

1. 凡在本行開辦之各項業務，均應遵守本行所定之各項規章，並應遵守國家及地方有關之法律、法規、行政命令及政策。

Danny Mayfield, Chair - District 1
Robert Anaya, Vice Chair - District 3
Miguel Chavez - District 2
Kathy Holian - District 4
Liz Stefanics - District 5



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Deputy Marcella [Signature] Witness My Hand And Seal Of Office
County Clerk, Santa Fe, NM Geraldine Salazar

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

November 25, 2014

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:25 p.m. by Chair Danny Mayfield in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner Danny Mayfield, Chair
Commissioner Robert Anaya
Commissioner, Kathy Holian
Commissioner Miguel Chavez
Commissioner Liz Stefanics

Members Excused:

None

- C. Pledge of Allegiance**
- D. State Pledge**
- E. Moment of Reflection**

The Pledge of Allegiance was led by Anthony Lovato, the State Pledge by Lori Armijo and the Moment of Reflection by Orlando Romero of the Treasurer's Office. There was a moment of silence for Sheriff's Deputy Brandon Trujillo.

- F. Approval of Agenda**
 - 1. Amendments**
 - 2. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Mr. Chair, Commissioners, we have a couple of amendments to the agenda that was published last Tuesday. First of all, on page 5, item V. B. 2 was added, an update on the sale of the Top of the World farm property. Also item VI. A. 1, threatened or pending litigation was tabled; that's not

needed. Also VI. A. 3, deliberations in connection with administrative adjudicatory proceedings was also added. Additionally, there is a request to move the item presentations on page 5, item V. V. 3, Corrections Advisory Committee meeting biannual report up on the agenda. I would suggest that we do that after the Consent Agenda.

CHAIR MAYFIELD: Thank you, Ms. Miller, and just on Presentations, I know Commissioner Anaya is on his way, but if he needs to move up acknowledgements and congratulations to Capital High School I'll just kind of take that when needed. Item 3 also. And then Ms. Miller, there was one item I believe, one item on Consent but I can discuss that and if it takes a little longer then we'll just move that on. Thank you, Commissioners. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Ms. Miller, this deliberation on the Heather McCrea vacation of easement is also on our Consent, so –

MS. MILLER: Mr. Chair, Commissioner Chavez, there are actually two different cases. There's one, the final order is for an easement dealing with a pipeline right of way and tank site easement and the other one that is under executive session was an easement that went through I think their personal property and actually was in part of their home. So there are two different cases.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Thank you.

CHAIR MAYFIELD: And thank you, Ms. Miller and Commissioner Chavez for that. Those are the ones that I was going to ask that we could have a little discussion on. So if we go into item VI. 3 into executive do we still have the opportunity to come out and afford public comment on that and some public discussion?

MS. MILLER: Mr. Chair, on that particular item I do not believe that one was on here for a vote. If you recall, that particular item actually had action taken by the Board but we have not approved the final order. My understanding is that there are some items to discuss with the Commission in executive session but it's not listed on the agenda for a vote today.

CHAIR MAYFIELD: Thank you. Then if there are any members of the public wishing to talk on that case under Public Comment I'll just afford them that opportunity. Thank you, Commissioners.

COMMISSIONER STEFANICS: Mr. Chair, if you're ready, I'll move approval of the agenda as amended.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: Thank you. We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]

I. G. Approval of Minutes

1. Approval of October 14, 2014 Special BCC Meeting Minutes

COMMISSIONER STEFANICS: Mr. Chair, I'll move for approval of the October 14 special BCC meeting minutes.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Motion and a second. Seeing no discussion.

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]

I. G. 2. Approval of October 14, 2014 BCC Meeting Minutes

COMMISSIONER HOLIAN: Mr. Chair, I'll move for approval of the October 14, 2014 BCC meeting minutes.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: Motion and a second. Seeing no discussion.

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]

3. Approval of October 20, 2014 Joint City/County Meeting Minutes

COMMISSIONER CHAVEZ: I'll make a motion to approve the minutes of the joint Santa Fe City/County governing boards October 20, 2014.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]

4. Approval of October 28, 2014 BCC Meeting Minutes

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: I'll move for approval of the minutes of the October 28, 2014 BCC meeting.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]

CHAIR MAYFIELD: Ms. Miller, or even Clerk Salazar, we recently undertook our Canvassing Board meetings. When and if – do those meeting minutes come to us for approval? Have they in the past? I know there was some discussion of the Commission's function as a Canvassing Board. I'm just trying to see in memory if we've ever approved those meeting minutes in the past and if not, so be it, as long as it's

afforded by law, but in the future how do we go about approving those meeting minutes?

GERALDINE SALAZAR (County Clerk): I'll follow up on that.

CHAIR MAYFIELD: Thank you so much.

I. H. Employee Recognition

1. Introduction of New Employees

MS. MILLER: Mr. Chair, Commissioners, thank you. I just want to point out that we have a few new employees. I'll just read off their names. None of them are present for the meeting but in Public Works we have a new Adopt-a-Road Coordinator, Louie Romero. In our Legal Office, I believe you were introduced to her last month because it was about her first day, Andrea Salazar. Also in Community Services, Anna Bransford and Kyra Ryan were also introduced at the last meeting but I just want to mention them as new employees as well. The in the Public Safety Department we have two new detention officers, Javier Blea and Jersen Varela. Also a nurse practitioner, Karen Lee. And in Utilities we have a Utilities Maintenance Worker, Juan Riboni-Mejia, I believe. And then also in the County Clerk's Office, a new voter information specialist, Rejeana Mascarenas. So those are our new employees that started or were hired in October.

2. Recognition of Years of Service for Santa Fe County Employees

MS. MILLER: On to the years of service. As you know, we recognize County employees that are hitting their five, ten, fifteen, twenty or twenty-five year anniversary this past – for the month of December. We have four employees that will hit one of those marks. In Public Works, a senior sign technician, Emiliano Mendoza. In Corrections, one of the YDP assistant shift supervisors has her ten-year anniversary, Melodie Montoya Wiuff. And in the Sheriff's Department, secretary Yvonne Delgado has her 15-year anniversary on December 6th, and Sheriff's lieutenant in the Sheriff's Department, Gabriel Gonzales, also will hit his 15-year anniversary on December 6th as well. So I just want to comment that we really appreciate their dedication to Santa Fe County and their years of service.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would like to echo Ms. Miller's comments regarding those County employees who decide to stay with us, to offer their services, improve their skills with us and offer their services. It's very commendable and we truly appreciate it. Thank you very much.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I'll try to expand on this. So there are four employees with a total, the four of them, their years of service total 45 years. So I think that says to me that the County's a place – it's more than a job; it's a career and I hope that for most of the departments and the employees that's the approach. I think that the

dedication demonstrates that and to the new employees coming on board, it's encouraging I hope for the new employees to see the career path that's available to County employees. And I know that the County also provides training for many of their employees, which helps to increase your toolset and be able to provide better services if at all possible to our citizens. So I just want to comment those that are committed and dedicated to the County. It always helps us do our job. So thank you.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I echo every comment of my colleagues and would say as an individual that worked in this fine institution it's the best governmental entity I ever worked in and greatly respect your efforts day in and day out. Thank you very much, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I also want to add my thanks to the employees who have spent so many years here and I have to say that I learn a lot from you too, so thank you very much for that.

CHAIR MAYFIELD: Thank you. And I'll also just like to share the same sentiment. I think Santa Fe County is very fortunate as a whole to have the fine employees and friends that we have working for Santa Fe County government. You all are what makes it possible for our County to be successful and for its future success. So thank you for all your work efforts and just your personal efforts. You put a lot of your own personal time into this. So thank you also. Ms. Miller.

I. H. 3. Recognition of Santa Fe County Employee of the Quarter, 3rd Quarter Award

MS. MILLER: Mr. Chair, Commissioners, so that brings us to another way that we like to recognize the efforts of the County employees and County staff that really go above and beyond in their jobs, not just their years of service but what they do with that time that they're here. So as you know, we started a relatively new way of recognizing employees of the quarter. We broke that down into different groups that actually nominate individuals and then out of those individuals a secret committee selects the top one for the quarter.

So in your packet we have the list of individuals who were nominated by the departments for the third quarter awards for employee of the quarter. As I said, the purpose of the employee of the quarter program is to recognize employees who make a significant contribution to Santa Fe County during the previous three-month period. So this will be the third quarter of the calendar year, so this was through September 30th of this calendar year. The significant contribution may include providing excellent service to customers, developing and implementing new programs, which will benefit the overall organization, for providing exemplary performance to Santa Fe County in their daily job performance, for demonstrating a willingness to work above and beyond the call of duty, or another contribution which the nominator believes to be – from the departments or the elected offices.

Each recognition team selects one either department or elected office employee of

the quarter for their team. The six departments of the quarter are automatically considered for the Countywide employee of the quarter process. So from the different six groups, I'd like to say that from the Public Safety group, Victoria DeVargas, who is our fire protection specialist I. Her hire date was October 12, 2005. Victoria displays significant technical knowledge of the fire code as well as great interpersonal skills, humor, tact, and diplomacy. She's very instrumental enhancing public safety efforts throughout Santa Fe County.

In the Community Services group, the employee nominee is Donna Dean. She's a housing specialist. She's been with the County for several years, since July 6, 1996. Donna recently took on extra work tasks to ensure the Housing Department continued to meet work deadlines and goals. Donna accepted this extra work and completed it with attention to detail and a great attitude. Donna consistently provides excellent customer service.

In the Sheriff's Department, Ronald Crow, a sergeant. He's been with the County since October 12, 2004. Sgt. Crow recently assisted in a very difficult investigation. His training and experience assisted in a verdict which saved the County and the public a great amount of money. His professionalism is a great reflection on Santa Fe County.

Support Services, Sonya Quintana, an HR analyst. She's been with the County since December 30, 2013. Although Sonya is fairly new to Santa Fe County she has a tremendous amount of experience, expertise and education in the field of HR. She has implemented many great programs for Santa Fe County and her energetic and positive attitude has been greatly appreciated by all County employees. During this quarter she did a tremendous job of organizing and managing the Commit to be Fit health challenge with great success.

In the elected offices, Jessica Ulibarri, chief appraiser. She's been with the County since September 18, 2000. Jessica recently assumed additional supervisory duty duties during one of the busiest years and did so without hesitation or complaint. Jessica continues to move her employees forward in a positive and professional manner. She's a great employee and her accomplishments have truly enhanced the Assessor's Office.

And the sixth and final nominee from Public Works, Axel Hernandez, heavy equipment operator, and he's been with the County since September 14, 2009. Axel was counted on to work during the summer flooding period and did so day and night and on weekends without hesitation. Axel displays consistent excellence in job duties whether it is grading the road, raking a bar ditch or providing customer service to the public.

So regardless of which one actually gets the employee of the quarter, we had six really excellent employees that did a great job during that period as I believe they do all year round but their fellow workers, supervisors, really recognized their efforts during the third quarter of 2014 so I'd like to give them a round of applause before I tell you who the final one is.

And then my understanding that the committee – just so you know, we select a committee, I select a committee that doesn't have one of the nominees. So there's three employees from departments that do not have one of the nominees of the six nominees so they'll have an objective process for the final winner of the quarter and the winner this quarter for the third quarter is Sonya Quintana from HR. So with that, Mr. Chair, I believe you also have the individual award and we have certificates for everybody.

CHAIR MAYFIELD: Ms. Quintana. Congratulations. I thought this was my award. So thank you. Please come on up. Also Ms. Duran, if you can to say a few words really quick.

ANDRIA DURAN (Acting HR Director): Mr. Chair, Commissioners, I am proud and honored that Ms. Quintana was chosen for this award. She's been here for almost a year but in the short time she's been here she has done a great job and I think, as Commissioner Chavez stated, training is really important with Santa Fe County and she has revamped our training program. She has brought a huge percentage of employees up to date with their training. She's gone out to all the different fire districts and fire stations and brought them up to date with their training, which I think is a huge accomplishment.

I know that I can always rely on her. If we need to get something done she gets it done almost immediately. She's a huge asset to the Human Resources Division. With the Commit to be Fit Challenge it was that. It was a challenge. It is hard to get employees signed up to something. We know that employees are busy throughout the day so it's really important that we get them involved in a program like this. She was able to get 122 employees signed up with over 20 teams. So to keep that many employees engaged for over 10 weeks is a really good job well done and she did a great job and I think that this got employees in the mind of they need to think about nutrition and health, be healthy and be fit and I think that's really important for Santa Fe County employees. So I just want to congratulate Ms. Quintana.

SONYA QUINTANA (HR Department): Mr. Chair, Commissioners, I just have a few things to say. I haven't been with the County for very long and I'm nervous, so I apologize for that. But I feel really grateful to be receiving this award, especially with so many great employees that work for Santa Fe County. In my year here, when I came on, it was really important for me to work with my bosses to implement initiatives from our County Manager that made sure that our employees knew that they were valued. And that was the message that I heard over and over and over. We want employees to feel valued. We want them to know that they're valued.

So I feel very thankful to be a Santa Fe County employee and I'm very grateful for this award. Thank you.

CHAIR MAYFIELD: Thank you, Ms. Quintana. Well said. Commissioner Chavez.

COMMISSIONER CHAVEZ: We often talk about leading by example and we've used that statement in one area, in the area of solarizing our fire stations. I think this is just as important as solarizing our fire stations because without a healthy, well trained workforce that's provided a positive work environment you can't do anything. So just congratulations again to staff for all your work and your dedication, and I think this is another way that we could lead by example.

CHAIR MAYFIELD: Commissioners? Commissioner Anaya.

COMMISSIONER ANAYA: Sonya, congratulations on receiving the award and one of the common themes with every one of our employees of the quarter and even the nominees is the fact that you always are quick to thank those around you and defer thanks to yourselves and I think that's an example in itself of your work ethic and your desire to work as a team with the rest of the whole County staff in the interest of the community and the County. So I thank you very much for that and those continued

efforts. And I would just also echo to once again say special thanks and gratitude from this Commission to Victoria DeVargas, Donna Dean, Ronald Crow and Jessica Ulibarri and Axel Hernandez for your continued work and efforts And the people around you nominating you based on those efforts. So thanks, Sonya, and congratulations for your work and service to the County.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'd like to also congratulate all the quarter's nominees, but I had the opportunity to come to the awards presentations for the Commit to be Fit, and the excitement among the teams to see who had the number of points carried over to the enthusiasm you passed on to everyone to get involved. It might have been other people's ideas but it really stems from the people who are organizing. And for every employee here at Santa Fe County who participated, I thank you. Because you had to commit and you had to participate for the length of time in order to get the points and that was a great deal of commitment.

CHAIR MAYFIELD: Thanks. Commissioner.

COMMISSIONER HOLIAN: I also want to echo the thanks and the congratulations to all of you who were nominated. I think it's really a great honor to be nominated by your peers for your performance. But of course a special congratulations to you, Sonya. You've really made a big difference in people's lives who work for this County and therefore you've made a big difference in everybody's lives, everybody who lives in our community. So thank you so much and congratulations again.

CHAIR MAYFIELD: Again, I would just like to echo to all of our nominees, congratulations to all of you. You do a fine job. Ms. Quintana, thank you for all your efforts you put forward for this much deserved award. Hopefully we can get a picture with you if you don't mind. Thank you.

MS. MILLER: So, Mr. Chair, if I could get all of the nominees, Victoria DeVargas, Donna Dean, Ronald Crow – because I have certificates and a letter awarding you two hours of admin leave, so you definitely want to come get that. And Sonya, Jessica and Axel, come forward. I have certificates for you, a letter for you and also for Sonya we have a little award.

[Photographs were taken.]

II. CONSENT AGENDA

A. Final Orders

1. BCC CASE # PCEV 14-5320 Brain & Susanne Carlson Vacation of Easement. Brian and Susanne Carlson, Applicant, (Sommer, Karnes & Associates, LLP) Joseph Karnes, Agent, Request Approval to Vacate a Platted Forty-Seven-Foot (47') Wide Private Open Space and Drainage Easement on one lot Totaling 2.55 Acres. The Property is Located at 7 Hasta Mañana, Within Section 5, Township 17 North, Range 9 East, (Commission District 2) (Approved 5-0) Miguel "Mike" Romero, Case Manager
2. CDRC CASE # V 14-5240 Julie Lopez Variance. Julie Lopez,

- Applicant, Michael Sandrin, Agent, Requests a Variance of Article 4, Section 4.2 Of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to Allow A Driveway Within a Flood Hazard Area. The Property is Located at 12 Calle Dos Puentes, within the Vicinity of Chimayo, Within Section 2, Township 20 North, Range 9 East, (Commission District 1) (Approved 5-0) John Lovato, Case Manager.
3. **CDRC CASE #APP 14-5031 Maurilio & Amanda Calderon Appeal.** Maurilio and Amanda Calderon, Applicants, are appealing the County Development Review Committee's decision to deny a Request for a Home Occupation Business Registration Allowing a Welding Business Located on 2.48 Acres. The Property is Located at 8 Ernesto Road, off of Rabbit Road, Within Section 10, Township 16 North, Range 10 East, (Commission District 4) (Approved 3-1) John M. Salazar, Case Manager
 4. **CDRC CASE #APP 14-5041 Michael Velarde Appeal.** Michael Velarde, Applicant, is appealing the County Development Review's Decision to Approve a Home Occupation Business Registration for a pet Crematorium on 2.5 Acres. The Property is Located at 40 Vista del Monte, Within the Valle Lindo Subdivision, Within Section 25, Township 16 North, Range 8 East, (Commission District 5) (Approved 3-1) John M. Salazar, Case Manager
 5. **BCC CASE # PCEV 14-5110 Heather McCrea Vacation of Easement.** Heather McCrea, Applicant, Santa Fe County, Agent, Request Approval to Vacate a Platted Twenty-Foot (20') Wide Pipeline Right of Way Easement and Tank Site Easement on Two Lots Totaling 8.80 Acres. The Easement will be Relocated On-site. The Property is Located in the Traditional Community of Chupadero at 448AB N.M. 592, Within Section 5, Township 18 North, Range 10 East, (Commission District 1) (Approved 4-0) Miguel "Mike" Romero, Case Manager
 6. **CDRC CASE # V 14-5150 Lorenzo Atencio Variance.** Lorenzo Atencio, Applicant, Requested a Variance of Ordinance No. 2008-5 (Pojoaque Valley Traditional Community District), § 12.5 (Density Standards) to Allow a Land Division of 1.45 Acres Into Two Lots. The Property is Located At 10 Frances Lane, within the Traditional Community of Pojoaque, within Section 7, Township 19 North, Range 9 East, (Commission District 1) (Denied 5-0) John Lovato, Case Manager

COMMISSIONER STEFANICS: So, Mr. Chair, you have questions on 3,

4, and 5. Which item are you here for? I'm assuming 5. So I have a couple questions. If you let me ask my questions first and then we'll go to – thank you, Mr. MacCreight. So really quick, Commissioners, on item 3, or staff, this is saying that it was approved 3-1 but if I recall, and the way I'm reading this approval, it's on the decision to deny, but the Commission approved that welding shop, did we not? I'm I just not understanding the title right? And just for our listening audience, this is CDRC Case #APP 14-5031. We can get back to that if staff has to get the answers. But again, my question is, I believe that the Commission did approve that and I want to make sure this final order is reflecting that because the way I read it it looks like we're approving the denial.

And then I have the same question for CDRC Case #APP 14-5041, the Michael Velarde Appeal.

JOHN MICHAEL SALAZAR (Land Use Department): The Commission did approve the Maurilio Calderon Appeal. CDRC Case #APP 14-5031.

CHAIR MAYFIELD: Let me ask this of our County Attorney. Am I reading it wrong? It looks like we're approving the denial based on the caption. Or am I just reading that incorrectly?

GREG SHAFFER (County Attorney): Mr. Chair, I believe it comes from the fact that in approving you're granting the appeal. So what was being appealed from was a denial, and so you granted the appeal and allowed the requested home occupation to go forward, and I think that's clearly reflected in the proposed final order.

CHAIR MAYFIELD: Thank you, Mr. Shaffer. I appreciate that clarification. Thank you. And then also on the APP 14-5041, Michael Velarde, I think – that's the same thing. We denied that crematorium, correct? We're approving that denial of that crematorium.

MR. SALAZAR: Mr. Chair, that's correct.

CHAIR MAYFIELD: Okay. Same thing. Thank you. And then on I guess BCC Case #PCEV 14-5110, my question if I can, and Mr. Shaffer, tell me if I can or if I can't. It's no secret I'm leaving office pretty soon. I just want to know what the status is with this easement as far as getting the Chupadero area the water system, and I don't know if we have that noticed to ask that question, but I wouldn't mind an update from staff before we do final action on this vacation of easement. And I can wait on that staff answer and Mr. MacCreight, do you want to talk on that? And sir, if it will be over five minutes we're going to table this down.

JAMES MACCREIGHT: I'll keep it under that, sir.

CHAIR MAYFIELD: Thank you.

MR. MACCREIGHT: In regards to this easement and we donated some land and things to the County for – this regarding is regarding the Chupadero Water Association, just to refresh your memory, Mr. Chair. It's my understanding that Karen Torres has now left the County. I never verified that and she was pretty much handling this in order for it to go forward. Just to make note, the County Commission had voted to take over the water system from the Chupadero Water Association and it seems like things are hitting walls. So I just want to make mention of it and maybe you can redirect someone to initiate some kind of action so that they can continue forward with whatever study they're doing in order to complete this acquisition.

CHAIR MAYFIELD: Thank you. And that's going to be my question of

staff. I want to see what this vacation of easement, where we are with the community water system. I thought this was a component of getting a viable water system to that area. So, Mr. Leigland, if you have those answers I would appreciate it, appreciate you letting me one of the last people to put on the spot here at Santa Fe County Chambers.

ADAM LEIGLAND (Public Works Director): Mr. Chair, I guess the honor is mine. I'm sorry. I was out of the room; I didn't hear the questions.

CHAIR MAYFIELD: So we have a vacation of the easement up in the Chupadero I guess for I guess on some of Mr. MacCreight's land, and this, as I understood, was components necessary to get the water system the County's taking over in that area.

MR. LEIGLAND: Mr. Chair, that is correct. So as we did our due diligence of the Chupadero system we realized that some of the easements for the waterline, the infrastructure was lacking, which we are actually actively engaged in rectifying, and that the tanks, their main tanks, were not on their proper easement. So one of the things we asked the water system to resolve was getting the easement – getting the tanks on a proper easement. So that is one of the conditions we put upon the system.

Now, strictly speaking, the vacation of easement is not necessary. All we are asking is that the tanks be on an easement. So the existing easement can still persist as long as the tanks are on an easement. Now, it makes sense to transfer the easements. Now, there is also a road up to the tanks that needs to be cleaned up, but that is correct. These easements are tied in in some fashion with our acquisition of the Chupadero systems.

COMMISSIONER CHAVEZ: So, Mr. Chair.

CHAIR MAYFIELD: Yes, please, Commissioner.

COMMISSIONER CHAVEZ: So for my clarification, Adam, reading the caption then, the easement that's more critical is the easement for the two lots totaling 8.8 acres, right? That's where the future tanks will be situated.

MR. LEIGLAND: No, Mr. Chair, Commissioner Chavez, no. The tanks are existing. They are on a – they're above the fire station, on that hill behind the fire station, at the state highway. They're near the County fire station and then above that is the tanks. So the tanks exist and there was an easement granted to those tanks at some point in the past but when the tanks were actually constructed they were not built where the easement was platted.

COMMISSIONER CHAVEZ: But they will be staying where they are.

MR. LEIGLAND: Those tanks are part of the infrastructure of the system. So what we just asked is that the easement be relocated, if you will, to where the tanks actually are.

COMMISSIONER CHAVEZ: Got it. So how does that correlate then with the pipeline right-of-way easement?

MR. LEIGLAND: Well, Mr. Chair, Commissioner Chavez, the pipeline goes up to those tanks and so there's a small easement that comes from the road up to those two tanks. And so in the early 70s I believe is when that easement was platted and then for whatever reason the actual infrastructure did not conform to that easement. So we just asked for that to be cleaned up.

COMMISSIONER CHAVEZ: That helps. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, and thank you, Mr. Leigland. And again, this easement will be still belongs to the MacCreights. Just with Santa Fe County having full access and anybody needing to get to those tanks in an official capacity.

MR. LEIGLAND: Mr. Chair, the easement will go from Mr. MacCreight to the Chupadero water system. Then afterwards all the assets of the Chupadero water system, including any property interests such as easements will be transferred to the County.

CHAIR MAYFIELD: And if I can, Mr. Shaffer, how far away are we from this coming to inception?

MR. LEIGLAND: Well, Mr. Chair, this easement is the very last question, and so we – for all the easements that were on County property, because the system's waterlines were along County roads and there weren't easements, we're assisting the mutual domestic to acquire those. So those are in progress. This was related to that drainage analysis we did as the same effort. And this will be second piece. So it really depends on this cleanup of the easement issue.

CHAIR MAYFIELD: And once this is done it should be very timely.

MR. LEIGLAND: Very timely, yes. There's a purchase agreement that will come before the Commission. That purchase agreement has largely been negotiated and that was when this issue came to light, so it's very close.

CHAIR MAYFIELD: Thank you, Mr. Leigland, for dealing with this. Mr. MacCreight.

MR. MACCREIGHT: Commissioner Mayfield, Commissioners, I appreciate Mr. Leigland. He's always showed up for appointments on time and he's been very direct. He's a person of integrity. The recent issue though and it's been a while so I'd like to refresh your memory. What it is is that there is a current tank, that tank that is on the current location. We're giving you an easement because they had misplaced when they put it on there. But for any futuristic tanks – I've had an engineer up there; it's not stable. It's on the edge of a drop-off. We have offered two different sites that would accommodate the County for free, and those sites would offer gravity fed distribution from two different sites but we've never gotten a response from Land Use and while these offers are open to you I suggest that someone take advantage of it.

So again, there's two sites and if you're talking about a 55,000-gallon tank which is what we were originally told there's not too many people that are volunteering to do that and also inserting a well.

CHAIR MAYFIELD: Fair enough. So let me do this, because I'm going to have a little more need for discussion on this. I'm going to ask that we just kind of move this on a little later on our agenda. If you want to maybe talk with Mr. Leigland, if you guys are under the same understanding I'd appreciate that, because right now I'm getting a little confused with that extra siting. So with that, Commissioners, if there's no other discussion I'm going to ask – if there's no other discussion on Consent, with the exception of this case I'm going to just going to ask that we postpone this for a little bit later on in our agenda and ask for a motion on the rest of our Consent.

COMMISSIONER ANAYA: Mr. Chair, I move that we approve the other cases noted except case #5, BCC Case #14-5110. We'll hold off till later.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: Thank you, Commissioners. We have a motion to approve our Consent Agenda with the exception of case 5 as noted.

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

II. B. Resolutions

- 1. Resolution No. 2014-133, a Resolution Requesting a Budget Increase to the Federal Forfeiture Fund (225) to Budget New Forfeitures and Auction Proceeds/ \$5,406.50 (Finance Department/Teresa Martinez)**
- 2. Resolution No. 2014-134, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a Monetary Donation Made to the Santa Fe County Fire Department/ \$6,000 (Public Safety/Fire/Teresa Martinez)**

CHAIR MAYFIELD: Commissioners, we were on two resolutions. Let me ask this, Commissioner Stefanics do you want to take up your presentation before these?

COMMISSIONER STEFANICS: No, I think we should finish Consent.

CHAIR MAYFIELD: Thank you. So Commissioners, we're on B. 1. Is there any discussion, Commissioners?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Unless there's discussion I'd move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: We have a motion and a second but there is a little discussion.

COMMISSIONER CHAVEZ: I would just for the record, if it's appropriate, could staff share with us who the donation was made by?

MS. MILLER: Mr. Chair, Commissioners, yes. The donation was made by Christus St. Vincent for Narcan kits.

CHAIR MAYFIELD: Thank you, Christus, for that donation.

MS. MILLER: For our Fire Department.

CHAIR MAYFIELD: Thank you. Thank you to our hospital.

COMMISSIONER HOLIAN: Mr. Chair, public comment?

CHAIR MAYFIELD: Yes. I'm going to go to that. Is there anybody from the public wishing to comment on any of these resolutions? Seeing none.

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

II. C. Miscellaneous

- 1. Approval of County Health Care Assistance Claims in the Amount of \$88,853.31 (Community Services Department/Rachel O'Connor)**

2. **Request Approval of Cooperative Project Agreement with the New Mexico Department of Transportation to Provide Federal Highway Administration (FHWA) Funds in the Amount of \$96,798 to the County of Construction of a Portion of the Santa Fe Rail Trail (Public Works Department/Colleen Baker)**
3. **Request Authorization of the Use of District 2 Capital Funds, per Capital Outlay Policy, Allocating \$40,000 to Chip Seal Paseo Nopal (Finance Department/Teresa Martinez)**
4. **Request Authorization of the Use of District 1 Capital Funds, Per Capital Outlay Policy, Allocating \$295,166 for the Construction of Improvements to the Pojoaque Recreational Complex (Finance Department/Teresa Martinez)**

CHAIR MAYFIELD: Is there any Commission discussion on these?

COMMISSIONER STEFANICS: Mr. Chair, I just wanted to make the comment that since we no longer have the Indigent Board we haven't been getting the HPPC minutes, and I would still like to receive those. So if that could be noted. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Vice Chairman Anaya.

COMMISSIONER ANAYA: I just want to highlight \$96,798 going to rail trail funding that I know we've discussed at the MPO and that Commissioner Stefanics and those members on the MPO, Commissioner Chavez and I have been working on and also commend Commissioner Chavez on a \$40,000 allocation for road improvements and Commissioner Mayfield for nearly \$300,000 investment for the Pojoaque recreational field. And I would sit idle and let one of my colleagues make the motion. Thanks.

COMMISSIONER HOLIAN: Mr. Chair, I just was going to move for approval of the Consent Calendar items in the Miscellaneous category.

CHAIR MAYFIELD: Thank you, Commissioner. Commissioner Chavez.

COMMISSIONER ANAYA: Second. We have a motion and a second. I appreciate all the work of staff on these issues, specifically pertaining to item 4. Those are capital dollars that I would ask that go to the continuance of the development of the Pojoaque regional ballfields for all of our citizens. I know we have a purchase order a little later on in the agenda, so I just appreciate that, Commissioners. We have a motion and a second. Is there any public comment on these? Seeing none.

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

V. PRESENTATIONS

A. 3. Corrections Advisory Committee Bi-Annual Report

CHAIR MAYFIELD: We're going to move up to V.A. 3.

STEVE SPENCER: Chairman Mayfield and Commissioners, I'm Steve Spencer. I'm the physician member of the Corrections Advisory Committee, and in the inability of our chairman, Frank Susman, to be here today I am going to read our semi-

annual report for January to June of this year.

CHAIR MAYFIELD: Thank you.

DR. SPENCER: During the period of January through June 2014 the Corrections Advisory Committee met monthly and continued its efforts to hear from many of the parties involved with services to detainees during incarceration, their re-entry into the community and their follow-up after release from the correctional facilities of Santa Fe County. During this period the committee heard from and sought information from Public Safety Director Pablo Sedillo, Warden Mark Gallegos, Deputy Warden Mark Caldwell, Compliance Officer Anthony Martinez, Financial Manager Steve Shepherd, Nurse Manager Lisa Leiding, Re-entry Specialist Stacey Byard, Staff Psychologist Dr. Merritt Ayad, CQI – that's continuous quality control – Coordinator Ardis Thomas, Adult Facility Program Manager Renee Fernandez, Dr. Laura Brown of the Santa Fe Recovery Center, Archdiocesan Deacon Anthony Trujillo, Juvenile Justice Planner for the City of Santa Fe Richard De Mella, the Coalition for Prisoners Rights Director Mara Taub and author Demetria Martinez.

We have been continued to hear about processes followed in the facilities, staff responsibilities, needs of detainees, and the difficulties of connecting detainees to community services upon release. A number of committee members have been active on related tasks, including the Health Action Plan for Santa Fe County, the district court's work on improving systems of care for those leaving the facilities and other parallel activities.

Conclusions and recommendations, Number one, the committee is concerned that while improvements have been made in the state of New Mexico's Medicaid eligibility process, barriers still remain. This is in spite of the fact that the DOC – Department of Corrections – now has a staff member dedicated to assisting detainees with the application process. The committee urges the Santa Fe County Board of County Commissioners and the district court to encourage the New Mexico Human Services Department to permit detainees to complete their Medicaid applications and to be assigned a case manager, while still in the facility. This applies particularly to those who have not been adjudicated and therefore have not been assigned the currently required lease date.

Two, a major goal of the committee in the coming months is to assist the Department of Corrections in formulating a "re-entry and re-integration model" for prisoners. We plan to reach out to the community providers in an effort to assist the DOC in facilitating connections to various services in the community, including locating suitable employment.

Three, the committee firmly believes that outpatient treatment for released detainees in need of behavioral health services is more effective and more cost-efficient than in-patient facilities and that this is the principal area where the improvement of current services should lie. The committee has learned of the barriers to connecting to community-based services of all kinds and would like to see case management services available upon release in order to create a seamless transition from the facility into the community.

Four, the committee commends the Santa Fe County Board of County Commissioners and the Health and Human Services Division of Santa Fe County for

creating and funding the position of Re-entry Specialist. The committee further commends the Santa Fe County Board of County Commissioners for working to facilitate Medicaid enrollment and the Narcan training and distribution program within the facility. We strongly recommend that continued funding be available for the critical position of Re-entry Specialist, currently and ably filled by Stacey Byard. The Re-Entry Specialist oversees the enrollment of detainees in Medicaid, the provision of Narcan training and treatment and works to connect detainees with needed community services upon their release.

Five, the committee is currently attempting to prioritize the needed services for detainees upon their release including homelessness, perhaps the number one issue, medical care, drug rehabilitation, alcohol issues, employment and behavioral health issues. The need for and provision of these wrap-around services to be available at a one-stop shop is being explored.

Six, the committee continues to review detainee re-entry programs in other jurisdictions for potential concepts and ideas applicable to Santa Fe County.

Seven, and last, the committee will continue to assess any barriers to family contacts, to be involved with the facility and its staff and to review carefully all data provided by the DOC. So thank you Mr. Chair and Commissioners, and I thank you for moving my report up closer on the agenda so I can rejoin family visiting from Colorado and Canada.

CHAIR MAYFIELD: Thank you so much for that report. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, and thank you, Dr. Spencer for being here today to present the report. From my perspective, I think that the re-entry of our jail residents back into the community requires a lot of assistance and there have been in the past church groups in past years who have gotten seriously involved in these efforts. And I know that Mr. Sedillo and the new warden are very interested in this as well, so if there is a necessity for some more formal case manager services to go along with this re-entry I think the staff should be prepared to talk about that in the future or the committee to make recommendations.

But starting, oh, mid-spring, we start talking about budget for each department and if there's something new or different that's needed around these re-entry services I certainly would like to hear about it. But thank you very much for being here today.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I also want to thank you and the committee for the work that you've done in the Corrections Advisory Committee. These committees sometimes are not always popular, especially in Corrections. I know it's not an easy endeavor, but I do support the committee's work. I hope that the committee can continue and work in the positive way that you have with staff at our facilities. And you're working with both adult and juvenile?

DR. SPENCER: Yes. Both facilities.

COMMISSIONER CHAVEZ: And I would concur with Commissioner Stefanics on the concept of creating a seamless transition from the facility back into the community where these people belong. Hopefully, we can get them back where they belong in the community with their families making a positive contribution. But without

that support base, unfortunately, that may not happen. So I can only hope that the committee will keep doing the work that they're doing and that we will be committed on the budget side to keep the positions, especially the re-entry specialist because without those positions the committee's work is not going to go anywhere. So thank you for your work. Thank you for being here and just encourage the committee to continue on all of our behalf.

DR. SPENCER: Thank you. You both have highlighted the very important gap or chasm between care inside, behind bars, and care in the community, a gap that needs to be bridged. It's not unique to Santa Fe but all over the country. Thank you.

CHAIR MAYFIELD: Thank you. Doctor, one second. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Dr. Spencer, ditto the comments of my colleagues and I would just personally thank you and the committee for your continued efforts. We asked for volunteers that had the appropriate expertise to provide us guidance in the facility to do the many things you've referenced now and in past meetings that the committee's referenced and is doing, and I'm appreciative of those efforts continuing to give us advice and recommendations that can help us better our service. So thank you very.

CHAIR MAYFIELD: Thank you. Doctor, thank you, and I do appreciate you and work you and the committee do. I will ask this, just food for thought, knowing that your recommendations are great and I believe there definitely needs to be as much follow-through and commitment to them as possible from these recommendations. But one thing, I guess a question that I'm not knowledgeable of is do we help or is there any outreach or support for the families that are impacted by their loved ones that are incarcerated? Are there support groups that we've tried to recognize or try to help out the families, even the children of individuals?

DR. SPENCER: Some of those are represented as members of the Corrections Advisory Committee.

CHAIR MAYFIELD: Great.

DR. SPENCER: We have those resources, information about them available.

CHAIR MAYFIELD: So we can help direct them if they need any type of – any counseling, just any collaboration of efforts to support groups, anything that's needed for those individuals?

DR. SPENCER: Yes.

CHAIR MAYFIELD: Okay. Great. Thank you. Thank you so much. Commissioners? Thank you very much for that. Director Sedillo, do you care to add anything at this time?

PABLO SEDILLO (Public Safety Director): Mr. Chair, members of the Commission, I just want to thank the Correctional Advisory Committee. I know Dr. Spencer has been very involved on the needs of the institution, and one of those biggest needs is I've been saying for almost three years now is that transition from secure care back into our communities – there's still a battle to be won in regards to that and a lot of it's because of the lack of services that we have in our community. But we are very diligently looking for those type of services within our community. We have over 75

volunteers who come into our facility from religious groups, education, domestic violence groups. We have some groups that teach young residents in our facility how to become fathers again.

So we continue to be very positive in the institution but our battle is the wrap around services that there is a lack of in our communities.

CHAIR MAYFIELD: Thank you, Director Sedillo for all your work and efforts also. I appreciate that of you and staff.

III. C. Resolutions

1. **Resolution No. 2014-135, a Resolution in Support of New Mexico Grown Fresh Fruits and Vegetables for School Meals**

COMMISSIONER HOLIAN: Mr. Chair, I would request that we hear item III. C. 1 before 3:00 if possible, because one of the people's who is here in support of that particular item has to go over to the legislature.

CHAIR MAYFIELD: Sure. So we're waiting on Director Leigland so let's just move really quick to item III. C. 1.

CHAIR MAYFIELD: Thank you very much, Mr. Chair. I just want to note that last year we passed a similar resolution and what this is, it's a request for the state legislature to appropriate a total of \$1.44 million for the purchase of locally grown fruits and vegetables for school meals, and I just want to also note that this recommended appropriation, number one, it helps children in our schools have access to healthy food, which helps them in a lot of different ways, and it also helps out our local farmers. So this is really a win-win situation.

Before I move for approval I would like to first ask Patricia Boies, our own Patricia Boies to come forward and talk a little bit about how this fits in with our Santa Fe County Health Plan, and then I'd like to ask Erin Ortigoza, who is a planner in our Growth Management Department and who actually has had experience selling vegetables to the school system from the small farm that she and her husband have. So Patricia.

PATRICIA BOIES (Health Division Director): Thank you, Mr. Chair, Commissioner Holian, Commissioners, this resolution before you is similar to one that was passed last year by the Board of County Commissioners in support of New Mexico grown fresh fruits and vegetables for school meals, and it requests that the legislature appropriate \$1.44 million to support these purchases.

Just recently the BCC approved the food plan and not only is this resolution consistent with that just adopted food plan, it's precisely in line with the County *Health Action Plan's* priority goal to increase consumption of healthy food. The measure or the indicator that we're using for the County *Health Action Plan* for that goal is fresh fruits and vegetables. So it is exactly in line with that and passage of this BCC resolution in fact is one of the stated performance measures in our Health Action plan for what County government can do in furthering the *Health Action Plan*.

COMMISSIONER HOLIAN: Thank you, Patricia. So, Erin, would you like to give us the benefit of hearing about your experience of actually doing this?

ERIN ORTIGOZA (Planner): Chairman Mayfield, Commissioners, this opportunity for local farmers to develop their markets into a wholesale relationship with

schools in this area is an extremely important market niche providing a large level of consistent sales to farms, and as a new farm owner this kind of market diversification is very – it provides kind of an edge with regard to diversifying our opportunity to sell with farmers markets. There are other opportunities but this is such a new program, selling to schools, that we support the awareness of local farmers and their ability to transition to wholesale systems is a really, really – it's a very important part of the food plan and a part of our agriculture economy.

We've started selling since the beginning of this past school year and we've been selling head lettuces, carrots, cherry tomatoes, tomatoes, radishes and salad mix and spinach to Santa Fe Public Schools and have orders already lined up for as soon as we get more head lettuces grown. So it's a very, very wonderful program.

COMMISSIONER HOLIAN: And I understand you didn't have enough carrots.

MS. ORTIGOZA: No, we actually, because of the freeze, we're still looking for more carrots and going to be planting about five times more carrots next year. So it's been wonderful working with this.

COMMISSIONER HOLIAN: Thank you, Erin. Commissioner Chavez?

COMMISSIONER CHAVEZ: I didn't want to interrupt.

COMMISSIONER HOLIAN: Also, Pam Roy, would you like to say a few words? You're going to be going to an important meeting in about an hour and a half I think.

PAM ROY: Mr. Chair and Commissioners, thank you so much and Commissioner Holian for sponsoring our resolution as well. I think my colleagues have explained a lot about this program. We really appreciated your support for the New Mexico produce for school meals in the past. Just a few additional things. It is \$1.44 million. Currently, this last legislative session, our legislators and the Governor appropriated \$240,000 recurring dollars, so we're building the program and there's an additional \$85,000 that goes to Albuquerque Public Schools that separate but it's recurring as well, which is great. So we're just building out the program.

I've given you a little pamphlet that provides a little more information about the program [*Exhibit 1*] but also some of our future initiatives that we want to do and things that we've started this year, which is building a Love Local program in the schools, which is really a promotion of education for young people to understand what they get on that plate in the cafeteria and how it relates to farming, what may be in the school garden, if there's a school garden at that school. If there's a cooking class in the schools, and if there isn't, it's an entry way to help link what happens in our agricultural communities, the importance and the benefit and also of eating really healthy, nutritious foods as well.

This aligns with the federal what they call child nutrition reauthorization. The requirements that schools have to abide by and two years ago the schools were required to adding more fruits and vegetables to the plates, twice as many as before, along with whole grains, less sugar and things like that. So it's a real opportunity for our farmers here in New Mexico to, as Erin pointed out, potentially build out another sector of a family farm operation and we have about 25 farmers around the state, small medium and some of them a little bit larger that are participating in the program.

I also am providing the draft legislation to you. [*Exhibit 2*] Currently this bill is

going to be sponsored by Representative Jimmy Hall and Representative John Tripp on the House side, and then Senators Sapien and Campos on the Senate side. And we do, this afternoon, actually, the Economic and Rural Development Committee, who we've already presented to, and Erin was the one who presented with me when that committee heard this appropriation, they've asked us to come back because they're interested in endorsing the bill as a priority bill for the session.

The Water and Natural Resources Committee, which is also the Agriculture Committee, also plans to review it one more time, next week, week after next, with the hope that they will also endorse it as a priority bill for the session. So we're really excited about moving into this session with this bill with the opportunity to grow the program. And I also want to thank my colleagues, Susan Perry, who's the chair of our Santa Fe Food Policy Council and Sidney Martin, and Patricia is here as well, as you know. And Robert Griego and Erin. The County and City who have been working on our Santa Fe Food Policy Council have just been really wonderful teammates on this and we appreciate also Rudy and Hvtce who help at the legislature. They are real partners in this if you. If you will pass this we really appreciate it. So thank you so much.

COMMISSIONER HOLIAN: Thank you, Pam. With that, I move for approval.

COMMISSIONER STEFANICS: I'll second.

CHAIR MAYFIELD: We have approval and a couple seconds.
Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair, and thank you Commissioner Holian. The other thing is besides the fact that this will help our school children it will also help our farmers and since Representative Tripp wants to put \$50 million into economic development for our own state, tie that in so that it sounds like supporting his initiative. Thank you very much.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: There's another component in this mix and that's the farmers markets, and I guess there's more than just one farmers market. I know there's one big one I guess in Santa Fe but I'm sure there's other smaller ones sprinkled around the county. So I'm understanding that the schools will get good food at a good price because it's going to be wholesale. I'm understanding that by diversifying, if I'm understanding what's been presented and what's in the packet, diversifying in the direction that you're going will mean that farmers – well, I'm going to read it verbatim, have stopped relying on farmers market sales to make a living.

So my question is, is supply and demand going to throw things out of whack and when I go to the farmers market prices are going to be 20 percent more than what they were a year ago? I'm just asking the question. I don't want an answer, Pam. I'm just thinking out loud here. But I'm hoping that that doesn't happen and that there are enough farmers and food to go around for children in the schools and everyone else and that it's somewhat affordable if that's at all possible. And I'll just leave it at that. I think it's a good resolution. It's a good direction to go in. I just hope that we can generate more farmers to make it viable and to keep the produce affordable.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Holian, I

appreciate you bringing this forward. This is something that we as a Commission have consistently supported and I would just say that all of you, thank you for your efforts. Perseverance pays off and you have continually persevered here and at the City and at the state legislature, and so I'm in full support of your efforts and the resolution. But I can't pass up an opportunity to tell a little story. Probably about a decade ago I was in the Roundhouse and I was walking around the halls doing some advocacy for the County, I believe, and maybe some of the other communities in the area I live. And Pam came up to me and I want to quantify this and say that I'm the youngest of six siblings. And she came up to me in the hallway and she says, you're an Anaya, aren't you. And I said, yes, ma'am. And she says, well, I went to school with younger brother Rick. And she stopped me in my tracks. I looked at her, I said, well, Rick's my oldest brother. So every time I see you, Pam, I think, I wonder how old I look today.

Nonetheless, it's all good. Thank you for your efforts and I hope continued success. What interest has Moriarty expressed? I didn't see them on the map as part of one of the programs and they're one of the largest ag areas in the state of New Mexico, so I guess that would be one of my goals is to work with you to get them more activated with Tom Sullivan, the superintendent. Could you give me some information on Moriarty schools?

MS. ROY: Mr. Chair and Commissioner Anaya, I'd be happy to do that. It's building out, so one of the things we're waiting for from the Public Education Department is a new list of how they awarded the \$240,000 and we're looking to see if there's new schools. But happy to work with your school food authority and school food service directory on that in Moriarty. So we can find out a little bit more. Sometimes we – actually this map that's in there, that was generated by my organization, Farm to Table. Of the school districts that we know are purchasing, what we also know is that there are school districts, especially in some of the rural communities that are purchasing on their own, and that's the ultimate goal, that your neighboring farmer to your school, in your own region, are actually – that relationships is being built. And so that's part of our priority as we move forward as well. But I'd love to work with you, Commissioner Anaya, on that for sure.

COMMISSIONER ANAYA: Thank you very much. Thank you, Mr. Chair and Commissioner Holian.

CHAIR MAYFIELD: Thank you, and thank you all for you the outreach and the work that you're doing. I'm fully in support of this also. Just a couple quick questions. So as far as working with USDA to get approval, I know that I've heard some individuals say they've experienced roadblocks with that. I don't know if I'm accurate with saying that, but to see how this local produce can make into our local schools, or for that matter, I'm just going to go out there, even to our local senior centers. I know when individuals want to bring local farm produce from their own home they have trouble bringing that into the local centers.

MS. ROY: Right. And Mr. Chair and Commissioners, so there's some myths we're working to bust on some of those issues. Schools are allowed to buy from any farmer they want to. Senior centers can do the same. We just finished a procurement report looking at not only schools but senior centers, corrections facilities – Mr. Sedillo helped us with that – and hospitals. So there are no USDA requirements saying they can't

purchase from farmers, but of course schools, senior centers, want to make sure that any food that comes their way is safe and it's been cleaned and things like that. So those are some of the issues that create gray areas. What we are trying to do is really help our farmers get ramped up on good agricultural practices so how they harvest it, post-harvest handling. Someone like Erin Ortigoza, she and her husband clean everything. It's boxed appropriately. It's labeled, so the school knows where that product came from, which farmer, and the farmer will actually tell you where in the field or in their greenhouse that product comes from.

So that's part of our organization's work is to really help create those mechanisms so that everything is safe and traceable, because we're going to need to continue to do more of that. But there are no actual regulations. We work directly with the USDA and in fact their regional farm to school representative was here week before last visiting with us and with the departments and some of the organizations and farmers that we're working with. So we're always trying to make sure we're on top of this.

We've also initiated two of my staff are compliant with what's called Primus. They're a third party regulator where they can come in and help a farm decide whether they are food safe and ready to sell to institutions. So we're doing everything we can to align all of the agency's requirements, and the agencies themselves build those relationships to make sure this works well for everybody.

CHAIR MAYFIELD: Thank you for that explanation. And then, as far as working with our Santa Fe County Economic Development Department, I think it was alluded to, so local producers know what requirements they need to do to become a member of your organization, so they can get into that door of our local schools, our local senior centers. Are you working with Santa Fe County Economic Development? Maybe we could have a link on our website that just kind of gives that educational component. This is what you need to do, who you need to contact. That's just a suggestion if it's not already being done.

MS. ROY: Mr. Chair and Commissioners, actually, it's part of the food plan that you all passed as one of our priorities. Secondly, also we are working with Commissioner Holian and some of the rest of you and the County Planning Department as you move into this coming year to really build this into part of your economic development plan. So we're just looking forward to more of that in any way that we can support you as County Commissioners and the County staff themselves and being able to build this into, yes, the economic aspect of our county and also into the Sustainable Growth Management Plan too.

CHAIR MAYFIELD: Thank you so much. Commissioners, we have a motion and a second.

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

III. ACTION ITEMS (Public Comment)

A. Items from Consent Agenda Requiring Extended Discussion

- II. A. 5. BCC CASE # PCEV 14-5110 Heather McCrea Vacation of Easement. Heather McCrea, Applicant, Santa Fe County, Agent, Request Approval to Vacate a Platted Twenty-Foot (20') Wide Pipeline Right-of-Way Easement and Tank Site Easement on Two Lots Totaling 8.80 Acres. The Easement will be Relocated On-site. The Property is Located in the Traditional Community of Chupadero at 448AB N.M. 592, Within Section 5, Township 18 North, Range 10 East, (Commission District 1) (Approved 4-0) Miguel "Mike" Romero, Case Manager**

CHAIR MAYFIELD: My question, we heard Mr. MacCreight. So are we now looking to site a new well somewhere?

MR. LEIGLAND: Mr. Chair, yes, I can understand there's a little bit of confusion so let me attempt to clear it up. I think, first of all, Mr. MacCreight actually has two separate item. So the one that's actually item – for the final order. That is just to clear up an existing tank and an existing pipeline easement, as it says, the 20-foot line right-of-way and the tank site. So those are – that's an existing tank and an existing site and an existing pipeline. So this one's that was on the Consent for final order, that clears up that.

Now, it's possible that the system will at some point in the future need a new well and a new tank. And so I think the second case, the one that you'll hear later, number 5120, that concerns another plot of land that could be a potential site for a potential tank and a potential well in the future. But that's not under consideration right now. The system has a tank and a pipeline easement. That will be cleared up by the one that's for the Consent Calendar today and that will clear that one up and that was part of the acquisition.

So as to whether or not we need a tank or a future well, that hasn't been definitively determined. You'd need studies and so on.

CHAIR MAYFIELD: And Mr. Leigland, I hate to put you on the spot but it was my understanding that we did need a new well up in that area.

MR. LEIGLAND: Well, Mr. Chair, everybody believes that we probably do, but we haven't done the formal studies or anything like that to definitively say yes, we need this or that. But the system has a well, it has several wells, actually, the Chupadero Mutual Domestic System now, and as you recall, we did the due diligence inspection that quantifies the well. But I think just everyone understands that we're going to probably have to look at developing a new well at some point in the future. But that's where it stands at this point.

CHAIR MAYFIELD: So on that, is there a timeline? We've been talking about this well over a year now and I know it's hard to pinpoint, but when do you think Santa Fe County will fully take over, or when do you anticipate operations?

MR. LEIGLAND: Mr. Chair, as I said earlier, the final obstacles are

cleaning up the easements and that's being – that's the item on the agenda today. I mentioned earlier this other study that we're doing, we just got a deliverable for that. So that is all in the process. I hate to nail it down but just to be very conservative I'd say within six months.

CHAIR MAYFIELD: And the community's been apprised of that? If not, can you have another community meeting out there please?

MR. LEIGLAND: Actually, Mr. Chair, as a matter of fact I was invited to their next board meeting which is on December 8th.

CHAIR MAYFIELD: Okay. Great. Thank you for going to that meeting, Mr. Leigland, and thank you for that explanation. Mr. MacCreight, I didn't recognize you with that hat on.

MR. MACCREIGHT: Mr. Chair, Commissioners, just to clear up any cloud on this, for number 5, we're 100 percent supportive of what this reads.

CHAIR MAYFIELD: Thank you very much. With that Commissioners, is there any more public discussion on this? Seeing none, I would ask for –

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

III. B. Appointments/Reappointments/Resignations

1. Reappointment of Board Member to the Santa Fe County Ethics Board

TONY FLORES (County Manager's Office): Thank you, Mr. Chair. A little background. We are all aware that the Ethics Board has a makeup of five members that are selected as at-large positions. Their terms typically run for two years and we currently have one expiration due to the term limitation on Mr. William Peyton George for a vacant seat. The County Manager's Office solicited to fill the position as we normally do through our boards and committees and as a result of that process we only received one response or interest from Mr. W. Peyton George expressing his desires to return to the Ethics Board. Staff went through the due diligence matters, reviewed the application, the résumé, the questionnaire, etc. and at this time staff is recommending that Mr. George be approved for filling the vacant seat. And I stand for any questions.

CHAIR MAYFIELD: Thank you. I just appreciate the service of Mr. George and with that I would move forward for his nomination at staff's request.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: We have a motion and a second. Any further discussion, Commissioners? Seeing none.

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

III. B. 2. Request Appointment of Mr. Erik “Rik” Thompson to the Water Policy Advisory Committee as the Estancia Basin Water Planning Advisory Committee Member

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: I’ll go to Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I think as all of you know, I know as all of you know, Mr. Hagerman passed. He was an avid community member. This particular individual is going to represent a recommendation or replacement. I know the individual personally and his desire and willingness to serve the community has always been first and foremost and I would defer to Claudia, but I’m ready to make a motion once she gives us some information.

CHAIR MAYFIELD: Thank you. Ms. Borchert.

CLAUDIA BORCHERT (Utilities Director): Good afternoon. If you like I don’t need to present any information. It sounds like you are already familiar with Mr. Rik Thompson and I don’t need to emphasize that anymore. I think he’ll be a good candidate.

COMMISSIONER ANAYA: I’d move for approval, Mr. Chair.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: We have a motion and multiple seconds.

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

III. C. 2. Resolution No. 2014-136, a Resolution to Support Gold Level Status with the International Mountain Biking Association (IMBA) and to Direct Staff to Work with Stakeholders to Achieve Gold Level Status and to Pursue New Trail Development Opportunities

CHAIR MAYFIELD: I’m going to just go to public comment right now. If any of you have any desire or request to comment on any of these resolutions just please raise your hand and when I get to that, sir, I’ll recognize you and ask you to come on up. And that’s for any of those resolutions please. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I’d ask Mr. Griscom to please come forward. Mr. Griscom, if you could provide some additional background I’d defer to comments from the Commissioners.

DAVID GRISCOM (Economic Development): Good afternoon, Mr. Chair, Commissioners. So what you have before you is a resolution to achieve a gold level ride center status with IMBA, which is the International Mountain Bike Association. As you may know, we recently passed our economic development plan and outdoor recreation is one of our target industries, one of our five target industries.

This resolution speaks to two elements that we would target from an economic

development standpoint. One is tourism, increasing mountain biking tourism and the second is outdoor recreation and recruitment. Our ability to recruit companies is aided greatly by our ability to showcase our infrastructure.

So we've achieved IMBA silver. The City passed a resolution – I believe it was last spring or this summer to achieve silver. We invited the IMBA representatives to evaluate our infrastructure. They awarded us a silver designation. The next step is now to achieve a gold level ride center status and that is a resolution that you have before you. This is to be a joint resolution. On the City side this will go before the BTAC, the Bicycle Trails Advisory Committee, I believe in early December and then on to the City Council. With that, Commissioners, I stand for questions. I will also mention that I have Mr. Pat Brown here who is the president of the Santa Fe Fat Tire Society. The Fat Tire Society is the local IMBA chapter, the local IMBA club.

CHAIR MAYFIELD: Thank you.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: I would ask Mr. Brown if he would come forward and make some remarks. I'd like to hear some remarks from you.

PAT BROWN: Mr. Chair, Commissioners, my name is Pat Brown. I am the president of the Santa Fe Fat Tire Society, which is our local affiliate of IMBA, the International Mountain Biking Association. A little brief history on our group. We started about four years ago, a bunch of concerned mountain bikers coming together and fulfilling, trying to fulfill the needs of the mountain biking community here in Santa Fe. Two years ago we had the IMBA summit here in Santa Fe which the County and the City both participated in greatly and we had over 400 mountain bikers from around the country and the world attend that four-day session here in Santa Fe.

Since then we've never rested on our laurels. We decided to keep moving forward with our efforts as far as that goes and our efforts are in building trails, maintaining trails and keeping trails also around the Santa Fe area. We made application at the beginning of this year for ride center designation with IMBA. There's three different levels of designation – bronze, silver and gold. We put in the application with the efforts of the County and the City, the information, and received at the latest IMBA summit up in Steamboat Springs, the silver designation.

We looked around and decided that we weren't satisfied yet and that we're looking forward to moving up to gold standard. Right now we share the silver designation with only nine other facilities around the world, and there's only one gold designation in the world at Park City. So we want to certainly equal their efforts that they have created at Park City in maintaining that gold designation. So with your effort, the County's effort and the City's effort and all the land managers around Santa Fe we look forward to moving forward with this designation.

COMMISSIONER ANAYA: Thank you, Mr. Chair, Mr. Brown.
Appreciate the remarks.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes. A couple of things that I like about

this resolution and what it's speaking to is being able to diversify our tourism and there would be outdoor recreation and a new – it's not really a new word but a word that's being used more often now, ecotourism. So it's all about outdoors and not attending museums or things like that but it's a different attraction. I think it speaks to a different segment of our population. And then I'm going to read something, again verbatim that's in our packet. The County currently has over 200 miles of trails for mountain biking, hiking and equestrian purposes. So I'm moving away a little bit from biking and I'm including all of that, and all of that is included in ecotourism.

And then it goes on to say pursuing new trail development in order to achieve gold IMBA ride center status. So new trails kind of raises some concern. And then I go into the Now, therefore be it resolved. Number 2 of that Now, therefore be it resolved states that Santa Fe County staff shall continue to pursue the addition of new trails for mountain biking, hiking and equestrian purposes within Santa Fe County. That raises a little bit of concern because we've had some discussion about being able to maintain and police what we have. I could be wrong on that but I thought there was a collective concern about adding a lot of new trails without being able to adequately maintain what we have now. That's what I remember. So I'm raising a little concern on only the area of setting expectations to acquire or provide new trails in addition to the 200 miles that we already have.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair and Commissioner Chavez, I appreciate you raising that perspective and I would just say that looking at the expansion in the Buckman area and the Old Santa Fe Trail, Camino Real de Tierra Adentro project with the federal resources we're going to get is one avenue that's going to help us get there. So I appreciate that you raise it as a concern and I think we're all cognizant of making sure we're able to maintain as well as produce the additional trails so I appreciate that perspective.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I actually also wanted to call attention to a specific trail expansion that I've been interested in for the last year or so and that expansion would allow bicyclists to be able to bicycle from downtown Santa Fe to Glorieta, or as a matter of fact, back from Glorieta from downtown Santa Fe if they wanted to. But what we would need to make that happen is a short connector trail that goes from Highway 50 to the trail that goes into the national forest behind Glorieta Camps. Glorieta Camps is now – that used to be the Glorieta Baptist Center. Now it's owned by an organization called Glorieta Camps.

They do not want people – in the past people would drive into the Glorieta Baptist Center, park in the parking lot by the old fire station, and then they would be able to use the trails that take off from that area and go up into the national forest. But because Glorieta Camps is being more heavily used now they really don't want people parking in there anymore. But what they're willing to do is actually – they own quite a bit of land in that area that's not specifically in their main center there, and they would be willing to donate land to the County and what – we could partner with them on this particular project.

What they're suggesting is that behind the Glorieta Baptist Church, which is on Highway US 50 if you can kind of visualize that, behind that we could put in a parking lot and restrooms even, and then there could be a short connector trail that's built from that parking lot behind Glorieta Camps to those trails that then go up into the national forest. And that would make it possible for, well, hikers, mountain bikers and horseback riders to access that trail system which they currently can't access right now.

Now, the problem is is that when they try to donate this land to the County it turned out to be a lot more difficult process than they had envisioned. I guess we do not have a really good process in place right now when somebody wants to actually donate land for a purpose like that. So I would really like to, as part of this resolution, urge staff to look into how we might facilitate that, because it's a great opportunity. They're willing to give us the land. They're even willing to work with us on building the trail. What they would, however, like for us to do is to put in the parking lot behind the Glorieta Baptist Church, and I don't know if there are any District 4 capital funds left but some months ago my idea was that those funds could be used to build that parking lot and I don't know if there's any left but I'd certainly be willing to donate them or to appropriate them for that if there are any of those funds left. But anyway, I think this is a really great opportunity for mountain bicyclists as well as for other people who are horseback riding or hiking in the national forest. So that's a little bit of the subject, but –

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, if this moves forward I would recommend that the City and the County meet to identify barriers to achieving those goals and then identify what's surmountable and what's long-term planning. But I think it's a successive idea that we should pursue. Thank you.

CHAIR MAYFIELD: Thank you. Mr. Griscom, Mr. Brown, just so I can understand this, so to achieve gold level status we now need more than 200 miles? Is that our big roadblock? Please.

MR. GRISCOM: Mr. Chair, we have substantial infrastructure which allowed us to achieve silver level status but there are some items that are missing which are currently preventing us to get to gold level and that is primarily a gravity, bike-optimized trail system. And it may not necessarily be a system. It could be several segments, and Pat can talk about on behalf of the club what they're looking at in terms of potential trails with the Forest Service. But essentially what we are lacking is a downhill, bike-optimized trails which will get us the additional points to get to gold.

CHAIR MAYFIELD: So something like what's going on in Angel Fire, at the Angel Fire resort.

MR. GRISCOM: We would get points from any kind of ski area lift-served mountain biking program. And we can't – IMBA defines its criteria is that it has to be within a 30-minute drive time from your central point, so Pajarito, which is up in Los Alamos has lift-served mountain biking but it's beyond that 30-minute timeframe.

CHAIR MAYFIELD: And on that, Mr. Griscom, what do we need to do? Appeal to our federal government, if we wanted to see about opening up that recreational facility, I guess in the summer months, for bicycle use, talking about Santa Fe National

Forest?

MR. BROWN: Again, under the ride center there are a certain amount of points that are designated as certain aspects of that ride center. The things that we have no points for are what are called bike-specific. We don't have any bike-specific trails in the County of Santa Fe. None. They're all-use trails. And so therefore, to make this a ride center, what we're looking to do is focus a bit on some trails, whether they're existing trails or some trails – we're working with the City right now to put in the first flow trail in La Tierra. We've been funded and we're looking forward to bringing that on service in the springtime. And that will be our first designated downhill flow trail in the County of Santa Fe.

We're working with the camps, Glorieta Camps to do an extreme downhill trail this summer also. They're on board with us 100 percent with this. They're within that 30-minute drive, so they're already on board with us as far as that goes and will create a situation that can be accessed by their vehicles to shuttle bikes up to the top and make it a downhill-specific trail. Those are the points that we're missing on our application. Those are the ones that we specifically need to go after and it doesn't – again, we can work with existing other land managers and everything on this but our efforts are to put in some bike-specific trails.

CHAIR MAYFIELD: Great. Thank you. A suggestion though is to also, if you haven't already done it, work with our COLTPAC committee, do a presentation in front of COLTPAC. I know Commissioner Holian stated about some of our interconnection of our existing trails. I know I have one up north that's kind of been on the table for COLTPAC for a while and not negatively but the interconnection of the Jacona land grant into open space, and that just allows a lot of interconnection to get to – I'm going to butcher the name but I think it will take you all the way from Jacona all the way to Mt. Chalchihuitl. And respecting the bicyclist community, but also I have a lot of equestrian users that need access to these trails, because now you need special permits and permissions and there's nothing wrong with that, from Native American lands to use those trails that people used to use, so if we just had an interconnection I think that would be really good.

And if I could just – just for my edification, what's the yielding requirements? Bicyclists yield to pedestrians and equestrian users? Or how does this work?

MR. BROWN: Yes. Currently it is everyone yields to equestrian. Bicyclers yield to everyone. Hikers are right there in the middle. And that's rather international as far as that goes. But to create actual trails where we take some of the pressure off our existing trails – you asked about federal. We're working with the Forest Service right now to create a trail that will take a lot of the pressure off the Windsor Trail, which has always been a – it's becoming more and more of a concern as far as usage goes. The more usage we have on that trail the more conflicts that we will have on that trail from the grazers out there, the horseback riders. Everybody that uses that facility.

So the Forest Service is working with us to create a new trail, either paralleling the Windsor Trail or somewhere in that region up there so that we can take some of the pressure off of the Windsor Trail. That's one of our efforts.

CHAIR MAYFIELD: Well, thank you. And again, if you haven't been in

front of COLTPAC that's just a suggestion. Commissioners, I don't know if you've moved this but one suggestion if you're amenable to it is on Therefore #2, Santa Fe County staff shall continue to pursue the addition of new trails and interconnection of our existing trails. I would just suggest that.

COMMISSIONER ANAYA: Mr. Chair, I'm okay with that. I would move for approval of this resolution with the added language that Commissioner Mayfield just brought up on interconnection, and I would also request an addition that would say, and consideration and development of use-specific trails, rather than just talking about bike-specificity we should also think about equestrian and other specified uses. Our national forest system and wilderness system have set up thresholds of what you can and can't do and I think we should also keep that in mind as we do the planning, and I would also concur with Commissioner Stefanics' recommendation that we discuss and plan in concert with the City of Santa Fe relative to barriers and develop some strategic objectives going forward together.

COMMISSIONER HOLIAN: Mr. Chair, I'll second that and I have a question.

CHAIR MAYFIELD: Okay. We have multiple seconds. Sure.
Commissioner Holian, then Commissioner Stefanics.

COMMISSIONER HOLIAN: I have a question for you regarding safety on trails. Is it possible to design a single trail, especially in a mountainous area that is actually safe to be used by both bicyclists and horseback riders? Or is it better to have separate trails?

MR. GRISCOM: Mr. Chair, Commissioner Holian, actually in Colorado they've just designed a trail outside of Fruita that was designed by not just the mountain biking club but the off-road club. And so on that trail you have both mechanized riders as well as just human powered, if you will. So it is possible. As Pat noted, everybody yields to the equestrian rider and we encounter horses on the trails frequently. Most of the time there's not an issue. It does come up where an issue of mountain bikers is coming into it too fast and it becomes an issue of a horse spooking. But it is possible to design trails such that they're multi-use and the equestrians and mountain bikers can live side by side.

COMMISSIONER HOLIAN: And it also seems to me like it might be a good idea at the start of trails that are used by bikers, hikers and horseback riders maybe to have rules of use posted, or something like that, to let people know. Just in case they don't know these rules.

MR. GRISCOM: It's not a bad idea at the trailhead. Usually at the trailhead and along the trail you'll see the little sign that says who yields to whom, per your comment, Commissioner Mayfield, so that it reminds you when you see a horse you have to yield to that horse.

COMMISSIONER HOLIAN: That's good. Yes. I'm very sensitive to that having fallen off a horse myself.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. And COLTPAC actually identifies trails that aren't open to all sources of use. And so I think that there could be some issue here in that you need to garner their support. Some do not allow

motorized vehicles. Some do not allow wheels. Some do not allow horses, etc.

I am supportive of this but the second thing this is lacking is an FIR and that's a major issue here that Commissioner Chavez brought up. We don't have enough money for certain things and yet we haven't taken the time to do an FIR for this. So I see this as only a first step in supporting the concept and before we would dedicate any resources we would need to know exactly how much it's going to cost. I believe that in a couple months we're going to hear how we don't have enough money for what we have on the books to take care of. So that's my comment. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, just a couple closing comments. I appreciate all the comments of my colleagues relative to fiscal impact, absolutely. There will be discussion and consideration. I think globally, when you step back and look at the resources that we already have in place associated with mountain biking, we already have many mechanisms and tools to build upon and utilize and move us in this direction and so I look forward to the continued discussion and Commissioner Holian, I'd be willing to take a look at some of my resources associated with the specific item you brought up relative to the parking lot and cooperation with the center in Glorieta. So I'm excited about it.

The other thing I would add is in January I'm going to bring back a resolution that talks and takes us down the next road of ecotourism getting back to the equestrian aspect specifically to use our trails that we already have as an anchor in that area. So there's a pretty large group that's already been organized and going to continue working with Mr. Griscom. They've already had several discussions and we'll continue our dialogue on this new expansion I guess if you will of in my opinion the obvious in our area and our region. So thank you very much for your efforts.

CHAIR MAYFIELD: Thank you, Commissioners. With that we have a motion and second.

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

III. C. 3. Resolution No. 2014-137, a Resolution Determining Reasonable Notice for Public Meetings During Calendar Year 2015 of the Board of County Commissioners of Santa Fe County and for Boards and Committees Appointed by or Acting Under the Authority of the Board of County Commissioners; Establishing Permissible Meeting Locations and a Webcast Broadcast Policy; and Rescinding Parts of Resolution No. 2014-58

MR. SHAFFER: Mr. Chair, Commissioners, annually, the Open Meetings Act requires a public body, such as the Board of County Commissioners subject to the act to determine what constitutes reasonable notice of its meetings, so this would be the resolution that would do so for calendar year 2015. You may recall that we just recently updated our so-called Open Meetings Act Resolution and so this is really substantively

identical to the resolution that Board approved earlier this year. The only substantive difference is – are the meeting dates and specifically the dates of meetings for calendar year 2015. The schedule that is included in the resolution would not have a second meeting in December, so there would only be one meeting in December, and then in addition because the second meeting in June would otherwise fall on the last day of the fiscal year I believe that the County Manager's Office proposed that we move up the meeting date by one week. So with that I'd stand for any questions, but again, substantively, this is identical to the Open Meetings Act Resolution the Board moved earlier this year, I believe in June.

CHAIR MAYFIELD: Thank you, Mr. Shaffer. Commissioner Stefanics, the Commissioner Chavez.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Mr. Chair, I'd like to make an amendment. On page 4 of 5, number 7, participation by conference telephone. I'd like to include a sentence that says, at least one member must be physically present to conduct the meeting. And I would hope there would be a second.

CHAIR MAYFIELD: I'll second that, Commissioner. Discussion?
Commissioner Chavez.

COMMISSIONER CHAVEZ: I have a question, not on the amendment but on the resolution itself. The caption states that this action would also rescind parts of Resolution 2014-58. Could you touch on what we would be rescinding? Because I don't see anything that's highlighted or underlined in the resolution.

MR. SHAFFER: Mr. Chair, Commissioner Chavez, the entirety of the current resolution would be rescinded except for that portion that rescinded previous resolutions. So it was simply an effort to take off the books the current Open Meetings Act Resolution as of January 1, 2015, but we've preserved that part whereby the Board had rescinded previous resolutions, so that we did not accidentally resurrect, so to speak, those previous resolutions.

COMMISSIONER CHAVEZ: Okay. So this resolution will have a different number, a current number, and it has the Appendix 1, which are the meeting dates for 2015.

MR. SHAFFER: Mr. Chair, Commissioner Chavez, that's correct.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I have a question about the posted times. There may be situations in the future where we want to change that time? What's the process for doing that? This isn't cast in stone exactly, is it?

MR. SHAFFER: Mr. Chair, Commissioner Holian, no it is not. You would need to provide special notice of that change and we recently actually did that for this meeting. We just posted in a conspicuous place here at the County on our bulletin boards as well as our website to alert the public to the fact that meeting time has changed, for example.

COMMISSIONER HOLIAN: Thank you.

CHAIR MAYFIELD: Thank you. Mr. Shaffer or Ms. Miller, I know that we've had a couple – by no means do I want to say issues but I know there was some concern maybe on stuff that gets on the agenda maybe at the last minute, it has to be posted on a Saturday to meet the Tuesday threshold. We're in compliance with state law; I want everybody to know that. We do have a 72-hour posting requirement. But some of the feedback that I received, and I don't think by any means it was negative feedback. There was an indication, well, look. You guys just posted something on your door on a Saturday and there's really no way for us to come by – we had no need to come by the County on a Saturday to see if something was posted on your door to meet your meetings requirement.

So I believe we may have also, and maybe because of staff constraints tried to post in a local newspaper. But is there any way around that, respectfully, if we can try to put some different notice, or if we do have a general bulletin board outside and we put that in here. Look. Check this bulletin board at least 72 hours before on the County building because the agenda could be changed at that time.

MS. MILLER: Mr. Chair, Commissioners, we actually go above state law. We're required to post our agenda 72 hours prior to the meeting, but we actually post our agenda one week in advance of the meeting, and then any amendments with 72 hours of the meeting. We traditionally post on the Friday so we add an actual 24 more hours to that, but within the law we can post 72 hours which would be Saturday in most cases because of our meetings being on Tuesday.

Also, the other requirement is that we do post it in a conspicuous spot so on the one I believe you're referring to that we did on Saturday we put it on all the doors but we also post it on our web, which is another additional item that we do. But I would say that generally we post in advance of what the state law requires by policy and then only on a rare occasion do we take it to the legal requirement, but we're traditionally ahead of that.

CHAIR MAYFIELD: I think it only happened maybe once. Okay. Well, thank you for that explanation, Ms. Miller. Commissioners, we have a motion and a second as amended.

MR. SHAFFER: Mr. Chair, if I could, just to make sure I've got the amendment right. So I think the concept would be paragraph 7, participation by conference telephone, if we added at the end, semi-colon, provided that one member of the Board must be present at the meeting location. I just want to make sure I captured the amendment correctly as to a limitation on the ability of people who participate by telephone.

COMMISSIONER STEFANICS: Mr. Chair, I said physically present, but I'm happy with whatever language the attorney comes up with.

MR. SHAFFER: Must be physically present? Okay.

COMMISSIONER STEFANICS: The rationale, Mr. Chair, is that we might have an audience member that should be recognized.

CHAIR MAYFIELD: That makes total sense, Commissioner Stefanics. I make no bones about it. I've participated telephonically and one thing that I find beneficial at least for me when I did that was to allow a member, a Commissioner who was here to preside over that meeting. I think it would be virtually impossible to preside

over a meeting telephonically, so that's just something for consideration also. But with that, Commissioners, all those in favor as amended?

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

III. C. 4. Resolution No. 2014-138, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant for the Santa Fe County Fairgrounds in Santa Fe County /\$160,000

TERESA MARTINEZ (Finance Director): Mr. Chair, members of the Commission, you have before you a budget action, again, asking for budgeting of \$160,000 to the Santa Fe County Fairgrounds and I'll stand for questions.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Questions. Commissioners? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Teresa, do you know what kind of improvements are contemplated?

MS. MARTINEZ: Let me see. Help here? I don't. I have general improvements. Mark can help me.

MARK HOGAN (Public Works Department): Mr. Chair, Commissioner Holian, the purpose of this is to plan and equip various facilities at the fairgrounds. As you recall at the Housing Board meeting there was discussion about some improvements being made to the fairgrounds so this is money that is available that we would apply to the planning and implementation of those improvements.

COMMISSIONER HOLIAN: Thank you, Mark.

COMMISSIONER STEFANICS: I'll move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

III. C. 5. Resolution No. 2014-139, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant for the Pojoaque Sports Fields in Pojoaque in Santa Fe County /\$225,000

MS. MARTINEZ: Commissioner, you basically stated it so I'll stand for questions.

CHAIR MAYFIELD: I'll ask a question. This granted, just so everybody listening can know, this grant is coming from the special appropriations fund. And can you talk a little about this grant? Do you have any information on this grant?

MS. MARTINEZ: Sure. Mr. Chair, this is a grant provided to us from the

state legislature specifically stated for \$225,000 to purchase, plan, design, construct, equip and improve the recreational and baseball fields in the Pojoaque Valley and County of Santa Fe.

CHAIR MAYFIELD: And this also was for – is this the money that was for the acquisition that was appropriated also? And correct me if I'm wrong, if you have this information. Wasn't it a little more than \$225,000? Or it came in two fiscal years or it will come in two fiscal years or two awards?

MS. MILLER: Mr. Chair, yes. There's two years of appropriations. This was the first year appropriations. We've acquired with our own funds so this will go towards the construction. Additionally, there's another grant that we're working on getting the paperwork from the state and executing that grant which we'll also bring back to budget as soon as we execute that grant agreement and that's for the second year of appropriations and that was \$130,000 some odd. So I believe the two combined were about \$360,000 and they did cover the purchase of the fields and the costs associated with that.

CHAIR MAYFIELD: So the acquisition price, Santa Fe County now owns it. We've cleaned up any title issues out there. And then I know we recently approved some capital expenditures that will go at least remaining from District 1 allocation funds to go to that to something. And my other question, Ms. Martinez or Ms. Miller, there was also – I don't know if it was some quick-start funds or some GRT funds in the amount of a million or a little better than a million that has been dedicated for that also.

MS. MILLER: Mr. Chair, yes. We had the quick-start, I think we started with about \$50,000, then we had another \$950,000 in the GRT. We used some of that actually to acquire it and close on it so that we could then get the grants released from the state. And the remainder of those funds, and those I believe are already budgeted, and those will go to the construction contract, which later on in the agenda we're requesting authorization for me to execute those bid documents, because we did receive the bids. Additionally, there are the funds that you allocated under the Consent Agenda and we can get you the total budget between the two grants, the quick-start, the long-term GRT funding, as well as your district funds that have been allocated to it. But I want to say it's probably a little bit in excess of \$1.5 million to do all the improvements, to acquire it and do all the improvements to the fields.

CHAIR MAYFIELD: Thank you, and again, I just want to thank staff for their continued work effort on this. I know we had a working collaboration with our local representatives and also the Pojoaque School District so I really appreciate that. I think this money will be well served for the community and this park is long overdue. I do recognize my successor, Henry Roybal, I believe he was here a little earlier. I don't know if he's still here. If he'd want to comment on it, I know I have heard indications from him that this is a project that he wants to stay committed to and I will not speak for him but that's my understanding. So hopefully this will come to full fruition soon. Thank you. I just want to say this. I want to thank our community for their patience and recognize the hard work of all staff, especially Ms. Miller, Mr. Flores and Mr. Rudy Garcia of all they've done to get this moving and sometimes government just takes a little while but at least it's coming to fruition. Thank you, guys. And that is Resolution 139 if approved. I

would like to move this resolution please.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: We have a motion and multiple seconds. Thank you, Commissioners.

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

III. C. 6. Resolution No. 2014-140, a Resolution Requesting a Budget Increase to the GOB Series 2013 Fund (351) to Budget Cash Carryover to Construct Improvements to the Quill Plant /\$400,000

CAROLE JARAMILLO (Budget Director): Mr. Chair, Commissioners, this resolution is a budget resolution to increase the general obligation bond fund for cash that was allocated to the Quill plant for improvements to that facility. The improvements planned are an upgrade to a bar screen and also an irrigation systems upgrade. And I'll stand for questions.

COMMISSIONER STEFANICS: Mr. Chair, I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: We have a motion and a second. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Carole, how long is the land lease for the Quill plant for?

MS. JARAMILLO: Mr. Chair, Commissioner Holian, I'm going to have to defer to someone from Public Works on that. Maybe Mr. Flores.

MS. MILLER: Mr. Chair, Commissioner Holian, it's a 25-year lease. We had one previously, then this one we renewed I believe about two, 2 ½ years ago. So I think we have probably 23.5 years on that lease.

COMMISSIONER HOLIAN: And do we have an option to renew it?

MS. MILLER: Mr. Chair, Commissioner Holian, when you're working with the state they don't quite do them like that. You have to go back to the legislature.

COMMISSIONER HOLIAN: But we actually own the plant itself, correct?

MS. MILLER: Mr. Chair, Commissioner Holian, I'd have to look. We don't own the plant or the land. We do the improvements and like I said, we have about a 25-year lease. It's one of those things where it would be nice if we actually – if the state would give it to us but I think because it's on the correctional property it's a little bit of a security issue as well.

COMMISSIONER HOLIAN: Well, in any event, I just – sort of in general, this is a rather general comment that I think that we should do a long-term plan for the Quill plant. I know it's a little bit outdated now but it could be designed as a state of the art water treatment facility. And then we could expand our connections to it for the

residences and businesses that are in that area and then the County would have a source of treated wastewater, just like the City does. And also of course it would protect the aquifer. So I'm just putting that on the record that I think that we ought to really think about a long-term plan.

CHAIR MAYFIELD: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I echo the comments of Commissioner Holian and I know that Commissioner Stefanics has had communications on this bench associated with that particular plant. The majority of the residences immediately around that plant are Commissioner Stefanics' residents, but we do have, as Commissioner Holian stated, potential for expansion even across the interstate. We've had some discussions relative to that, but in that immediate area it could serve an immense need if we're able to create some opportunities for expansion, coupled with a waterline expansion as well. So I do think we need to have more advanced discussions and take a close look at that, not as an independent entity. I think in cooperation with our state partners and other partners in the region to potentially help make that happen. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioners. And Ms. Jaramillo, or Claudia, so one of the biggest recipients is the Quill plant is our corrections unit out there, not so much County corrections but our statewide penitentiary, correct? And we have received dollar allocations from our local legislators on this. They recognize that importance and I think even when we ask for additional funding that we hopefully would ask all of the appropriators as this is a service to everybody in the state of New Mexico.

MS. BORCHERT: Commissioner Mayfield, do you want to know whether we have gotten money from them or we're asking for money from them?

CHAIR MAYFIELD: Well, if we have, and then also what the Commissioners stated. I thought there was a plan already in place for graywater reclamation there. Is that not already in the works?

MS. BORCHERT: Mr. Chair, right now we are not able to use the treated effluent for reclaimed wastewater purposes because it does not meet that standard in treatment. So we are looking to do significant improvements to the Quill treatment plant so that we can reuse that effluent.

CHAIR MAYFIELD: Thank you. And we do have this on our ICIP request, our statewide ICIP, correct?

MS. BORCHERT: Commissioner, right now there is, I want to say around \$3 million earmarked for improvements in Quill I believe that initially, the thought was that that would get us part of the way there, so there already is money earmarked. The money that is being borrowed today is getting us towards some of those improvements, although we're going to need – we need to find out what kind of facility we want, and then allocate money towards that. And seek other funding partners for that too.

CHAIR MAYFIELD: Thanks very much for that explanation.
Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I just want to state on the record the fact that we were able to get the state corrections system in our water system this past year in collaboration with Senator Wirth, Representative Egolf and Representative

Richards and working with the executive was a huge step forward and now we're in the phase where we'll continue planning and coordination to take it even further. But absolutely, that will entail continued dialogue and coordination with the state and those legislators that frankly, Representative Trujillo also, that stepped up to help us advance and get that system in our portfolio. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. We'll go to Commissioner Stefanics and then Ms. Miller.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. My understanding is that this money is really for basic needs and improvements. This is not taking us to the next level. We have some major screening issues, we have some pit liners – one was replaced; one is not replaced. There's a lot of sludge to remove and do something with, and even as I asked Claudia and the rest of the staff how we could use reclaimed water for others to use for farming or irrigating or agricultural purposes they said we are nowhere near meeting the standards. So meeting those standards would be a whole other level of funding.

So the things that we're talking about here are just really basic. And if you want to correct me, Claudia, please do. Thank you.

CHAIR MAYFIELD: Thank you. Ms. Miller, please.

MS. MILLER: Mr. Chair, to add to what Claudia said, it is on our ICIP. It is one of the top five that the County Commission voted on on the ICIP that goes to the state legislature and DFA for our request for capital funding. So we have \$3.5 million that was in the 2012 bond question. The portion that you're approving for budgeting today is some that we issued in 2013 and we're carrying it over into this year and then there's still some to be issued in the \$16 million left of that \$35 million that was authorized by the voters but unissued to date.

CHAIR MAYFIELD: Thank you, Ms. Miller. Commissioners, do we have a motion?

COMMISSIONER STEFANICS: I made a motion.

CHAIR MAYFIELD: So we do have a motion and a second

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

III. C. 7. Resolution No. 2014-141, a Resolution Requesting a Budget Increase to the Capital Outlay GRT Fund (313) for the Design and Construction of the Expansion and Improvements to the Public Safety Complex /\$2,145,515

MS. JARAMILLO: Mr. Chair, Commissioners, this resolution is to budget capital outlay GRT cash which was allocated in the capital improvement plan back in 2012. \$2.7 million of the capital outlay GRT was allocated to this project for design and improvements for the Public Safety Complex. Back in August of this year we did budget \$350,000 to hire an architect to do design improvements for the facility and we are now seeking to do a design-build contract. This resolution will add to the budget that we have

available to bring up the budget to the level that we need to engage in that contract for these improvements. And I stand for questions.

CHAIR MAYFIELD: Thank you, Ms. Jaramillo. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Carole, specifically, what are we doing again, just for the public's knowledge?

MS. JARAMILLO: We are primarily expanding the RECC, renovating their area, making it larger and more efficient. We're also doing some construction for a data recovery center and some improvements to HVAC and also an evidence area for our Sheriff's vehicles.

COMMISSIONER ANAYA: That HVAC improvement is an issue we've been running into for the heating and air conditioning, and a massive upgrade associated with the RECC so that they can continue to deliver those emergency services.

MS. JARAMILLO: Yes, sir. That's correct.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I'd move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Motion and multiple seconds.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: I just wanted to make a comment. I really like the idea of doing a design-build contract. I know that that was done for the Buckman Direct Diversion water treatment plant and it really worked out well. They even got an award for it. So I think it's a good way to go.

CHAIR MAYFIELD: Thank you for that, Commissioner Holian. General question for me and I don't know if this is for Ms. Jaramillo. Maybe for Mark because he's in the audience. Why would we not want to do design-build? There has to be a reason I guess, but why?

MR. HOGAN: Mr. Chair, it really depends on the type of project and whether it lends itself well to a design-build process or not. It has to do with the planning of the project initially, so if we have the long enough advance time we can start putting the pieces in place for design-build procurement. A lot of times that has a longer upfront time but then a quicker execution once the project gets going. One of the other major factors is the amount of information that we have developed going into it so we can provide a scope of work that provides enough detail and information that it can go into a design-build contract and the County can expect consistent results from that.

CHAIR MAYFIELD: Okay. Thank you. Thank you for that explanation.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: That question made me think of it in a different way because design-build is usually used on a project that's ground up. In this case we have an existing facility. We've done programming. We know that we need improvement in certain areas like renovation and expansion, building improvements like the heating and cooling, evidence room, those are programming things. So how does design-build lend itself to an existing structure, an existing building? Is it a good fit?

MHH: Mr. Chair, Commissioner Chavez, in this case we thought it was an

appropriate fit particularly when we got into the logistics of the RECC and how to manage the responsibility for maintaining the operation as well as converting it to the new additional desks or seats there without any downtime. And so we wanted to limit the number of people responsible for that and we wanted to keep that very tight so that we had good control and good security throughout the process.

COMMISSIONER CHAVEZ: Well, it's a pretty critical function. The Regional Emergency Communications Center, the RECC, that's a vital – one of our most important pieces. We know that space is not adequate. That's one thing that this new programming will address. So again, I guess I just – well, you've answered the question. If the design in your estimation, if staff has figured out that design-build will work in this scenario I'm going to trust that. I just wanted to add to the questions that Commissioner Mayfield was asking just to better understand where you're coming from and how it's all fitting together. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Thank you, Commissioner. Anything else, Commissioners?

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

III. C. 8. Resolution No. 2014-142, a Resolution Amending Resolution No. 2012-94 (The Affordable Housing Roof Repair or Replacement and Renovation Regulations)

STEVE BRUGGER (Affordable Housing): Mr. Chair, Commissioners, this is a proposed amendment to Resolution 2012-94, which provides for the regulations for the Happy Roofs program. It introduces the same identical changes to the ones that you approved in the ordinance amendment 2004-9, back on October 28th, which the New Mexico Mortgage Finance Authority had approved for that. It's more of a housekeeping matter, just to make sure that the regulations are consistent with the ordinance which enables the program. With that I would stand for questions.

CHAIR MAYFIELD: Thank you, Mr. Brugger. Commissioners?
Commissioner Chavez.

COMMISSIONER CHAVEZ: Steve, I'm going to read into the minutes the benefit of this program. So you're going to change the maximum limit of assistance from \$10,000 to \$14,000 per unit, right?

MR. BRUGGER: \$14,999 per unit. Yes, Commissioner.

COMMISSIONER CHAVEZ: And then you're going to increase, if this passes the new provisions will increase affordability periods from five to ten years for assistance up to the \$14,999 limit.

MR. BRUGGER: Yes.

COMMISSIONER CHAVEZ: And that limit eligibility will apply only to low income households at or below 80 percent of the area median income.

MR. BRUGGER: Yes.

COMMISSIONER CHAVEZ: And that's any homeowner in Santa Fe County that meets those requirements.

MR. BRUGGER: Yes.

COMMISSIONER CHAVEZ: Thank you. That's all I have, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Steve, what's the current median income right now in Santa Fe County for a family of four?

MR. BRUGGER: I believe it's for a family of four, I believe it's about \$65,300.

COMMISSIONER ANAYA: Thank you, Mr. Chair.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Commissioner Holian, then I have a question also.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Steve, how many roofs have been replaced under this program? Or renovated?

MR. BRUGGER: To date, with the one that we've got going now it's about ten for \$80,000. We have about four others that would move forward that we've got bids on if this is approved.

COMMISSIONER HOLIAN: And have you collected any data on whether the utility bills have been lowered in the homes where the roofs have been improved?

MR. BRUGGER: Mr. Chair, Commissioner Holian, we have not. There will probably be somewhat of a positive impact. More of the roofs that we look at, these are more structural concerns. Getting off old corrugated metal or old material and just putting something on there that's lasting that will withstand some – keep the inside dry.

COMMISSIONER HOLIAN: So if nothing else you've improved the comfort of the house and the durability.

MR. BRUGGER: Yes.

COMMISSIONER HOLIAN: What happens if a house is sold before the ten-year affordability ends?

MR. BRUGGER: Mr. Chair, Commissioner Holian, if it's sold before the affordability ends and it's not sold to another income qualifying household they need to repay the loan to the County.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR MAYFIELD: Thank you. My question was answered, Mr. Brugger. Thank you. Commissioners, we have a motion and a second.

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

III. D. Miscellaneous

1. Election of County Commission Chair 2015

CHAIR MAYFIELD: With that, Commissioners, I would like to respectfully like to nominate Mr. Vice Chairman Robert Anaya. I think Vice Chairman Anaya is an example of a great Commissioner. He's thoughtful. He's very professional and he's very knowledgeable. He brings so much institutional knowledge to this

organization that has been my privilege to sit with him. And with that, Commissioners, I'd look for a second.

COMMISSIONER STEFANICS: I'll second.

CHAIR MAYFIELD: We have a motion and a second.

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

CHAIR MAYFIELD: Congratulations on your 2015, Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, thank you for your efforts as chair and as a Commissioner, I have some additional words I'll save for a little bit later but thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Chairman Anaya.

III. D. 2. Election of County Commission Vice Chair 2015

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I support the rotation concept so I would move that Commissioner Miguel Chavez be our vice chair.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: Thank you. We have a motion and a second. Congratulations, Commissioner, Vice Chairman Chavez.

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

III. D. 3. Request Authorization from the Board of County Commissioners to the County Manager to Proceed with the Approval and Execution of the Construction Contract and Sign the Purchase Order for the Pojoaque Valley Recreation Complex Improvements, Phase I, Contingent Upon Completion of the Procurement Process and Acceptance of the Lowest and Most Responsive Bid within Authorized Funding and Budget

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. We're here before you, the Purchasing Division and Public Works Department who issues an invitation for bid for construction services for the Pojoaque field recreation complex. Bids were received on November 17th. We had an architectural estimate of \$1.473 million. I'm pleased to say that the bids came in well under that. But we are still going through the bid tabulations and formalizing the contracts and therefore we're before you today to ask if we could – if you would so much give the County Manager authorization to follow through with the execution of the contracts.

CHAIR MAYFIELD: Thank you, Mr. Taylor. Commissioners, again, this is just a project that's near and dear to my heart, to the community's heart. I think it's a very viable and worthwhile project. We talked a little about Farm to Table a little earlier, childhood obesities. I think to have a great northern recreational facility such as this is well warranted and much needed. With that, Commissioners, I would move for approval.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: Thank you. We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

III. D. 4. Request Approval of Memorandum of Understanding Between the City of Santa Fe and Santa Fe County for the Santa Fe Brewery Discharging into a County Wastewater Collection System and then to the City Wastewater Collection and Treatment System

MS. BORCHERT: Mr. Chair members of the Commission, this is an MOU that will allow Santa Fe Brewing Company to become our wastewater customer. We will collect their waste through infrastructure that will be dedicated to us. Then right now it will go through a part of the TTMA, Turquoise Trail Master Area private wastewater collection system, and then it will go from that collection system into the City's and it will ultimately be treated through the City's wastewater treatment plant.

As you may know, the County is currently working on taking over the TTMA lift station. It's sometimes also known as the Abajo lift station. So eventually the middle person in this picture right now of TTMA will be removed and it will be the Santa Fe Brewing Company waste going through the County's collection system directly into the City's collection system. It's also, I just wanted to note that this is an expansion of the brewing company that we've been working on with them. It has an economic driver for both the City and the County. The City and County have been cooperating on this and would really like to see this move forward. And I know that Dave and the applicant could speak if you have any questions more of us.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: This is part of an economic development award that was given and I would move approval.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: We have a motion and a second. Any further discussion?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I would ask if the representative from Santa Fe Brewing would get up and just give a brief synopsis. I was at a

presentation some months back about the expansion that's gone on at the Santa Fe Brewing Company and just the business and volume that they're doing and I would like to give them an opportunity to just give us a brief snapshot of what's happened there. I know it's exploding and you're doing great business there but I would like a brief summary, if you could.

BRIAN LOCKE: Thank you. My name is Brian Locke. I'm the owner of Santa Fe Brewing, so Commissioner Anaya and the rest of the Commissioners, thank you for the support you've all given me. The connection to this wastewater treatment system was really crucial in the decision to kind of expand the business here, because I was paying, as you can imagine a significant amount of money to have all of that blackwater pumped daily from the site. So the infrastructure is there. The pipe is on 14. So the ability to connect to it is not very difficult so I'm glad that I have some support here and the City's been supportive to take that waste.

To address your question a little bit on the expansion of course I'm in the process of submitting all of the blueprints for the expanded brewery and the idea is that I will increase the footprint of the existing warehouse manufacturing facility from where it is now, which is just under 13,000 square feet in kind of a two-phased expansion. The first one will be around 30,000 square feet and the second one would be an additional 25,000 square feet on top of that. So the idea is that when the entire project is complete both phases are finished, we'll have the capacity to brew up to 200,000 barrels of beer a year.

Now, to put that in perspective a little bit, currently we're on pace this year to do probably around 20,000 barrels. So that's ten times the size of what we are now. The first phase expansion is geared right towards the packaging hall, so it's really just to enable us to package the beer faster. So in terms of economic development I think it will be a great benefit for the community to have something like this on the south part of Santa Fe. We're going to build a very – I would say almost like oasis out there in terms of trees and landscaping, because we have so much water. We're putting in a wastewater treatment system with the help of the state LEDA funds that Commissioner Stefanics mentioned. We're putting in a wastewater treatment system with those LEDA funds that will enable us to treat probably more than 60 percent of our effluent to the point where we can then reuse it to irrigate onsite. So we'll have an amazing landscaped beer garden area that I hope to become kind of a destination for people when they come to Santa Fe, that will be one of the places they want to go.

COMMISSIONER ANAYA: Mr. Chair, I appreciate the summary and the information. Could you just talk for a second about workforce and the amount of employees from now to build-out, what you're going to help bring into the community?

MR. LOCKE: Sure. So currently I have roughly about 40 employees, split between part time and full time. Of course during the construction period that I hope to break ground early next year that will employ – I don't know the numbers exactly, but certainly local construction companies are going to be the ones bidding on the project. It's a fairly sizeable project so that's going to employ quite a bit of construction workers for the next six months.

When the construction period is over I'm going to be opening a place in Albuquerque that's an offsite what I would call tasting room, so I'm shooting to open that in May. That will probably be about 12 to 15 people that I'll hire at that location. And

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then with the expanded building I'll start to hire more packaging or manufacturing jobs within the brewery. So my ultimate plan and what I've kind of agreed to with the state as a part of these LEDA funds is I'd like to be at 105 jobs by 2020.

COMMISSIONER ANAYA: Mr. Chair and sir, thank you for your efforts moving forward and we're happy to be a part of that expansion and the creation of those jobs locally.

MR. LOCKE: Thank you very much.

CHAIR MAYFIELD: Thank you very much. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, congratulations to your achieving your accomplishment and getting state recognition and funding for your expansion. Do you have any ideas of how many bottles you go through in a year?

MR. LOCKE: Let's see. Like individual bottles or cases of bottles?

COMMISSIONER CHAVEZ: Just throw out a number.

MR. LOCKE: I'll have to do some quick, rough math in my head, but you're probably looking at about 1.5 million bottles.

COMMISSIONER CHAVEZ: 1.5 million bottles, glass, right?

MR. LOCKE: Yes.

COMMISSIONER CHAVEZ: Brown glass.

MR. LOCKE: Correct.

COMMISSIONER CHAVEZ: The reason I ask, it's off-topic just a bit but we're having a problem with recycling glass and have you put any thought into that at all?

MR. LOCKE: You know, most of my growth and most of my intention with that growth is actually on the canned side of the business. My bottle sales, interestingly enough, have been fairly flat over the last five years. My cans, alternatively, have been growing at 40 to 50 percent a year. Almost all my growth is in cans. The new packaging line I alluded to earlier, in phase 1, the packaging hall, that's going to house a new can-filler. So that's going to be my really aggressive growth plan is more cans, less bottles.

COMMISSIONER CHAVEZ: So that will help us a bit. I did notice in your bottles your product is going out of state; it's pretty much national, and New Mexico is one of the only states that's not mentioned in there for reclaiming those bottles for a price. We're missing again in that equation. I don't want to take anything away from what you've accomplished. I just wanted to use the opportunity to touch on that just for a minute. Because when we talk about recycling glass and cardboard are two of the items that we're really struggling with. So just food for thought. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. Commissioners, we have a request to approve an MOU.

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

III. E. Ordinances

1. Request Authorization to Publish Title and General Summary of an Ordinance Entitled "An Ordinance Amending Ordinance No. 2012-1 Pertaining to the Affordability Lien that is Executed and Recorded at the Time of Closing of an Affordable Home Sale"

MR. BRUGGER: Mr. Chair, Commissioners, this proposal addresses an amendment to Ordinance 2012-1 which had amended the original inclusionary zoning ordinance, 2006-02. And what it proposes to do is to eliminate the language whereby the County affordability liens that are taken back on the sale of an affordable home are reduced, eliminated over a ten-year period. We propose through this amendment to go back to the original language which was included in the original inclusionary zoning ordinance, 2006-02.

There are three reasons that we feel that this is necessary to do. Number one, the formula that was included in that ordinance, 2012-1, is wrong. The math is wrong and at minimum that would need to be clarified, corrected, to address the intent of what that approval was. Second reason, what the elimination of liens over ten years does, among other things is to eliminate long-term affordability of the units. Since I've been here we've sold about 11, 12 homes, where income-qualified individuals were able to assume liens which exist on the property. With forgiveness over ten years we wouldn't be able to do that any longer. We would lose affordable housing stock.

The third reason that we think is important in support of this amendment is that we have 200+ other lien holders out there. The face value of their liens is about \$13.7 million. They're not forgiven. And it just creates a little inconsistency between then and now. We have other reasons for bringing this forward but in the efforts of being concise I'll leave it at that and stand for questions.

CHAIR MAYFIELD: Thank you, Mr. Brugger. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair and Mr. Brugger, I didn't come prepared to maybe provide an expanded counter perspective to some of the discussion that you brought up and I don't think I'll be in a position to stand in the way, obviously, of the change, but I would say that one perspective is that when you have a deferral of a lien over the course of time you provided a homebuyer, if it's a homebuyer, the opportunity to stay in the home for that period of time and then maybe buy up to a different level of home if they get a better job over time or if other family members start to work, and they have an opportunity without having that extra obligation of paying back that full value of that loan.

So I think there are some philosophical reasons from different perspectives I think that could quantify that it's a good thing in some circumstances and maybe it's for another day for another discussion but when you have an affordable home that's bought at a lower purchase price or a starter home, for example, I think there is an argument that could be made that you want to encourage that family to stay in that home, number one,

but that they would even earn some additional equity beyond the normal market, if you will, so that they might be able to buy up into another price point.

So I'll leave it at that and those are some things that maybe we can have some expanded discussion on at a later time if it's the pleasure to adopt the resolution but I think there's cases to be made on both sides. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I am in support of the amendments for the ordinance. I think we can help more people, more families, if we make the changes that you have requested. I think that's really the bottom line. We want to help the most number of people who need help and who we can help. So I move to publish title and general summary of this ordinance amendment.

COMMISSIONER STEFANICS: I'll second.

CHAIR MAYFIELD: Thank you. We have a motion and a second.
Discussion? Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Steve, so this program would apply to new subdivisions?

MR. BRUGGER: Mr. Chair, Commissioners, Commissioner Chavez, this would apply to new subdivisions. This would also apply to the older subdivisions for which we have approved amended and restated affordable housing agreements, to include La Pradera, La Entrada, Oshara. Turquoise Trail is still under the Community College District. They've talked about – we've talked about bringing them under this but it's a long way away in Colorado.

COMMISSIONER CHAVEZ: No, that's good. So are we also suggesting that this be inclusionary zoning so that the "affordable units" don't stand out or blend in with the rest of the development?

MR. BRUGGER: Mr. Chair, Commissioner Chavez, in answer to your question, yes. Doing what we can to protect long-term affordability is a fundamental premise of an inclusionary zoning program. That's why we're bringing forward the amendment.

COMMISSIONER CHAVEZ: And can the developer do transfer of development or fee in lieu of?

MR. BRUGGER: Mr. Chair, Commissioner Chavez, yes, the developer can do fee in lieu of. The current formula for that makes it prohibitive. We are working internally to come up with an alternate means of compliance which developers can actually use, which is less onerous and we hope to bring that forward to you soon, once we know that it can work.

COMMISSIONER CHAVEZ: Okay, and I don't mean to be too critical but I think in my observation, and maybe past experience, sometimes it's easy to pay your way out of something and we could take the money but I think we need the units more than the money in my estimation. So I guess if you're making it more punitive or not cost-effective to do that I think that's encouraging. Because don't these developments often get density bonuses and things like that for agreeing with the program?

MR. BRUGGER: Mr. Chair, Commissioner Chavez, yes, they can get

density bonuses with the program. However, there's still some minimum lot size requirements which can, depending on where the subdivision is, get in the way of that and through all of this inclusionary zoning program and through the alternate means of compliance we have to try to strike a balance between providing the affordable housing that we need and making sure that the developers who provide that affordable housing stay solvent. And there are improvements which need to be – in my opinion, which need to be made in the ordinance and regulations to make that so.

COMMISSIONER CHAVEZ: Okay. I guess – so what about transfer of development rights? Is that also in the equation? Can they, instead of building in a subdivision can they shift all of their units from one subdivision to another subdivision?

MR. BRUGGER: Mr. Chair, Commissioners, Commissioner Chavez, there is a provision in the inclusionary zoning ordinance which allows the applicant to provide affordable housing in another location in the unincorporated area in the county.

COMMISSIONER CHAVEZ: So then the provision that they would provide inclusionary zoning would then not – that would go away but it would be applied somewhere else?

MR. BRUGGER: Yes.

COMMISSIONER CHAVEZ: Okay. I guess I raise these questions because I have a little caution in the transfer of development provision and the fee in lieu of and I guess if it's done in the right way with the intention of keeping that developer solvent I guess that could be okay but just with caution. I think you're there. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Mr. Chair, just a couple comments. I think in that discussion that Commissioner Chavez brings up that it's a broad discussion and that we go into it with eyes wide open and all partners and potential people at the table that would access and try and produce that housing. The other thing I would say is this is to publish title and general summary for a public hearing and I would ask that we convey these changes to people that have actually accessed these programs and these liens to get some feedback and input directly from them and how it benefited them and their families associated with the liens as they are currently established, as we move forward and deliberate about the possible changes. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Mr. Brugger, how many public hearings are you anticipating or requesting or proposing? And here in County Chambers or going somewhere else?

MR. BRUGGER: Mr. Chair, I would only anticipate the one here in the chambers unless you instruct otherwise.

CHAIR MAYFIELD: Again, this is up to the Commission, but I would suggest two.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner.

COMMISSIONER STEFANICS: Based upon the comments about

possible developments I would recommend two, but they should be here in the chambers just so that they're publicized. And if people catch the first hearing then if they missed the topic they could attend the second one.

CHAIR MAYFIELD: Thank you, Commissioners. So I think the Commission is looking for two, Mr. Brugger. With that we have a motion and a second to publish title and general summary on this matter.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR MAYFIELD: Let me just do some housekeeping for our audience really quick. We're going to go on to item IV, Matters of Public Concern, Commissioners, then I'm going to ask that we move on to, under presentations, to go to item 2, an update on the sale of the Top of the World farms, and then I'm going to ask for about a five-minute break. Thank you, Commissioners. So with that, is there anybody here from the public that wishes to discuss any item that's not on our agenda today? And gentlemen, I know all parties, so we do have an executive session, on I believe, your item. Just so you know that, and then also gentlemen, we also have the Top of the World farms that we're going to be discussing public, so this is just for matters of public concern right now. Thank you. Mr. MacCreight.

MR. MACCREIGHT: Commissioner Mayfield, Commissioners, I know that. I wasn't made aware that this was going to take place like this. I was supposed to come here and have my continuation of the BCC meeting that took place on September 30th regarding an application I made on May 13th of this year, and I'm just wondering if I'm allowed to give you some input and that executive meeting does it – I know it excludes me and I have handed in a formal withdrawal of my application and I believe that there's extenuating circumstances that I would like to express that would, I believe, influence your opinion.

So I don't know if you make that – I don't know how the executive meeting works. In other words, do you make a determination that you're going to follow through on what you did or a determination on the withdrawal. Do I get a chance to come back before the BCC in order to express my concerns about these extenuating circumstances?

CHAIR MAYFIELD: Thank you, Mr. MacCreight. So let me ask our County Attorney this question. We have an individual who definitely wants to comment on something in front of this Commission. Granted, it's in executive session, so how do we afford that opportunity for somebody to discuss a matter that's not out for public discussion but maybe a matter that's in request for executive?

MR. SHAFFER: Mr. Chair, any final action that the Board takes in the matter would be noticed as such and Mr. MacCreight would be given notice of when that final action is. I think that would be the appropriate time for any additional comment.

CHAIR MAYFIELD: And Mr. Shaffer, let me ask this question. So I believe – and if I'm going anywhere I shouldn't please direct me, Mr. Shaffer, but we had an action item in front of this Commission pertaining to this case and I am hearing a

request to go into executive session on it. But with that being stated, typically again, unless one of the Commissioners elects to pull something off of a Consent item, this matter when it does come to this Commission for final approval it's just going to be noticed as a Consent item, correct?

MR. SHAFFER: Ordinarily, that would be correct, Mr. Chair. I believe that the recent practice, at least as I've observed it is that the Board does allow comment on all items including those that are Consent and they can be pulled off.

CHAIR MAYFIELD: Sure but the Board is going to be changing so it will be up to the pleasure I guess of the Board at that time if they want to allow discussion on anything on Consent. So thank you. So, Mr. MacCreight, please.

MR. MACCREIGHT: May I make a comment?

CHAIR MAYFIELD: Sure.

MR. MACCREIGHT: Okay. On the second meeting which was a notification for final notice, it was recommended by Commissioner Stefanics and also yourself, which I have the minutes of, recommending that the County contact not only us but our neighbor who was protesting this action and get together with them. None of that's ever happened. Since that time I've gotten an opportunity to look back over some emails, and just to refresh you about what this case is all about I purchased a piece of property. Unbeknownst to me the former owner gave that property to his daughter and in the midst of that sold off an adjoining lot which gave access to a neighbor.

That lot is vacant, has never had a road cut through it. The County came out to inspect a variance that we requested to change that variance because it wasn't applied for properly and therefore, the reason for that was they did not apply to vacate the easement going through our house in order to create the new easement. So theoretically we have two easements on our property now. There was never an inspection done by Land Use involving this particular easement that was an arbitrary decision made by the head of Land Use to go ahead and grant an easement that was originally proposed but was never executed properly by the former owner and the neighbors.

Now, in this process, when they came out to inspect, they came out for my application. My neighbor did not file any application for an easement. In finding this and giving this arbitrary opinion to give this easement that we did not apply for we feel that, number one, they didn't have the right to do that. Number two, there was no comprehensive inspection done on this property. The inspection was done on our new easement that we were applying for and marked by a licensed surveyor. The only inspection they did of the easement that they recommended and the County Commission voted to approve without our approval or input was never inspected; they only glanced over it because it's not even marked.

Now, in the midst of that we came back on September 29th or September 30th I think it was, at the request of the Commission. I was not notified about this meeting. Then I find out in an email that my neighbor was making the request of the County Legal Department to change the final order. Now, I look at the date on that change and it's prior to even the day of the meeting that we were never even notified about and the requests that the neighbor was asking for were not even in. These were line item. They were not even in the two final notices that we were shown after the meeting, because we didn't even know there was a meeting until an hour before it.

So this is an egregious mistake made by someone at the County because my neighbor is communicating with the County, making changes in the final notice. They're not even the applicant and the County actually made one of those changes and sent out another final notice which we received and we didn't even know it was a meeting and yet my neighbor's making changes in the final notice.

So after this and a couple other times where we were given appointments and then they were changed. No notification by the County; they just arbitrarily changed those things. It's unfortunate that all this miscommunication took place. So on November 14th after seeing this, getting a notice saying that, well, if you're not happy with what the Commission decides you can appeal it at the County court. So in other words this is really a title company issue and what's happening is I'm going to have to go to court to fight the County in order to have my right to go to court to fight the title company.

Because if this stands, this vote, it's going to diminish my power in negotiating with the title company in order to recoup the amount of money that was thousands of dollars spent for attorneys. So our property rights are being violated. I can't prove that anyone did anything maliciously. I hope they didn't but there's never been any direct and clear communication. I didn't even know that this thing was on the agenda again today because they changed it to December 9th and after I complained about it someone put it back on the agenda for today, but I had no notification until I came here this morning and found it. So I've never gotten any notification even though I've asked for it on two different times.

So I'm put in a position where this is a vacant lot and when the inspection was done – this is one of the most crucial points – and the recommendation made by the head of Land Use to grant this easement that benefits my neighbor, there was no comprehensive report done. There's no written report. I asked for it. They said there is none. So my question to you, Mr. Chair and the Commissioners is how can someone make a recommendation without every mentioning that, number one, this land is vacant. My neighbor lives to the lot north of that. Has ingress and egress. But the fact is they don't even mention it's in the traditional community of Chupadero and six homes can be built on this lot riding past my house.

And so there was no inspection done, no comprehensive report, and I'm trying to – it's questionable that someone could make a recommendation of that and never even mention it in the final report. So I'm asking that the Commission would support my petition to formally withdraw our application because this thing is totally muddled and it belongs in the court. And my only way of proving that this whole case, the particulars of this case was to come before you, identify that the easement through my house was never vacated and also appeal for an easement. If we got it, it would have been fine but showed that the other easement was tainted because of the lack of vacating the original easement.

So we have a case here that belongs in the courts and not to be decided. I know that the Commission thought that they were helping us out by trying to vacate the old one and grant a new one but it's not what we wanted and it's also not in our application. It was an arbitrary decision that we feel we're being violated by.

CHAIR MAYFIELD: Thank you.

MR. MACCREIGHT: Thank you very much for your consideration.

CHAIR MAYFIELD: Yes. Thank you. So I'm just going to ask staff I

guess some general questions. I'm going to direct them all to Mr. Shaffer. So I guess – and again, not in particular to this case but just from what I've experienced up here for the last four years. When it comes to easement issues sometimes I wonder should they be coming in front of this County Commission, respecting if there needs to be a different process. I think there was one case where maybe somebody went down into whatever appropriate authority, if it was our Clerk's Office, our Land Use and ask for a vacation of an easement. The actual owners of that property didn't know that they asked for it but they had the right to do that.

And I guess, Mr. Shaffer, what I'm asking you and/or staff for some sort of direction. Is there a state statute on this? Should we appeal to somebody to maybe introduce some state statute? That's number one, and however you want to answer it is fine. Number two, if an individual files something within our Land Use Department, what precludes them or does not allow them the opportunity to withdraw it if they so choose to, if it was their application. And I guess even, knowing that this County does take final action on certain land use administrative actions, but let's say – I've seen this time and time again where there's always – I shouldn't say always, but there's a lot of variance requests on a land use application that come to us and there's always – or I shouldn't say always, but sometimes there's suggested staff recommendations that the County chooses to accept or not. I'll say nine out of ten, and correct me if I'm wrong – we typically go back to that applicant saying are you okay with these staff recommendations and sometimes they say yea. I don't really hear too many that say nay.

But if they are opposed to them at that time could they just not stand up and say, look, we want to stop this application and withdraw it. Are there any rules on that?

And then I guess my third point for future, and I thought we tried a stab at a resolution on this and I may definitely be wrong on this also, but if the Commission has a final order in front of it, and I think it's happened on two if not three occasions, and we again, Consent Agenda is pretty much taking action on something that we've deliberated with the parties, gave them the opportunity to be here. But there has been a few instances where – I'm not faulting this Commission by any means – where we made some changes to that final order, and I'm thinking, well, how was due process served or afforded to all parties involved if they were not even notified? I guess they could always monitor our agendas, but if they weren't notified, oh, by the way, final Consent action is coming up on your case and there may be some request by the Commission to modify it.

And I would hope that the Commission refrains from doing that or we put a process in place to afford that opportunity, and maybe that's by noticing all parties involved saying, come. You're on final consent. There might be some discussion. If there is we'll give it to you. Because I think when we do that, and this does happen, sometimes we're hearing testimony from maybe one side, not both sides. People are saying, well, we didn't know anything about it. Whoever wants to come and talk on it they come and talk on it. And I guess Greg, I know that's a lot. I just maybe that's more food for thought for you to address, but any kind of guidance you could give me on that I would appreciate it.

MR. SHAFFER: Mr. Chair, in terms of plat vacation there is a state statute that is specific to vacation of subdivision plats that does exist in law. In terms of other plats and vacations one of the orders if not more of the orders that the Board approved this evening does walk through the analysis as to why those other plats can come to the

Board at the discretion of the Land Use Administrator, which I believe is her actual practice to ensure that there is adequate notice to affected parties. So we can go through that in greater detail for the entire Board.

In terms of the actual request to withdraw the application, that was the subject for deliberations for executive session so I would defer that to that. And then with respect to providing notice to the applicant and other interested parties for whom we have contact information, that's something that we could discuss with Land Use staff as to whether or not that is a feasible change to make to their processes.

CHAIR MAYFIELD: Thank you, Mr. Chair. And again, I would just say we've taken a lot of action tonight on our Consent Agenda and the way I always understood Consent, it's just more of an acknowledgement of a past action we've taken. I think maybe for some reasons some Commissioners have chosen to still affirm their vote for or against if something's being consented to and I think that's fine. But I just do think if we're getting into changing anything that we've approved on a final action that's where we should not go. But I'll just kind of leave that at that right now. That's not going to be my decision any more. But just so I am noted on the record stating that.

So, Commissioners, Thank you. Mr. MacCreight, thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Greg, I think his point maybe warrants some further thought and analysis so that at very minimum there's some notification that's consistent across both parties and maybe some more discussion about how we make sure it's fair and impartial, I guess, for lack of a better word. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. And I'll just state this. I can't speak for any Commissioners but I'll speak for myself, but after we've taken final action, knowing on a land use administrative case, we can't have discussion with either party. It's an adjudicated case in front of us, but post that, somebody might say, well, this could have happened wrong and we want you to try to address it procedurally, and I think that maybe then the Commission, and I should know this, that we totally refrain from taking any phone calls or just saying, look, you need to talk to our County Attorney if there has not been final consent on a final order.

But again, for me, when we approve something, it's not dotted but I'm thinking, look. We've either taken formal action on this and there really shouldn't be too much more wriggle room by the time it comes to Consent. So that's just food for thought, if somebody contacts –

MR. SHAFFER: Yes, if I would just respond to that. I understand the direction to come back at the staff level for some more – document for the Board what the processes are, how people will be notified. In terms of discussion the hearings have been closed so there should not be any more evidence taken into consideration and things get to facts. That should not happen. But we can document a process as to how people may be able to comment on the order, again, on the order itself, which if that's the desire of the Board, which again is the effort by the staff to articulate the legal basis and factual findings of the Board that support its decision.

CHAIR MAYFIELD: Thank you, and I will close with this, Commissioners, and I'm sorry; I don't mean to take up too much time. But I think there

have even been some Commission decisions as far as that I've just recently been apprised of where we've taken our final action, we've taken our final order. Those parties have chosen to challenge us in district court and district court overturned us and that would be the other thing that I would ask that staff, if that ever happens, that this Commission is apprised of what – even publicly, of what we've been overturned on, because that could be something that we could learn from also. Because that's really what somebody's recourse is on a Commission decision is to go to district court, and that could cost them a lot of money or maybe it won't cost them too much money. I'm looking at some attorneys out there, if they want to do it pro bono or something. But anyways, thank you all for your time and your patience on that.

V. B. Matters from the Commission

2. Update on Sale of the Top of the World Farm Property

CHAIR MAYFIELD: I asked that this be put on the agenda. Again, I had some individuals contact me asking, hey, what's going on with the sale of the Top of the World farms. I believe I understood that this Commission did make a decision to sell that land. I think there was general – again, I'm not going to speak to something that I'm not knowledgeable on but there was some general outreach to parties. But before we go to that, Greg, or Ms. Miller, could one of you just please, before I open this up for public discussion, talk about the process or what the Commission's authority is on the acquisition of property or the selling of property, because somebody said, well, did this go out for RFP?

And granted, I think we're all proponents of that process, but there's certain provisions of the law that states what you can do and what you can't do, and/or if an individual wants to come and say, hey, we have some space on a trail that's for sale on our property, they're in a position to be able to approach our County Manager or a Commissioner saying, would you all be interested in buying this? And if I'm wrong, correct me, but I think just some general education on that would be great, Mr. Shaffer or Ms. Miller.

MS. MILLER: Mr. Chair, Commissioners, real property, whether it's leases, purchase or sale is not subject – it's exempt from the procurement code, so when the County sells real property or purchases real property or enters into leases they do not necessarily have to be done with real property be done in accordance with the procurement code as far as a competitive procurement. I'd have to have Bill Taylor speak to the very specifics of that but I can tell you that statutorily that is not a requirement and in this particular instance we did get proposals but not from an RFP. I'd like Erik Aaboe to give you the actual steps that were taken relative to this property because he was the one involved up until the most recent steps that were taken.

CHAIR MAYFIELD: Thank you. Before you go to that Commissioner Chavez has a comment or question.

COMMISSIONER CHAVEZ: Ms. Miller, didn't we in fact or hasn't there been surveys done or appraisals done on this property? Do we have current appraisals?

MS. MILLER: Mr. Chair, Commissioner Chavez, one thing that is required by state law is that we do get appraisals when we sell assets and that we cannot

sell for less than the appraised value. So this property has had an appraisal and based upon direction from the Commission we have been working on a sale of that property based on an appraisal that we contracted for and that was confirmed by the Property Tax Division as an accurate appraisal.

COMMISSIONER CHAVEZ: And is – are you seeing a big difference – I don't know if you can tell me if this is an appropriate question or not. It may be premature. Are you seeing a big difference in the appraisal price and what the market value might be? Is the price at one and the same?

MS. MILLER: Mr. Chair, Commissioner Chavez, the appraisal is based on current market value and sales in the area.

COMMISSIONER CHAVEZ: Okay. Thank you. So that would include comparables then I would imagine.

MS. MILLER: Mr. Chair, Commissioner Chavez, yes. The appraisal does have comparables in the area.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'll make a few comments now and then I know there's going to be some people that are going to get up and make some comments later. But the one thing I'll say is I've been in a community and we've had some conversations, Ms. Miller and I've even had some conversations with this Board in relation to this specific property. I had some specific questions and concerns going all the way back to the water transfer associated with the Top of the World that I expressed on the record, but I've been in communities that have had entities or individuals come into a community and have a desire to do a project or to purchase a property and do some type of program or development but I always remember in the Estancia Basin in particular, with the brackish water issue of how controversial that became, how quickly it became very controversial when people were trying to extract water from that community and pipe it to Santa Fe basically in a nutshell.

And I've always been cognizant that it's important to reach out to those communities that are directly impacted. What I'm finding out in recent days and today in particular is that we have some specific relationships with individuals on this particular property that had a direct relationships with some of our staff people in the use and function of that property and I want to make sure that we hear them out and that we give whatever comments they have just consideration. I think at the last meeting – I think it was the last meeting – I brought this item up and I specifically asked us to go and extend a hand to Cuesta and the County of Taos. I know you spoke with Taos County but it's my understanding that some of the individuals that might even speak today, one of them is a commissioner-elect or one of the individuals representing a commissioner-elect is going to make some comments today associated with potential use of that particular property.

So I just want to put that out there, that we hear them out and that we always make sure that we do full due diligence. I didn't realize the communications that had gone directly. I think it was Scott Rivers had direct involvement in some of the aspects of the people that were utilizing Top of the World is what I was apprised of. You let me know whether or not that's an accurate representation or not. But I just want to make sure that we always are cognizant of those communities and that we always make sure that we

communicate directly with those people most immediately impacted. So thank you, Mr. Chair. I'll listen and see how things go.

CHAIR MAYFIELD: Vice Chairman Anaya, thank you. Mr. Aaboe, please.

ERIK AABOE (Public Works): Thanks. So in terms of this disposition of the Top of the World farm, in May of last year the County sent out a request for a letter of interest to a couple of entities that were interested in purchasing this property and under the letter of interest we requested that the parties acknowledge the terms outlined in the letter as well as provide us with evidence of the financial ability to pay the estimated price of the property. So we sent this out in May and we received two responses from entities that were interested, from S & G Land and Cattle. Those are the folks Mr. Salazar, who are currently leasing the property for agricultural use, as well as another firm, Tellar Investment Company.

And so we received those two –

CHAIR MAYFIELD: Mr. Aaboe, excuse me one second.

COMMISSIONER CHAVEZ: On the lease, could you expand on the terms and how that lease is set up, because I think that by itself is part of the equation.

MR. AABOE: Certainly. And I'm not super expert on that but my understanding is we've leased the use of the property using two separate leases to S & G Land and Cattle with a term to end December 31st of this year. One of the leases is for a dry land tract to be used for grazing, the other one is an agricultural lease for the use of up to a certain amount of acre-feet per year of water on six center-pivot irrigation circles. So those leases were put in place a little over a year ago, I think. I'm sorry. I don't have the original –

MS. MILLER: Mr. Chair, Commissioner, I believe they were done over two to three years ago on a one-year renewal basis. There's one option year left.

COMMISSIONER CHAVEZ: Thank you.

MR. AABOE: Right. And the terms did change in the last year because of the sale of some of the water to the BIA, so the lease term is through December 31st of this year for 624 acres of irrigation. So those leases were and still are in existence for the agricultural use of that property. And so when the letters of interest were received back from both parties from S & G Land and Cattle and from Tellar Investments a determination was made that the S & G Land and Cattle response was not responsive in that the letter that was the evidence of financial ability to pay \$1.25 million was not necessarily sufficient. There was a letter attached to their submittal from People's Bank that said we're a bank and we're interested in lending money to you. This, however, is not a commitment to lend. So it was basically just a letter from a bank that said you're valuable customers of ours; we want to do business with you. We would like to do business with you. But the letter they provided was not a commitment to lend and it explicitly says that.

The other party, however, sent back a letter from a different bank, from Wells Fargo, I think, and said that we have the – the vice president of the bank said these folks have the ability to – I don't know the exact words, but we can come up with \$1.25 million without any problem at all and please contact me if you have any questions.

So the determination was made as part of this negotiated sale arrangement that the

letter from S&G was not responsive because it did not provide a sufficiently adequate evidence of financial ability. And from there we ground on and obtained an appraisal to get an exact number of the current market value of that property and that took a couple of months and then worked through the negotiations and scheduled this before the Board and I believe it was finally acted on in late September, early November. I forget the exact date.

So that's kind of a chronology of what has happened. There was not communication with the S & G Land and Cattle folks on this responsiveness because the negotiations were ongoing and so that's pretty much a summary chronologically what's happened but if you have any questions please ask.

CHAIR MAYFIELD: Thank you. Commissioners? Commissioner Chavez.

COMMISSIONER CHAVEZ: So Erik, in that chronological order that you just gave, not being real specific we did direct the County Manager to enter into negotiations for this specific parcel, right? At some point? And that's pretty much what you've been doing.

MR. AABOE: Mr. Chair, Commissioner Chavez, absolutely. Staff have been working at the direction of the County Manager at your wish to look to dispose of this property.

COMMISSIONER CHAVEZ: And I don't know how it's going to play out but I think that – and we can always – I don't see that it's a problem to revisit discussions but I just wanted to be clear on how we got to this point.

CHAIR MAYFIELD: Thank you. I have – again, I'll make no bones about it – I have no problem of supporting the sale of that property, I think of various Santa Fe County properties that we own that are not within Santa Fe County. I think part of that acquisition that was before my time on this bench was because of the Aamodt and I'm not going to go a lot into Aamodt tonight, believe me. But there still is a concern that I have on the transfer of that water down to the Pojoaque Basin. I believe there's been an application placed by one – and again it's two-fold. There's x-amount of water rights, I think 1,700+. We've already sold at least a little more than half to the BIA. We've received our funds for that. I think those funds were greater than what we purchased in totality of that property on the water rights. Now it's the BIA's responsibility for moving that portion of the water toward, to the Pojoaque Basin.

However, we still are in possession of x-amount of water rights, I think 600+ up there. I know I've had this discussion. I don't want to create a total dry farm up there. I think one, you need to leave some water intact on real properties. But that's neither here nor there right now. However, I was also under the understanding that Santa Fe County has made a petition also to the State Engineer and maybe this takes a year. Maybe it takes two. I don't know. To move those water rights down. That needs the approval of the State Engineer.

I've said this clearly on this bench and I'll say it again tonight. I have no problem saying this. It's not that we potentially won't anticipate protests from the local communities up there, from local users of that water, even from users down here who potentially could be the recipients of that water. I don't know if I have a crystal ball but I would anticipate there will be some protests. Again, that's a difference of the water. So

for me it was viable to sell that piece of property if we left some water intact. We did. But I guess I just wanted to make sure that there was – and I believe there was a fair playing field for anybody who had interest in that property.

But one thing, and again, I am very term limited here, but there's no secret about it. I've stated it publicly and I've probably stated it privately, Mr. Aaboe and if it was to you or Ms. Miller, that there is a component – I'm familiar with that ranch, of hunting. I know that Santa Fe County does not afford any hunting on there, but I was really keen on wanting to try to pass a resolution and I waited, because I thought, okay, if we're going to sell the property why put time, resources or dollars into this to allow some sort of a mentorship hunting program on there for children, for maybe the disabled or for those that were in need.

I stayed off on doing that and I'll just say this. I'll be very disappointed if this doesn't go through and if it doesn't for whatever reason, so be it. But that I guess I was – and again I fault nobody but myself that I didn't put in that resolution to afford some hunting opportunities up there. If individuals are trying to make a go of that land, to grow it, you're not going to do it if the elk are eating your profits every single day. And believe me, I'm familiar with that area, that's all they want to do is eat up there. And I also thought there were some provisions in that lease agreement where Santa Fe County was going to even maybe help erect a fence around it. I could be wrong on that, but I thought we had some commitments to our lessees also and I guess that's what I just would want to make sure that we honored those commitments with our lessees.

And I'll leave at that but I would just hope, and I appreciate all the work you've done, Mr. Aaboe. It's never easy when we're selling properties. I just want to make sure that Santa Fe County, for the people that we represent is getting the best value for our dollar. So with that I'll stop and if you want to close, if not I'll to go the public.

MR. AABOE: Commissioner, I just want to let you know that both of the interested parties were interested in using the water at the farm until that water was needed at the regional water system once that's built out. And so that I think, that was expressed by both parties.

With regards to hunting I believe the current – both leases do not allow the lessee to depredate, to take any animals. And so that's specifically put in in that lease. So that's pretty much it. Any other questions?

CHAIR MAYFIELD: No. I appreciate it.

COMMISSIONER ANAYA: I'll have some more later.

CHAIR MAYFIELD: Yes, sure, Commissioner. And again, I appreciate that. I do think and I hope I'm not speaking out of turn of what was disclosed to me but regardless of whether this property was sold or is sold or is not sold, we still were going to afford the opportunity, pending what happens with the State Engineer's Office, the opportunity to use the real water, the wet water, I want to call it wet water, the wet water up there.

One other suggestion that I had and I'll try to get off the Aamodt but I won't, is that if we're anticipating moving water down. And again, this is no reflection on the current lessees up there, but I just don't understand why we don't stop pumping up there for an interim period of time to see if actually that water is trickling down like everybody says it is through the rift, or if those wells are being replenished and that water's staying

in place up there. Again, that could have an impact on the lessees if they're not able to pump that water, but that's something I also said is that we really should do a test analysis to really see if that water is moving out of that valley or if it's not moving out of that valley. And I think some percolation would dictate that if we stopped pumping there for a while. I'll just – again, I'm going to close on that but thank you, Mr. Aaboe and Ms. Miller. Thank you.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. And I'm sorry if I missed the very beginning of this conversation since I had to walk down the hall, but we did vote formally about the sale, and I believe that we also, in the vote, left it open as to whether the buyer would want the water and to buy the water. And I'm wondering if Mr. Shaffer could clarify this.

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, we can confirm, my recollection of the resolution delegating the authority to the County Manager to proceed with the sale contemplated a lease-back or a lease of the water rights for their current use until such time as they are needed for the regional water system contemplated by the Aamodt settlement. So I think the resolution, but we'll confirm right now, was to lease the water rights rather than sell them.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR MAYFIELD: And Commissioners, that was my understanding also on that resolution. Thank you. So I'm going to open this up -

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Yes, Vice Chairman Anaya, please.

COMMISSIONER ANAYA: I have a question, just a couple questions before we get some feedback. Going specifically to the chronology that you provided, Erik. You talked about the financial letter of interest or commitment and so basically, what I heard and just tell me if I heard it wrong, is that the wording from one buyer was we have the money and will provide it and the other was a bank note saying we're potentially interested in the parcel and I guess the question I'm asking is was there a proof? Was there a financial commitment by either party beyond just letters saying they'd come up with the money?

MR. AABOE: Mr. Chair, Commissioner Anaya, our request asked for, in addition, for any negotiations to continue you must submit with the signed letter evidence of its financial ability to pay \$1.25 million. That's what we requested. One of the proposals returned: It is emphasized, however, that the following is only a proposal and is not intended, nor should it be construed to be a commitment to lend. Rather, this letter should be viewed as a sincere expression of our interest to accommodate your request and to continue developing a financial relationship. So that was one response that was deemed non-responsive.

The other response was: This company is a client of Wells Fargo. As its relationship manager within the private bank I am ready to confirm and verify that it has direct access to more than sufficient financial reserves to cover the purchase of the property in question for \$1.25 million. At that time we didn't have an actual appraisal and that was our estimated amount. So that's the different language that came back from

those two and in sitting down with the team it was deemed that the one was not responsive while the second one was.

COMMISSIONER ANAYA: So, Mr. Chair, Erik, did we call either Wells Fargo or People's Bank to ask any further questions regarding the letter of the items contained in them?

MR. AABOE: Mr. Chair, Commissioner, I did not.

COMMISSIONER ANAYA: Okay. Thanks, Mr. Chair.

CHAIR MAYFIELD: Thank you, Mr. Aaboe. Seeing nothing else from staff, Mr. Salazar, and anyone else who would like to comment on this, please, come on up.

DANNY SALAZAR: Good afternoon, Mr. Chair and Commissioners. My name is Danny Salazar. I am here representing S & G Land and Cattle. I'm here with the president of S & G Land and Cattle, which is my brother, Ronnie Salazar. So I wanted to come and talk a little bit about how things happened, because I have a different version of how things happened than the gentleman that was just talking, and I actually put together a couple of slides for you guys if you don't mind. *[Exhibit 3]*

CHAIR MAYFIELD: If you don't mind, Mr. Salazar, you can give them to our County Attorney and he'll make sure they get disseminated to us.

MR. SALAZAR: So just a little history of the stuff that's been going on. So we took over the lease in 2010 and since the beginning there was some issues associated with our negotiations with the County. When this – the initial RFP came out we submitted. We met with several individuals of the County and had several discussions regarding to the terms of the lease and what was written in the RFP. We submitted our part. They did an appraisal on the property at that time to see what it would be for leased property. We submitted it. I believe at that time we were the only ones to submit a request on the RFP. That RFP was then pulled back, and then we were asked to relook at that. On the second time that we came in we were again the only people that were putting in on the RFP. And we increased our bid, or the amount that we wanted to do on that significantly.

We went up to \$90,000 a year for the lease for the County. So over – between 2010 and now S & G Land and Cattle has provided lease payments of \$436,000 to Santa Fe County. Prior to S & G Land and Cattle taking over as the lessee, between 2006 and 2009 Santa Fe County was actually – actually paid out \$696,000 to the person that was leasing the company. So you guys went from 2006 to 2009 paying close to \$700,000 to the very next year till now acquiring \$436,000 in profits from that property up there.

So during that time some of the stuff that we took on in order to help out the County, because there was lots of negotiations going on with several members of the County but only one that was consistently throughout the entire process and that was Mr. Scott Rivers. Everybody else within the County – no disrespect to anybody, was changing out or never made it up there to visit the property or to see the concerns that we had going on up there.

So during that time and during those four years of negotiation there was several times that we believed that Santa Fe County did not fulfill its commitments either verbally or to the contract that they had with us. Yet, we continued to maintain the property, protect your guys' investment and make sure that the property was in a position

for, if this day would ever come, you guys were going to sell it. So we did take that and what I mean by that is we fixed all the fences. We fixed all the roads, all the equipment that was broken when we got there that Santa Fe County said that they would provide us assistance in order to repair, never got done.

So close to \$150,000 of estimated cost is an additional cost that we took on as a community. Other places, there were generators that were purchased for that farm before we got there were brought back down here to Santa Fe and then were never taken back up there for us to use so we had to replace that stuff with our own money.

The stuff that you were talking about as far as game control? Yes, there was lots of discussions with Santa Fe County and with Game and Fish to do either depredation hunts, the kind you were talking about, or to provide fencing so that we can provide protection for the crops that we were losing. So during the first two years of the contract Mr. Scott Rivers and Game and Fish, they were providing conversation back and forth but they never stepped up to the plate in order to provide any of that. So that's why S & G Land and Cattle went out for the second part of the lease that the gentleman was talking about a second ago for the barns. So you guys have the houses and the barns on that piece of property. When we got on to the property those barns were unusable. There's pieces that were falling down. They were filled with dirt, they were filled with animals, they were filled with everything else and we went in there and made those structures nice and sound at no cost to the County. The only thing that I think the County ever provided to us in the four years that we were there was some No Trespassing signs, so that people wouldn't go on there.

And then when we started talking about discussions to purchase the property, we approached the County in February of this past year, February 2014 asking for either a long-term lease on the property based on the amount of money that we've already invested in it, or by giving us the opportunity to buy out. We never got a response to that until May when they sent out that letter of interest. Right? So we asked in February for a long-term lease and then we also asked in April for either a long-term lease or a purchase. And that came with nothing. We hadn't heard nothing back.

We did get a letter on May 22nd of this year and that was the letter that the gentleman was speaking to before me. And he did or they did send it out and it did say letter of interest for people that want to buy. Right? But in that letter that came addressed to S & G Land and Cattle under the basic sale terms and conditions for that sale it didn't even say our name. It said the other party's name, Tellar Investment Company. So after reading through the Commissioners' minutes over the last year and after lots of discussion that's been going on over the last couple years, because I do respect what you said, Mr. Mayfield, or Mr. Chair, saying that you have no problem selling this, it appeared to me, based on the letter that we received that there was already negotiations or talks going on with this investment company. So when you guys said a second ago, everybody was given fair chance or fair share, that brings up some concerns to me.

COMMISSIONER ANAYA: Mr. Chair, just a couple things. I'm going to ask you to back up to the beginning so I can try and understand what you said and I was just a little unclear. From 2010 until now you've paid \$436,000 in lease payments to the County?

MR. SALAZAR: Yes, sir. That's correct.

COMMISSIONER ANAYA: And that's the only lease that S & G Land and Cattle had with that property and Santa Fe County in 2010.

MR. SALAZAR: So between 2010 and 2014 is when, that's the total for the \$436,000.

COMMISSIONER ANAYA: And is that the only time that you've had any involvement in that property was with Santa Fe County?

MR. SALAZAR: In 2010, yes. We started in 2010.

COMMISSIONER ANAYA: Okay. And then you referenced 2006 to 2009 and you said \$709,000. Help me understand what you meant by that or what that is or what that represents.

MR. SALAZAR: So what that represents is before S & G Land and Cattle took over as a lessee for the Top of the World farms, Santa Fe County and Smith's Land and Cattle were in a cost-share type of agreement or lease. So between 2006 – and I only went back to 2006 because those are the only records that I have. It might have even been before that, but from 2006 to 2009, those years, Santa Fe County was leasing the property and in kind of a cost-share with Smith's Land & Cattle. During that time Santa Fe County was billed approximately \$696,000 for services that Smith's Land & Cattle was providing for you guys or for the County. That \$700,000 was part of the light bills. That was part of cutting the fields. That was putting up the hay. That was just ranching-type activities.

COMMISSIONER ANAYA: So we were paying Smith Land & Cattle \$709,000 based on what your understanding is?

MR. SALAZAR: That is what you were invoiced is close to that amount, yes.

COMMISSIONER ANAYA: Okay. But did we pay, Katherine? Ms. Miller? Did we pay that amount of money or do you even know that? Is that something you'd have to research?

MS. MILLER: Mr. Chair, Commissioner Anaya, I'd have to research that but I believe that when the County did purchase the property there were some encumbrances and this might have been something we inherited with the purchase, not something that we actually negotiated but something that came with the purchase. I'll have to research that for you.

COMMISSIONER ANAYA: Okay, yes, if you could. I'd like to know. So I just wanted to isolate that. That doesn't have anything to do with you guys, I guess is my bottom line. You started in 2010 and you had lease provisions and you paid us \$436,000 in lease payments from 2010 till now.

MR. SALAZAR: Correct. The only reason that I brought that up is because when we were looking at the RFP and we were in discussions with the County early on, one of their biggest things that they were looking at is they did not want to do any kind of crop sharing. And they didn't want to do that because of their 2009 bill, which was the year before we came into the lease. So what I was trying to show with that is that when we took over the lease you guys were actually – you started in a surplus side, not in a deficit side anymore.

COMMISSIONER ANAYA: I understand. I get your point. We were putting out money and then we learned to lease and brought in almost a half – four and

quarter - \$436,000. Commissioner Chavez has a follow-up and then I have something else I'd like to ask if I could, Mr. Chair. I'd defer.

COMMISSIONER ANAYA: Yes, thank you. This would just be a point for clarification along the same lines as Commissioner Anaya's questioning. In the terms of the lease did you lease as-is?

MR. SALAZAR: So we did lease as-is, but there were some agreements right before we signed the lease, and there was two main things that were in there. Number one was the stuff that had been with the game control and that's why there was negotiations between the Santa Fe County and Game and Fish and there are contracts and there are lots of emails associated with that, so there's a pretty good paper trail as far as that. The other thing that was excepted from the lease as-is was making sure that the equipment that was for the farm up there, which included the generators and the motors that were brought down here were returned, and those were never put up there.

COMMISSIONER CHAVEZ: Okay. So those are generators. Then you talked earlier about some of the infrastructure that was on the farm, existing building, outbuildings like barns and things like that. So you stated in your presentation that you felt that you had done some improvement to those facilities.

MR. SALAZAR: Yes, sir.

COMMISSIONER CHAVEZ: And that was part of the lease as-is, right?

MR. SALAZAR: Yes. So the lease states that we are to protect the County's property and we're able to maintain some stuff, right? But so my brother's the one – he's the president; he's the one that runs the farm up there, he has four kids, right? And if we're going to have the kids on the farm and we're going to have people on the farm we want to make sure that the farm is safe for not only the people that are running it but for people that come on there. So if we have people up there, and we never asked for restitution back for fixing the barns or for the fences, because those are – in the contract says normal wear of the property. The only thing that we had asked the County before signing the lease was for you to return the property that was bought for the property so we can utilize it, and that was part of the bid that we put in, is we had the understanding that we were going to be able to use the generators and the rest of that stuff.

COMMISSIONER ANAYA: Mr. Chair, just a couple more and maybe this one for yourselves as well as for staff. As best you know, you might not know, Ms. Miller. But during the time between 2010 till now, were you ever under any notices that the County asked you or said you guys didn't fulfill the obligations of your lease? Did you ever have any non-payment issues or did you ever have any specific requests that the County made that you didn't fulfill during the time of your lease that you're aware of or that you had?

MR. SALAZAR: Not that I'm aware of, sir, and my brother's shaking his head so neither is he.

COMMISSIONER ANAYA: Okay. Ms. Miller, are we aware of any problems during that term, just with the lessee?

MS. MILLER: Mr. Chair, I'm not aware of any problems with the lessee. I just want to clarify, the way this lease was actually set up is based upon it's a year-to-year lease. So it was not a five-year for sure lease. It's a year-to-year lease that says 90 days prior to the expiration of the lease the lessee needs to notify the County that they request

to extend the lease. It is at the sole discretion of the County as to whether we actually would extend that. In addition, there's a provision in the lease that says we can terminate it at any time with just 30 days notice. We did not terminate their lease. The only thing we have not done is agree to extend the last year's option.

In addition to that, knowing that we may not have the property closed before the beginning of the next lease term would come up I actually did request of the potential purchaser, would you be interested if the County were to enter into that lease prior to your purchase of purchasing it with that encumbrance of one more year's lease on it, in order to try to accommodate the fact that there was a potential option year on the County's behalf to extend that. And they said that they were not interested in that.

So I just want to let you know, this is not something that we just lightly said, uh, too bad. We actually always knew that there was potential to sell the property. We did not do a long-term lease, a multi-year lease. We did an RFP in order to be able to let people know that we may have a lease on it for possibly up to five years or from 2010 through 2015, but only one year at a time. And that the County may not exercise that option to extend it, and that we may terminate it within a 30-day notice time frame in case we did want to sell the property.

COMMISSIONER ANAYA: Mr. Chair, Ms. Miller, I appreciate you saying those things on the record and I guess, and I fully understand and expect sitting here on this Commission, four years in particular, that there are some days when you raise things that you would like to have your colleagues consider and much of the time it will happen where they might support it or you might get a majority and actually do something and then sometimes it doesn't. Sometimes you bring up perspectives and concerns and you don't have the majority of the Commission that supports that. In this particular issue I would say I've been in the minority associated with this particular piece of land and the issues related to this particular piece of land. So I say that respectfully of my colleagues sitting to either side of me but what I'm also saying is when you have a relationship from my perspective with an entity or an individual, in this case a family, that built a relationship on a farm and for my next question I'm just going to cut right to it. Tell me about your business. Tell me what you do, tell me how long you've done it and what you did on this property during the course of 2010 to now, on what you did on the property and what your family does in business in that region.

RONNIE SALAZAR: Okay, Mr. Chair, Commissioners, first of all, my name is Ronnie Salazar. I've been running Top of the World farm for the last five years as you guys well know. I grew up ranching and farming. My family now does the same. That goes to my wife's family as well as my own. We have maintained that farm. We produce alfalfa for local dairies over in Portales, Clovis. We produce alfalfa for local buyers within the community. We've had hard times because the prices have gone up so high. It's been something that's truly grown on us and on my family.

There's nothing I would do to change this other than the fact maybe be a little bit more politically inclined. It seems that I didn't ask the proper questions when I needed to in the event of last year or having somebody else trying to step on my toes trying to purchase the property without our knowing about it.

Second of all, I'd like to also say, I'd like to ask the question, when you go buy a home, the first thing they ask you is to get an appraised value. I went to the bank and

there was still no appraised value. I don't feel like I was given the opportunity to even get a fair shot at this at all. Worst of all was that I was never sent an email, a letter stating that we're trying to sell it now. These are our plans. We shook hands with attorneys previously. This would have been six years ago, where we got till now that they would work with us so that we could try to purchase this property. It was a handshake. That's me. That's my personality. And I'm always upfront for a deal like that because I believe in honesty, integrity. Even if you guys would turn around and read what's on the wall there. That's what I'm fighting for. I'm fighting for my family to own something that is great. Something that has provided not only to this community but as well as to ours.

Now, with the whole Cuesta mine shutting down and everything else there's a lot of people that need jobs. I apologize. I take this very personal. I feel that you guys can still help us. Things can be put off. Worst case scenario, like it states in our letter is to be given the opportunity to run this place till the end of 2015, so that I can ensure that I pay off all my equipment and all investments I have in it right now.

COMMISSIONER ANAYA: Mr. Chair, I'm going to make just a couple more comments and I think it ties back to what I said at the beginning of my comments. Continually, on this bench all five of these Commissioners sitting alongside me, the four of them and myself have always advocated for the maintenance of tradition and cultural uses and acequias. Over and over and over again. It's plastered not only on the wall behind me but it's in just about every segment and piece and component of our Sustainable Land Use Plan and what will follow suit in our Sustainable Land Use Code.

And I don't know – I know that the Commission did take action on this parcel, but I can tell you and I'm going to say it respectfully, that I'm in the propane business and one of the things that we do in the propane business is a sniff test in any house that we do, or any tank that we approach to make sure that there's no gas and there's no problems. And I'm a little – I respect my colleagues a bunch, but I'm a little concerned about what we say in our growth management plan and what we do sometimes because what your family does in the Cuesta region and that area, you just didn't show up and start doing that yesterday. And I don't know that there's anything that legally can happen associated with this particular sale. I'll say that frankly, just based on the sequence of events that occurred.

And I have no doubt, when you, Ms. Miller, talk about the legality and following the lease that we probably followed the terms of the lease, but it hurts me a little bit inside when I think about the fact that you have been there for not just five years on that parcel of property but for a long time. And that's the only thing I said when we went back to the water rights issue, if you go back to the minutes several years back I said, well what other potential uses might there be? Is the County interested? Is the City interested or who else might be interested?

And I guess what I'm hearing is that it was a fiduciary, financial decision and that was the expeditious decision. What the presumption was was that that was the best price and that they have the quickest means to an end. And I don't know that that is 100 percent factual but I think that that was the big driving force. I think I also heard some feedback about the other intended use and how good a project that that potentially could be. I'll say potentially could be. But I'll say this, and I'll say it respectfully of my colleagues sitting next to me. I'll say it respectfully of a new colleague that's going to sit

next to me in the coming years. I will always sit on this bench, even if it's in the minority, and I will respectfully maybe disagree and if at all possible, if we can hold on to traditional uses and if we can maintain and perpetuate the expansion of traditional, existing family agriculture, ranching, furniture building, art-making – whatever that might be, I'm going to be right there on it. And I'll be okay, respectfully, if I'm in the minority. But I'll carry that forward as much as I can and as often as I can. But then when the votes are ultimately taken I also will respectfully maybe move on to the next challenge. So I'm going to just leave it at that, Mr. Chair.

MR. D. SALAZAR: Thank you, Mr. Chair, if I may say something please. So, Commissioner Anaya, I appreciate your words. That's how we feel up there also. Some of the things that we've been trying to do as far as the community up there and what we've been utilizing as far as the property is teaching family and teaching the local community, especially the kids, what it is to farm, what it is to grow alfalfa, what it is to be part of something like that. On occasion we would bring over family members and the community kids to come and see the tractors, to come and take a ride on the tractor, to come and see what it's like to actually build something.

Other things that we would take that go towards what you were saying, Mr. Chair, is that during October and the rest of the year that place is filled with elk and with antelope and with other wildlife. So the other thing that we've been using also is being able to show the local community and the people from the schools is to go out there and actually be able to see the elk in a field rather than having to go up to the mountains to go and see one because a lot of them don't have that opportunity to see real wildlife out there.

So we have been looking at some of those stuff and when it comes to local community involvement and when it comes to local community wanting to do stuff, there's been lots of interest from the Village of Cuesta. There's been lots of interest from people within the Taos area. We actually have a representative from the Village of Cuesta and commissioner-elect from Taos County that came up today to support us, because we heard r, through some of the resolutions and stuff that you guys were passing that you guys believe in helping out the community and this is a term that I heard in here – Farm to Table. We have plans and we would have had plans to execute some of those things but it is very hard to involve the community on that stuff in a year-to-year lease, and that was the big push that we were looking at when we submitted the letter in February of this past year, is finding ways to help the community in those avenues. And I see that you guys are doing that here with other resolutions, so if you continue with that lease, extend it, because that's basically what I'm asking you guys today and on the back sheet of that presentation there are three options that I put on there for you guys to look at, but the main thing is if the sale to Tellar Investment Company is the way that you guys want to go, we are pushing that we be able to get that final year on that lease and that we be given the opportunity and we give the community up in that area the opportunity to look at maybe potentially purchasing it if the gentleman before me said if our letter was inadequate.

So we want to have that opportunity. So the two things that I'm asking is revisit extending our lease through the calendar year of 2015, and the other thing is allowing us the opportunity, because we have gone to the bank and we do have the financial backing

to buy this property for the appraised value. So we do have that. Would that be our option? Yes, it would be our option, but if nothing else we would just like to be able to renew our lease to 2015 and the third piece would be is to involve the community and I think that the gentleman that came with us, he could answer any questions in regards to the community up there and the impact if you guys would like.

CHAIR MAYFIELD: Mr. Sommer, if you would care to come up. And anybody else that would care to comment on this.

KARL SOMMER: Mr. Chair, members of the Commission, my name is Karl Sommer and I'm here on behalf of the – you've been calling it Tell-ar Investments. It's Tellar Investments and it's owned by a local family up in the – right next to this property. This County Commission did not agree or vote to sell on the basis that has been described to you, basically financial: we're going to get rid of this property. That is in the long-term plans of the County. That is what the County has wanted to do because of its long-term strategic planning and it made this decision.

But the presentations that were made to you were manifold. One of them is that the couple that are interested in buying this property are interested in restoring this property. The County, for its reasons, has taken and is going to sever the water rights from this property and bring them down here for reasons that we can all debate for a long time. But that is in the works and it will happen or it won't happen, but what it will leave is this property dry, and it will not have water rights. And these gentlemen will not be farming. And these gentlemen will terminate their lease and they will go look elsewhere where they can do their wetland farming.

So this property, Top of the World, will be left dry. Mr. and Mrs. Healy, through their company, want to take this property and introduce a world-developed technology using just the most progressive means to restore this property for agricultural uses with the water that falls on it. And there is a lot of literature out there. They are heavily involved in what's called the Savory Institute and they have done a tremendous amount of work in this community with respect to local, cultural resources, maintaining and restoring those. Their interest in this property is not anything other than to restore it for agricultural uses for the benefit of this community, just like these gentlemen have been doing for four years under their year-to-year lease.

The County looked at that proposal and said, okay, that sounds like something the County could do for the reasons that Commissioner Anaya has said. It's not just about money. It is certainly about money and about water, but it is about other things. This Commission made that decision and a letter went out. It went out to – I don't know how many parties but it went out and the suggestion that there was something untoward done or that there were negotiations being done, everything has been in front of you, on par, up and up. And the Healys would have it no other way.

And with respect to their financial ability, what was done was provide proof of the financing, your ability to do that. The provided a bank's letter saying not only do we have the ability, we have the money. Since that time, since there should be no question about it, the County staff has negotiated a contract that says when this contract is signed,, Mr. and Mrs. Healy, through your company, you will deposit the full amount of the purchase price in escrow until this deal is done. And from that purchase price you will make the County whole financially as we go through. And what that means is if there is a

loss in income from the lease it gets paid by the purchaser. If you have costs and expenses in appraisals, they get paid by the purchasers so that the County's investment in the idea that the Healys have for this property doesn't cost the County money.

Now, I've heard here tonight a plea to you all to stop the negotiations or to stop the sale and let us have a crack at it. That's what I've heard. And the reason is because we've lived up to our lease. Well, that's what the obligation was under the lease was to live up to the lease. And I submit to you that the idea that you bought into as a Commission, that the Healys want to employ, that have a long-time commitment in this area and other areas, is worthy of your consideration and was then and that is principally the reason why you went with the Healys on this matter.

The Healys have actually signed a contract that has been negotiated and that contract says to you all that you all are made whole. That you have no risks in the transaction. And I think that that is a very important element. Because what it says is to you all that you're dealing with a local family up there who is committed and they're not just saying we want to do this, we're here to do it. And they're giving you their financial and their commitment and their word that they will do it.

So I submit to you that the transaction that you have authorized and that has been negotiated is premised on something that is just as culturally important as what has been described to you, which has not been produced, by the way, thus far. And when this property is dry I submit to you these gentlemen won't be here anymore. The Healys will be and their project and their philosophy of restoration and conservation will be, and that is something that this community can be proud of, giving to that community. So I submit to you that the idea that you should take the gamble on what's been described to you is probably not in the best interest of this community or in the best interest of that community up there.

CHAIR MAYFIELD: Just a quick comment, and I appreciate what you've stated. The only thing that I want to say is when this property is dry. Again, I will be on my bully pulpit up until the end. I still think that it's not done that this water is totally transferring. And I know that I'm probably the odd-man out or odd woman out on this one of the transfer of those water rights, but I still think that there has to be approval from the Office of the State Engineer, and I've always had concerns and respecting that I do represent the northern part, who's going to benefit from the water that needs to be transferred for the Aamodt settlement, but why do we want to create a total dry farm. So I just want to still say it's if. There has been no approval by the State Engineer to move these water rights down here.

MR. SOMMER: And just briefly, I wholeheartedly understand your point, Commissioner Mayfield, that that is not a done deal. But I'll tell you what is a done deal and what has been important to this community. This community said we have a future need and we have to do what we have to do to see to our needs. And we made a commitment as a community and we bought that farm, and no pun intended, we bought the farm. And we bought it with a purpose, and that purpose was primarily to protect the water resources of our constituents here. And I submit to you that that is not to be taken lightly. And it's a win-win situation. If that land becomes dry, you have somebody who is willing to take on the challenge to restore it to its condition. Thank you.

CHAIR MAYFIELD: And I agree with you on that point. I have no –

again, Santa Fe County owns property in Socorro County, Taos County, throughout Santa Fe County. One my reasons, not totally just a financial interest but as far as staffing needs, staffing time, to have to manage or maintain properties that are without Santa Fe County. And also, if, if – I'll just say the if now, this property does become dry, what is Santa Fe County going to be doing with a dry piece of land that somebody may or may not want to farm in the future. Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Mr. Sommer, for your words, and first of all I'm glad to hear that the Healy family is a local family to the area and also, I know quite a bit about the Savory method of grazing. I've been following that for many, many years now through the Quivera Coalition and I know that it's a form of grazing that doesn't require anywhere near as much water as is normally required for cattle grazing. Also it's quite restorative to the land. It actually promoted grass growing and actually it also promotes carbon capture as well, which I think is an important thing that we're all concerned about these days. And because it's more intensive it provides more jobs because it requires the cattle being moved around quite a bit.

So I think it can be a model, a showcase for the state to show people how we can do grazing that is in fact more restorative and actually provides a lot of jobs. It can actually be an economic development tool in our state. So anyway, thank you.

CHAIR MAYFIELD: Thank you, Commissioners. Commissioners, anything else? Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Ms. Miller, Taos County has been communicated with. Is that correct?

MS. MILLER: Mr. Chair, Commissioner Stefanics, yes. I called the County Manager after the – even though you had already voted and I believe it was 4-0 but Commissioner Anaya abstained, about any interest in the county purchasing the property, so I thought before I negotiated with the Healy's representative that would ask if there was interest from the County. The County Manager stated that he – I don't know if he spoke to his full commission but he did confer I believe with one of the commissioners at least, the chair, and said that they were only interested in the water, purchasing the property relative to the water. Also, that they were not interested in purchasing the farm without the water, and they didn't have funds allocated for such a purchase.

Additionally, when I indicated, because they seemed to know that the Healys were the party interested in purchasing it that they were quite excited about that option as well.

COMMISSIONER STEFANICS: So, Mr. Chair, Ms. Miller, we did have this vote on it so I am assuming your office has proceeded with the potential paperwork for the sale.

MS. MILLER: Mr. Chair, Commissioner Stefanics, yes.

COMMISSIONER STEFANICS: And this is not noticed for any action and I certainly want to hear the concerns and the requests, but how close are we to finalizing that purchase?

MS. MILLER: Mr. Chair, Commissioner Stefanics, essentially the purchase agreement has been negotiated and executed by the offeror and it's waiting my

signature right now. I knew that this issue was going to come up but I feel like the offeror has negotiated in good faith as has the County on this issue. Additionally, a letter went out at the beginning of the month to S & G notifying them, and we did try to incorporate into that purchase agreement the additional year of the lease. As I said earlier, we weren't insensitive to the fact that there was a potential of one more year and that possibly the Healys would be interested in that. They were not interested in purchasing it with encumbrances so we did not include that in the purchase agreement.

Also, and we notified S & G that we would not be renewing the lease for the final year, and I think that's what started all of this. Also we have had the State Property Tax Division already reviewed the appraisal, which is another requirement that the appraisal is a valid and accurate appraisal. We have received that confirmation back, so now it's a matter of going through the due diligence and getting to closing and approval by the Board of Finance.

COMMISSIONER STEFANICS: So, thank you, Ms. Miller. Mr. Chair, Mr. Shaffer, what is our legal responsibility to this purchase agreement at this time?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, it's a draft agreement at this point; it has not been executed by the County so it's not been fully consummated. So your short answer is you don't have an obligation or the County doesn't have an obligation to complete it.

COMMISSIONER STEFANICS: Okay. Thank you. Mr. Chair, I still – I appreciate all the sentiments but I believe we said we wanted to sell and we voted and it might not have been – we missed one vote but it was four-zero and I believe that unless we did not do a proper procurement we should be moving on this and this is not noted for action. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I think if there's one thing that we've all learned is that nothing is done until it's done. And I asked respectfully – I appreciate Mr. Sommer's comments but I asked respectfully of the staff and I appreciate that you called the Manager, but given the fact that we have some questions that were raised associated with how we did our process regardless of what we think we did, I think we should always be conscious of what is in the best interest of the community and truly find out. Do we know what their feeling is and their perspective? And I at minimum would like to know what the Village of Cuesta, what their perspective is, their governing body and their mayor and I at minimum would want to know what the Taos County Commission – there's a commissioner from Cuesta on the board. Commissioner Sanchez is finishing his term in December.

But I think a simple ask for feedback. It's ultimately the decision of the County to do what they need to do, what they want to do, but I think we should get some feedback, and I don't think it would cause any harm to better understand what their perspective is and request that formally. And I think that could happen in short order. That's my take, Mr. Chair. I don't have any other comments on this matter. Thanks.

CHAIR MAYFIELD: Thank you, Commissioners. I'll just close with this, knowing what's in front of us. It was always my understanding that, again, the Commission did vote to sell this piece of property for every reason that was stated a little

earlier. But there was an opportunity for all parties, that was my understanding, that any party that had an interest in this land had the opportunity. Gentlemen, that's how it was conveyed to me. I want to say that. And I'll go back out to you. And I fully have confidence in staff that they would have done that appropriately.

If something was missed then I would ask that there be whatever the legal process is, some reconsideration, if Santa Fe County did err. I'm not saying that we did, but if we did err, as far as vetting out that opportunity for any interested party – any interested party – knowing, again, I'll probably get in trouble for saying this. It's a local interested party? Great. Because I think we even have a preference in some of our rules for local interested parties, for preference. But that every interested party had and was afforded that same opportunity

I really can look at the investment that you all are showing that you made and what you've done to that farm and I just would hope that if there can be – I don't want to say concession, but working with these individuals so they're just not evicted in another two weeks. They have done a lot of investments. I don't know if there's anything – I think you've talked to the parties. I don't know if there can be any more negotiations there or not, but I'm assuming that you've done your last cut. I could be wrong on that, but there's still probably storage. There's probably removal of that cut. There's all of their equipment up there. So I just don't know if there could be anything on that consideration, good or bad. Maybe that's just how the lease was written. And I think that that's something that maybe in the future of Santa Fe County listing any property, I know we have a different ranch a little south of us that we should make sure that we look at that, just a contingency of saying stop date if we decide to sell it that we do afford that contingency for the individuals there to have adequate time to leave if that's their choosing.

But again, my understanding, gentlemen, was that the opportunity was afforded to everybody and anybody who wanted to acquire this property. We want to get the biggest dollar; that's not a bad thing. That's a great thing for the people we represent. But Ms. Miller, going back to a statement that was made as far as fair market value, so there was a full appraisal done on that property. Correct?

MS. MILLER: Mr. Chair, yes. And the County commissioned that appraisal.

CHAIR MAYFIELD: And then hearing Mr. Salazar's comment respectfully of saying different people may be in different positions financially and I understand that and I respect that. But if somebody goes to a bank and the bank is saying, well, give us a number. Show us something that you're asking for. Otherwise, yes, we could say that you guys potentially could qualify or your party could potentially qualify for these dollars, but you need to tell us. What are you asking for? A million dollars? \$200,000? And I do know, if personally, if I've got to go to a bank, they're going to ask, well, what is this for? Is there collateral? What are you trying to buy and how much is it for? So I definitely hear what these gentlemen are saying. And I don't know if that was discussed.

And I don't want to rehash all of this, respecting what everybody said, but as long as everything was done appropriately, which I do believe it was and I have full confidence in staff, but just understand the significance of when we do have something

leasing properties of the potential impact and if we can even go that extra step of maybe, you know, a person will knock on their door. Hey, gentlemen, we may be looking to sell this property. Are you interested or are you not interested. Maybe that was done, maybe it wasn't. But sir, I know you did have your hand up and you haven't had an opportunity so please, if you don't mind just stating your name.

MARK GALLEGOS: Mr. Chair, Commission, my name is Mark Gallegos, Village of Cuesta Mayor. And I just want to let you know, no disrespect to the Healys, the person that came to represent them, but I've been there all my life. I'm not going to leave because the land is dry. I'll find a means to make that work. So just so you understand that. Watch how you say that because there are people have been living there for hundreds of years and they've done it with or without water.

So we appreciate that the Healys will be able to do something with their wealth that they can make it on dry land and use it in a way that's not going to need so much water. The Village of Cuesta had a lease agreement with Santa Fe County of water rights. To this day we never got a letter saying that is that expedited? Is that over? Do we have that as a continuation? Village of Cuesta never got a letter saying, hey, we're selling the property. Are you guys interested? We know you're in a financial strain with the economic diversity that you've got to go through now that the mine is closed. We'll give you guys the first opt to see what you can do with that property.

Chevron has put their hand out to say you show us a plan, we'll find a way to help you. But if they have water to put on that property or not, they said that they would do something for us. So I want the extension to go out. I understand that you may have these already obligations to continue to move forward with, the Healy Foundation, and I know that the hardship that the Salazars are going to have trying to diversify what they've been working on for the past four years. We all understand that that's business.

I'm sitting – as a commissioner-elect I'm going to have to see that as well in a different scope. But what I want you to be able to realize from here forth is moving in some traditional ways are good but thinking outside the box – I feel terrible that the discussion between the Village of Cuesta and Santa Fe County never occurred. We made the headlines. We went all over the place and people reached out and unfortunately this County Commission had an opportunity to reach out and say, hey, what can we do? We know you have these water rights issues. We're looking at a process of selling them. Let's see if we can just continue the lease or would you guys want to buy it?

That didn't happen. So as you start going into these other purchases or other sales that you do, really think about where those – what that impact is going to do, even if it's just for that small community that we are of 2,000 people, because that has an impact. What they provided in our local stores and everywhere else that they spent their money is an impact on us. Now we have another impact.

I'm not saying that the Healys aren't going to do that. It's just that representing the Village of Cuesta, we didn't get the shake. So in all fairness, we never got the letter, whether – in regards to not thinking we had the money I think that we should have been included. Because I know that people thought they didn't have the money and they still got included and I think that they had the opportunity and that's all we're looking for. So when you go through the next four years, Mr. New Chair and the vice chair that we continue to have those discussions. I think the separation between county and city

government need to break that wall and start working together and I know that you're leaving, Mr. Mayfield and appreciate the work that you've probably done as well as what the Healys and the Healy Foundation does. I think they provide a lot to the community and they do that a lot in Taos County.

So do I have a position that would be tough to work with? Yes. But at the same point I have my duty is to serve those people that are closest and dearest to me and that is the surrounding community of northern New Mexico. So I appreciate your time. I really would hope that there's some kind of consideration that maybe they'll have to sit down with the Healys and see if they can extend a little bit of time for time allotment to get their crop out and stuff like that. I think that was a great idea. Just so you guys know I'll be sitting out here for the next four years as a commissioner and I think a little bit more outside the box than most people, and I'm sure to bring fresh ideas in and look at perspectives in different ways than just trying to stay in the rail and traditional. Thank you guys.

CHAIR MAYFIELD: Thank you, Mayor and commissioner-elect. Ms. Miller, on the note that Mayor Gallegos brought up, have we communicated with Cuesta? I know we are leasing some of those water rights to them right now. Again, I know I did bring up the fact that I believe Santa Fe County's petitioning moving those water rights to the State Engineer. Again, I don't think it's going to happen overnight, by any means. So have we done outreach to Cuesta to say, look, this is what we're doing, just to put you all respectfully on – to make you aware. Because I think the Village is going to be have to be looking for water then maybe potentially elsewhere.

MS. MILLER: Mr. Chair, actually, I believe that – is it Gallegos? Okay. Did you call my office last week, I think. Yes. So I believe that it was written as a different name and I was trying to actually find the lease, because I remember that Steve Ross commented that there was a water rights offset lease with Cuesta, but I had asked Greg, because I didn't feel I had enough information on that to call Mr. Gallegos back. He said he believed that was actually through the federal government on the water rights side.

So that was something that I'm trying to get an understanding from John Utton who that agreement works, but that was not the 550 or 600 acre-feet that we have, that we have not sold to the federal government. It is actually the lease that goes to the S & G Land and Cattle, so I don't know that we have any other agreements with Cuesta. I think that that might be with the federal government and the leases, because I don't know where that is and I had asked Greg if we could research how that works, but it's not an actual use lease. They don't use the water.

MR. GALLEGOS: Well, we don't use the water but we get credits for our debt here. So we don't do anything with any of the use, but because it was – I think it comes in to, I believe it was 2016 was the agreement that we had with Santa Fe County on the long term. If that's 468 acre-feet, is it just a paper issue? Is it still something the Village of Cuesta has or doesn't have? I guess that's where the communication between everyone didn't get completely full circle, because the Village of Cuesta didn't get any letters to participate in anything for whatever reason.

The past mayor may have kept the letters, I have no idea. But that's why I'm sitting here today. I do sympathize and I do support the Salazars but I also know that a

fair shake didn't come all the way around to the village. And I know that they responded to our County Manager in Taos.

CHAIR MAYFIELD: And really quick, Ms. Miller, just for my clarification, I believe again – help me with numbers. 1,700 total acre-feet, approximately 800 and some –

MS. MILLER: Mr. Chair, it's about – it was 1,600, almost 1,700 acre-feet. 1,100 and want to say about – 1,140 were sold to the federal government. That was as part of the settlement. We have received the funds for that so we no longer own those water rights. Then the remaining 500 – I'd say it's about 550, something like that, and I'm taking a guess on the exact amount, that is what has been associated and we actually did change the lease last year to bring that down to what we had remaining for water rights to go with the dry land lease.

So we had the dry land lease and then the water rights in order for S & G Land and Cattle to do the alfalfa farming. And those are the two leases that we've had going and that had the one more option year. So we were – our sale of the land was based upon both S & G and the Healys coming forward and saying they had an interest in either a longer-term lease or a purchase of the property from S & G and the Healys just wanting to purchase it. We're not selling any more water rights. Those water rights are tied to the Aamodt settlement and as you said, how that transfer gets done is all another issue with the State Engineers but they are part of that agreement.

So we were selling the actual ranch and part of the request was also to be able to continue some lease of some of the water rights that would remain up there, so that we would get some value until they're needed in the Pojoaque Valley.

CHAIR MAYFIELD: But Ms. Miller, as far as the 1,100, and I'll be really brief and go to Commissioner Anaya, that was sold to BIA, and I can be corrected on this by any means, but I recollect from my conversations with Mr. Ross where that Santa Fe County still could honor any agreements if that's where the Village of Cuesta offset are coming from. I don't know if it was there or from the 600, the 400+ that we have. But if they're receiving that offset credit the BIA was still going to recognize and honor that even until that actual transfer took place or any other resource that we were using with that water.

So I think in fairness to the Village of Cuesta, because they do have a stake in this also, that we try to help them out with that information or assist them in obtaining that information of what our agreements we had with the BIA on that water.

MR. SHAFFER: Mr. Chair, if I may, we certainly will do that, and my understanding and we'll locate the documents and make sure to provide them if you're interested, is that there was a lease between the County and the Village of Cuesta and when the County sold water rights to the federal government that lease went with it. So the water rights that are currently used for offset purposes by the Village of Cuesta, as I understand are the water rights that the County sold to the federal government. The remaining acre-feet owned by the County, approximately 611.5 acre-feet per year, those are not subject to lease with the Village of Cuesta and rather have been utilized on the Top of the World farm. So again, I think at this point continuation of any lease if one needs to be continued with the Village of Cuesta would be a matter between the Village of Cuesta and the federal government.

CHAIR MAYFIELD: Thank you. But again, if we can just try to help them try locate that. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, respectfully, understanding that there's an interest by both parties to have a community benefit and long-term benefit, Mr. Sommer, I would look to you and ask you at minimum with our County Manager, we have the Mayor of Cuesta here and the commissioner-elect, I would respectfully ask that before we lay that last ink on that paper for a minimum of discussion amongst all of the people together, just to better understand the perspectives that are at the table and from the mayor's perspective, make sure that everybody's been engage, if the interest is in fact to have benefit now and in the future, I think that's not a large ask that I would put forward, Mr. Chair.

CHAIR MAYFIELD: Thank you.

MR. SOMMER: I don't know if it's appropriate but in response, S & G has enjoyed a good relationship with the Healys over many many years as I understand it and I'll talk to the Healy's about their one request about being able to stay there for a year. They've told me that they don't, because of their own plans. But I will sit down with them. I got their telephone number. I'll sit down with them and talk to them what that might look like, but at this point I can't make any commitments at all. But I will have the discussion that you just asked us to have. I am less familiar with the Village of Cuesta and their interest in this property or their ability to do anything with it in terms of what the County has indicated its interest. But at this point I'll sit down and have that conversation with the Salazars.

CHAIR MAYFIELD: Ms. Miller, and I will close now, but as far as any investments that these gentlemen or their corporation has made – I did hear that they may have had to have some generators up there that the County committed we were going to do. Again, as afforded by law, can we see if we weren't living up to any of our obligations in that lease agreement? And if there's provided compensation that could be had for that? Again, I just want to make sure that Santa Fe County adhered to their commitments in that lease agreement also, and where these gentlemen may have made substantial investments and they're not going to ever see that return on those investments they made.

MS. MILLER: This is the first that I've heard of any issues relative to the lease but we'll certainly have staff go back through, review the lease, and also meet with the Salazars and find out if there was something that the County was not living up to in terms and conditions of the lease that are in there that we may owe them compensation for.

CHAIR MAYFIELD: Thank you, Ms. Miller. Yes, sir. I apologize, please.

LAWRENCE GALLEGOS: Thank you, Commissioner Mayfield. Commissioners, my name is Lawrence Gallegos. I'm a Vietnam veteran. I'm a disabled Vietnam veteran. I've done farming for all my life, ever since I was a little kid I used to farm. And I had the opportunity to be with a family and share the lease at Top of the World. As a Vietnam veteran and disabled veteran with PTSD, that's my complete cure for PTSD. The government can't cure it. It's a mind problem and they can't cure it.

The way I cure it is if I stay at that farm and I pretty much live there. That's what people that have PTSD need. I have four or five friends that are veterans and I take them

there will me and we share a day, sometimes even a day and night and we're able to come back to earth and live. Sadly enough, one of my friends that didn't go for a while, he committed suicide. But the other ones, I keep them and their frame of mind that we can live with what we have.

I don't have the opportunity after this year, I don't know what can happen. And I'm just – I'm not here to cry about it but I'm here to tell you reality. And we have – I have big aspirations for that property. I think if I would have been able to do it I could have cultivated that land, the dry land and planted grass and had a productive – because I spend my time there. We run 70 pair of cattle. Very nice looking cattle. We take care of them. I take care of them. I feed them. They're like my pets. And the Healys have a lot of money; we don't. We're trying to keep – as a grandfather, I have 11 grandkids and I try to teach them the values of life, especially at the farm because they work there. They don't go over there to mess around. I've taught them how to run the machinery and my objective is safety.

I'm saddened by the fact that we won't be there. The Healys don't have to have that farm. They have enough property already and we don't. And I ask the Commission to reconsider and let us have a chance to buy it. Since we first went on that lease I told the procurement officer that we were interested in buying it and nothing came up till now. Even last year I told Ronnie, my son-in-law, and Mark, he's my other son, that I was happy to be able to buy it if we could. And I'm still under the impression that we'd like to buy it. I respect the Healys because they're our neighbors and we work together, but they don't need any more. The Healys don't even use it. It's the person that works for them that uses that land.

And we, it's kind of like our bread and butter. We feed eight families out of there. And we have other investments, we have other businesses, but that's the one that – I own a package liquor store and a bar. I can't work there. There's too much tension, too much craziness there, so I stay at the farm, and that's my cure for PTSD. And I encourage, I try to encourage the Department of Veterans Affairs to have property like that for veterans to go and live there or work there and spend time there so that they can get cured. That's what cured me, farming.

And I would be saddened if I would be give the opportunity – I don't have a million and a half dollars in my pocket by I can get it. We have assets. And I think we were given an unfair clarity on saying can you guys buy it or not. They just said if the bank didn't get that kind of message. And I think we are financially sound by it. And I appreciate your guys' time and I thank you guys for allowing us to have that farm for four years, and it's helped me and can help me till the day I die, because I'll spend my time there. Well, I have to find somewhere else. But I'm asking you to allow us to buy that property. We're instead of they are. We don't have a million and a half dollars in our pocket but we can get it and I expect that I would ask that you consider that. Commissioners, I thank you for your time and I also was a commissioner and a mayor back in 1990, and I'm pretty much out of that. I have to spend the rest of my time away from population because that's the only cure. So I thank you and I would like for you guys to consider my request.

CHAIR MAYFIELD: Mr. Gallegos, thank you for your questions and comments and also for your service to our country. Thank you very much. Thank you,

Commissioners.

V. A. 2. Congratulations and Acknowledgement to the Capital High School Jaguar's Varsity Boys Soccer Team for a Job Well Done in the 2014 State Soccer Tournament to Capture the Class 5A State Title

COMMISSIONER ANAYA: Mr. Chair, thank you very much, we've got some champions in the house today and it's an honor to have them here with us and I think what I'm going to do is I'm going to have my liaison – I know he's been working on this. Chris, I'm going to have you go to the microphone over here in front of me and bring up the fine coaches that we have and these individuals. I'm going to let you help me introduce them and then the Commissioners will congratulate them and maybe get a picture and whatever else we need to do to adequately honor these champions for their efforts that I know just didn't happen in one game. I know that it was a culmination of a lot of work and a lot of practice and a lot of thoughtful analysis of other teams and just dedication and perseverance. Mr. Barela, the floor is yours.

CHRIS BARELA (Staff Liaison): Thank you, Mr. Chair, Commissioners. Congratulations to the 2014 Capital High School Jaguar soccer team. It was a tremendous season, obviously for them. I would just like to read out little details of the state championship game. The Jaguars entered the 2014 state tournament as a three-seed beating Chaparral High School 3-2 in the quarter final, then moving on with a win over Centennial High School in the semi-final, 5-0. Then advancing to the state championship, the Jaguars defeated Albuquerque Academy in a thrilling, come from behind 2-1 win that came in double overtime with a sudden-death goal.

At this time, Mr. Chair, Commissioners, I would like to bring up Coach Doyle, if he's here.

GENE DOYLE: Hi. My name's Gene Doyle. Thank you very much for having us here today. I've been the coach at Capital for eight years now so it has taken a long time, eight years in fact. Years ago we started out as a 500 team and now we haven't really lost more than three to four games in a season in the last five years. But every year has been a step, trying to just get to the championship game and win it. We've been to the quarter finals five years in a row now and three years in the state semi-finals and finally we got to the final game and pulled off a miracle win. We were losing by one goal with just two minutes to play in the game and ended up tying it and winning in over time. So it was just huge effort by the players, all 22 guys on the roster did a huge part just to win the championship.

Our overall record was 20 wins, two losses and one tie for the season and those two losses, I think, were the most important games we played all season from a learning aspect up that ended up helping us a lot through the tournament just in shoot-outs and the different things that happened during those losses that we were able to fix the problems and end up the last 13 games of the season.

So I'd like to introduce my players and just have them come up and they could just sit beside me. First we're going to bring up a senior Byron Sican. Is Luis Melendez here? Luis couldn't make it today. Alexis Rodriguez, Alexis Quintana, Juan Magallanes,

Carlos Lopez, Victor Lozoya, Marcos Duarte, Alexis Romo – Alexis was the player that scored the game-winning goal to win state. Too bad he was not here tonight. Thank you. Jesus Garcia, Jesus won state player of the year, which is the first in school history and I think even Santa Fe schools here in town. Laurence Baumgartner, Diego Aguayo, Kevin Martinez, Alexis Zapata, Jose Encina, Memo Navarrete, Pedro Lemus, Kevin Sanchez, Victor Ruiz, Hernan Bencomo, Rene Arroyo, Randy Chacon, Rodrigo Garcia, and Manuel Chavez.

All of our players are from here in Santa Fe on the south side of town. Some other players from La Cienega and out in the county so a lot of these players are from outside of the city borders and they grew up playing soccer here in Santa Fe. Also, Santa Fe Prep won the state championship for the lower brackets so of the three championships in boys soccer for the state Santa Fe took home two of them. So it kind of shows the growing interest of soccer here in Santa Fe and that Santa Fe is actually one of the powerhouses of the state. So these kids grew up playing on county parks, fields, wherever they could play. So just so you guys know the interest is growing even more. The younger kids are getting into it and there's another your generation of footballers that are going to keep coming through Santa Fe to keep winning state championships and just with your help of providing a place to play is a huge help. So I just want to thank you again for having us here today and thank you for all you guys do to help us win these championships that these guys will remember for their entire lives.

COMMISSIONER ANAYA: Coach, if you could, there's a couple more gentlemen. There's a gentleman over here guarding the trophy with a tie. Who's this young man?

MR. DOYLE: This is our athletic director assistant, Zeke Villegas and he's got the nice, big blue trophy that we've worked so hard to finally get.

COMMISSIONER ANAYA: Awesome. And you've got some other folks back here. Some parents, I think.

MR. DOYLE: We've got some parents and Mr. Mike Lovato, our vice principal and athletic director for Capital. He's been a big help. He's hiding back there and I didn't bring my glasses so he's hard to pick out. He's been a big help. He's been with us for the last two years and he's provided us with everything we need that I don't have to think about constantly. I can just focus on coaching. So it makes a big difference and obviously it paid off with these guys beating everybody in the state so we're looking forward to whoever else wants to play us.

COMMISSIONER ANAYA: There you go, Coach. I know that the Commissioners are going to have comments but I wanted to acknowledge the principal as well. Do you want to introduce – your vice principal is here and the principal of Capital is someone that I know as well, so I want to thank them, and teachers, and do you have one of your seniors or one of your captains – do you want to maybe put them on the spot? Let them say a couple words?

MR. DOYLE: Absolutely. Jesus, come on up here and say something.

COMMISSIONER ANAYA: Just a side note. These guys all came up here like they were coming out of GQ magazine, man. They're looking sharp and dapper.

MR. DOYLE: This is Jesus Garcia. He came in second in the entire state in scoring. He had 27 goals and ten assists and was only one goal for the state leader for

Chaparral and we beat them, so he got to watch up pick up the trophy. Jesus was our district player of the year and also he won state player of the year, which is only one player in the whole state and here he is.

COMMISSIONER ANAYA: Awesome.

JESUS GARCIA: Hello, how are you guys doing? First of all, I want to thank the team. [inaudible] it's all us. It's not me. It's all together. That's how we got that blue trophy and it's all paid off. All my five years I've played with this team. I show commitment. I love going to practice every day because I know these guys motivate me to keep going, and it happened. And they showed anything's possible. This dream has been dreaming for years. They never got to lift up the blue trophy until today, so I've got to thank this team.

CHAIR MAYFIELD: Thank you. Congratulations.

COMMISSIONER CHAVEZ: So, Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: So I have to ask, of all of the players, you've been able to be successful with your academics. Otherwise you probably wouldn't be on the team, right?

MR. DOYLE: Yes, absolutely. They all have to maintain a 2.0 GPA. We have a team GPA of 2.9 right now and we're trying to get that up every year. That's a big help to Mr. Lovato and the administration for keeping track of them. It's hard for me to keep them on the field and motivated as well as checking their grades every week. So I leave that up to the faculty a lot. And Zeke's been a big help with that too.

COMMISSIONER CHAVEZ: Well, you've accomplished more than I did when I was in your place so I give you a lot of credit.

MR. DOYLE: I give all the credit to the players. A lot of coaches receive praise for it but a coach is only as good as his players and I've had the best in the city or even the state. So I'm very fortunate.

COMMISSIONER CHAVEZ: So with your grade point average and your commitment to your education and to sports, I can only hope that there could be a couple of scholarships in that group there.

MR. DOYLE: Well, we're hoping. They're all still looking at different colleges. It's still early in the year where basketball, knowing what they're doing.

COMMISSIONER CHAVEZ: But I would imagine there's a couple of seniors in the group. You're already looking at college and looking ahead.

MR. DOYLE: The colleges are looking at them too, so hopefully they have their pick.

COMMISSIONER CHAVEZ: So some scholarships in the future there, you think?

MR. DOYLE: We're hoping so.

COMMISSIONER CHAVEZ: Great. I would hope so too. Anyway, I would agree with Commissioner Anaya. You guys really present yourselves well. Good job all around. Thank you.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. It shows that your team came from behind to win. It means you can do it not just this year but you can do it in the

future years. That's great. And I'm really glad to see that soccer is busting out all over, not just Santa Fe City but the county. It makes everybody in the community feel welcome and involved, and I think that you guys being champions are going to send a great message to our entire county community, and congratulations very much.

CHAIR MAYFIELD: Again, congratulations to all of you, well deserved, Coach. Congratulations to you being a fine mentor to these young student athletes. Thank you all.

[Photographs were taken.]

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Presentations

1. Presentation on Roadway Management Program

CHAIR MAYFIELD: Commissioners, I would ask that we do one more item. Mr. Baca and Mr. Gomez.

JOHNNY BACA (Public Works): Good evening, Mr. Chair, members of the Commission. The critical importance of quality data connection is emphasized to support planning, programming design and maintenance decisions. Specifically related to traffic calming, road improvements, and road acceptance policies, all of which will affect the County's transportation needs. So tonight I would to explain to you a little bit about our traffic count program. In past years we were able, had limited ability to collect traffic data, and when I say traffic data this is related to speed data, volume and classification of vehicles throughout all of our County-maintained roads.

We began collecting data in 2000 and up until 2013 had over 260 counts. In the last year, and thanks to the Commission for approving a full-time employee who's been on board for about a year, we were able to collect another 400 counts, an increase of over 156 percent, so it's been a great improvement to our ability to collect the data and again, we use this data for engineering decisions of all different kinds. We use traffic counts for level of service for the Sustainable Land Development Code and the Sustainable Growth Management Plan, for our road acceptance policies, of course, our more recent traffic calming policy, Diego's road improvements, preventative maintenance, transportation planning and obviously, one of our biggest concerns out there is also speed enforcement.

We use different types of traffic counters. We've got the tube counters as many of you have seen out on our County roads. They are two black pneumatic tubes that actually are placed strategically so that when a vehicle crosses this an air pulse send the information to a counter that we download. After the download of that counter this is the report that we will see that provides us the information based on either 15-minute increments, half-hour increments, hourly increments. It gives us average speed information. More importantly the 85th percentile speed which many of our engineering decisions are made off of. It also provides us abilities to look at peak hour times of traffic and heavy flows.

This is an example of part of our list of traffic counts that's available on the Y-drive internally, giving us the most important information from those traffic counts. Recently, I have worked with Amanda Hargis and her staff in order to get this

information and have it mapped so that we can have the ability to look at some of our different sections of road throughout the county and have an idea of what the numbers look like – the speed, volume, and so on and so forth. So that's what that looks like.

In this photo we've got one of my staff, Carlos Casillas, who's downloading one of our radar counters. It looks similar to a small suitcase and those are placed out on a utility pole or on a sign post and from that we download the information and bring it back to the office and extract the necessary information.

We are fortunate to have this particular information at our fingertips and Diego I'm sure as you know is happy to be able to put that to work with his policies and so on and so forth. Again, the speed data, volume and classification data is very important to all of us on many of our roads. Classification specific to weight limits that we've dealt with on some of our roads and some of your districts and it gives us the ability to make good decisions of what the design of our pavement needs to be if those types of vehicles are going to be on our roads.

So in short, we do have this program that has been very effective in helping us make good engineering decisions and we continue to build on this program and I'd like to turn the presentation over to Diego. If you have any questions feel free I

COMMISSIONER CHAVEZ: I have a quick question, Mr. Chair, if I could.

CHAIR MAYFIELD: Commissioner Chavez, please.

COMMISSIONER CHAVEZ: So, Mr. Baca, I first want to thank both of you for patiently waiting. You've been here I think all afternoon or all day probably. But anyway, thank you for your patience and for the work that you do. Mr. Baca, I know that often you're called on to do what's called a traffic study for let's say a section of Agua Fria that is of concern to maybe a group of residents. With this kind of data will you still have to go out and do that traffic study or can you glean through this and provide the traffic counts and what they need when you go out and do – because before you would go out and do individual traffic studies on a case by case basis but I'm hoping that with this you may not have to do that anymore. Am I close?

MR. BACA: Let me explain it. Mr. Chair, Commissioner Chavez, per the FHWA guidelines we want to try to keep our traffic data up to date within three years. I've taken an aggressive approach to try to update ours on an annual basis. So yes, we will continue to update our traffic counts as traffic patterns change throughout the county on our different segments of road. But yes, we will be placing traffic counters out regularly as an update to the data.

COMMISSIONER CHAVEZ: But what I'm trying to maybe avoid is the need for you to do, to go out and do a request if the information is already here, a request for a traffic study if you already have the information available to you.

MR. BACA: Mr. Chair, Commissioner Chavez, yes, we will be able to use this information at any time. So, yes, we can use that, if the constituent makes a request for that information.

COMMISSIONER CHAVEZ: Right. And it can be site-specific.

MR. BACA: Yes, sir.

COMMISSIONER CHAVEZ: Okay. Because it seems that that would help you manage your time and be able to respond to concerns. Because mostly it's about

traffic volume, and speed, but the volume and speed go together. I think it's hand in hand. But it would help you manage that in a better way.

MR. BACA: Mr. Chair, Commissioner Chavez, I agree, and that is the idea, is to carry this information forward. We can do it as trending information as well, and continue to update and respond in a timely manner if we do get requests from constituents regarding –

COMMISSIONER CHAVEZ: So it's kind of a snapshot in time, but then you're still – in your presentation you mentioned – what's the three-year period? You want to keep your data current within the three-year timeframe?

MR. BACA: Commissioner Chavez, yes. Again, per the FHWA guidelines, traffic count guidelines, it suggests and recommends that traffic count data be updated every three years so that you can make accurate engineering decisions based on that information.

COMMISSIONER CHAVEZ: And so currently what have we been doing? Just sort of –

MR. BACA: Just recently have we begun to start to implement some of this policy because now we have the ability with new technology – radar counters, to count every road in the county rather than just the paved or hard surface roads. So we again – my traffic mobility technician who came on board about eight months ago was able to begin the process. So we are in process to build this program.

COMMISSIONER CHAVEZ: Okay Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and thank you, Mr. Baca and Mr. Gomez. You've done some traffic studies and some work for me and I really appreciate it in my district. I'd like to clarify something. Are you plotting out all the roads and doing traffic counts on all of them over a three-year period or are you doing it as we or the public ask for them?

MR. BACA: Mr. Chair, Commissioner Stefanics, at this time we have begun the process of collecting data on each and every one of our 825 County-maintained roads. So I believe in our data base we've got over 600 counts, specific to each road, a count, almost for each road and that's the goal annually is to try to get the full count for each one of those 825 roads.

COMMISSIONER STEFANICS: So, Mr. Chair, Mr. Baca, I heard you say that you'd like to do it every year but you'd do it at least once every three years.

MR. BACA: Mr. Chair, Commissioner Stefanics, yes, that is correct. I took an aggressive stance and I'd like to get the data on an annual basis but I definitely need to stay within that three years so I keep that traffic data up to date.

COMMISSIONER STEFANICS: Okay. So the next question I have might relate to the next part of the presentation but let me just throw out the question so you can say I'm going to address this later. In the newspaper there was an article about a new process for hardening dirt roads with the gentleman who's been doing some chemicals out in the Navajo Nation. Are you going to be addressing that tonight?

DIEGO GOMEZ (Public Works): I can talk a little bit about that in my presentation.

COMMISSIONER STEFANICS: Okay. Great. I'll stop for now. Thank

you, Mr. Chair.

CHAIR MAYFIELD: Thank you.

MR. BACA: Were there other questions? Thank you.

CHAIR MAYFIELD: Thank you. Mr. Gomez.

MR. GOMEZ: So Johnny talked a little bit about traffic counts. I'm going to talk a little bit about why it's important because believe it or not, our road network is the most valuable asset that the County has. I have estimated that the value of our County network is half a billion dollars. So why are these traffic counts important? Well, if your roads are failing, if you're having potholes on your roads, if your dirt road is constantly being washboard and people are complaining about it it all has to do with the type and the amount of traffic. And so that's why these traffic counts are so important, is to understand what's happening to your roads, why it's happening and how can you prevent it.

There is a lot of research that says that any time you get traffic that is more than 200 vehicles a day on a road your road should be paved. So this is a tool that we will be able to use as our capital improvement plan and forecast. If we have 100 vehicles today on a road, if we have 100 vehicles, 150 in a couple of years, we need to start thinking about how we're going to get money to pave that road, because that's what the research says. As soon as you get past about 150 vehicles per day you need to start coming up with how you're going to fund to pave this road because it's not efficient anymore to keep grading that road.

So that's why the traffic counts are so important. It gives us a window of what type of vehicles, the amount of traffic, and what's going on. And so that's why it's really important, because a lot of people for a long time have never taken care of their roads. That's what I'm going to talk about is our pavement preservation program. A couple years ago I was up here in front of you guys talking about our pavement preservation program, that it had just started. Well, now it's in full swing and so that's what we're going to discuss today is what is pavement preservation?

Well, basically in a nutshell, pavement preservation is the theory that you have to keep your roads in good condition. You can't wait till your roads fall apart to start to repair them. Just like you wouldn't wait to give your car an oil change until after the engine has blown, or you wouldn't wait to fix your roof until after it collapses, the same theory holds true for roads is you have to keep your roads in good condition and that's what pavement preservation is all about.

So we've been very lucky recently to receive a lot of grants so a lot of the work that I'm talking about has been done with grant money. So there is what's called a pavement deterioration curve and when I go to our budget meetings I talk about this every year. For every dollar you spend on pavement preservation you save \$10 in the future. And what does that mean? It means that it's cheaper to keep your roads in good condition than it is to pay for them to get repaired when they're in bad condition.

So in the last 18 months the road maintenance department has spent about a million and a half dollars on pavement preservation. So if you use that same math, we have saved \$15 million because we have kept the roads in good condition. We have prevented them from deteriorating and we have extended their life. And so that curve, basically, tells you if you spend a dollar here you're going to save \$10 in the future. And

so we've been very successful in getting grants and that pavement deterioration, it's kind of a no-brainer. Why would anybody disagree with pavement preservation if the Federal Highway Department has done all these studies that it saves money?

Well, there's a couple of reasons. There's always an expectation to fix the worse first. Why are you spending money on a good road when the road right next to it is bad? Well, that's the most economically wrong way to look at things because it's way cheaper to keep your roads in good condition than it is to spend money. So those are the reasons that are kind of the negative effects of pavement preservation, is we have chip-sealed about 37 miles of road this year and the complaint that we get from a lot of the constituents is why are you fixing this road? This road is in good condition. Well, when you're driving that road at 45 miles an hour it looks in good condition but you don't see all the underlying cracks and problems that it's going to have. So if we keep those roads in good condition, we spend the money initially, we can save a lot of money in the future. And so that's what this presentation is about is bringing to light the understanding that pavement preservation is cost-effective and what we're doing with our money.

So there's different types of pavement preservation. The primary one that we do in the county is the polymer modified chip seal. We can do a chip seal, a regular chip seal but we choose to use a special oil that has a polymer added to it that makes the oil more elastic. It makes the chip seal more resistant to reflective cracking. And so those are the types and the costs of the different types of pavement preservation projects we do in the county. There's a thing called the equivalent cost analysis. If you do that, chip-sealing always comes down to be the cheapest type of pavement preservation treatment that you can do. So we can chip seal a road for about \$28,000 at 20 feet long and we've done about 37 miles of that this year.

So I'm going to go on and give you a chart of all the roads that we have done. So that is what we have chip-sealed in 2014, so to put that in perspective, we have about 277 miles of paved road. We've done 37.56 miles of road. We have another scheduled about 30 miles to chip seal next year. So within about two to three years of an active, pretty aggressive pavement preservation program we will have chip-sealed almost 50 percent of our road-lane miles, our paved surface in Santa Fe County. So that's pretty exceptional.

A lot of this was done with grant money. There's only one road that was actually done with our road maintenance money. A majority of the money that these projects were completed by was through a federal grant where we actually didn't have to reimburse any money. They bought us the materials and we agreed to have the labor and equipment to put down the treatments. And so our road maintenance fund would not have been able to fund all these projects. Out of our road maintenance fund we probably would have been able to have done about five or six miles, so the grants have been really exceptional. The other portion is through the DOT, local government road fund grants.

So a lot of those roads were in good condition; some of those roads were in really bad condition, but that's what we're doing is we're trying to keep our roads in good condition. So when I initially did the evaluation we used a program called PASER, stands for the pavement surface evaluation rating and it's through the University of Wisconsin and through the traffic – some other organization. It basically rates the roads from a 1 to 10, 1 being bad, 10 being brand new. So in 2011 I went and rated every single road within the county, and so if you look at those, that chart, you can see the difference

between 2011 and 2014. We've dramatically increased the roads that are rated at 10, 9, 8, 7, and we've reduced the roads that are in a really bad condition.

We've actually – we had one road that was failed, which is basically you're driving on a potholed road that nobody wants to drive. It's basically failed. We eliminated that one. We have reduced the number 2 category which is very poor which is still an awful road to drive on, to zero and we have reduced the number 3 to 1.56 so just in these numbers we have increased the average rating of our roads from 6 to 6.9 just in the last 18 months. So that's a dramatic, dramatic improvement and we hope to continue doing this. We have some grant money.

We apply for local government grants every year through the DOT and we've been very successful in getting them. Our federal grant will probably be done next year but we've still got about 30 miles to go.

So I'm going to show you some pictures. Actually that's a chart of the – it's a graph of the chart that I just showed you. So the 2011 is in green, the 2014 is in blue. So you can see that the roads that are getting better are also reducing the amount of roads that are in bad condition. So we've dramatically improved the condition of our roads just with a little bit of work and a little bit of money. It's a little bit of money but it's going a long ways and that's what we need to focus on is extending our road maintenance money, using it towards pavement preservation so that you can see the net value of your dollar.

And so that is a picture. I don't know if you guys can see that good but that's a picture of Arroyo Hondo Trail and that road was just falling apart. So we turned a road like that with about \$30,000 to a road like that. It's a brand new road. And so that's what we're doing to our roads. That's what we did to our roads. 37.62 miles were chip sealed this last year. We did about – I think about 4.5 miles last year and we did a couple of asphalt overlays. Asphalt overlays is what everybody wants but they're a lot more expensive. They're about four times more expensive than chip seal. So that's why a lot of chip sealing is because it's more economical.

Now, in pavement preservation it makes sense – there's lots of theories on it. There's not a lot of theories on actual bridge preservation. Until recently we didn't do anything in our bridge preservation. We didn't have really a program. The DOT actually is required by law to do our bridge inspections. So we have 18 bridges in the county; seven are actually considered functionally obsolete or structurally deficient, which is not a good rating. Those are the worst ratings that you can get.

There was just an evaluation in 2014 by Roads and Bridges where the average bridge rating is for functionally obsolete and structurally deficient is 28.8 percent of the bridges in the United States are functionally obsolete or structurally deficient. So we're a little bit above that. And I'm going to try to bring that down. So two years ago I was talking to you about our pavement preservation, I'm showing you what we did on our pavement preservation, and I'm talking about how we're going to start establishing a bridge preservation program, and in two years I'll be back telling you how good that program is.

So these are some of the things that we've done to our bridges. It's hard to see in this picture but there's a lot of cracks on this bridge. So these are the recommendations. The DOT gives us a bridge inspection. It tells us what's wrong with it, how we can fix it, how we can improve it and it gives us their recommendation. So this bridge was

recommended to do an epoxy overlay, and basically water is the worst enemy to concrete and to paved roads. So what the epoxy overlay does is it seals out the cracks. So that's how the road looked before, or the bridge looked before; that's what the bridge looks after. So it's going to preserve our bridges. Bridges are very, very expensive. And so they're anywhere, depending on the type of bridge, are anywhere from \$100,000 to a couple of million dollars.

And that's a pretty big bridge. So we spent about \$60,000 placing a new deck treatment on that bridge. We also did this. This is a bridge in – both these bridges are in Commission District 1. This is a bridge in La Puebla. You can actually, towards the bridge deck, towards the joint, you could actually see right through the bridge into the river. So we hired a contractor to chip out those bridge deck joints, repaired them, and then we put a new bridge deck surface on it. So that's a brand new bridge deck.

After we completed that we did the same thing with a different type of treatment. There's a picture of a different bridge but we did the same thing. We cleaned out the joint. We hired a contractor. We repaired the joint and then we hired a separate contractor to come and overlay with an epoxy overlay. So there's a picture of the contractor placing the epoxy overlay on the bridge. There's the bridge once it's done.

So our road maintenance department is really looking at preserving our infrastructure. That's what we're here for, preserving our infrastructure. There's a lot of projects that are going out to different parts of Public Works. They're designing the task of capital improvements. We're really focusing on preserving our infrastructure because it's so valuable to us.

This is a bridge that was in Glorieta that I was amazed that nobody's been killed on. This bridge was only about 14 feet wide. Two cars couldn't pass on it and the bridge railing was not anything close to being safe. So this was the rare occasion that the road maintenance guys actually rebuilt this bridge. So we turned it from a bridge. We put some culverts in it and technically now it's not a bridge anymore but it's much safer. That's how the road looks right now.

And so my intent is to use our road maintenance money to preserve our roads and now to start a new program to preserve our bridges. And so hopefully here in a couple of years I will have another presentation showing you what we have succeeded in doing for our bridges.

CHAIR MAYFIELD: Thank you, Mr. Gomez. Commissioner.

COMMISSIONER STEFANICS: So, go back to the question I had about that new type of chemical on a road.

MR. GOMEZ: Okay. So anytime you exceed about 150 vehicles per day on a dirt road you're going to have a lot of problems. And so we have placed some things on roads. We haven't used that same product. We have used magnesium chloride, which has been proven for years and years to use with success. We used it on Agua Fria Park Road in the spring. We also used it on Coyote Trail just recently. The product that you read about in the paper has not really had some good results on it. I've talked with the owner of the company –

COMMISSIONER STEFANICS: Okay. Just a minute. So, Mr. Chair, so are we talking about regardless about what kind of chemicals we're using, are we talking about chip seal?

MR. GOMEZ: No.

COMMISSIONER STEFANICS: What is it considered on this list here?

MR. GOMEZ: It's not considered a pavement preservation so I'm just talking about it outside of my presentation. What you're talking about is basically stabilizing a dirt road. I was talking about pavement preservation in these slides.

COMMISSIONER STEFANICS: So stabilizing a dirt – I'd like to be very clear about this for the public. So stabilizing a dirt road is not considered a standard practice for Santa Fe County?

MR. GOMEZ: Not really. The reason is because by definition, a stabilized road means that it needs to have a cementitious ingredient in it, which means it either has to have cement or lime. So by definition, as far as I know, the County has never stabilized a dirt road. Now, what we have done in the past is sprayed certain products on there that act more as a dust suppressant but under the definition for a federal highway, of the FHWA, it's not a stabilized road. So we've sprayed magnesium chloride on roads. We've sprayed different products on roads. This is a new product that's been invented. It was the company that utilized this product went bankrupt a year ago from placing a different type of product on Spur Ranch Road.

So we went and monitored that road. I met with him on numerous occasions. The average cost of his product is about \$290,000 for a mile of road. We could pave a road for less than that. So economically it doesn't look like we would want to do that. He's more than welcome to come and give us a free sample so we can monitor the road, but realistically, it doesn't look like it makes sense dollars-wise to use that product because we could pave a road probably for cheaper than we could to stabilize that dirt road.

COMMISSIONER STEFANICS: So, Mr. Chair and Mr. Gomez, you have done that two-inch asphalt overlay is \$105,000 for one mile.

MR. GOMEZ: That is correct.

COMMISSIONER STEFANICS: Now, we have been told in the past that it was much more than that. In going to the state legislature to request funds to pave roads out in the county. So for example, I remember County Road 55, Goldmine Road. And the costs at that time were considered to be a million dollars a mile. And one mile is done and then they went back for the next half-mile and so on and so forth. Can you address what the difference between this figure and that other figure is?

MR. GOMEZ: Absolutely. So when I'm talking about pavement preservation the road is already there. There's already a paved surface, and so you don't have to do any subgrade work. You don't have to place basecourse. And that's where a lot of the cost of a new road is. If you go and you try to turn a dirt road into a paved road, there's a lot of costs associated with that. You've got to get graders out there to crown the road. You've got to get them to do the subgrade preparation. They've got to get rollers out there to compact the dirt. Then they've got to haul in material, which is basically sand and gravel; we call it basecourse. You've got to crown the basecourse. You've got to prep the basecourse. You've got to roll it. You've got to compact it. You've got to put water on it. Then you pave it.

On an overlay, when I'm talking about pavement preservation, the road is already there. You don't have to do any dirt work. All you're doing is your taking your asphalt paver out there and you're putting another two-inch mat over the existing surface. So

there is a significant cost savings to that. So that is where the fundamental cost savings from pavement preservation comes from. If you wait till your road falls apart, then you've got to mess with the dirt. As soon as you've got to mess with the dirt the cost goes up substantially.

COMMISSIONER STEFANICS: So, Mr. Chair, Mr. Gomez, if we are preserving some roads by doing one of these different types of seals and there never was asphalt there, and the legislature or the community decided that they wanted a paved road, are we talking about utilizing anything that's in place or are we talking about totally wiping it out and starting from scratch.

MR. GOMEZ: It depends on the condition of the road, the type of the road and where it's at, but any and all of those can be done. You can place any of those treatments on a road that's falling apart but it will most likely not last as long as if you put it on a good road. So on my chart I said a chip seal will last between I think five and seven years on the polymer modified. If you put that on a great road that doesn't have a lot of traffic it might last ten years. If you put that on a road that is in a really bad condition it might last only two years. So it has really a lot to do with the type of traffic and the condition of the road. Because if you're getting ten vehicles on a road, a pavement preservation project done on it is going to last a lot longer than if you have 5,000 vehicles on a road. It also is affected by the type of traffic.

COMMISSIONER STEFANICS: But, Mr. Chair, did you hear my question? It's about if you have any of these on any roads and you go to paving a road.

MR. GOMEZ: So you want to pave over one of those treatments?

COMMISSIONER STEFANICS: Do you have to start from scratch or do you utilize what is in place?

MR. GOMEZ: You can do either.

COMMISSIONER STEFANICS: Okay. I wanted to make sure about that.

MR. GOMEZ: If the road is in extremely bad condition it is highly recommended that you start from scratch, and that's where the expense of building new roads comes.

COMMISSIONER STEFANICS: Thank you. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: No, I just want to thank both of you for being here. I've been interested in road maintenance and our road network since day one, and I draw another correlation between maintaining our roads and being able to comply with public safety. Because the public can expect decent and well maintained roads but our public safety and emergency medical teams, they need well maintained roads to provide the service that they provide. So it's a cost savings in this but also adding a value added component for the citizens and the County in our case for public safety. So the two go hand in hand as far as I can tell.

MR. GOMEZ: That is correct. By saying cost savings I don't want you to get the misinterpretation that we're nickel and diming these roads. We're putting recommended treatments on them that have been researched for years and they're part of a known pavement preservation strategy. And you're absolutely correct that the road network is the backbone of society. Without good roads, no matter how good of a fire truck you have, if he can't get to that house fire he's not putting out that fire. No matter if

you have a brand new ambulance, if he can't cross the low-water crossing he's not going to save the heart attack victim. So the infrastructure of a good road network is the backbone to society.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Mr. Gomez and Mr. Baca for your presentations. It seems to me that the roads department is making more and more decisions about road maintenance and road improvement that are science based and I think that it's really paying off and it's going to pay off even more in the long run. You're going to be able to really maintain roads better in the county for less money in the long run. So I really, really appreciate that.

Also I wanted to just throw in my husband and I had Road Packer – you've probably heard of that product put on – we live on Glorieta Mesa now and we have a dirt road of course, basecourse road, and we had the Road Packer product put on the mile in front of our road. It was fine for the first couple of years but now it's terrible; it's mud. And so any of these treatments, it seems to me, yes, you can experiment with them but you can't make a decision immediately. You have to see how it lasts over time. And there's very little traffic on our road, but still, after two years it's a mess and the road really needs to be totally redone. I thought I'd sort of let you know about somebody who's actually experimented with that.

And the other thing is I'm very appreciative of what you did for the bridge on County Road 63. I drive over that every single day and when we first moved up there I was thinking, hmm. I could just sort of see the bridge collapsing or something like that as I was driving over, and now it's beautiful. You did beautiful work on it and it feels much safer. So thank you. Thank you for your presentations, and thank you for everything that you're doing.

CHAIR MAYFIELD: Thank you. Gentlemen, thank you and thank you for the work you're doing, both of you, but Mr. Baca, I want to also say thank you for going out and looking for those state grants and federal grants because I know that offsets a lot of our internal budget requests from you all to do that. And District 1 has been a big recipient of a lot of these road improvements. I appreciate that. A question I've had for Mr. Leigland and Mr. Leigland is really educating me on it, and also yourself, Mr. Gomez. And I was going to one slide. It's the Arroyo Hondo Trail that you have before and after. Because now, it's not the – it's the overlay that you're doing. You're throwing out the gravel, letting that sit. I had so many calls, well, why is this gravel sitting here for a while? It needs to get embedded a little more and then you'll come back with kind of like a fog coat over that.

MR. GOMEZ: So that's the chip seal. The theory behind the chip seal is that you are spraying oil on an old, oxidized road, but if you just spray the oil on it you will have a giant slick road. So the chips provide the new friction. So what happens is we spray the hot oil on the road. It's an emulsion. We lay the gravel down. It has a certain curing time, and then we go and sweep the road. During that sweeping for a couple of weeks there still is loose chips that come up from the road. We wait for that to kind of cure. It actually takes about two to three weeks for that road to cure before we place our last application of oil on there which is the final fog seal. So it is a little bit more of labor-intensive, time-intensive process. It's a lot cheaper though, so that's where we save our

money. We do get a lot of questions and concerns from the constituents that drive on our recently chip-sealed roads because they think that we're turning that road back into a gravel road, or they just don't have the knowledge about pavement preservation. But it's about a month-long process from the time we begin a chip seal until it's finally swept and striped and looks like a paved road again.

CHAIR MAYFIELD: And I appreciate all the work you've done up north. But one thing I've noticed, that's why I asked on this picture on Arroyo Hondo Trail – I don't see it as prominent there, but kind of like on I guess a green space, the natural vegetation on both sides. I know me and Mr. Leigland have had numerous discussions on this, at least in the north but I think it's indicative of all of Santa Fe County is that even on our roads, road preservation but new constructed roads, if we don't address the whole problem in totality, such as the drainage, the water movement, storm drainage, kind of what you said, we're kind of putting water on that road and that road is going to be pretty useless.

But my point with the chip seal, because what I have been noticing and not through hard work of yourself and all your staff is that a lot of that basecourse is spreading out into the existing bar ditches and I don't know if we're going – I just don't see that we're going back and moving everything that's went into those bar ditches, and/or if there are bar ditches there you do see a lot of that gravel just spread out on both sides of the road.

MR. GOMEZ: Well, it does. We do go back and we sweep the road.

CHAIR MAYFIELD: It's not the road. It's the bar ditches.

MR. GOMEZ: What my mentality is, we can go sweep those bar ditches but the gravel actually acts as – it prevents some of the erosion that's occurring in the ditches, so we don't remove it all. But to answer your previous question, on all these roads that we chip sealed we made drainage improvements to the roads prior. So we're not just chip sealing and doing pavement preservations over projects that have problems. We're trying to clean the ditches, clean the culverts, make necessary drainage improvements, if it needs new culverts prior to doing our pavement preservation. So we are aware of that problem. And a lot of the problems of premature failing on our roads are due to water, so we're trying to correct that.

CHAIR MAYFIELD: Thank you. And then I know, not speaking for Commissioner Chavez but he definitely has some needs up in his district and mine and maybe throughout Santa Fe County, how are our low-water or all-weather crossings addressed in your preservation plan. In particular I have a couple roads that I'm worried about. You all have done your best to maintain it. You re-concreted one. As a matter of fact I was just speaking with Mr. Leigland about this a little earlier. I think you've even addressed one kind of out there by – I'm going to say Feathercatcher. I know I have the adjacent to the other side of the bridge, where the undermining – because you have one side that's arguably serving as a low-water crossing. It's supposed to be an all-water crossing but everything is undermining on that bottom end.

MR. GOMEZ: So we do go out there and monitor our roads. That was due to some flooding issues. So after big floods we do go monitor all these things, find out what's going on. There is a project that's upcoming to add – I think an engineer is going to design some sort of erosion control structure at the outlet of that low-water crossing to

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alleviate that drop-off problem. But we do have, in our capital improvement project list, a lot of all-weather crossings that are going to replace some of the low-water crossings that have a lot of problems on them. So we do – our road maintenance tries to address these concerns. When they're too big for us to address then we put them on our capital improvement process list.

CHAIR MAYFIELD: And one thing, respecting the MPO's process and everything else, and again, me and Mr. Leigland were speaking about this earlier, I don't want to wait for the accident or the death to occur and I know neither do you gentlemen, before we go and address a road or it hits that criteria. I am worried on a lot of these – the hybrids. I'm going to call them hybrids – low-water, all-weather crossings are getting undermined. And I respect, from Mr. Martinez and everybody saying, look, Danny, you can't put up a guardrail on one side because that's going to keep everything that's coming downstream or upstream and block it.

But my other worry is when you have a four or five-foot drop-off on the side of that all-weather crossing, there will be somebody that potentially will just drive off of that, hurting themselves, which I don't want to see, and causing significant liability for Santa Fe County. I know you all have been out there and this is another challenge. If we like to do it or not, at least trying to put those reflector lights. They kind of get swept up. I just – again, it's dollars. I know it's definitely dollars, but I hope that's a big component of the preservation plan also, is addressing those roads that have the drop-off of five to six feet.

MR. GOMEZ: It's separate than our pavement preservation program, but it's definitely something that we are looking into in our road maintenance. We do have some engineering firms looking at specific low-water crossings to turn them into all-weather crossings. We do have some engineering firms looking to provide erosion control structures so that that drop-off doesn't happen. So we have about six or seven low-water crossings that we're looking countywide right now to make some major improvements to.

CHAIR MAYFIELD: Or, and again, Mr. Gomez, and correct me if our conversation wasn't stated like this, but also I thought another alternative is to actually make them, as best you can, true low-water crossings that are even below that floodplain and that's when you do get the grader to come in and just sweep that off. The reason I'm bringing that up, knowing that we've kind of put in abeyance our zoning map and some of land use, if we're out here asking everybody else to build the all-weather crossing, knowing that you said and Commissioner Chavez said emergency vehicle services, with that understanding, well, sometimes it makes sense to put in low-water crossings, economically, for safety, for maintenance, for a bunch of variables. But I just think if we have a plan, again, this is going to our plan and/or to our code, just don't make low-water crossings totally obsolete. There is a very good purpose and intent to have these low-water crossings. And I'm not the engineer. I've been told I'm not an engineer. That's my opinion. But I think it makes total sense.

MR. GOMEZ: No, you are correct. Low-water crossings do function when they are designed and built appropriately. Some of the low-water crossings that you're talking about right now were more than likely built at the wrong elevation and that's why we're having problems with scour at the outlet.

CHAIR MAYFIELD: Thanks. And again, and just for our County Attorney, when the code does or the zoning map does get readdressed, that's just one of my hang-ups I definitely have with the code and respecting our Fire Department for emergency services, but if we're mandated that individual invest in an all-weather crossing to serve five residents that live on the other side of an arroyo, or if one individual, we're not giving them that same opportunity to build that extra low-water crossing. I just hope you take that into consideration.

Mr. Gomez, thank you for the work you do and I know you have 553 miles or something in a 1,900 square foot territory that you're maintaining and preserving.

MR. GOMEZ: It's actually 577 miles. I think it's more like 2,200 square miles. It's a big area.

CHAIR MAYFIELD: It's a great job, you guys. The other thing, just Commissioner Stefanics alluded to it. And I won't be here any longer. But I did. I met with that one individual and I think it's the individual. I think there was a trial period of that mix that they did. It kind of went bust I believe on one of our County roads. They did say, well, look. We have a different composite. We've kind of re-engineered it. I just would think that again, it could benefit Santa Fe County. If you agree or disagree, I think that's great too, but to hear a presentation on that and just ask the questions you stated. Well, is the cost not worth our investment or our time into this, or is it? And I think they're starting a big project or test project now on the Navajo Nation also with that.

MR. GOMEZ: And we do monitor new stuff like that, when they go and do different products, the spread them on the roads for different counties and cities. We have been looking at them. I plan to actually go to Navajo Nation and see what that – I think his name is Bob Sherwin – did for the Navajo Nation. He was the same individual that put the Road Packer on Commissioner Holian's road that she didn't like and that Road Packer business went belly-up. We are constantly monitoring the new things that are coming up in road maintenance.

CHAIR MAYFIELD: And I won't speak for the gentleman but I do believe there might have been an offer and I think it would be you or the Manager or however you have to deal with Mr. Martinez' protocol or Mr. Leigland, that he would offer, hey, I'll do a test road for you guys if you want to see how it works. And maybe it's Commissioner Holian's road.

MR. GOMEZ: And that's what I request usually is to do a free sample. Some companies have been very adamant in giving us a free sample and for the most part the people that give us the free sample, their product works. The people that aren't willing to do that, it looks like their product isn't as good as they say.

CHAIR MAYFIELD: Great. Thank you, again. Commissioners? Thank you. Thank you, gentleman both.

Commissioners, really quick, we have later on our agenda presentations by our department directors, informational items on our monthly reports, and I know we have a few still here and we still have a couple other items to dispose of. Is there any need – I know we all read our packets, to have staff for any reports?

COMMISSIONER STEFANICS: Mr. Chair, I have no questions for the directors.

CHAIR MAYFIELD: Thank you.

COMMISSIONER ANAYA: Mr. Chair, I would just ask our warden, Mr. Caldwell, to come forward briefly.

CHAIR MAYFIELD: Thank you. We'll just move to that really quick and then we'll ask our division directors. Thank you for your reports that are in our packets.

VII. INFORMATION ITEMS

- A. Growth Management Monthly Report**
- B. Public Safety Monthly Report**
- C. Public Works Monthly Report**
- D. Human Resources Monthly Report**
- E. Administrative Services Monthly Report**
- F. Community Services Monthly Report**
- G. Financial Report for the Month Ending October 31, 2014**

COMMISSIONER ANAYA: I know we had our advisory committee here earlier today but I did want to give you an opportunity, Mr. Caldwell, to say anything that you'd like to say. If there's any pertinent information you think we should be aware of or not, or just how things are going in the facility from your perspective as the warden.

MARK CALDWELL (Warden): Mr. Chair, Commissioner Anaya, things are going fine. Things are going fine. It's daunting every day. There's a lot to do. As you know, there's many, many needs for people that are not only in our custody. We believe they're in our care so we pay double attention to any and everything that comes up. We try and be as pro-active as possible. At this time I have no major concerns. I will say it's a very humbling honor to have been selected as the warden and the confidence that's been placed in me I won't betray and I'll continue to meet the standards that have been set by Mr. Sedillo, yourselves, Deputy County Manager Flores, County Manager Miller, and we'll try and continue to elevate that bar. And nothing else to report, sir.

COMMISSIONER ANAYA: Mr. Chair, Mr. Caldwell, you've been with the County for some time and I think daunting is a good word for the business that you deal with in a 24/7, 365 operation is a daunting task but I know that you have the expertise and the skills to continue working with our committee as well as our director and the Manager and all the other players in the County that help make it all work. So appreciate your being there and providing us the knowledge and expertise that you do. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Warden Caldwell, again, I just want to say glad to hear you were selected as our warden and you got rid of that interim title. You've been a pleasure to work with. Very professional. I hear nothing but high regards from you from both staff and the public and I wish you the best. Arguably, you probably have in my opinion the toughest job in Santa Fe County government so thank you for the work you do and your commitment.

WARDEN CALDWELL: Mr. Chair, thank you, sir.

CHAIR MAYFIELD: Commissioners, with that – if there's any other division directors. I see Mr. Leigland back there. We can keep you if you want but I don't think there's any need for any more division director updates. So thank you for that.

Commissioners, I am going to ask for a quick break. I don't think we've had a break since 1:00. If we could just make a facility break for five minutes and come right back. We have agenda still but I would just ask, unless you want to run this Commissioner, we take a five-minute recess and just kind of keep it as close to five minutes as possible please. Thank you.

[The Commission recessed from 7:10 to 7:40.]

CHAIR MAYFIELD: I'm going to move the agenda a little bit because you guys have been waiting. So I'm going to take quick liberties and move this agenda around as we've doing all night and we're going to move really quick, Commissioners, to our public hearings, to item VIII. I know we've had some individuals here all day with us so I would like to move to item VIII. A, and I'm going to take these out of order and move to VIII. A. 2.

VIII. PUBLIC HEARINGS

A. Ordinances

2. Ordinance No. 2014-10, An Ordinance Adopting the Solid Waste and Recycling Management Ordinance and Repealing Ordinance Numbers 2010-5, 2012-7, 2013-3 and 2014-6 (Final Public Hearing)

CHAIR MAYFIELD: This is our final public hearing. Mr. Leigland.

MR. LEIGLAND: Mr. Chair, excuse me. You caught me by surprise. Mr. Chair, Commissioners, this is the second public hearing on the proposed ordinance change for our Solid Waste Ordinance. In the packet material you'll see the major changes that we're trying to reflect in this ordinance. One is to increase mandatory recycling, so this was something that came out of the task force. We increased the categories of mandatory recycling, and I did want to point out that what we're proposing actually is that the actual categories of recycled material be determined administratively and that just gives us maximum flexibility to make sure that we align with market forces and what's marketable at any given time. And that actually aligns with what the Solid Waste Management Agency is trying to do with their recycling efforts.

The second major change is to restructure the permits so that the changes are two-fold. One is to retire the 24-punch and go to s 6- and 12-punch format, which is something that the community has long desired. And then the second one is to implement a fee structure so we can increase the amount that is recovered through fees over a five-year period. You'll also notice in the memo that based on the discussion that we had at the last public hearing we found some cleanup language in the ordinance that we're also suggesting. One of them is just a definition of a permit. Commissioner Mayfield, you may remember you asked about the ability to access recycling. The old ordinance said you actually had to have a permit to access recycling. We wanted to make it easier so we're actually saying you don't have to purchase the permit to access recycling. That's reflected here.

Some permit changes, some formatting changes, and that's what you see in the

Section 13. AB is just a formatting change.

We also put in a chart that shows you what the projected revenue would be.

So, Mr. Chair, we answered a lot of questions at the last public hearing so I can stand for questions. I also know that we have some members here that would like to speak on it. So with that I'll stand for any questions.

CHAIR MAYFIELD: Thank you, Mr. Leigland. At this time are there any questions of Mr. Leigland? No. We'll open up the public hearing and we'll go out to the public who's been with us all night. Please come on up. If you could please state your name and your address for the record. And Clerk Salazar will swear you in as this is an ordinance.

[Duly sworn, Karen Sweeney testified as follows:]

KAREN SWEENEY: Mr. Chair, Commissioners, my name is Karen Sweeney. I live at 16 Esquila Road in Santa Fe. I am chair of Eldorado 285 Recycles and a member of the City-County Solid Waste Advisory Committee. Eldorado 285 Recycles, largely under the leadership of Joe Eigner, our founder, who is unable to be here tonight, has reviewed extensively the three solid waste studies which you, the Santa Fe City Council and the Solid Waste Agency Advisory Board approved about two years ago. Together, the recommendations will go a long way toward improving the collection of solid waste and more important the diversion of reusable resources in Santa Fe County, which of course includes the City of Santa Fe.

Not long ago trash was disposed of in a dump which was a rudimentary hole in the ground. Then for safety reasons lined landfills were required, a costly proposition. Along the way, people recognized the value of materials that could be reused and recycling became part of the picture. Currently many communities in our nation divert as much 80 percent of their waste toward valuable reuse. Our level here is in the ten percent range. Since 2010 Santa Fe has seen several studies on how to improve our diversion rate but they have only made it to the proverbial shelf. This time, however, the comprehensive study has the potential to transform solid waste diversion in our communities, especially if the recommended improvements are made at every level – county, city and the Solid Waste Management Agency.

Eldorado 285 Recycles hopes the County Commissioners will enact the proposed changes in the ordinance before you. These changes would require serious attention to recycling by the public, would increase diversion rates at the transfer stations and recover a larger percentage of the cost of operating them. For those concerned with imposing more costs on the public there is an available option for residents to avoid increased costs. Trash needing landfill disposal can be cut in half by recycling those items now accepted for recycling in this county. The cost of their trash disposal would then also be cut in half. We hope you'll support this measure tonight and become the first government agency in the county to set us on a path toward more responsible management of solid waste. Thank you for your attention.

CHAIR MAYFIELD: Thank you, Ms. Sweeney. Thank Dr. Eigner for all of his efforts and time he's put into this.

MS. SWEENEY: They have been substantial.

CHAIR MAYFIELD: Commissioners, any questions? Seeing none. Is there anybody else from our public, please? Whoever else will speak tonight if you all

just want to stand up and be sworn in at one time.

[Duly sworn, Lisa Randall testified as follows:]

LISA RANDALL: Good evening, Commissioners. My name is Lisa Randall. I live at 6388 Entrada de Milagro in Tierra Contenta here in the city limits. I'm also the Santa Fe Public School conservation coordinator for energy and water. I manage our renewable projects and well as our waste and recycling program. I hope you don't mind if I read to you. I wanted to speak to the importance of waste to landfill reduction and recycling diversion in our community and share what's working in Santa Fe Public Schools. With 33 properties, 60+ buildings, over 2.3 million square feet of rooftops, approximately 14,000 students and 1,800 employees we are a commercial level consumer and we generate a lot of waste.

In the school year 2010-11 when I began my work we were paying nearly a quarter million a year for trash – more than a quarter million, actually. Virtually nothing for recycling. The City Council offered us free recycling services to encourage the program, and we had a six percent recycling rate. We had no systematic composting of food waste and at .36 pounds of food waste per student per day, that's 5,000 pounds of compostable food waste going into the landfill every day. We had no point person, no accurate educational materials for recycling, multiple rolling bins that were inconsistently picked up – in short, our recycling program was inefficient, cumbersome, and unreliable.

By end of school year 2013-14, four years later, the end of this past fiscal year in June, we're now paying \$160,000 a year for trash, as opposed to \$240,000 four years ago; \$18,000 a year for recycling, which means we've still reduced our waste cost by \$60,000 annually while implementing mandatory recycling district-wide. Our waste to landfill has gone down by 30 percent by right-sizing the service and increasing recycling. Our diversion or recycling rate is 25 percent, three times the rate of the city, and that doesn't include metal scrap of food waste. We compost food waste at ten out of our 25 facilities and will add two more by winter break, and we are committed to a 75 percent composting rate of all food waste by the end of this fiscal year. Every SFPS facility is expected to recycle all paper, cardboard, number 1 and 2 plastic bottles, tin and aluminum and we have a pack-in, pack-out policy for glass. We've developed English-Spanish picture text recycling guides which you have before you. [Exhibit 4] One of the issues always is misinformation and lack of information on what's recyclable so we try to fix that issue which I think we've done.

A copy of this is given to every staff member to post throughout our building. My cell is on there for assistance. We're piloting a single-stream, six cubic yard blue recycling dumpster and our sites, which I believe has been the single most powerful change in our recycling rate growth. They're visible, they're well marked, they're easily accessible and they take all recyclables except glass. This has quadrupled our recycling rate by offering single-stream large containers on our campuses.

We've launched and we maintain a look for the blue recycling campaign, filling our facilities with blue recycling bins, making it just as easy to recycle as it is to throw things in the trash and the landfill. Is 25 percent a high enough diversion rate? Absolutely not. We can do much better. The obstacle now is motivation and continued education and we get better every day. In many of our facilities it's our students who are running the program and I think this is key. Making recycling presentations to their classmates,

emptying the bins themselves, our kids can teach their families how to recycle and organize recycling in their own home. They already know how to do this at school.

We're raising a generation of students now who know how to recycle, who expect to recycle, and who deserve a viable and effective recycling program in their community. In the last four years at SFPS we've also reduced our electrical consumption by 11 percent, our natural gas use is down by 23 percent, and our water use is down by a startling 49 percent. We generate a half megawatt of solar electricity annually now and so add this to the 25 percent recycling rate, 30 percent reduction in waste to landfill, and nearly 50 percent of our schools composting their food waste. We know this can be done because we're doing it every day. So thank you for your time, for your service, for the vision in this ordinance change and I do hope you vote to pass it tonight. Thank you.

CHAIR MAYFIELD: Thank you, Ms. Randall.

[Duly sworn, Adam Schlachter testified as follows:]

ADAM SCHLACHTER: Good evening, Mr. Chair, Commissioners. My name is Adam Schlachter. I live at 707-B Cortez Street here in Santa Fe. I also am the outreach and education coordinator for the Solid Waste Management Agency. I'm here tonight as a partner to the County for disposal and recycling processing to let you know that the agency is very much in support of this ordinance change.

Several years ago all three agencies, the County, the City and the Agency came together and executed a regional planning process with regard to solid waste and recycling. The outcome of that process was the comprehensive solid waste plan that was developed in December of 2010. As we know, the next step in the process was the more recent comprehensive solid waste assessment that has been done with the help of Leidos and Nugent strategies. ??? This study actually delved into the real specifics, the nitty-gritty of each agency and each partner's finances, cost of services, and all of the things that we provide to make sure that we're having a stable system. The study has been completed and Santa Fe County is the first one who's putting forth recommendations from that study as being shown tonight in the public hearing.

So the Solid Waste Agency, as you all know is a joint City-County agency and we're very excited by the ordinance because of the fact that it falls in line with the recommendations that we received, which is to expand the amount of recycling that we offer as the agency to our partners, the County and the City. So what we're looking at doing and it's going before our joint powers board is to look at expanding all the materials that we're processing at BuRRT, so that will then allow all of our customers, the County and the City, to also do more. So the mandate that is being put forth in this ordinance to expand what is required to be recycled at the County convenience centers falls right in line and is a great thing. And as we all know, increasing the total tons of recycling actually does reduce the cost of trash service. It also expands the life of Caja del Rio Landfill, which is a great asset to the City and the County.

So again, we're very excited to work with the Commission, with City Manager and with solid waste staff to sort of define what those items are that we want to move forward with in terms of expanded recycling. Thank you very much and I hope you have a great holiday.

CHAIR MAYFIELD: Anybody else from our public wishing to comment tonight? Seeing none, this portion of our public hearing is closed. Seeing no questions

from Commissioners, Mr. Leigland, do you want to close? You'll get some questions if you start closing.

MR. LEIGLAND: Well, Mr. Chair, I'll stand for questions. I think it's pretty clear as to the major provisions. I did want to mention, actually, one thing I neglected to mention earlier at the last public hearing there were two possible changes that were suggested and so at the advice of Legal and actually at your suggestion, Mr. Chair, was to vote on items separately. So the two items were the inclusion of a senior discount, which was not included in the original proposal, and the second was the provision of an alternate rate schedule, still keeping the six- and 12-punch permits but on a different rate schedule.

So, Mr. Chair, you had asked that those be queued up to be voted on similar to what you suggested to how the code was voted on as separate items, separately, so those changes are not actually reflected on the ordinance before you for that very reason.

CHAIR MAYFIELD: Mr. Leigland, thank you for that and with that I guess I will ask a few questions. Thank you all for the letter that you sent to us, now, Ms. Sweeney. Now, again, one of my concerns – I have no problem with saying this and I wholeheartedly and totally believe in recycling and I'm glad that we made that accommodation to say, look, recycling's free. You have a permit, you don't have a permit, come into our convenience centers and recycle please.

One thing we didn't really broach here. It was just generally discussed and I really just want to thank the Eldorado community for our reuse centers. I know we've talked and conception at Jacona when it comes to fruition we're going to get one there. I know Commissioner Anaya has many transfer stations in his district. We have – I think even Agua Fria's in his district. I just hope that the County – and I know you all will and there is going to be a cost I believe involved. And I know we have a lot of community support out in Eldorado doing this undertaking, but the reuse centers, I think that's – I went to I think my transfer station this week. There's somebody if they want to go in there and repurpose a bicycle they could repurpose a bicycle about the 20 that were thrown there in the pile. And I know individuals want to do that. We've had numerous discussions on that, Adam.

However you could get around it, I just would hope to see that evolve and make sure that, granted, you need some community involvement, but to afford those reuse centers for everybody in Santa Fe County at those – look, it's better to reuse it than recycle it. That's my opinion. Or repurpose it if you can. So I just hope that you take that into your accounts when you move forward.

One other thing, Mr. Leigland, as far as page 3, formatting section, I guess 13 AB, on a schedule of our solid waste fees, 1, 2, 3. Let me just jump to 4 really quick, bag tags. So 2015, \$6. How many bag tags? I just think we should identify that. Is it one bag tag? Is it ten bag tags?

MR. LEIGLAND: Mr. Chair, actually I'll ask Robert to correct for me. It's for five.

CHAIR MAYFIELD: So I just think we should have that stated in here, of how many bag tags you're getting. I guess five in 2015, then it incrementally goes up. So people are aware of that. But in this proposed schedule, in 12-6-1 permit, and arguably

the bag tags, is that where you all are suggesting, or is this, I guess the matrix in front of us, how they're going to recoup that. Again, I think 30 percent is kind of a moving target. Is that where you're trying to recoup that 30 percent in these fees? Operational?

MR. LEIGLAND: Mr. Chair, that's correct. So the fees have been calculated to – you're right. It's a moving target. It depends of course on operational costs in any given year and we also will strive to lower those through a lot of the suggestions that were included in the solid waste assessment. But yes. The fees have been calculated to achieve an estimated 30 percent cost, and that is actually in Table 2 of your memo. And so you'll see that we indicate the current year program funding and then the estimates over the next several years, based on the fee schedule and some estimates on increased operating costs.

CHAIR MAYFIELD: So as we're proposed to supplement the recouped costs, and you may have stated this, Adam. I'm just going to ask for you to state it one last time. Where is the environmental GRT going to move to? To our wastewater? To our water?

MR. LEIGLAND: No, Mr. Chair. It's contemplated it will stay here, actually again. If I refer you to Table 2, it shows the GRT. Of course we can only estimate what it will actually look like. These are based on a small increase every year. But the environmental GRT will be maintained in that program. So you'll see that the permit fee revenues will completely offset funds received from the general fund and the GRT is still anticipated to stay here.

CHAIR MAYFIELD: And I apologize if I'm not understanding the schedule in front of us but if I look at the permit fee, the amount that potentially is going to be collected, increasing over each year, but I also see the environmental fee increasing each year. So you're anticipating that much more cost? I thought a lot of this exercise was to try to reduce costs at our convenience centers but the way I look at this it's really growing. Dollar-wise, it's growing. Maybe that's time value money, but in 2014 we're looking at 27 percent of our GRT at \$650,000. By 2019, \$700,000 isn't going down to 25 percent to supplement that. Can you explain that to me?

MR. LEIGLAND: Yes, so Mr. Chair, you're exactly right. These numbers include an estimate for inflation and so we estimated essentially, it's a two percent inflation every year, so that is why you're seeing the bottom line, the total go up.

CHAIR MAYFIELD: Okay.

MR. LEIGLAND: And the GRT was also estimated to increase at approximately two percent. Of course that is an estimate. And so the difference between those numbers has to be covered between either permits and the general fund. So then we structured the permits to try to get the percentage of the permit fee up to 30 percent, taking into account the inflationary effects.

CHAIR MAYFIELD: Okay. And that's where I see the decrease in general fund moving down.

MR. LEIGLAND: So that is why. So numerically, the general fund number is not that much smaller in 2019 than it is in 2014 because of inflation, but as a percentage, you see it drops by almost 20 percentage points because we estimate we'll recover that through permit fees.

CHAIR MAYFIELD: Thank you. Again, I won't restate, and again, I respect everybody that's here tonight, I'm just going to say personally and also talking with my constituents, not all of them but those who I run into, even going to my local transfer station. It's just the recovery rate that Santa Fe – and I understand it's necessary to operate but I still believe that it can be achieved by the general fund. I know there might be again some – there will be discussion on that opposed to that, but I still stand steadfast to that.

And then Mr. Leigland – so, one, okay. One, we're talking about recycling. I think that's great. Two, our permit structure. Three, our senior discount. I know we spoke about our senior discount. I guess it's not worded in here but I still would like to see a provision affording – again, that's where I've asked for the votes to be separate. I hope we can unilateral support here. But to afford that discount to our seniors. I don't want to throw a new issue in there but I think we're doing low income right now. I would even suggest – we had a gentleman in front of us today and again, I'm throwing it out of left field but even to afford that discount to our veterans who have served.

And then four, the alternate rate schedule. You mentioned that, Mr. Leigland, so that's basically what I just spoke about was the alternate rate schedule?

MR. LEIGLAND: No, Mr. Chair. So at the last public hearing, what was presented to you in October did not have a provision for senior discount because as you recall, the Solid Waste Task Force actually deliberately, there was a positive action to remove it.

CHAIR MAYFIELD: Right.

MR. LEIGLAND: But the Commission said, well, let's bring it back. And you had suggested that let's do it as a separate item. So that was the first one. The second thing is that you had asked for the creation of a fee schedule that still preserved the 1, 6, 12 punches, but essentially preserved the same recovery rate, essentially 15 percent recovery rate.

CHAIR MAYFIELD: And I apologize. I'm not seeing it. Where is that alternate fee schedule?

MR. LEIGLAND: Actually –

MR. SHAFFER: Mr. Chair, what we've done is prepared drafts of amendment to accomplish those things. I'll hand them out right now.

CHAIR MAYFIELD: Please, if you don't mind, just so I can have that and my colleagues. Thank you, Mr. Leigland. Commissioner Anaya.

COMMISSIONER ANAYA: I think just respecting the entire process, I'm going to make a couple statements and I'm going to make some motions and then we'll just go from there. My first statement is that I'm supportive of increased mandatory recycling and the permits not expiring. I have not been quiet or shy about letting it be known that I do not support increased fees over – a 30 percent increase over time, so I just wanted to make that statement in advance and what I do support the permits not expiring and I support keeping discounts for seniors and would also extend that to veterans.

So with those things said my first motion is to maintain senior discounts at \$5 and

\$10 off respectively of the 6- and 12-month permits for individuals over the age of 62 and for veterans.

CHAIR MAYFIELD: Commissioner, I will second that. I'll go to discussion on that, Commissioners.

COMMISSIONER STEFANICS: Mr. Chair, I would like the senior discount but I don't want to drop it to 62. Most people are now working until 66 or 70 to get their Social Security benefits. So I even thought that 75 would have been another age group. I support a discount for senior citizens, but I would not want to see it drop as low as 62.

COMMISSIONER ANAYA: Mr. Chair and Commissioner Stefanics, I think I'd be willing to go to 66.

COMMISSIONER STEFANICS: Okay.

COMMISSIONER ANAYA: But that's a population on fixed income and that's why I think we need to maintain –

COMMISSIONER STEFANICS: I would be fine with the 66. If we could do that.

COMMISSIONER ANAYA: Could we do 65 because that's Social Security. I would move 65.

COMMISSIONER STEFANICS: That's Medicare. Social Security is 66 now.

COMMISSIONER ANAYA: That's Medicare I think makes more sense. So I'd do amend my motion to 65.

CHAIR MAYFIELD: I second that.

COMMISSIONER STEFANICS: And Mr. Chair, he also included the veterans.

COMMISSIONER ANAYA: I did include the veterans.

COMMISSIONER STEFANICS: Okay, so in this one sheet that Mr. Shaffer passed out, it has the senior citizen discount and it has that low income and senior citizen discounts cannot be combined. And what would you want the veteran discount to be? What price?

COMMISSIONER ANAYA: I would entertain feedback from any Commissioner on the amount? I would keep it the same.

COMMISSIONER STEFANICS: So, Mr. Chair and Commissioner Anaya, how do you want – do you want the veterans not combined with the low income and the senior discount? Like on that little 7 there, it says low income and senior citizen discounts cannot be combined. Should it read low income, senior citizens' and veterans' discount cannot be combined?

COMMISSIONER ANAYA: I would be okay with that. Yes.

COMMISSIONER STEFANICS: Great.

CHAIR MAYFIELD: So if we go to 7, on the addendum sheet. And if we have a couple extra copies for our audience members so they can look at it also please. But as far as 7, saying low income as I understand the proposal, and I want to make sure

I'm clear on the motion, low income and senior citizens' discounts and now we've talked about veterans – cannot be combined. I don't have an issue, Commissioner, if we're affording both the low income and the senior discount to individuals. I would hope that that's something that we could do. I believe they each stand on their own. It's not just the lower income seniors that should receive this benefit. I do believe that any seniors within our constituency should be entitled to this discount just for the regards – they have earned it. But I don't know, Commissioner Anaya, where you stand on that.

COMMISSIONER ANAYA: You're saying that they would get \$10 on a 6-punch and \$20 on a 12-punch. Is that what you're saying basically?

CHAIR MAYFIELD: I believe – okay.

COMMISSIONER ANAYA: I think the way I'm reading this is they could pick one of the three but they couldn't have all three. Is that what basically this says? And –

CHAIR MAYFIELD: I'm trying to reread 5 now.

COMMISSIONER ANAYA: I think that's what it says, that they could have one of the three – one of the discounts but couldn't triple up or double up.

CHAIR MAYFIELD: I'm just trying to –

COMMISSIONER ANAYA: And that being said, you have to back up to my previous comments that I don't think we should increase those every year for the next five years. I just don't think we should. That's not part of this motion though.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Please.

COMMISSIONER CHAVEZ: Commissioner Anaya, the piece that you're leaving out is the recommendation from the task force to gradually increase to 30 percent the share of solid waste program funding received from fees over the five years. That's what you're having a problem with.

COMMISSIONER ANAYA: Yes, and I'm not even addressing that now because I think we're just going to take them one at a time. So I'm just making one motion that only deals with one item and that's discounts.

COMMISSIONER CHAVEZ: Okay. I thought the 30 percent was in your original motion but I stand corrected.

COMMISSIONER STEFANICS: So, Mr. Chair.

CHAIR MAYFIELD: Please.

COMMISSIONER STEFANICS: Could I have the clarification that we're considering a discount for low income, or senior at 65, or a veteran, but only one discount can be utilized. Is that correct? I'm great with that.

CHAIR MAYFIELD: And just so I know, veteran, there's no age requirement for a veteran.

COMMISSIONER HOLIAN: Mr. Chair, I'm fine with that as well.

CHAIR MAYFIELD: Okay. So Commissioners, and as I read it now I understand it more. All those in favor of that amendment? We're going to do amendments first and then we will go to the actual ordinance.

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

CHAIR MAYFIELD: Greg, that was clear as mud?

MR. SHAFFER: I think we've got it.

CHAIR MAYFIELD: Commissioner Anaya, you still have the floor.

COMMISSIONER ANAYA: Mr. Chair, I would move that pursuant to the gradual increase that there only be 2015 and 2016 that we deal with. We have a new Commissioner coming in. We have changing potential needs. So I would just move that the increase only be one increase and that be between 2015 and 2016, and that we not increase any further than that within the ordinance. So no ratcheted increase all the way to 2019. What I would read it is from 2015 to \$65 to \$140 in 2019. I'm just making a motion that it be 2015 and 2016 only for our fee structure increases.

CHAIR MAYFIELD: I'll second that, Commissioner.

COMMISSIONER HOLIAN: Mr. Chair, is there any discussion?

CHAIR MAYFIELD: Yes, please.

COMMISSIONER HOLIAN: Thank you. I think that actually the fee increases are a really important step forward to make our transfer station system more self-supporting. Right now the people who use the transfer stations are being heavily subsidized. They're being heavily subsidized by people who live in the county in the rural areas and who pay for pickup service at much higher rates. And they're also being heavily subsidized by people in the city, including low income people in the city, who are required to sign up for the solid waste utility in the city. So I feel that this is an attempt to make a fairer system. We do not have a fair system right now with such heavy subsidizing of people who use the transfer stations, and I'm saying that knowing that I'm one of those who takes advantage of the system by buying bag taps and recycling for free.

But I really feel that it costs money to deal with solid waste. I know that it seems like it's worth nothing. What you're throwing away is worth nothing, so people don't see – in a way I can see why people don't see why they should have to pay for that. But over the years it's become more expensive and in recent times it's become more expensive and it's become that way because we want to protect our groundwater and we want to protect our air quality and so we've put a lot more controls into place when we landfill things. And so it's gotten considerably more expensive, and the people in the transfer stations are really not paying their fair share. So I really see this as an attempt to create a fairer system.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, and I guess I speak from the perspective of those rural users of those transfer stations in the district and throughout the county. I think the motion that I have honors the recommendations for the next two fiscal years. It affords the County – what I heard from day one when we talked solid waste on this Commission, from you, Mr. Leigland and also others in the department and the County, was that there was always the intention to use pickup in those areas that made

sense, and we were going to – at that time we had numerous discussions and I know the advisory committee talked about it as well, about actual pickup similar to what the City of Santa Fe does, in those urbanized areas in and around the City of Santa Fe where it made sense. And that the discussion was always that those offsetting revenues, because people would have access to that service like an urbanized area, would help offset the overall costs of solid waste in the county.

I look at it a little different as far as benefit and need. I think people in the rural areas have more limited access to things that they get in the way of roads, in the way of public safety, in the way of solid waste, and that this is one of the few things that I think they get as taxpayers back. So I think it affords us the process. It doesn't change. Every single year one would be the same in 2015 and every single year two would increase to that next level, but it gives us the opportunity to see where our curbside – I was grasping for that word – where our curbside program would go moving forward into 17, 18 and 19 without us prematurely assessing additional fees without maybe seeing what happens and how the curbside flows.

So I don't think it's a detriment at all. I still think it puts us in a perspective of planning ahead and that we could still continue to evaluate things going forward. So I respect my colleague and her comments but I think it still keeps us in a place where we're not increasing fees over a five-year period right here today and gives us time to evaluate. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: I guess I was in full support of the task force recommendation to achieve at minimum 30 percent cost recovery through permit sales within five years. I thought that that was very reasonable. I think it's a little misleading to the public to make them think that this enterprise is going to cost less to operate in three or four years down the road. Cost is only going to increase. I don't think it's going to go down. You can make the argument that we're all paying property taxes. Those of us that live in the City of Santa Fe, in Santa Fe County, are paying our property tax to the same tax collector. And to the point that Commissioner Holian made earlier about one group of citizens subsidizing the other group, that's not fair. It's not equitable. It's not just.

To say that my property taxes are going to solid waste, that's not accurate, because look at the formula that disperses the property tax that's collected. And there's a list. It goes to the Community College. It goes to public schools. It goes to everywhere else but there's no line item in the budget that directs any of that property tax specifically to recycling or collection of solid waste. It doesn't happen. So it comes out of the general fund.

That's the subsidy. And for us to keep chipping away at that general fund is not going to be in the best interest of the County or the citizens, city and county citizens in the future. So I supported the 30 percent cost recovery in its entirety. That's within five years. So Commissioner Anaya, we're going to take one or two baby steps. We're going to do two years and then see what we do after that. I guess that's okay, but we know what the numbers are now and that's not going to change. So I think we're going to have to revisit this in a year or two and we're going to be forced to make the same decision, I

think, unless we just keep doing what we're doing and that doesn't make a lot of sense. So I think I'm going to go ahead and support the motion. I'm not really wholeheartedly supporting that motion but at least it's a baby step in the right direction.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I already, sitting on this Commission have voted for increases that were then rolled back. So I'm not going to go with two years. We've already done the exercise a few years ago and we knew we had to increase the rates, and it wasn't popular, and we did it, and then we just as an action rolled it back. So we're going to do two years, and then we're going to be back here in two years doing it again. So I cannot support only two years and I'm sorry to the maker of the motion, but you're not going to have my support.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: And I can't support that either. I've been through this now – I think I've had a vote on this every year since I've been in office for six years. We had a task force that really, really studied this issue this time, who looked at it very carefully, and they made this recommendation, and I feel it's a sensible recommendation. I feel it's a minimal recommendation, actually.

All this does is really bring us in line with what other counties are doing anyway. In San Miguel County, in Rio Arriba County – not rich counties particularly. They're paying way more for their convenience center services than we are here in Santa Fe County. And as Commissioner Stefanics said, I don't want to be back here in two years agonizing over this again. This is a sensible step forward. So I cannot support this motion.

CHAIR MAYFIELD: Thank you, Commissioner. So Mr. Leigland, I haven't sat on it as long as some of my colleagues as far as – but I did sit on the last task force and I have my recollection of what was stated, knowing that I may have been on some of the minority votes on that, but that's okay. But I guess, Mr. Leigland, in this proposal of the five-year cycle, and again, respecting what my colleagues said, but I think that if you live in an unincorporated area, a rural area, and there is a cost involved with transportation, well, then so be it. There is going to be a little subsidy. But I think we've definitely identified, and granted, not everything can be done at once; we don't have the dollars to do that. But there are other transfer stations that have had a lot more capital investment than others, thereby reducing some of those costs. The size of a truck, the size of a trailer that you move.

If Santa Fe County, and again, it's no fault of the staff, but the presentation that we had earlier from Public Works was a great presentation. We invest a little today and it may save you a lot more in the long run. I know we're taking those steps. I know the Jacona transfer station is one, but in your projections, have you projected out in your five-year plan to include, if again the Jacona transfer station is completed, those anticipated costs. Granted, the time value of money is going to go up, but as understood a lot of these presentations, that is going to reduce a good amount of associated cost just on some of our more rural, outside of the City of Santa Fe transfer stations.

And I will say this, Commissioners, respectfully, and it's not – it's a good thing that we get stuff done, but the same capital investment has not been made equitably, for whatever reasons. Maybe it's just the timing of when it happens, in all of our transfer stations. We have – I'm going to say inferior, but inadequate trucks running up north. We don't have the same trucks that pull from Eldorado or anywhere else. There's associated costs with those.

We've identified at least in our task force with the recommendations of staff of trying to streamline efficiencies that would thereby reduce a lot costs. So I'll just say it. I do take a little exception saying that this is totally being subsidized unequitably to rural areas if all rural areas had that same capital infrastructure that others have. Again, we have time to get there, but that's my belief. And this is one that we can agree to disagree on and I respect my colleagues' opinions. I don't support the 30 percent recovery until we did have equity among all of our transfer stations. Then we could look at that.

And I'll just bring this up. Caja del Rio, I spoke about that. I sat on that board. I studied that board. As far as a lot of the capital dollars that go into that, it's much needed, but the tipping fees are the highest, arguably, arguably, in the state, and least from the areas that presented to me. So if we're looking at carbon footprints and everything else, it's cheaper for Los Alamos – granted, they're outside of our county. Rio Arriba, it's cheaper for Santa Fe County to transport, including the carbon footprint, to Los Lunas, to Rio Rancho, because of the fees that are being assessed, and granted, environmental fees, I understand that, that are being assessed by the Caja del Rio. And I do believe that that needs to be taken into account also.

I didn't – and again, I'm not trying to bring up past stuff; I don't want to do this, but Caja del Rio was sited in a horrible place for whatever that is. Now, is it worthwhile picking up shop and moving it? I guess it's probably not worth that, but there is a huge dollar expense that goes into the mining of those cells because it was sited directly on volcano rock. And again, measure twice, cut once, a little more planning, and it's easy for me to second guess that. It's real easy for me to do that. But I just think that we need to recognize that and understand that also.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: I'll just finish, Commissioner Holian, please. So I do appreciate Commissioner Anaya's motion. I definitely will support that because things change, especially in local government, things change, knowing that I still don't – and I'll say it, I don't support the 30 percent recovery but I think this is kind of definitely some middle ground, and I do appreciate the time that you all have put in the past on this. But Commissioner Holian, because I do see that you're looking at me, there is times that we can agree to disagree and this is one issue. I'll go to you now please.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just want to make a comment about the cost of the tipping fees in the Caja del Rio. At the last SWMA meeting we had a very interesting presentation by the consultants from Leidos, who studied not only the operations in the county but also studied operations in the city, and also SWMA operations. And the reason that the landfill fees are so high is because they are currently subsidizing recycling. We have made the decision in the city and in the county to subsidize recycling and make it free or cheaper, so that we can encourage

people to recycle. Even with that we're still only getting a ten percent rate or something on that order for recycling.

But recycling costs money. It costs quite a bit of money because of the transportation costs. We don't have markets for the recyclables that are nearby, so when we take the recyclables to the markets we do get paid for them but it costs a lot of money to transport them there. So the Leidos consultants pointed out that the reason that the tipping fees are so high is in fact because of the recycling operations that are done by SWMA. And so I thought it was really worthwhile to point that out because we do get a lot of criticism for the costs of tipping fees.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Adam – go ahead.

MS. MILLER: Mr. Chair, I just wanted a clarification of Commissioner Anaya's motion because you stated you would support the 1-10 and 1-40 fee and so I was a little confused by when you were making the motion.

COMMISSIONER ANAYA: All I put in the motion is year one and year two. That's it. Just year one and year two, 2015 and 2016.

COMMISSIONER CHAVEZ: So, Adam, I think that we've tried to be accommodating to the user, the people that are going to be using either the transfer stations – well, primarily the transfer stations, because I think that's where the biggest expense is, or one of the biggest expenses, with the permits. We phased out of the 24-trip permit and that cost the County and taxpayers about \$200,000?

MR. LEIGLAND: Mr. Chair, Commissioner Chavez, it wasn't the phasing out the 24, it was making it not expire is what has impacted the revenue because –

COMMISSIONER CHAVEZ: That's just for one year. Or how will that play out?

MR. LEIGLAND: Well, as it stands, all permits will no longer expire, and so that provision has been maintained in the ordinance that is before you today. But if nothing is done that will still be the case. And so the reason that we've had the revenue impact is because people are buying fewer permits now.

COMMISSIONER CHAVEZ: Okay. But was there a negative impact to the County, to the budget?

MR. LEIGLAND: Yes, Mr. Chair. As we heard at the last public hearing it's about a quarter of a million dollars was the impact.

COMMISSIONER CHAVEZ: So about \$250,000?

MR. LEIGLAND: Yes. And actually, it's not just that they were made – that the permits are not expiring, because the original proposal was to make that for the new calendar year, but what's impacted the revenues is when it was made retroactive, and so that has been the revenue impact. And so it's not the phasing out the 24; it's making them not expire.

COMMISSIONER CHAVEZ: But that \$250,000 will be a one-time –

MR. LEIGLAND: No. If we implement the 12 and the 24 eventually people will have to buy new permits and they'll be phased on to the new permit schedule.

COMMISSIONER CHAVEZ: Which will be the one-trip and six-trip.

MR. LEIGLAND: The six and the 12, and that's something that people have been asking for for some time, so we'll phase them on to that, and then with the new schedule. So we will eventually, if you look on the – for 2014 it's only 11 percent as the permit fees recover, because that's essentially reflecting that dip, and then it jumps back up to 18 percent because there's a rather steep – that's why you see a rather steep incline in those later years is because you're trying to get to 30 percent, you're overcoming inflation and you're also over coming that initial revenue loss because of the non-expiration.

COMMISSIONER ANAYA: Well, it makes more sense to – I'm going to accept that we have to be fiscally responsible even in this area as unpopular as it is to have somebody pay to go to the dump. I remember a day when we used to burn our trash in the backyard; forget going to the dump. Things have changed. I think that we're trying to be sensitive to the ratepayer. And I do want to be sensitive to the committee too because I don't want task forces to do all this work and then get to this point and we disregard it. That's not good either. It's not good use of that time and talent. So I'm open but I'm not committed to the motion that's in front of us. I'm willing to listen but I think that we have been accommodating and that it would be better to increase it gradually over five years than to increase it dramatically, because we can't do it gradually. I would rather do it incrementally.

And I'm listening to my colleagues who have been here a little bit longer than I have, although even in my past experience permit fees, impact fees, development fees, have never been popular any day of the week in any year. It's just not popular. I think human nature tells us that we want to get the best bang for our buck and if we can get it free, we're going to do it. It's not going to be good for – I don't think it's going to be good in our case for local government but I think that's maybe just human nature. So that's where I'm at. I'm leaning more towards supporting the task force recommendations in their entirety than not. And so that's where I'm at.

CHAIR MAYFIELD: Thank you. Commissioner Anaya, then Commissioner Holian.

COMMISSIONER ANAYA: I'm going to call the question, Mr. Chair.

CHAIR MAYFIELD: Thanks. Commissioner Holian.

COMMISSIONER HOLIAN: Well, he called the question.

CHAIR MAYFIELD: I know and I respect that but I'm going to just ask you real quick if you want.

COMMISSIONER HOLIAN: Well, I was just going to reiterate again that just looking at what the task force recommended is a fairly gradual increase over five years and it's putting us in the right direction. And again, if things dramatically change in the next couple years we can still come back and revisit the Solid Waste Ordinance yet again.

CHAIR MAYFIELD: And Commissioner, I appreciate that. I just would like to make one quick point. As far as the 2015 schedule and 2016 schedule, and I appreciate that we have listened to recommendations from the task force and our constituencies as the reduced permit structure going from 24 to 6 and/or 12. But Adam, mathematically, the way I'm looking at this, we're still looking in the first year of a 90

percent increase, and the second year 100 percent increase. If citizens have used the 24 or not, and granted, the unexpired is a different matter on the table, but we are basically, by our new permit structure, we're reducing 24 to 12 and we're giving them arguably – it's still a 90 percent increase. That's how I look at it.

Because right now, today, a 24-punch permit is \$75.

MR. LEIGLAND: Mr. Chair, correct, but I want to remind you of something that Commissioner Stefanics brought up earlier is that you, the Commission froze a previous fee increase and if that had gone forward the fees today would be \$110. It should be compared to that instead.

CHAIR MAYFIELD: Thank you. Commission, thank you for your patience. There was a call for the question and I know Commissioner Holian had requested to speak and I wanted to get something in. And I don't think this will be approved. But there is a motion in front of us to recognize the recommendations in front of us but to right now, just to approve it gradually for the first and second year increment.

COMMISSIONER ANAYA: That's right.

CHAIR MAYFIELD: And then for re-evaluation, as I understand the motion, which I did second.

The motion failed by 2-3 voice vote with Commissioners Mayfield and Anaya voting in favor and Commissioners Chavez, Holian and Stefanics voting against.

CHAIR MAYFIELD: Commissioner Anaya, you still have the floor.

COMMISSIONER ANAYA: Mr. Chair, I just was going to say things change and in two years things are going to change again anyway, so we'll cross that bridge when we get to it. Thanks.

CHAIR MAYFIELD: Thank you, Commissioners. So, Mr. Leigland, just again, I want to make sure, because if I have to make a motion I will. So as far as this addendum in here that you gave to us, solid waste fees, and we still have to call I guess for a motion on the year structure and the fee structure, but right now we're saying solid waste permit consists of a 12-trip punch permit, a 6-trip punch permit, one-trip permit and bag tags, and the bag tags are five tags. Permits do not expire until fully used up. Permits must be obtained and purchased in advance of use at the convenience centers and are non-refundable. Solid waste permit fee changes, if any, will take effect January 1st of each year.

Do we need a motion on that? That's how I always understood this initial proposal was coming to us in this ordinance.

MR. LEIGLAND: Well, Mr. Chair, that's contained in the original ordinance. In my understanding that does not require separate – it was only – you had requested those two changes.

CHAIR MAYFIELD: I just wanted to make sure, regardless if the fee structure passed or not. Then I'm going to read in too: bag tags, each bag tag is good for the disposal of up to 30 gallons of solid waste – that's not changing, correct? So there's no reason to have a motion for that. Item 3, Santa Fe County residents and businesses

residing outside of incorporated areas may purchase all types of solid waste permits. You've probably explained this to me time and time again, but why couldn't – I'll just look to my colleague here to the left – somebody in the incorporated area. If they wanted – granted, they're under the City's collection service, if they wanted to purchase a permit from us, even if it's a one-day, one-trip permit, bag tags, to go to a transfer station.

MR. LEIGLAND: Well, Mr. Chair, it comes down to the subsidy issue. Every trip is subsidized, so if we open it up to more people, that's just extending that subsidy to others. So they can buy the bag tags but the permits –

CHAIR MAYFIELD: They can't – if you're in the incorporated areas you cannot buy – okay. I totally don't agree with that. If somebody has to put a couch or something, they can't buy a permit to do it. But so be it.

MR. LEIGLAND: But they can go to BuRRT.

CHAIR MAYFIELD: To the BuRRT. Okay. I just want to sure I'm understanding this. For Santa Fe County residents residing within incorporated areas may only purchase a one permit. Okay. So that's where they can do that. They can purchase a one-trip permit.

MR. LEIGLAND: Yes. I misspoke.

CHAIR MAYFIELD: No, no. That's fine. I didn't read ahead of myself. So, okay. I'm glad that they can do that. Low income discounts, convenience center, patrons with an adjusted – okay. We've already spoke about that and I think we had a motion. Can receive or will be entitled to a \$5 reduced fee. And then item 6, senior discounts. We spoke about that, but they can't stack them in item 7. So I guess, Commissioners, the last question I do have for Mr. Leigland, and I think we did make a provision to afford this in our current structure that we have, in unincorporated areas, people that use, because I got a lot of this and I think it even kind of goes to recycling. People were saying, if I have leaves, if I have that type of debris – granted, if I have it in the back of my pickup and it's tarped, you guys are still – I think in our ordinance I think it said it had to be bagged, otherwise it wouldn't be accepted. Granted, we have our greenwaste disposal and I know that we made a provision to say, look, as long as it's covered, it's not blowing all over our roads, our state roads, our County roads, we were going to afford an individual to take their leaves and sweep them out of the back of their truck into our greenwaste pile, thereby not having more plastic bags go into our landfill with compost material. Am I wrong with that or is that something that would be still provisional in here?

MR. LEIGLAND: Well, Mr. Chair, we don't have a greenwaste pile, but I think it's just management of the waste. It's like you say, you hit on it; the leaves blow all over the transfer station, so we want the loads to be tarped and under control.

CHAIR MAYFIELD: So again, I'm sorry. So maybe I'm misunderstanding this. We're going to eliminate our greenwaste disposal at our transfer stations?

MR. LEIGLAND: No, no. Mr. Chair, not all of our – what I meant to say is not all of our transfer stations accept greenwaste. Jacona and Eldorado accept the greenwaste but not the others. And then what you're asking is would we allow someone to bring – if I understand it – a load of –

CHAIR MAYFIELD: A truck of leaves that the rake up. Branches. Branches is a little different. But I know that there was a thing, look, all those leaves have to be in plastic bags, thereby somebody could say, well, I'm going to throw it in the greenwaste or I might as well just pitch it into the bin. I don't think that our attendants are sampling what's in the bag. Maybe I'd say it's just more convenient for me just to throw it in the bin, and that's going to end up in the Caja del Rio transfer station, where it could have just been put in the recycled material, somebody could sweep out their truck. I'm sorry, Commissioner. Do you have a question on that?

COMMISSIONER STEFANICS: No, no, no. I'm waiting till you're done.

CHAIR MAYFIELD: I'm done. So I just – hopefully that we would still afford individuals and cover your loads, but sweep up your pickup truck with your greenwaste, at the transfer stations that accept it. I don't know if that's in here or not. But I would just recommend that, Commissioners. Okay, so I understand it. Commissioners, I don't know if there's a motion. Commissioner Stefanics.

COMMISSIONER STEFANICS: thank you, Mr. Chair. I move approval of the ordinance as amended with the senior, low income and veteran discount.

COMMISSIONER HOLIAN: Second.

MR. SHAFFER: Mr. Chair and Commissioners, if I could interrupt. Just because you voted on a concept, we did put that down onto paper what the veteran discount could look like, if I could just pass it out, so that we make sure that the actual wording in the ordinance is acceptable to everyone.

COMMISSIONER STEFANICS: You can pass it out. It's going to be fine.

CHAIR MAYFIELD: Okay. Commissioners, could I ask this, Commissioner Stefanics, if you would indulge me. Would you at least – because I know we had a vote on Commissioner Anaya's proposal for the two years, but we really – and I know we're passing the ordinance in totality but we didn't have a vote on the five-year plan.

COMMISSIONER STEFANICS: That is the five-year. The whole ordinance is the five-year.

CHAIR MAYFIELD: Well, no, but the whole ordinance incorporates a lot more than just that.

COMMISSIONER HOLIAN: Right, but it would also, Mr. Chair, wouldn't it also include that particular table?

CHAIR MAYFIELD: But one thing that I did ask staff is I asked for these to listed individually in case any Commissioner would like to reflect their vote. Again, I don't support the whole five-year recoup.

COMMISSIONER HOLIAN: We know.

CHAIR MAYFIELD: I do support the ordinance for all the work that was done. So I would just ask if you could make that initial motion for the five-year recovery. Commissioner, I –

COMMISSIONER STEFANICS: I'm not sure I understand.

CHAIR MAYFIELD: Here, I will make a motion then really quick, if you

don't mind. Is that okay, Commissioner? Can I do a substitute motion really quick?

COMMISSIONER STEFANICS: Okay. So I'll hold my motion till you take care of your motion.

CHAIR MAYFIELD: Thank you. So I'm going to put a motion on the table to accept Table 1, the new permit fee schedule to include the incremental increases that Mr. Leigland has provided, including year one, year two, year three, year four and year five. Again, Commissioner Anaya, made it for just year one and two. So that's what I'm just trying to put on the motion for that it was proposed in all five years.

COMMISSIONER HOLIAN: Mr. Chair, I don't understand your motion.

CHAIR MAYFIELD: I want to vote against it. I don't support the five years.

COMMISSIONER HOLIAN: Well, then why did you make a motion?

CHAIR MAYFIELD: Because nobody else would make it. I know it makes total sense to me; maybe not to you but it makes total sense to me.

COMMISSIONER STEFANICS: So, Mr. Chair, just to understand your motion. You're making a motion to pass the five-year Table 1 with the fees and the years?

CHAIR MAYFIELD: Yes. And then I'll go to the whole ordinance.

COMMISSIONER STEFANICS: Okay. I second your motion.

CHAIR MAYFIELD: Thank you. So all those in favor of the motion please say aye.

The motion passed by 3-2 voice vote with Commissioners Chavez, Holian and Stefanics voting in favor and Commissioners Anaya and Mayfield voting against.

CHAIR MAYFIELD: So the motion does carry.

COMMISSIONER CHAVEZ: No, I want clarification on the motion, Mr. Chair, because I want to know if your motion includes Schedule B on page 3.

CHAIR MAYFIELD: It does. That's how I'm understanding Table 1, is Schedule B.

COMMISSIONER CHAVEZ: I just wanted to be sure.

CHAIR MAYFIELD: Fair enough, but that's how I read Table 1. Table 1 is Schedule B.

MR. LEIGLAND: Correct.

COMMISSIONER CHAVEZ: Okay. Then we're on the same page, but I – now, we're on the same page but I wasn't sure if we were until now.

CHAIR MAYFIELD: Okay. Fair enough. So let me go back to the vote again.

COMMISSIONER ANAYA: Mr. Chair, are we in the same book and the same page?

CHAIR MAYFIELD: Yes, we're on the same book and the same page. So let me just re-ask for the vote. So there is a motion and a second. All those in favor of the

proposal of Table 1, which is Schedule B, please signify by saying aye.

The motion passed by 3-2 voice vote with Commissioners Chavez, Holian and Stefanics voting in favor and Commissioners Anaya and Mayfield voting against.

CHAIR MAYFIELD: So the motion does carry 3-2. Now I'll go back to Commissioner Stefanics' motion of approving every other amendment that we've voted on tonight and the ordinance.

COMMISSIONER STEFANICS: Okay. So, Mr. Chair, I move approval of the proposed ordinance, which is number 2014-10, as amended twice tonight.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: Thank you. We have a motion and a second.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Discussion. Oh, thank you, Commissioner Holian, we do have roll call. But discussion first. Commissioner Anaya.

COMMISSIONER ANAYA: Just in discussion. I appreciate the fact that Commissioner Stefanics and the entire Commission voted to add the seniors back in and the veterans as well, picking one of the three, but not all three and I can't support the balance of the ordinance but I think my positions are clear. I want to say on the record I do support the efforts around increased mandatory recycling. That makes too much sense and it's a positive thing for our future and our youth and all of us. That's what I wanted to say. Thank you.

CHAIR MAYFIELD: Thank you, Commissioners. Can we have a roll call please?

MR. SHAFFER: Mr. Chair, I'm sorry to keep interrupting but I just want to make sure we're clear. In Mr. Leigland's memo he also proposed three other housekeeping changes. Number one was to modify the definition of permit. Number two was to clarify the first paragraph of section 13A to make clear that recycling does not require payment of a fee or a permit, and then the third is to just clean up the format in section 13AB, and I think I would just add to that is what I heard tonight is clarification that it's five bag tags. And I would just ask if the maker of the motion included all of those other changes as well?

COMMISSIONER STEFANICS: I will.

CHAIR MAYFIELD: Commissioner Holian?

COMMISSIONER HOLIAN: Yes. I agree.

CHAIR MAYFIELD: Thank you. So we'll go to a roll call as stated by our County Attorney and the maker and the seconder of the motion.

The motion to pass Ordinance No. 2014-10 passed by majority 4-1 roll call vote as follows:

Commissioner Mayfield

Aye

Commissioner Anaya
Commissioner Stefanics
Commissioner Holian
Commissioner Chavez

Nay
Aye
Aye
Aye

CHAIR MAYFIELD: Thank you. Mr. Leigland, and again, I just want to make sure I understand this. This ordinance goes into effect January 1, 2015. That's going to be I guess kind of in the middle of a fiscal year. So individuals today can go – until December 31st go and buy a 24-punch permit.

MR. LEIGLAND: That is correct.

CHAIR MAYFIELD: Okay. And they do not expire. Thank you. Okay, Commissioners, thank you for that. Thank you all for being here and thank you to our Solid Waste Committee for all their work.

VIII. A. 1. Ordinance No. 2014-11, an Ordinance Amending Ordinance No. 1998-16 (An Ordinance Establishing Provisions for Extension of Sewer Services; Adopting Operating and Management Procedures; Setting Rates; and Establishing Design Standards for the Santa Fe County Wastewater Utility) to Update the Service Rates and Charges and Service Area (Final Public Hearing)

CHAIR MAYFIELD: This is our first public hearing. Claudia, I know you brought this to us I guess a couple weeks ago if not a month ago. So, please.

COMMISSIONER STEFANICS: Excuse me, Mr. Chair, it says final.

CHAIR MAYFIELD: Oh, it is a final. I thought we were having two. Okay. It is final

MS. MILLER: Mr. Chair, it is our second public hearing.

CHAIR MAYFIELD: It is our second. Okay. I thought we just published title and general summary last time. Please.

MS. BORCHERT: Good evening, Mr. Chair, members of the Commission. Yes, this is a final public hearing before you. I just want to remind you what the four things are that this ordinance change is trying to achieve. The first is to change the map of the service area that applies to our wastewater service area. The second is to in essence play catch-up on the wholesale rate that the City adopted on the 1st of January of this year, 2014. It was a new rate for the County, and when they did so the 600-some customers that were annexation customers, it meant that the County was paying on average \$6 a month for all those 600 customers. In other words, we were collecting \$6 less for them than they had previously been charged and that we were charging under the then existing or currently existing County sewer rates.

Then new to this change is that just last month or two weeks ago the City increased the sewer rates yet again to impose a five percent increase on that sewer rate that came in effect the first of the year so that over the next five years there will be a five

percent increase to the County's wholesale rate on those annexed customers. And then finally, the other amendment that's before you newly too is the fact that when somebody like Santa Fe Brewing Company becomes our customer and the City charges them a surcharge for being what we call industrial strength – for producing industrial strength wastewater, we want to be able to pass that cost that the City charges us to Santa Fe Brewing Company, for example. And so there's an amendment to the ordinance that's proposed that allows the County to pass that charge on to its customers, if the industrial treatment cost, for example, applies.

So the last two changes are new since I was here before you last. That is because those two items are new to us to need to impose those kinds of rates. I believe they're all pass-throughs.

COMMISSIONER STEFANICS: Mr. Chair, Claudia, could you tell us the pages that the new language is on?

MS. BORCHERT: I believe in the packet – I don't have a packet in front of me, but the actual ordinance language is in your packet.

COMMISSIONER STEFANICS: I'd like to know the exact pages that the language changes are on.

MS. BORCHERT: It's Exhibit 1 – so how are the pages identified? The first two pages in the packet are the memo – the first three pages. I'm sorry. Then the next page, the fourth page, which is identified as page 1 of 3 and Exhibit 1, so it's the language change. Is that in your packet too? Are you finding that?

COMMISSIONER STEFANICS: Thank you. Got it.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, these impacts are primarily to those individuals that access the sewer component of our utility company? Is that correct?

MS. BORCHERT: Mr. Chair, Commissioner Anaya, the rates that we're proposing here do not distinguish between what kind of sewer customer you are of the County. Traditionally, utilities do not separate residentials into two different kinds, those that may have been annexed by the City or those that were County customers before.

COMMISSIONER ANAYA: So I guess – let me ask it a different way. This ties to who, specifically? The people in and around Valle Vista and that community? And who else?

MS. BORCHERT: Mr. Chair, Commissioner Anaya, the customers that we have that are wastewater customers are – we have Aldea, Tessera, Longford homes, Valle Vista, Vista Aurora. I think that pretty much covers all the customers that we have that are wastewater customers. And this proposed rate change would apply to all of them equally.

COMMISSIONER ANAYA: So I guess I'll defer to Commissioners that have those subdivisions in their district. I don't happen to have any of those, I don't think, but Valle Vista and Vista Aurora, those two in particular, pretty tough economic impact right there, I would presume, and I just put that out there. I know it's a pass-through but do we have any plans to deal with non-payment or other issues that might come up as a result of these increases? Or any plans to mitigate some of those?

MS. BORCHERT: Mr. Chair, Commissioner Anaya, there are multiple answers to that question and it's certainly something that I've been thinking about. Right now we do have the ability to work with individuals that come in and we can put them on a payment plan if they show financial need. So we do have that way to work with them in our service policies right now. I also spoke to Ron Pacheco with County Housing to understand at least those folks that are in County housing that have qualified for assistance because of their proven need, and what I understand is the folks that are on County housing, they get assistance right now through County housing, they get not only rent subsidized but also utilities subsidized. And so if this rate increase is approved then they will go back and readjust the utility adjustment so that that will basically – they will not be impacted if they already qualify for County housing rent and utility assistance.

And the third part is I believe we do need to amend our service policies to create some kind of assistance program within the utilities that allows people with demonstrated need to apply for assistance. That is as a separate fund or as a program we don't have that yet.

COMMISSIONER ANAYA: So, Mr. Chair and Claudia, thanks for that explanation but I wasn't even alluding to the public housing residents. I was alluding to the entire Valle Vista neighborhood, which the public housing is just one component. But I don't have anything else, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: I'm going to read a section of the ordinance regarding, stating how it applies – what it applies to. A residential connection shall include single and multi-family residences, mobile home parks, commercial greenhouses, churches, properties owned and operated by the US government, the State of New Mexico, the City of Santa Fe, the County of Santa Fe and Santa Fe School Board of Education and private elementary and secondary schools and colleges. So it really captures everyone. No user is left out. It's odd that they're all included as a residential connection but that's how it is. I just wanted to read that for the record.

MS. BORCHERT: Mr. Chair and Commissioner Chavez, the reason that there's that distinction there is section B and C that you're mentioning is that the way that residential connection's sewer charge is calculated is if they fit into category B, which you just read, then it's their December, January, February usage that is then used to calculate the rest of their year's sewer bill. So the assumption is that's your indoor use. When you use that indoor use you're producing sewer and for the rest of the year, if you're using some of your water outside, then you're not generating extra sewer for that. And that's why the majority – when it comes to wastewater, the majority of people all fit into that category because they do have that – they have a difference in their water usage from the summer time to the winter time.

COMMISSIONER CHAVEZ: Both indoor and outdoor.

MS. BORCHERT: Both indoor and outdoor. That's right.

CHAIR MAYFIELD: Thank you, Commissioners. This is an ordinance tonight in front of us so I will go out to our public. Is there anybody from the public wishing to comment? Please sir. You can be sworn in and just state your name and address for the record. Thank you for your patience tonight.

[Duly sworn, Richard Silva testified as follows:]

RICHARD SILVA: Thank you for your time. My name is Richard Silva. I live at 76 Verano Loop in Eldorado and some of you may remember me. I was the former utility infrastructure manager for the County for 2 ½ years. I left about a year and a half ago. Chairman Mayfield, I'd like to thank you for your service to the County.

CHAIR MAYFIELD: Thank you very much.

MR. SILVA: I'm speaking in support of this ordinance tonight because of the disparity in what I see in what the County has to pay the City as Claudia has expressed, to process County liquid waste. The utility is subsidizing customers in Aldea, Longford and Tessera. The subsidy, I think, is considered a free service that was expressly prohibited in 1998-16 and I'd like you to consider that as well in your decision. I'd also like to point out, generally speaking wastewater is not a money-maker, due to the high costs of O&M, high electricity costs for the treatment plant and lift stations, and I think that the increase will help with the long-term sustainability of the utility by increasing its revenue. It will also help the utility cover increasing City wastewater fees that Claudia spoke about, and the O&M costs at the plant and Valle Vista lift stations. Those electric bills are astronomical and currently subsidizing roughly 600 city customers is not fair to anybody.

The increase will help with the long-term viability of the utility. To Commissioner Anaya's point about the people in Valle Vista, it's certainly a sensitive issue and I would hope that the Commission may consider someday providing a fund of some sort to help people who are in economic straits. How that shakes out I wouldn't know or have an opinion on. I do hope that you vote for this rate increase because it will help all County utility customers. Thank you for your time.

CHAIR MAYFIELD: Thank you, Mr. Silva. Thank you for your patience and your comments tonight. Is there anybody else from the public wishing to comment at this time? Thank you. Seeing that, this portion of our public hearing is closed. Commissioners? Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I will make a motion to approve.

CHAIR MAYFIELD: Thank you. We have a motion.

COMMISSIONER CHAVEZ: I'll second. Are there any amendments that you want to highlight, Mr. County Attorney?

MR. SHAFFER: Excuse me, Mr. Chair, Commissioner Chavez, it would be useful if the maker of the motion could clarify if the motion was for the proposed ordinance as proposed with staff revisions this evening.

COMMISSIONER CHAVEZ: I guess that would be Exhibit 1.

COMMISSIONER STEFANICS: So make it.

COMMISSIONER CHAVEZ: Exhibit 1?

COMMISSIONER STEFANICS: No, I'm talking about Ordinance No. 2014-11, starting on page 1 of 3 in the book.

COMMISSIONER CHAVEZ: Yes. And I see that as Exhibit 1, so I concur with that. And it does have the underlined language, which would be new.

CHAIR MAYFIELD: Do we do have a motion and a second. Any further discussion? Claudia, and I appreciate Mr. Silva's comments, but how do we address – and if you can answer this or if it's somebody else. The rate shock that we impose on our customer – if Santa Fe County again, we're having to incur this cost now maybe by some action that the City has done, but – and I think I brought this up in the first public hearing, but there are some folks that are going to get a little sticker shock and knowing how – gradually we have to go through stuff and we can't continue to kick the can down the road. I understand that. But we're just hitting maybe some folks that can or cannot afford it with some rate shock, and I just don't know if there's ever provisions how we gradually phase these in. I know Mr. Silva made a comment, maybe if there could be some financial assistance. I think you all – and I could be wrong – in our utility departments. You guys don't disconnect anybody. I don't know if I want to say it like that, but you just really try to work with our customers so that they have, I guess, means to pay this over time. But do we have a mechanism in place for rate shock?

MS. BORCHERT: Mr. Chair, I think that one of the ways you mitigate against rate shock is letting the customers know this is coming. So I think in your packet, after the ordinance, the billing insert that went into everyone's packet, so this still alerts them of the public meeting tonight. We also have the ability on people's bills to put a little note on there. We could put a note on there that as of January 1st the following rates will take effect. That would be one way to mitigate that. And I think to your point also about – and also to Commissioner Anaya's concern, we have a very compassionate customer service group, I believe. And I think that we do recognize that people of variable means come in and have true hardship when it comes to paying their bills. And there hasn't been a single time where we haven't been able to work something out with somebody.

So I think that we, as well as having – wanting to propose something in the future that will be a more codified system of addressing it, I think that we also just really work with people as they come in, because we definitely see the need to be able to work with individuals based on their individual situations.

CHAIR MAYFIELD: Thank you for that. Commissioners, seeing no other discussion we will go to a roll call vote please.

The motion to pass Ordinance No. 2014-11 passed by majority 3-2 roll call vote as follows:

Commissioner Mayfield	Nay
Commissioner Anaya	Nay
Commissioner Stefanics	Aye
Commissioner Holian	Aye
Commissioner Chavez	Aye

CHAIR MAYFIELD: This motion carries by three in the affirmative and two opposed. Thank you for your time and efforts into this.

**VII. B. Community Development Block Grant Program Project Proposals
(1st Public Hearing)**

MR. FLORES: Mr. Chair, thank you. I'll be brief. We brought forward in October the anticipated benchmarks and schedules for the new CDBG program application through DFA. We've held four public meetings, one in the north, two in the central part of the county and then one in the south. And those meetings with the public are to garner project ideas from interested parties that will be then formulated and codified and brought back to the Commission, December timeframe right now but that can change based upon DFA's benchmarks.

Some of the projects that we've received interest from from the public include possibly the development of the Madrid fire protection system, the continued development of the Glorieta Mutual Domestic Water Consumers Association project, Stanley Cyclone Center was discussed in our southern CDBG hearing, ADA improvements to the Nambe Community Center, continued improvements to the Pojoaque Recreation Complex, improvements to the La Familia west side clinic – that's the one located at Romero Park, improvements to the Ortiz Mountain Clinic – and I apologize to Mr. Martinez if I have the title wrong, but that's the clinic in Cerrillos, a wastewater system for the Pojoaque Valley, and the development of a food co-op located within the city limits.

Those projects, we're currently putting together the project sheets. They could be brought forward. We're doing some initial analysis on the survey methodologies. As you all know, Community Development Block Grants are based upon low to moderate income levels. Before we bring a recommendation up I want to do a preliminary analysis. Actually staff and I want to do a preliminary analysis to be sure that when we bring a project forward that it can meet the test prior to submitting the survey data, the data to the Department of Finance and Administration.

So with that, Mr. Chair, I would recommend that you open up the public hearing tonight to garner any additional public support and then allow staff to bring back those projects in a more developed fashion so the Board can consider a project for application.

CHAIR MAYFIELD: Thank you. Commissioners, discussion?
Commissioner Stefanics.

COMMISSIONER STEFANICS: Yes. Tony, I'm quite aware of the income guidelines, but would public service capital outlay include vehicles that can serve wheelchair accessible?

MR. FLORES: Mr. Chair, Commissioner Stefanics, if we look at the typical project funding under the housing or public service capital outlay it's more for the development of the facilities rather than the vehicle, equipment that would go into it. So this program has not typically provided funding for vehicles.

COMMISSIONER STEFANICS: So, are we making a request through the Aging Advisory Council?

MR. FLORES: Mr. Chair, Commissioner Stefanics, yes. We may request through AAA and eventually through Aging and Long-Term Services Department for projects that would be funded. The Highway 14 Senior Center was on there, Santa Cruz

improvements, and then vehicles I believe for all community centers were the projects that were submitted for their review. As you are aware, that's a different process than going through the formal STB side. That comes through different funding. So those applications were made. We have not, I have not heard personally if we've been accepted on any of those. My personal inclination is that we probably would not receive funding for that during this cycle and I can tell you that earlier today Mr. Smith forwarded the information. The next applications will be due, I believe, in April of 2015 for those exact items.

COMMISSIONER STEFANICS: Now, this disturbs me, and I know this is not CDBG, but we discussed with – at one of our public meetings in Eldorado the fact that accessible vans are not the same as vehicles that can accommodate persons with wheelchairs or with ramps. And that we have one for all of our senior centers. So this is not good. How would we ever expect a handicapped person in a wheelchair, a walker or a cane to get onto a vehicle that has steps. And so what I'm saying is this has come up at prior public meetings and for it not to be advanced isn't good. Because that means that somebody wasn't listening.

MR. FLORES: Mr. Chair, Commissioner Stefanics, if I may add for clarification, you asked specifically on CDBG and you asked on Agency on Long-Term Again. Those public hearings were as part of our development of our ICIP plan.

COMMISSIONER STEFANICS: Right.

MR. FLORES: Which those types of vehicles are included in that document. But that is separate from the CDBG.

COMMISSIONER STEFANICS: I understand that. But I also said then, were they included to the Area Agency?

MR. FLORES: Mr. Chair, Commissioner Stefanics, that is a different list than the ICIP.

COMMISSIONER STEFANICS: Well, then the ICIP is something that's going to the state.

MR. FLORES: Mr. Chair, Commissioner Stefanics, that's correct.

COMMISSIONER STEFANICS: Okay, so when we in fact start talking to our Santa Fe legislators, and if they say, oh, do you need anything for your senior centers, this should be rising to the top. It's not the top five for the County, but when they specifically get interested in libraries or schools or senior centers, we better start talking about it.

MR. FLORES: Mr. Chair, Commissioner Stefanics, I have that noted.
Thank you.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Tony, you mentioned that one of the projects that was of interest to the public was a food co-op?

MR. FLORES: Mr. Chair, Commissioner Chavez, yes. The initial CDBG hearing here that was held and staffed by Mr. Garcia and Mr. Miller, there was some discussion about potential of a development of a food co-op inside the municipal boundaries of the city. And that creates a concern on our part because the City is an

entitlement organization for CDBG and they have their own program separate from this. And because the CDBG requirements are very strict on ownership of projects we haven't elevated that project development yet to see if it actually would meet our potential CDBG projects. But that was identified in the first initial meeting on – I believe it was a Tuesday evening.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I want to advance a – I don't know if you want to – do you want to open the public hearing and I can even go down there to the podium if you think I need to.

CHAIR MAYFIELD: I don't believe you need to but I'll ask some questions but I'll ask them under the public hearing portion. So let's go to public hearing. Aside from Commissioner Anaya is there any other members of our public wishing to comment on this tonight? Seeing none, Vice Chairman Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. We had a pretty extensive presentation, not just once but multiple times in recent years relative to South Side Boys and Girls Club and had a resolution that I brought forward that this Commission had passed. We've had multiple projects throughout the county over many years that I've been supportive of and I'm going to put this one forward and I would like to have some evaluation done on census tracts which I don't think will be an issue whatsoever in that South Side segment or corridor. And so I'd put that forward on the record. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Mr. Flores, thank you for your outreach to our communities. I believe I did not make that one out at the – I believe it was the Nambe Community Center. Pojoaque satellite office, excuse me. But one of my constituents did call in, it's always been a request and I'm sure he had contacted you. He attended or he did go. But as far as the Nambe Senior/Community Center, just some components of educational outreach. If not, if you could please get in contact with Mr. Devin Bent. That is something that he requested of me and I know that that's something that he's discussed in the past and I know, based on some of Commissioner Stefanics' comments of serving or requesting vehicles or what we need for those in need of those additional services and I appreciate Ms. Rachel Brown is here. But also Mr. Bent has brought up a lot of issues to make sure of ADA compliance, and I believe Santa Fe County has. I know he's particularly been concerned with this building. I don't know if that would be something that would qualify under this proposal or request. I know Santa Fe County does make every effort they can for accommodations and staying within the requirements of the law. But just I want to put that on the record.

MR. FLORES: Mr. Chair, for clarification. I apologize if I wasn't clear, the projects we received. But the ADA improvements at Nambe Community Center was one of the projects identified at the Pojoaque satellite office. So that is on the current list.

CHAIR MAYFIELD: Thank you. I just want to get those on the record. Commissioners, seeing no other comments at this time, well, this public hearing's not closed; we're going to have additional ones, correct?

MR. FLORES: That's correct, Mr. Chair.

CHAIR MAYFIELD: Okay. So it's just kind of in stay until Mr. Flores

has all of his other meetings. Thank you for the presentation.

V. B. 1. Commissioner Issues and Comments

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I've waited patiently to make these remarks and I'm going to make them directly to you. Commissioner Daniel "Danny" Mayfield, Mr. Chair, Danny, amigo, friend, you have represented your district with high esteem and collective respect for the residents of District 1 and the residents of the entire county. You have been an active and pro-active Commissioner and a strong voice for your district and for the county. You have openly and aggressively opened the curtains of the County to assure transparency with our sunshine portal and our information provided to the public.

You've worked to keep fees and taxes down and I appreciate that. You've approved common sense variances that have helped many, many families throughout the county. You have spoken up for the less fortunate and for those who wouldn't otherwise speak up for themselves. You consistently voted to help and expand youth and senior programs in your district but also throughout the rest of the districts on many senior projects and youth program projects in the county including libraries and other important projects. You've worked very hard to support water rights, improve roads and improve community centers throughout your district and the county.

You've always represented your constituents well. I'll miss you on the Commission. I think your constituents, maybe even some of those that chose not to select you as their Commissioner will find that many of the things that you did were absolutely in their best interest and I think, Katherine said it best earlier today in the luncheon that many of the things that you pushed and instituted in the four years that you were here came to fruition but many more will continue to come to fruition. And I'll commit to you that I'll do everything in my power to help see those projects that you were very passionate about. I'm not going to sell Canyon Ranch, Commissioner, but best of luck to you in your endeavors and I know you're only a phone call away to help us out at the County and thank you again for your service.

CHAIR MAYFIELD: Commissioner, thank you. It was very touching, and I really appreciate this. Thank you. Commissioners. Commissioner Chavez.

COMMISSIONER CHAVEZ: I do have one item, Mr. Chair, and I'll direct this to you out of respect and the fact that you are the chair. This letter is from the RTD, the North Central Regional Transit District is ready to encourage all 14 of its current members to execute the attached intergovernmental contract. The agreement is a fundamental link between our members and confirms the roles and responsibilities of all members within the structure provided under the Regional Transit District Act. After ten years the North Central RTD has arrived as an exemplary intergovernmental agency and a model transit agency. In 2013 we received from the New Mexico Department of Transportation the job access and reverse commute system of the year award.

Recently we were awarded the federal transit administrators award for outstanding public service in rural public transportation on a national level. In addition,

the board has consistently demonstrated the ability to form a true consensus among city, county and tribal governments throughout the region. The success of this regional cooperation should be a point of pride for each and every member.

In order to ensure that the NCRTD continues its success we request that each member take the attached intergovernmental contract to its respective governing body, obtain approval through its own process and then return a signed copy to the NCRTD. This will ensure that all 14 members confirm their willingness to go forward with their participation in the district. The attached agreement is a novation of the prior 2006 and 2008 and 2013 intergovernmental contracts because not all members have executed and sent in signed copies of their prior agreements.

We would like to have all members current by February of 2015 and therefore request that you take action to approve and sign this agreement before the end of February. We'd like to have you do that as soon as possible if you would. We'll go through the proper channels but I'd like for you as chair to sign this letter before your term expires.

In addition to confirming the membership of the 2014 intergovernmental contract we'll make adjustments to the voting strength of its members matrix. The changes include adding a voting unit to the City of Santa Fe to reflect the new population from its annexations – it's plural but it's only been just one that really matters. And additional voting units and quorum requirements due to new members such as the Towns of Edgewood, Taos, and Nambe Pueblo. And there's a voting chart attached to the intergovernmental contract as Appendix B. So I'm going to pass this on to you.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. So Ms. Miller, will you just put this as an action item at the next Commission meeting please. And thank you, Commissioner for bringing this forward. I'll just pass this to all the Commissioners if they want to look at it. If not maybe we could get copies of this made and passed out to all Commissioners before. Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I would wish a happy Thanksgiving to our employees and to the public, and Mr. Chair, I'd like to thank you for your service here. I believe that your interests were the community and the residents. You had them at heart and when we had some difficult public hearings you allowed everyone to speak and heard their concerns, and I thank you for that.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Again, I wish you the best in your new endeavors, whatever those might be. I also had one request that I would like to make. I guess it was at our last meeting, it really became very clear to me that there are many more capital improvement projects that are on our wish list than there is money to do those capital improvement projects. So I would really like to request a study session on the capital improvement project budget and also a long-term plan for how we're going to accomplish that and hopefully sometime in the new year, maybe January. And I just think that it's important for us to have the discussion where we set priorities and plan where the funding is going to come from for those priorities.

CHAIR MAYFIELD: Thank you. So Commissioner Holian has requested it. If you can maybe set something like that up, Katherine. When does our approval

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request go in? We're kind of up against the clock, aren't we?

MS. MILLER: Mr. Chair, we already turned in our ICIP to the state. We turned in our top five; we turned in our overall package so they have that with everything that is kind of on our list that's either just kind of on a wish list or even in the planning or construction stage that we need funding for. So they have all that, so we're good to go as far as working with the legislature for capital outlay. But relative to our overall capital planning, we have things to consider relative to general obligation bonds, to consider on our GRT moving forward, whether we want to do any kind of revenue bonds. So there's a big gamut of things that we're currently working on and that are on our list to work on over the next two, five, ten years.

So we can make that study session as narrow or as broad. I have some very specific things I'd like to bring forward to the Commission relative to our property tax, general obligation, debt service rate, existing bonds that we have that could potentially save us money through refunding and how we issue the remaining capacity that's been authorized by the voters but not issued yet. So we did a question in 2012 for \$35 million, three questions. We have only sold \$19 million of those bonds. We have \$16 that we need to look at issuing over the next two years, talking to the Commission about how that could – depending on how we do that and whether we restructure old bonds, how that can affect our property tax rates, and then going forward, what potentially the Commission would want to consider for a rate going forward and how much capacity you'd like us to consider in 2016 and 2020 because all that drives what we do with our other available funding sources, as well as what priorities might go in the future to the legislature.

So I think there's a multitude of issues that we could spend a few hours with the Commission on looking at that, not so much to undo anything that we're currently budgeted and working on but looking at things from this year going forward.

CHAIR MAYFIELD: Thank you. Commissioners, I'm just going to take a quick I guess time-out for me to just thank you all, coming from the bottom of my heart. I really appreciate today's luncheon; it meant a lot to me. I have appreciated, and believe this, that I have appreciated working with each and every one of you. I've learned a lot from all of you, so I want to thank you for that. I especially want to thank staff because Santa Fe County's staff is what really makes this organization run, so from the bottom of my heart I want to thank Santa Fe County staff.

Commissioner Anaya, especially I need to thank you. You've been a gentleman and a friend and that means a lot to me. The constituents who I represent and those who I don't, but Santa Fe as a whole, thank you for giving this privilege to me. It's been a privilege. I mean that. And especially my family. Commissioners, and granted, I might be the one that keeps us here late at night, at least during my tenure as the chair, but our families are the ones that really take a lot out of this. You all are true public servants and I really appreciate that. And I think the bigger impact it has though is on our families. And for that I just need to thank my wife, my son, and I'm sorry I'm breaking up because I don't want to do that, but I have a frog in my throat, but it means a lot to me for what my family did for me. They were patient with me.

I appreciate Adam, Adam mentioned my son Devon today, that meant a lot because he did go along on a lot of my meetings, and that meant a lot to me. He learned a lot about the process. He understands government, respectfully probably better than any

of us, from just my past commitment and the many boards, meetings I've taken him to. I hope Santa Fe County constituency recognizes the efforts that all of you all put into to the extra board meetings that you attend. Again, we're very transparent in what we do, but I don't know if there's recognition of time commitments again, that you have to make that go above and beyond, to the hours of the night, or hours in the morning, you drive up to Taos, you drive to Edgewood, you drive all over the state of New Mexico. Your commitments on our Association of Counties, that's very important. And I really wholeheartedly believe that Santa Fe County does and will have the best interest of their communities at heart, regardless of if we agree or disagree on whatever vote we take for our individual reasons from hearing from our constituency. I really believe that's why we vote the way we do and we have to respect that.

But I really want to thank you. I also want to wish the very best to my successor, Mr. Roybal. I think he'll do a great job. And I know with your guidance and your leadership and mentorship that the County will only flourish, and I really believe that. So thank you for my time. I am kind of closing this because I won't physically be present at the next BCC meeting so this will be my next meeting. Katherine, you're still stuck with me till the 31st so anything you need me to sign or not I will. If there's – I don't think you guys want to hear this, if there's a special meeting request if it's after Christmas I'll make it for two days. As far as the meeting on the 8th I believe, if need be I'll call in. I would prefer not to but I will call in. But again, just from the bottom of my heart, thank you and thank you for allowing me to serve you all.

I really want to wish Santa Fe County staff a happy Thanksgiving and I will say a Merry Christmas, Happy Hanukkah and a beautiful holiday season and a great new year. And I know you all will continue to go on and move on. So thank you for your time.

COMMISSIONER CHAVEZ: Commissioner Mayfield, thank you for your dedication and your commitment. I did speak earlier at the luncheon. I didn't say too much now, but I know it's not going to be easy but I only hope that, as I said earlier, but if you put the same passion and commitment into your future endeavors I know you'll do well.

CHAIR MAYFIELD: Thank you. So with that, we will move on.

V. C. **Matters from the County Manager**
1. **Miscellaneous Updates**

MS. MILLER: Mr. Chair, Commissioners, thank you. Mr. Chair, I expressed my gratitude for your leadership this afternoon, so I won't go back over that, but thank you very much for all that you've done for the County and for your constituents and to further the transparency at the County, better efficiency. We used to talk about in many ways we saw things a lot alike and I always appreciated your perspective. So thank you for that and I wish you will. And as I said, I hope we still continue our conversations about those fun things that don't have anything to do with work.

Also, I wanted to say, I think earlier that Commissioner Anaya brought up the new warden. I just wanted to announce – I know I sent you an email about all that but I didn't know if everybody got a chance to read the email. Pablo and the interview committee did select Mark Caldwell, who is our current deputy warden, to be the new

warden, so we will be advertising for the deputy warden position. So it's great to see people promoted up through the system but then we have another vacancy to fill. So we will be advertising for that if it hasn't already hit HR.

Another, just a couple of other personnel matters, just to let you know about. I don't know if you're aware – I know some of you are aware, but Steve Shepherd who is what we call the Public Safety business manager who has been with the County over ten years. Robert, I know he was here when I was at the County before and that was prior to 2003, Steve Shepherd will be leaving us but he's going to be the city manager or town manager of Edgewood. So he doesn't have to commute so far, I think is what he'll be looking forward to. He didn't ask my advice on that but I don't know if I'd recommend the same positions to other people that I put myself in.

But anyway, so he will be moving on and we wish him well, and that will be also advertising for that position in Public Safety, so we will be looking for a business manager to deal with all the Corrections, juvenile, electronic monitoring, fire, RECC, budgets and also liaison to any financial needs that the Sheriff's Office may have.

Then in Finance, this hasn't actually become effective yet so I haven't sent anything out but I just realized I probably was remiss in doing so but we had advertised for a Finance Director and as you know Teresa Martinez will be retiring in March so we wanted to get a head start on this to make sure that whoever was her replacement had some time to work with her on all the complexities of Santa Fe County finance. And I am proud to say that Carole Jaramillo was selected. She did an excellent job through the process and was actually recommended by both interview panels for that position. So she'll be, by the end of the year, we'll be putting her into kind of a double-fill position with Teresa in working with Teresa for a few months in that position until Teresa actually retires, and meanwhile we'll be advertising and I do believe we've just done the advertisement for another budget director. So that position is open if you're aware of anybody who's got extensive local government budget experience. That would be ideal for us and that position, we'll be looking to fill that hopefully by the end of the year, so that they have the benefit of going through mid-year budget review while Carole and Teresa are both available to guide them.

Then in HR, as you know, Bernadette Salazar left at the end of October and Bernadette Salazar will be returning at the end of December. So there's a lot of people as well as myself very excited to have Bernadette come back to the County so she will be actually returning as the HR Director at the end of the month.

So those are some of the personnel items that have gone on. As you can see we've been kind of busy with personnel matters but I'm hopeful that that will all settle out by the end of the year.

Then also, we had sent out the County Manager monthly newsletter. *[Exhibit 5]* Had quite a few things in there. We did have that sent out electronically but if you would like paper copies we can get you those as well.

Then the last meeting or two meetings ago I had put – I guess it was October 28th so it was a month ago but one meeting ago, we had talked about the Western Interstate Region of the Association of Counties looking for conference applications. We did do some research and there are several counties – Bernalillo County, Dona Ana County, and Lea County who will be putting in for those, 2016 or 2017 WIR conferences. So we

thought that rather than go up against that, since we've already done that, give them an opportunity to get the WIR conferences there.

2. Legislative Update

MS. MILLER: And then last but not least, the legislative session. December 15th through January 16th are the dates for pre-filing period of 2015 legislative session. On January 13th we have scheduled the County Commission meeting with the Santa Fe legislative delegation at the state capitol from 10:00 to 12:00. We'll be having a lunch in one of the committee rooms. Then on January 20th is the opening day of the session, and on January 29th we'll be having the Santa Fe County Day at the state capitol from 8:30 to 1:00. I think we have 13 tables from all of our different departments and elected officials' offices. Then February 19th is the deadline for introduction of new legislation and March 21st is the end of the session.

So staff's been really busy on putting things together for the legislative session and those are just some dates that we've sent out save the date to you for your calendars and we're working to make sure we get maximum participation in those events. And I stand for any questions on any other issues.

CHAIR MAYFIELD: Thank you. I think you've made great selections with your senior staff, Katherine, so thank you for that. Commissioners, anything else?

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

3. Deliberations in Connection with Administrative Adjudicatory Proceedings, as Allowed by Section 10-15-1(H)(3) NMSA 1978.

a. BCC CASE #PCEV 14-5120 Heather McCrea Vacation of Easement

CHAIR MAYFIELD: Mr. Shaffer, I know there's a need, but we're on now to item VI. A. Executive Session. Mr. Shaffer, I'll just let you take us there, or ask that you do that.

MR. SHAFFER: Mr. Chair, the Count Manager has just indicated that we could postpone discussion of the purchase or acquisition or disposal of real property till a later meeting. That would just leave a short deliberation under item VI. A. 3. a. I wouldn't anticipate it would take more than five to ten minutes.

CHAIR MAYFIELD: Thank you. Commissioners, anything else on this? Seeing none, is there a motion to go into executive session?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move that we go into executive session for the purposes of deliberations in connection with administrative adjudicatory proceedings as allowed by Section 10-15-1(H)(3) NMSA 1978, around the BCC Case #PCEV 14-5120, Heather McCrea vacation of easement.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Thank you. A motion and a second. Can we have

roll call please?

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (3) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Mayfield	Aye
Commissioner Anaya	Aye
Commissioner Stefanics	Aye
Commissioner Holian	Aye
Commissioner Chavez	Aye

CHAIR MAYFIELD: So, Commissioners, just housekeeping. So after we have this discussion, just so everybody knows, I think we'll come out, indicate what we can discuss what we discussed as afforded and then we'll be adjourning, because I don't think there's any other business. So we can note the time for anybody interested and still listening. But that we don't have to keep anybody here.

[The Commission met in closed session from 9:40 to 9:51.]

COMMISSIONER CHAVEZ: So we have to come out of executive session, right. So, Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I'll make a motion to come out of executive session. There were the County Attorney, the Assistant County Attorney, County Manager, all Commissioners attended. No action was taken.

CHAIR MAYFIELD: Have a motion. A second?

COMMISSIONER ANAYA: So moved, Mr. Chair.

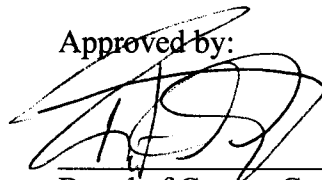
The motion carried unanimously.

IX. CONCLUDING BUSINESS

- A. Announcements**
- B. Adjournment**

Having completed the agenda and with no further business to come before this body, Chair Mayfield declared this meeting adjourned at 9:51 p.m.

Approved by:



Board of County Commissioners
Daniel W. Mayfield, Chair

★ Robert Anaya, Chairman

ATTEST TO:

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Geraldine Salazar
Respectfully submitted:

1-13-2015

Karen Farrell, Wordswork
453 Cerrillos Road
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