybody in 4-H who has helped them build good manners of sending thank you notes, kind of a lost art. So I think that it's really important that we support the 4-H in whatever ways we can. I think this is a good way to use that office space. \$500 a month is incredibly reasonable and I think the services we can provide and how we staff that office, we're looking to you and your team to do that and how people will be able to interact is very important. So we look forward to hearing about it in the future.

MR. DOMINGUEZ: Thank you, Commissioner Hansen. Coffee and Tea under the Trees was a great outreach for us as well, so we look forward to doing that with any of the Commissioners, doing some outreach with you all, educating folks on the extension and extension education. Sure.

CHAIR HUGHES: Commissioner Greene has a comment, I think.

COMMISSIONER GREENE: Just a quick thank you and

acknowledgement. I've always been impressed with how 4-H trains youth to sort of respect some of our agricultural and livestock roots. We hand kids tablets and cell phones but we don't remind them where we came from and this is one of the great ways to teach responsibility and respect for the land and respect for animals and we see it come back in spades, so thank you very much.

MR. DOMINGUEZ: Thank you, Commissioner Greene. We're very much into teaching the custom and culture of the area as well, especially to our youth. We partner with the Acequia Association, the Acequia Commission, all of those other agencies and non-profits. We like partnering with them as well to deliver the message.

COMMISSIONER HANSEN: Just a reminder, Mr. Chair, that Edgewood, on the edge of Santa Fe County, you are in the Northern Rio Grande National Heritage Area, and that we are installing signs and I was just in Washington, D.C. with the Alliance of National Heritage Areas where we recognized Senator Heinrich for all his work that he has done to support heritage areas throughout the United States with a very well attended event by all Alliance members from across the United States, and teaching 4-H is part of the heritage of our community and an important part.

MR. DOMINGUEZ: Commissioner, thank you.

CHAIR HUGHES: I'd like to make a comment before you make a motion which is just ditto to everything the other Commissioners said. Thank you all for your work and 4-H is very important and we certainly appreciate all the thank you notes we get after the County Fair from the kids and the pictures with their animals. It's very rewarding to us just to get the thank you notes but I'm sure that the kids get much more out of it. So thank you, and with that, Commissioner Bustamante, go ahead.

COMMISSIONER BUSTAMANTE: Mr. Chair, I'd like to make a motion to approve the execution of a lease between the ESWCD and the County for the County Extension Office for office space to better allow the County Extension Office to serve the agricultural and 4-H community in southern Santa Fe County.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: We have a motion from Commissioner Bustamante, a second from Commissioner Hamilton. Is there further discussion?

**The motion passed by unanimous [5-0] voice vote.**

**C. Resolution No. 2024-022, a Resolution Granting the County Manager Authority to Sign All Documents Necessary for the Acquisition of a 0.3915-Acre Parcel of Land Located at 2515 NM-14, Madrid, NM, Required for the Madrid Fire Suppression and Training Underground Water Tank Project**

CHAIR HUGHES: So that would be Scott Kaseman and Curt Temple to bring us up to speed on this. Welcome, Curt.

CURT TEMPLE (Public Works): Thank you, Chairman. Right now we are requesting the purchase of basically a third of an acre to place a 40,000-gallon water tank in. This is funding that we received for the Madrid Fire District. Originally it was going to go to putting in a water tank and running some lines down to the fire station but

with the escalation in costs that have happened over the last couple of years we did not have the money so the abandoned mines took over that project. They are going to complete that with the funding that they have and so with the funding that we had at the time we decided, after talking with Chief Black and the chief for Madrid that this would be an area that they could support putting this tank in for better fire service and having training facilities down there to pull the water from.

CHAIR HUGHES: Thank you. Are there questions?

COMMISSIONER HAMILTON: Mr. Chair, move to approve.

CHAIR HUGHES: Okay.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: We have a motion from Commissioner Hamilton, a second from Commissioner Bustamante. Any further discussion? Not seeing any.

**The motion passed by unanimous [5-0] voice vote.**

**6. D. Request Approval of Amendment No. 4 to Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366**

CHAIR HUGHES: We have – welcome back, Rachel and Valerie to explain that for us.

RACHEL BROWN (Deputy County Attorney): Thank you, Mr. Chair, Commissioners. We're before you today on a shorter matter than last time. This is amendment #4 to the Firefighters Association collective bargaining agreement. You may recall that in August of 2022 we put in place a new pay structure for this group which included percentage increases for firefighters who obtained some kind of EMS certification, and in particular significant increases for those who become paramedics. So for example a paramedic/firefighter receives almost 30 percent more in pay than a non-paramedic/firefighter.

The pay structure did not really leave much pay differential between the firefighters with their paramedic increase, and lieutenants and captains so that there was not significant financial impetus to move up in ranks. There was some and it has continued to happen but we committed to coming back and some point to address that compaction issue. And before you today is a proposal to increase the percentage that a lieutenant receives when they are a paramedic and to add a percentage that captains would receive if they are paramedics. Lieutenants would receive 8.2 percent and paramedic-captains would receive 5.7 percent on top of their hourly rate.

We have the support of the bargaining unit in moving this forward and stand for questions.

CHAIR HUGHES: Thank you. Any questions? We don't seem to have many questions today.

COMMISSIONER GREENE: Move to approve the amendment #4 to the collective bargaining agreement between Santa Fe County and the Santa Fe County Firefighters Association Local 4366.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: We have a motion from Commissioner Greene and a second from Commissioner Hamilton, who almost made the motion. Any other discussion?

**The motion passed by unanimous [5-0] voice vote.**

- E. Resolution No. 2024-023, a Resolution Authorizing Santa Fe County to Enter into a Grant Agreement with the New Mexico Environment Department (NMED) for the Purpose of Obtaining Project Subsidy Grant Funds in the Amount of \$459,000; Designating the Use of the Funds for the Purpose Defined in the Most Current Project Description Form as Approved by NMED; Declaring the Necessity for the Subsidy Grant Funds; Prescribing Other Details Concerning the Funds**

CHAIR HUGHES: Paul, go ahead.

PAUL CHOMAN (Utilities Director): Thank you, Commissioners. PFAS is a hot button issue these days and Santa Fe County has been pro-active in addressing it once it's been identified in our water systems in La Cienega and La Cieneguilla area. Commissioner Bustamante was a part of a meeting we had with the community last fall I believe. Very, very vocal about her support for us being responsible for the issue but at the same time responding to the need from the community. What I'm addressing today specifically is identified in the amendment is a resolution to enter into a grant agreement with NMED for \$459,000 grant which was initiated by Public Works and we're seeking your approval of that today.

The purpose of this project as defined would to – and I'm quoting here – “investigate, model and plan for PFAS and other emergent contaminants to understand the scope of the problem.” Acceptance of this grant, however, does not obligate Santa Fe County to complete any projects that are identified in the investigation of the contaminants. Today we're requesting approval of the resolution as you have before you authorizing the County to enter into the grant agreement with NMED for the purpose of obtaining the \$459,000 grant funds. There's no financial participation required of Santa Fe County. Any questions I can answer I'd be happy to.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: So what do we plan to do?

MR. CHOMAN: So two focus points at this point right now, we have hired Shelly Moeller as our point person on the communication side. She's putting together a list of FAQs – frequently asked questions and responses in both English and Spanish. I forget the number but it's a sizeable amount of questions. Every question is important. Many questions are redundant but we'll try and address as many as we can. Secondly, on the technical side we're approaching where we will be doing some modeling of some additional sampling. Not every well will be sampled. There's about a thousand, over a thousand wells in the communities that we addressed previously, but we're looking to hire a technical expert to do an analysis based on a grid if you will and decide where we need to do additional sampling as well as collecting data from the

samples already taken.

COMMISSIONER HANSEN: So, I was just at NACo and PFAS is a big topic there, mainly because it's all over the country in everything we wear and do say almost drink, and it is a big, serious issue. There was a number of good discussions and I sent our County Attorney some information from one of the attorneys that is also representing some of the lawsuits on PFAS. And I assure want to assure that when I was with Senator Ben Ray Lujan I asked him to please ask the National Guard to please do a townhall, as Commissioner Bustamante had asked me, and I think we need to continue to put pressure on the National Guard to be accessible and talking to the public because they are the ones who possibly have some responsibility in this problem.

MR. CHOMAN: Yes.

JEFF YOUNG (County Attorney): Thank you, Mr. Chair and Commissioner Hansen. Just on that point, so DOD is performing preliminary assessments and site inspections on a number of places across the country including this facility at the Army National Guard. So that's how they list the status of this particular assessment is in that stage, with their preliminary assessment and site inspections. And those – it's still – it's underway. It's in process and those can take two to three years to complete. And then they prioritize the cleanups using a circular process and that process involves a number of steps as well. So they're at the first phase of this, and this takes a number of years on the DOD side.

However, that's not to say that the County intends to coordinate with DOD and the City and other stakeholders, interested parties, to try to obtain as much grant funding as possible and avoid duplication of effort on that side.

Also to be said about the individual well testing as I think Paul was referencing there, it's going to be – individual testing will be a part of this planning and investigation stage, right? And it will be included in the scope of work to some extent but it's not an independent objective to go test every private well, because that would take a long time, but it is important that we test as many wells as possible and as necessary to do the modeling that the expert will do and conserve resources on other aspects of the project that will go into that. But really the goal in this particular grant is to identify the source and potential mitigation or remediation projects that go into that.

CHAIR HUGHES: Thank you. Other questions? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair and Paul and Jeff. Is the real source really attributed only to the National Guard facility or is it the National Guard facility at the airport as well? As I understand – I may be wrong – but I've heard that there were some training exercises done at the airport that are part of the problem.

COMMISSIONER BUSTAMANTE: Yes. Mr. Chair, if I may answer that. We don't have a specific – there are speculated sources. There are a lot of different potential locations, but there are those that have higher probability.

COMMISSIONER GREENE: Okay. And part of this would be the assessment of all of the above. Great. Thank you.

CHAIR HUGHES: Commissioner Hamilton.

COMMISSIONER HAMILTON: So when you mentioned identify the source, is this by directional hydrology? Or by like chemical fingerprinting? Or do we not have a plan for that?



MR. YOUNG: Mr. Chair and Commissioner Hamilton, I don't think we know exactly how the expert will model that, so that remains to be determined I think at this point.

COMMISSIONER HAMILTON: Thank you.

MR. CHOMAN: And Commissioner Greene, if I can answer your question. From what I've heard it was standard practice at airports, any fuel spill to throw PFAS containing fire retardant on that. So some of it may have been connected with the Air National Guard specific training at that facility as well as operations at the airport. That's yet to be determined the extent of it.

CHAIR HUGHES: Any further discussion?

COMMISSIONER BUSTAMANTE: Mr. Chair, is there anything specifically that you would want to call out that we certainly would not be able to do with this grant money?

MR. CHOMAN: As far as I know, all options are open to be determined by what's identified by the technical scope of work.

COMMISSIONER BUSTAMANTE: I want to be clear that we're saying that we wouldn't be in the position to do everyone's well by request and that we wouldn't be able to specifically address mitigation measures on personal wells. Is that correct? I want to make sure that that is clear.

MR. CHOMAN: Right now the plan is not to test individual wells, a thousand individual wells. The wells to be tested will be identified by the modeling expert.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR HUGHES: I think we need a motion to move this forward unless there's other questions.

COMMISSIONER BUSTAMANTE: So moved.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay, we have a motion by Commissioner Bustamante, seconded by Commissioner Hamilton.

**The motion passed by unanimous [5-0] voice vote.**

**F. Resolution No. 2024-024, a Resolution to Provide Signature Authority for the County Manager to Sign the NMED CWSRF Interim Grant Agreement EC 138, All Documents Necessary to Fulfill the Grant, and Disbursement Requests and Designating Project Contacts.**

CHAIR HUGHES: I think we have a related resolution on #F, which is to provide signature authority for the County Manager to sign the NMED CWSRF interim grant agreement. As I understand it, this is just related to the same issue.

MANAGER SHAFFER: Mr. Chair, Commissioners, that is correct, and as I understand it NMED requires a separate resolution specifically to address these topics. That's why they were broken out.

CHAIR HUGHES: Okay, would anyone care to make a motion on 6. F?

COMMISSIONER GREENE: Move to approve item 6. F, a resolution to

provide signature authority to the County Manager to sign the NMED CWSRF interim grant agreement, EC 138.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: Okay, we have a motion from Commissioner Greene, seconded by Commissioner Bustamante.

**The motion passed by unanimous [5-0] voice vote.**

**7. Presentations**

None were brought forward.

**8. Matters of Public Concern**

CHAIR HUGHES: Is there anyone in the audience here to speak to the Commission? And Daniel, do we have people online as well? I see we have one person in the audience. Sir, did you care to come forward to the microphone and make your comments to us? And if you can keep it to about three minutes.

CHRIS MECHELS: Mr. Chair, members of the Commission, this is what I hope you pay attention to because it really involves the public concern. My concern bringing you today is the way you're doing record handling to the further public down at the Clerk's Office. I maintain because of a recent event I had down there that they are in clear violation of IPRA, which is the information practices act in the state law.

I came up here because I requested some records which I've gotten from other clerks readily, and basically the part about when I came to get the records under IPRA, because they're in a database I could get them for free and I maintain that I should be able to hear and I got a round denial. They said if I wanted those records it would cost me \$157. She was dead wrong. The staff had never heard of IPRA. They hadn't even been advised of IPRA. This should be the staff – they must be advised. Otherwise they don't know how to treat the data or the customers who request it and what the rates are. Apparently they've never been trained on IPRA.

When I talked to the staff of the Clerk and she said that she was aware of IPRA but maintained it didn't apply to her. It certainly does. It's a state law.

So in my case, I just – after a couple of days of going back and forth they finally presented me with the records, for free, because that's the law, but if anybody else walks in that doesn't know about IPRA you have to pay 157 bucks. And where does that \$157 go? It goes right into a slush fund in the Clerk's Office, the records fund, which you folks have no particular oversight over. It's used to do things like buy pickup trucks for the Clerk. I suggest you really need to do some oversight of the Clerk's Office where you get on board with the IPRA Act because what she just did right there looks like clear larceny. And innocents are walking in – and most people are innocent about IPRA – and walk in and ask for some records that they're entitled to do for free, and they're told, What's IPRA? Cough up the money. They turn around and put the money right in their slush fund, which you folks aren't doing oversight on either. So they've got a big incentive to take that money and put it in their fund.

We have a problem there. I call it larceny. So please take a look at this. Your IPRA handling is not legal. Your Clerk doesn't want to deal with this because it's to her advantage not to, and the public interest needs to be served. When they walk in there with IRPA rights, they should have them. They shouldn't be required to cough up money which is illegal. [inaudible]

The whole staff needs to be trained. If I walk in there and say, I've got an IPRA request, they should say, yes. Instead they say, huh? You've got to do a lot better than this, folks. That's what the Commission is here for, right? It's to protect the interests of the public. I'll stop there and please, please, this is serious.

COMMISSIONER GREENE: Can you identify yourself, please, for the record.

MR. MECHELS: Oh, yes. I'm sorry. I'm Chris Mechels and I live in Tesuque and I've done a lot of IPRA work that required a lot of IPRA requests around the state. Our state, our County here is the worst I've been into on IPRA requests.

CHAIR HUGHES: Thank you very much for your comments. And, Daniel, do we have anybody on the line who wishes to comment?

DANIEL FRESQUEZ (Media Specialist): Mr. Chair, I don't see anybody online indicating that they'd like to speak.

MR. MECHELS: Thank you.

CHAIR HUGHES: Thank you. Is there anyone else in the room who would like to speak? Okay, not seeing any we'll close Matters of Public Concern.

**9. Matters from the County Manager**  
**A. Miscellaneous Updates**

MANAGER SHAFFER: Thank you, Mr. Chair and Commissioners. We have two updates. One, this is an initial effort to inform employers within the unincorporated area of Santa Fe County that the living wage required by County ordinance will increase on March 1, 2024 from \$14.03 an hour to \$14.60 per hour, in line with the CPI for the western region for urban wage earners and clerical workers. In addition, the tip living wage will likewise increase from \$4.21 an hour to \$4.36 an hour. So we'll be doing public outreach to alert employers in the unincorporated area of that pending increase.

Secondly, I did want to announce an upcoming public meeting relative to the County's hazard mitigation plan, and that will take place this Thursday, February 15<sup>th</sup> at 6:00 pm at Santa Fe County Fire Station 80 at 645 Old Las Vegas Highway. There are two more in-person public meetings that are scheduled in March, one in Pojoaque, and one south in the Edgewood area, and in addition, we will be having an all-virtual meeting, the details of which will be announced soon.

Finally, there is an option for members of the public to respond to a survey as well. For additional information you can contact the County's website or Fire Chief Jacob Black. But we do definitely encourage public participation in our hazard mitigation planning process. Those are the miscellaneous updates I have for the Board. Thank you, Mr. Chair.

CHAIR HUGHES: Thank you very much. Any questions from the Board

about any of that?

**9. B. First Session of the 56<sup>th</sup> Legislature: Updates and Potential Action to Express Support for or Opposition to Legislation that Has Been or May be Introduced [See page 23.]**

**10. Matters from County Commissioners and Other Elected Officials**

**A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations**

CHAIR HUGHES: We'll start with Commissioner Greene this time.

COMMISSIONER GREENE: Thank you, Mr. Chair and yes, it's exciting times over at the legislature. I really hope we close out strong and I'm looking forward to hearing about the projects that are going to be funded from Hvtce. I'll keep it short today because that seems to be the theme of the day.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Okay, well, I might not be so short. So as you all know, I just returned from Washington, DC where we had this great recognition of Senator Heinrich and then I had the opportunity to meet with staff of all of our congressional offices. Senator Ben Ray Lujan I met with in person. We had a lively discussion. Then I also met with Senator Heinrich's staff and Teresa Leger Fernandez' staff and I saw her for a few minutes. That was all very good.

Then at NACo, as president of Women of NACo I held a meeting and reception and Gwen Lachelt from Western Leaders Network presented on election security and her talk was very well received. There was about 150 women of NACo who attended. We had a competition of at least seven other events happening at exactly the same time, so everyone said we did really well. I would have liked to have seen a larger group but then that day also EELU, myself, Commissioner Greene, even though he wasn't there, Councilor Randall Ryti and Daniel Duran presented a proposed resolution to EELU to request the Department of Energy to develop a new grant program to assist in mitigating the impacts and stressors on county, municipal and tribal governments that surround DOE facilities. The DOE grant program could be modeled after the Department of Defense, Community infrastructure pilot program. That passed with flying colors out of EELU. It seems that all counties that surround DOE facilities don't think that DOE is doing enough for the constituents that live around the facilities. So Randall did a great job and he asked me to please stand up with him and we said a few words but we hardly had to say anything because it wasn't controversial.

Then Commissioner Darlene Vigil of Taos County and myself presented a resolution on the support of the West Act, which is part of the farm bill, and it is to help with mitigation of drought and to help with perennial production on farmlands. It would increase the pay from 75 to 85 percent and it has not been updated since 1985. So we did have to present it also in Agriculture because that is the committee that oversees the farm bill, and we did get it passed. It was a little more controversial than the other one. I didn't think it would be but different things happen but they both passed, so that was a big win

for us.

One of the things that I have tried to help with the Women of NACo understand is that NACo is a lobbying organization and the way you get them to lobby for you is to write resolutions so they will support your initiatives. In the seven years that I've participated in NACo I've written a number of resolutions. Somebody actually called me the queen of resolutions. I don't think I've written that many resolutions to make it into that category but I do try to get a resolution written every meeting because I think it's really important to promote our policies and it was a very good meeting. There was a lot of really good information presented on election security, on PFAS, on transportation, etc. So I'm very happy to be home. I'm a little tired since I left this morning from Washington, DC at 3:40, to be here with all of you because I didn't want to miss all of you. So thank you. That's really all I have to say at the moment.

CHAIR HUGHES: Thank you. I guess we'll go over to Commissioner Hamilton.

COMMISSIONER HAMILTON: I just want to wish everybody a happy first few days of the Year of the Dragon. Thank you.

CHAIR HUGHES: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: As well, happy Valentine's for those of you who practice. Just a few things. We do have on Thursday for those who would be interested at 6:00 in Los Cerrillos. There will be some finalization, some community input on the color of the stucco, lighting, etc., on the new community center, so that has been moved to Thursday. It was originally for tomorrow, so the purpose of this is to let people know that we didn't want to impede on anyone's Valentine's plans and it will be at 6:00 in Cerrillos.

The other thing, we are planning, with the La Cienega Valley Association, the National Guard and others, we have both Ben Ray Lujan and our congresswoman, Theresa Leger Fernandez for a townhall, and we're looking forward to working with the – as was stated earlier by Paul Choman, it's not the County's problem but we are being pro-active in what we can do to support our community members so the townhall was planned for the end of March and that date had to be moved as of this afternoon, because it was falling right on Easter weekend. So we're going to look for a different weekend.

And then with regard to the community of Galisteo, they are looking forward to the No Jake Brake signs that we approved recently, or actually noticed recently. They are concerned about the large trucks and what it's doing to the infrastructure on the older adobe buildings in the community. And that's pretty much all we have from District 3. So thank you.

CHAIR HUGHES: Thank you, Commissioner Bustamante, and back to Commissioner Hansen for one item.

COMMISSIONER HANSEN: I apologize, but Thursday is an overbooked day. There is the hazard mitigation. There's the electrical power line that's going across the Caja del Rio at the Santa Fe Community College starting at 4:00 pm with a poster session and then 5:00 to 7:00 with public comments and presentations from NNSA. When I was in DC I did also meet with NNSA Undersecretary and one of the other discussions that was happening at NACo is there seems to be this talk from the federal government to create federal transmission lines across certain places regarding national

security, which was a little disturbing.

And then the other thing that's happening on Thursday is there's a SWMA meeting, a Solid Waste Management Agency. Commissioner Bustamante just mentioned the meeting on Thursday. So I don't know. I haven't figured out how to manifest in the ten directions yet but I'm going to try to make it to as many of these meetings as possible. And also happy year of the wood dragon, which began on February 10<sup>th</sup>. Thank you.

CHAIR HUGHES: Thank you, Commissioner Hansen. Just a couple things from District 5, all of which relate to roads. Several residents of the Cedar Road area are trying to figure out how to get the County to adopt their road. We sent them the instructions which they found quite daunting, but they've also tried to create road associations to no avail. They can't get their neighbors interested after the fact. And so that is a problem. I think we're going to have to at realize that there are some roads in the county that are in very bad shape and the residents are having trouble taking care of them themselves, getting their neighbors to cooperate or figuring out how to get the County to adopt the road, which we know that's not easy either.

I also want to mention the Eldorado Community Improvement Association is planning on phasing out their Road Committee and just cooperating more with the County. As you probably know, the roads in Eldorado are already County roads, and so I think they felt their road committee was a little bit redundant.

And finally, on another road issue, Route 14, we would like to have a safety meeting but we're going to hold off until Maria Molina, our new Roads Director, has time to do the evaluation that she's working on, so I think that meeting will be moved up to March for the residents out on Route 14. And that's all to do with roads in District 5. So thank you, everybody.

**B. Elected Officials' Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations**

CHAIR HUGHES: Are there other elected officials who have something they would like to say at this time? Anything from the Clerk's Office? Any other officials? I don't see anybody in the room. Anybody online?

MR. FRESQUEZ: Mr. Chair, I do not see anybody online.

CHAIR HUGHES: Okay. Manager Shaffer, do we have our report on the legislation? Is that what's coming?

MANAGER SHAFFER: Mr. Chair, Commissioners, I believe that Mr. Miller was actually at the legislature attending a committee hearing relative to capital outlay. If my intel is right, he's on his way back, so I would suggest that we go into a brief executive session and hopefully by the time that we're concluded he will be back to wrap up.

CHAIR HUGHES: Okay. That sounds good.

**11. Matters from the County Attorney**

**A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**

- 1) In Re: Suboxone (Buprenorphine Hydrochloride and Naloxone) Antitrust Litigation, MDL No. 2445, United States District Court, Eastern District of Pennsylvania**

CHAIR HUGHES: Attorney Young.

MR. YOUNG: Thank you, Mr. Chair and Commissioners. I'd ask that we go into executive session to discuss threatened or pending litigation in which Santa Fe County is or may become a participant as allowed by Section 10-15-1(H)(7) NMSA 1978, including in re: Suboxone antitrust litigation, MDL No. 2445, United States District Court, Eastern District of Pennsylvania. And I think it will be a fairly short discussion. We'll be back in 15 minutes or so.

CHAIR HUGHES: All right. And then we'll come back here afterwards since we have an item left. So is there a motion to go into executive session.

COMMISSIONER GREENE: I move to go into an executive session to discuss the matters from the County Attorney as described.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay, we have a motion from Commissioner Greene, seconded by Commissioner Hamilton. We need a roll call.

**The motion to go into executive session passed by unanimous roll call vote as follows:**

|                         |     |
|-------------------------|-----|
| Commissioner Bustamante | Aye |
| Commissioner Greene     | Aye |
| Commissioner Hamilton   | Aye |
| Commissioner Hughes     | Aye |
| Commissioner Hansen     | Aye |

[The Commission met in executive session from 3:20 to 3:35.]

CHAIR HUGHES: Okay. We're back. We need a motion to come out of executive session.

COMMISSIONER HAMILTON: Mr. Chair, I move we come out of executive session and indicate the only thing we discussed were those things that were listed in the motion to go into executive session and no decisions were made.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: Okay, we have a motion and a second. The motion was by Commissioner Hamilton, seconded by Commissioner Bustamante.

**The motion passed by unanimous [5-0] voice vote.**

**9. B. First Session of the 56<sup>th</sup> Legislature: Updates and Potential Action to Express Support for or Opposition to Legislation that Has Been or May be Introduced**

CHAIR HUGHES: Go ahead, Hvtce.

HVTCE MILLER (County Manager's Office): Good afternoon, Mr. Chair, Commissioners. Feels a lot better being back at a podium and not sitting down. Sorry I was late. I just came back from the capitol and was there listening to the capital outlay bill, which was in Senate Finance. I'm trying to get a copy from our other two contract lobbyists so that we can start filtering through and combing through what are our Santa Fe County projects right now. So unfortunately, I don't have a definitive number, but I'm going to blame it on them because they made me wait so long into the session, to the second to the last day to get the capital outlay through.

So with that being said, hopefully I'll be able to get a copy sometime this afternoon from our lobbyists or I'll run back over there now and start going through it and let you know by this evening what it looks like for our projects for Santa Fe County.

So it was just yesterday that the budget got passed through so it cleared up a lot of room for everything that needs to be passed as well that's tied to the budget so truth be told, there isn't a whole lot of movement that's been made as far as the initiatives that were outlined at the beginning of the session but I can also provide you this afternoon an outline of what it looks like right now as far as everything that's passed both houses but even now, from current time right now to later this evening it's going to be a lot of what's actually passed through both houses because everything's in hyper-speed right now because the budget's been passed and you know whether or not your money's been allocated and if it's really needing that last step for the legislative language to clear as well.

I can talk a little bit about the tax package, which has also passed just yesterday and fortunately, there was some good measures in there regarding environmental measures for solar credits, for EVs – electric vehicles, and there's also different components within the House budget right now, setting up different funding mechanisms for future environmental measures that the state is looking towards.

But if there's any particular questions that you have right now on any other pieces



of legislation I'll be happy to answer any of your questions.

CHAIR HUGHES: Okay. I'm sure we all be looking forward to hearing about the capital outlay when you get the information. Any questions from the Board? Not seeing any questions – this has been the meeting with no questions. So thank you very much and we'll look forward to hearing all the details once all the i's are dotted and the t's are crossed.

MR. MILLER: Yes, Mr. Chair. I'll make sure to make contact with you this evening about the capital outlay bill.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: So will you send us the whole entire list of capital outlay for the county including what the city acequias and everybody got. I know you're going to sort out ours but it's always interesting to see the competition.

MR. MILLER: Mr. Chair, Commissioner Hansen, I sure will send out the whole list, but the way it is right now it's in the draft – it's in the bill form so it's by state agency, so you have to look through the Department of Transportation, DFA, Aging and Long-Term Services. So wherever our particular project might have fallen we have to go through there and make sure that we do pick it out from the bill itself. But I'll make sure and highlight everything –

COMMISSIONER HANSEN: This is a much bigger undertaking than I –

COMMISSIONER GREENE: There's a trick to that, if I may.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: There's a trick to that. If you send us the whole bill. If you, Commissioner Hansen, look do a word search, if you string the three words "Santa Fe County" you'll get things that are in different jurisdictions. It's not necessarily our project but you'll get a list of those. So if it's a DOT project but it happens to be in Santa Fe County, you'll get that. If it happens to be a Santa Fe County project in Santa Fe County, obviously, that will pop up as well.

So has it gone through the House Appropriations Committee already? Or – and now it's at the Senate finally? Because I had heard it was going to the House first.

MR. MILLER: Mr. Chair, Commissioner Greene, it's actually coming from the Senate side.

COMMISSIONER GREENE: First.

MR. MILLER: Yes.

COMMISSIONER GREENE: All right.

CHAIR HUGHES: Any other questions, comments. Thank you, Hvtce.

MR. MILLER: Thank you.

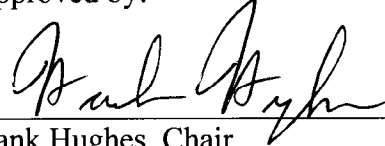
CHAIR HUGHES: We look forward to lots of good news in the capital outlay bill.

- 12. Concluding Business**  
**A. Announcements**  
**B. Adjournment**

Upon motion and second, and with no further business to come before this body,

Chair Hughes declared this meeting adjourned at 3:42 p.m.

Approved by:

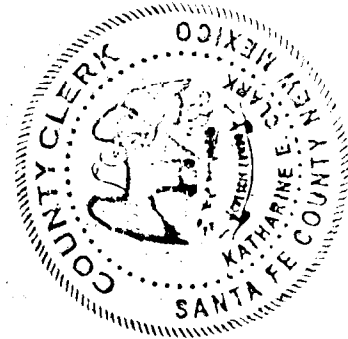


Hank Hughes, Chair  
Board of County Commissioners

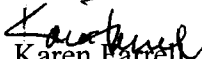
ATTEST TO:

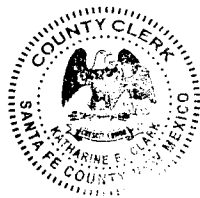


KATHARINE E. CLARK  
SANTA FE COUNTY CLERK



Respectfully submitted:

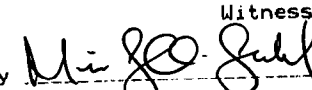
  
Karen Farrell, Wordswork  
453 Cerrillos Road  
Santa Fe, NM 87501



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC MINUTES  
PAGES: 26

I Hereby Certify That This Instrument Was Filed for  
Record On The 13TH Day Of March, 2024 at 11:27:28 AM  
And Was Duly Recorded as Instrument # 2029779  
Of The Records Of Santa Fe County

Deputy  County Clerk, Santa Fe, NM  
Witness My Hand And Seal Of Office  
Katharine E. Clark  
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 03/13/2024