

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING
August 20, 2026

Justin Greene, Chair – District 1
Adam Johnson, Vice Chair – District 4
Camilla Bustamante – District 3
Hank Hughes – District 5
Lisa Cacari Stone – District 2

SFC CLERK RECORDED 10/01/2026



Thursday/August 20, 2026
Special Board Meeting of County Commissioners Meeting
Hybrid In-Person and Virtual Meeting
Santa Fe County John Gaw Meem Historic Building
Commission Chambers, 2nd Floor
102 Grant Avenue, Santa Fe NM 87501

The Board of County Commissioners strives to make its meetings accessible to the public through alternatives to in person attendance, such as virtual meeting platforms and webcasting. The availability of those virtual meeting and webcasting alternatives is not guaranteed due to potential internet disruptions, equipment failures, and other technical issues. Duly noticed meetings may be held notwithstanding the unexpected unavailability of those alternatives. Members of the public assume the risk that they may be unable to listen to or participate in BCC meetings through such alternatives. Subject to this disclaimer, Santa Fe County intends to allow members of the public to listen to and participate in this meeting virtually. For instructions on joining the meeting, visit www.santafecountynm.gov/joinmeeting.

1. Opening Business

A. Call to Order. The Special BCC meeting was called to order at 10:30 a.m. by Commissioner Chair Justin Greene.

COMMISSIONER CHAIR JUSTIN GREENE: Thank you everybody. Sorry about this technical glitch here. Daniel and the County Manager are going to explain some of the technical issues here for the most part. We've got workarounds here and we will make sure everybody has an opportunity to hear us and to be heard.

GREGORY SHAFFER (County Manager): Thank you very much Chair and Commissioners. Again, I want to apologize for the unexpected technical issues. We do strive at the County to try and make sure that our meetings are accessible through virtual means so that individuals have the greatest opportunity to participate. That does result in potential issues when we do have unexpected last minute technical problems like the one that we're experiencing now. So, what we have endeavored to do in order to allow people to participate and to watch remotely is this meeting is being broadcast via YouTube and via Facebook. The links to those broadcast sites I believe have been included within the chat on the Teams meeting, and will be displayed shortly so that

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individuals who want to watch the proceedings today and participate have the opportunity to hear and see what is going on in the chambers. If you want to actually address the Board either through matters of public concern for items that are not on the agenda or with regard to public comment on the action item on the agenda, you will do that through Teams simply by raising your digital hand and you'll be recognized and given the opportunity to speak. So, apologize again that we had to come up with a workaround solution, but again it's reflective of our commitment to ensure that people who wish to participate remotely are afforded reasonable opportunities to do so. If I missed anything Daniel Fresquez, you correct me, otherwise I think we're as good, as we'll be ready to go. Thank you, Chair.

CHAIR GREENE: Thank you, Greg, thank you IT team, thank you Daniel.

SPEAKER1: [inaudible].

CHAIR GREENE: Yes.

SPEAKER1: [inaudible].

CHAIR GREENE: We're going to announce it a few different ways we can go for it.

DANIEL E. FRESQUEZ (Media Coordinator): Alright. So, I want to talk
INAUDIBLE.

DANIEL N. FRESQUEZ (Desktop Support Specialist III): Test. Check one, two.

DANIEL E. FRESQUEZ: For those of you that have joined through Teams, I sent the link through the chat. If you want to click on that and view the meetings streaming on YouTube. If you want to participate, just leave Teams open you will be able to hear you in chambers. We'll be announcing you. We'll be calling you by name. [inaudible].

DANIEL N. FRESQUEZ: Okay.

DANIEL E. FRESQUEZ: You can also stream on, if you go to [Santafecountynm.gov/joinmeeting](https://santafecountynm.gov/joinmeeting), you'll find the Facebook and YouTube links there as well.

DANIEL N. FRESQUEZ: [inaudible] ...happening here, can you hear can you hear me on Teams?

SPEAKER2: Check, check.

DANIEL N. FRESQUEZ: Yeah.

SPEAKER2: So no. It's doing the wrong one.

B. Roll Call.

Roll was called by Jennifer T. Wilson, Chief Deputy Clerk and indicated the presence of a quorum for the County as follows:

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Members Present:

Commissioner Justin Greene, Chair
Commissioner Adam Johnson, Vice Chair
Commissioner Hank Hughes
Commissioner Lisa Cacari Stone

Members Excused:

Commissioner Camilla Bustamante

C. Approval of Agenda.

Commissioner Johnson moved to approve. Commissioner Hughes seconded.
The motion passed by unanimous [4-0] voice vote.

2. Matters of Public Concern

Subject to Three (3) Minutes or Other Time Limit Imposed by the Chair; Pre-Register at
[Santa](https://santafecountynm.community.diligentoneplatform.com/Portal/CitizenEngagement.aspx)
[County - Citizen Engagement](https://santafecountynm.community.diligentoneplatform.com/Portal/CitizenEngagement.aspx)

CHAIR GREENE: Are we ready to go? We're ready to go. So, thank you very much. We are at matters of public concern. Folks that are online, we didn't have anybody in the room but I'll check the room again. Is there anybody here that wishes to speak on matters of public concern regarding today's meeting but not the subject issue? Seeing none here, Mr. Mechels, are you able to join us now through a variety of methods?

DANIEL E. FRESQUEZ: Mr. Mechels, please unmute your mic and you have two minutes to speak.

CHAIR GREENE: Will you say that into...Or...

COMMISSIONER ADAM JOHNSON: Chair? So, when I was in my office and my liaison had the meeting on, I could not hear you speak. Maybe you did and I was not there, and I could hear Daniel, but it was, it was very garbled. I couldn't make out what you were saying.

DANIEL E. FRESQUEZ: [inaudible]

COMMISSIONER JOHNSON: I see. Okay well I just wanted to...

CHAIR GREENE: Do we have Mr. Mechel's phone number?

DANIEL E. FRESQUEZ: Mr. Chair, he is online and he should have heard me on mic when I spoke his name on my cell phone.

CHAIR GREENE: Okay. Is that adequate? Yep.

MANAGER SHAFFER: Thank you, Chair and Commissioners. Again, we strive to make our meetings accessible virtually but our meeting agenda as well as any notices of special meetings do account for the fact that there may be technical issues

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that prevent that from happening. So, that is a risk that folks do assume by choosing those options. So, I don't personally think that there's any Open Meeting Act violation because that is disclosed up front, but of course you know defer to Mr. Boyd.

WALKER BOYD (County Attorney): Chair Greene and Commissioners. I would encourage you to...I think we're having trouble ascertaining whether Mr. Mechels is not participating or not signifying his intent to comment because of technical issues or because he's just not at his computer right now. So, I would I think encourage you to proceed with the remainder of the agenda and if Mr. Mechels later indicates that he's back at his computer or is able to otherwise participate, you, in your discretion could allow him to give public comment.

CHAIR GREENE: We will make every attempt to get everybody's voice heard. Okay. Moving on. I will allow for matters of public concern if we have an issue later.

3. Miscellaneous Action Items

- A. **Request (1) Authorization for the County Manager to Apply to the New Mexico Department of Finance and Administration's Public Lands Creation, Expansion, and Restoration Program for Funds to Acquire Approximately 22.1 Acres of Real Property Owned by Leah Morton Adjacent to the Rio en Medio Open Space and, If Adequate Funds are Awarded to Do So, (2) Delegation of Authority to the County Manager to Acquire Such Real Property and Negotiate and Execute All Documents Necessary and Proper to Do So.*** (Growth Management Department/Herbert Foster and Chris Mann, County Open Lands, Trails, and Parks Advisory Committee Chair)

CHAIR GREENE: Let's move on to item three, which is a request for authorization of the County Manager to apply to the New Mexico Department of Finance and Administration public lands creation expansion and restoration program for funds to acquire approximately 22.1 acres of real property owned by Dr. Leah Morton adjacent to the Rio en Medio Open Space, and if adequate funds are awarded to do so, delegate the authority to the County Manager to acquire such real property and negotiate and execute all documents necessary and proper to do so. This matter came before COLTPAC earlier this week, and Herbert Foster is the lead on this. Then we also have the Chair of COLTPAC here, Mr. Chris Mann, and I think they're both going to take on this subject and present it to us. So, please do the honors Herbert and Chairman Mann.

COMMISSIONER LISA CACARI STONE: Chair?

CHAIR GREENE: Yes ma'am? .

COMMISSIONER CACARI STONE: I just want to be sure. Are we going to

have public comment on this application and this voting after they present? Is this it?

CHAIR GREENE: Yes. We're going to get the presentation. We will open it up to public comment.

COMMISSIONER CACARI STONE: Thank you.

CHAIR GREENE: We will get people from the audience here. Daniel. can you put a slide up that says...Puts the links? The alternative links up there?

COMMISSIONER CACARI STONE: Thank you so much Chair

CHAIR GREENE: Thank you.

COMMISSIONER CACARI STONE: I just want to make sure.

CHAIR GREENE: Yeah. Absolutely. Thank you, Herbert.

HERBERT FOSTER (Planning Team Lead): Thank you. I'm happy to be here. I'll ask for the presentation. I'll get going for the sake of time. Thank you. I am requesting a decision from the Board to apply to a grant to the Mexico Department of Finance and Administration to acquire the property, the Leah Morton property adjacent to the existing Rio en Medio Open Space. Okay, go ahead. A little bit about the Rio en Medio Open Space itself. In the Open Space Strategic Plan, it's identified as a Class One Open Space which I wanted to read that briefly because I think it's important. It basically says that the property designation, the Open space designation, is both for developed Open space and for a closed Open Space. It says the Class One Open Space is managed to optimize biodiversity and cultural resources protection in areas closed to the public and to minimize impacts to biodiversity and cultural resources in areas open to the public. In general, any damage to the natural or cultural resources should be equally balanced on the benefits of keeping areas open to the public, health benefits connection to nature etc. This should be balanced by the majorly disrupted temporary closures of areas, or redirection or recreation to more suitable areas that are necessary. I think that's important to know what the classification of the Open Space is and relevant to some of the proposed improvements that are being made and the overall purpose of the Open Space. Again, its status is open and developed. It was acquired in 2000 through bond issue. It is 121.3 acres and at least two of the main attractions to the Open Space itself is a waterfall that is above Open Space property, but the property itself provides trail access to the waterfall and to the wide vast network of trails and the adjacent forest service.

Advance the slide. I would say that in, I think it was 2022 the region was also subject to a severe post fire water damage. So, that is very still I think evident on site. Of course, efforts are being made to replenish, to restore the watershed there. The decision before you in terms of the grant application and the property itself is related to the Morton property. It is immediately west of the current county Rio en Medio Open Space. It is 22.1 acres and something very remarkable and frankly strange, but noticeable about it, is that the property itself has three, I call them home site tracks, but

also with the three tracks come these disjointed accessory building easements. So, those would not be part of the purchase. So, this is basically creating the home sites and the accessory building part lots would be kind of the hole to the doughnut and the County would be basically purchasing the doughnut around three private lots that would remain under private ownership. Those three lots have three separate accessory building easements on them. So, it may complicate things in terms of purchase and negotiations. It's part of the due diligence process, but I want you to know that there would be inholdings if the County were to acquire it.

Then immediately to the west, along the Rio en Medio itself and the Rio en Medio Road are private parcels and then there's a sliver of US Forest Service where there's limited existing parking. It is a very strange. Not only the parcel itself has these inholdings that are frankly kind of mysterious, how that happened that way, but the surrounding property, it's situated in such a way that to the east is existing Open Space to the north and the south is Forest Service, immediately to the west is private inholdings and then it may be difficult to see on the slide here, but it's where that red pedestrian easement and that potential parking spot is. That's a sliver of Forest Service that divides more private land to the west and the existing, I call them in holding to the east. So, I just wanted to make sure that's clear because there are issues involved upon acquisition if the Commission were to approve and receive the grant. There are easements that need to be resolved and accessed through the road and with the private properties and so forth.

Let's talk a little bit more about the due diligence in a couple more slides. The State grant itself, the State is offering \$37 million. This is a one-time new non-recurring fund. They call it Public Lands Creation Expansion and Restoration Program. The grant is due August 21, 2026. That's tomorrow at 5:00 p.m. There is a selection criteria. There must be a willing seller, which we do have. There must be the property must be available for immediate acquisition. I'll describe this a little bit further. There is considerable amount of due diligence as always, in any property acquisition. So, in terms of the competitiveness of the application, this is something that we can't say we're ready to buy it tomorrow. Not by any means. I want to make that clear. It requires a public land manager. That would be the County of course, and it would be a part of the Open Space portfolio and basically an expansion of existing Rio en Medio Open Space. It does require the property to have public access to it which is very important to this topic and this property here because there is, I'm sure as you've heard, problems there and safety concerns and access concerns for access to and from the property itself. Also, habitat quality and ecological significance. I don't think anyone doubts that the property itself and the region is very sensitive to a great many things. There are some vast, I think, high-quality natural resources and great ecological significance. Then also demonstration of partnership and support.

I wanted to read from the application itself. It says, "The project proponent," this being the Count, "and sponsoring government entity," also the County, "must state a willingness and ability to enter into a purchase agreement within 30 days of the award of the grant if it were received and provide a clear explanation of how the project will be completed if the applicant receives the minimum amount requested from the program." I wanted to highlight that as one of the I think important parameters of the grant application and the County's role in terms of submitting the application. You can go ahead Daniel. Almost done. I know I wasn't expecting you to read this, I just wanted you to see a piece of the survey plat itself of the property. It might highlight some of those inholdings and accessory building easements I was talking about. There's a number of things to consider moving forward with receiving the grant and considering purchasing the property. First of course is an acequia. There's an acequia across the property itself and potential impacts to the acequia if there are capital improvements made of widening roads and rearranging, relocating things. I know that is a concern. Something must be considered there, and the mutual domestic, the property has on site. It's within the 22.1 acres. The mutual domestic has a water line and there's a tank easement on the property that would need to be transferred. There's a private ingress, egress and utility easement that would also need to be, I suppose, name the County as a beneficiary. I'm not sure if I got the language right. Emergency access I mentioned earlier, the road, the existing roadway is very narrow. I'm sure very treacherous during a storm and I'm sure very, very treacherous if you live there trying to escape during a nearby fire. The roadway itself is very narrow and it's been eroded quite a bit, and so there's a concern from, I think everyone involved about safe access to and from the property itself, whether it be for recreation and trails and biking and bird watching or for getting an ambulance in and out for the sake of human lives.

Surveys of course, there may be some possible encroachments. I can't say but I'm looking at the survey. I don't want to assume that, but I know that will come out. There's an appraisal process, title search and some due diligence and planning and growth management in terms of code compliance issues that could arrive. I'm not saying there are, but this is, moving forward, the due diligence that we would have to do. Then there's also capital improvements that's an additional cost to the property. Watershed restoration, this area has been the topic of great investment and impact and consideration on further improving the watershed for downstream safety, security. Programming of the possibility of what the property could be used for. Parking has been discussed. Signage, a trail or trailhead. There are some discussions I know from community meetings around porta potty and equestrian trailer turnarounds and so forth. So, those kinds of things would need to be considered or to the contrary evaluated and see what their feasibility is. Then, of course, design and engineering costs, cost estimates and fundraising for whatever the capital expenses may be. Now the grant

does allow...We can apply for more money just to acquire the property, but the purpose of the grant is for really acquisition. Additional costs may be eligible, but I think it's very clear the purpose is to acquire the property. One thing in terms of the criteria that gives this property some advantage, it would also be expanding existing open space. That is something that adds additional points to the grant itself. So, that's also something in favor. I wanted to mention that. Then there's construction and then the monitoring of it. I mentioned it's a very sensitive environment and any construction activity would need to be carefully monitored in terms of environmental and really meet the needs of the community, but also protect what is there.

Then some ownership and management due diligence. I would recommend ongoing kind of community engagement. There is a Rio en Medio working group that has formed and I think moving forward it would be worthwhile to reengage that group and be as inclusive as we possibly can in defining the County's role in helping facilitate that as we have in the past, but regardless, I think that that effort should move forward because some of the concerns and issues absolutely do not go away whether this grant is awarded or not. Then there's in terms of the Open Space staff and programming, we would have ongoing environmental monitoring and management of the property. It would basically, as I said, be an extension of the existing Rio en Medio Open Space.

Then ongoing enforcement. There's parking maintenance of any facilities that we would provide on the property. Even thinking further, volunteer opportunities and opportunities for interpretation, which I think could be potentially quite wonderful in this area as an invitation on proper etiquette and awareness that people are living there and have rights and concerns of any number for their own safety and health and privacy there. Go ahead and advance the slide.

COLTPAC, as was stated, there is an application process required by resolution. The property owner Leah Morton has applied. COLTPAC had a special meeting and considered the application and did forward a letter to you recommending that the property be acquired. We also conducted a site visit on August 15, 2026 and the special meeting of COLTPAC was on August 18, 2026. As I said. their recommendation is to acquire the property as Open Space. I will say finally in the last number of days and week, I've received a number of letters and petitions and I just wanted to make sure that you're aware that I've received a number of letters and petitions and phone calls from adjacent property owners and community members who have shared a lot of support for the project, but also a lot of opposition to it. In favor, I've received correspondence from Leah Morton herself, the applicant in favor of course. She has a letter of intent that she submitted. Friends of Rio en Medio submitted a letter and a petition in favor. There is a capital improvement request form.

The parking and improvements along the road have been in the Capital Improvements Plan for the County, unfunded for a number of years. There is a signature

attached to that form in favor of the project. Fat Tire Society has offered a letter of support. Santa Fe Conservation Trust has offered a letter of support. Also in opposition, there's a petition from a number of Rio en Medio residents. John Kadlecek, who was here has also provided a letter outlining a lot of concerns and comments on the property owner's application to COLTPAC. Had a number of comments on that. Andre Fasciola has submitted a letter and many of them are here, but I know with some who might not have the opportunity to speak, I just wanted to make sure that you knew of the information that I have been receiving in support and opposition. Another individual, Mickey Fong wrote a letter and then Lauren and Nick Sabato, who I believe are online, but I did receive an email. They have been asking for the information on the Capitol Project Request, and that conversation we've been having with them for a number of months and trying to provide that information to them. I know they're also very interested in this project.

So, again, I just wanted to give you a full kind of range of what I have seen so far for and against. Without anything further. I'll be happy to answer any questions.

CHAIR GREENE: Thank you very much Herbert. I really want to...My appreciation to you, the COLTPAC team and the Growth Management team for getting this expedited to get us to a point where we could, with our approval, apply for this grant. It was a lot of work behind that and really appreciate that. So, thank you very much.

HERBERT FOSTER: You're very welcome.

CHAIR GREENE: Alexandra Ladd is here as well as Chris, Chairman Mann. If you would like to approach if you have any additional comments before we go to public comment, this is as good a time of any to set the stage please.

ALEXANDRA LADD (Growth Management Department Director): Mr. Chair, members of the Commission, I just wanted to make sure that you all didn't have any questions about the specific packet materials. So, we have a memo in there that outlines, I think, the decision before you today, but also indicates what the future decision points will be and then there are several exhibits. So, I'll just leave it at that, but please, if you have specific questions about any of that, I'm here to answer them.

CHAIR GREENE: Thank you, Director Ladd. Chairman Mann?

CHRIS MANN (Chair of COLTPAC): Good morning or almost afternoon. I'm Chris Mann, Chair of the COLTPAC. Mr. Chairman and members of the Board, I don't have a formal statement on this. You've heard from Mr. Foster that the Committee met on Tuesday night and recommended unanimously to you to acquire this property, and of course the COLTPAC acquisition process covers both fee simple acquisition by the County and donation. I don't know how exactly that would work with the handoff of money from this grant if you received it, but I'd like you to know that our recommendation to acquire the property was not contingent on receipt of the grant funds. That's because...I

mean, you all would have to work out another method if you want to continue should the grant not come in, but we felt that our job is basically to review the application and the property and decide and recommend to you whether we thought this was a good addition to the County's Open Space portfolio and we did find that. It was an expedited review. You know, I often say that the County Open Space acquisition process is built for comfort, not for speed. There are reasons why that is that way, but you should know that we followed all the formally required steps and took extensive public comment on Tuesday night, conducted a site visit and found that we thought this was a good acquisition. It can contribute substantially, we believe, to protection and maintenance of that lovely Rio en Medio and its watershed, and protecting these watersheds is so important in these times of climate change and drought. I think this is a really important point based on some of the concerns of the neighbors. It preserves options for solving what we have long been aware of with the parking and access problems to the renounce Open Space and the beloved trail up there. It preserves options. It doesn't force one or another. So, I think the combination of that was what really persuaded the Committee that the County ought to acquire this property. Thank you very much.

CHAIR GREENE: Thank you, Chairman Mann. Okay, we can go to some preliminary questions from the Commission. Commissioner Bustamante, if your online, please communicate just to make sure that we...

JENNIFER WILSON (Chief Deputy Clerk): Mr. Chair, for the record, Commissioner Bustamante had to drop off.

CHAIR GREENE: Okay. Thank you.

COMMISSIONER CACARI STONE: She hasn't been on for a while.

CHAIR GREENE: Okay.

COMMISSIONER CACARI STONE: Actually, since we started.

CHAIR GREENE: Alright. Commissioners, do you have some early questions? Yes, Commissioner Johnson?

COMMISSIONER JOHNSON: Yeah, thank you Chair, and thank you Chairman Mann. Thank you, Alex, thank you Herbert. A couple quick preliminary questions. So, I presume, but I suppose it's worth checking. We're ready to submit the application or whomever the applicant is would be ready to submit this, given that the turnaround is 24 hours or less or just over maybe?

CHRIS MANN: Thank you, Mr. Chair, Commissioner. That would be me to submit the grant application. I've looked at it, I've studied it. I have enough time I think to submit something of good quality and that could be as competitive as we possibly can hope for given the turnaround on this.

COMMISSIONER JOHNSON: Got you. Thank you. What if we...So...This was addressed by Mr. Mann a little bit in that COLTPAC recommended acquisition. What if we don't receive the grant? Where do we land, hypothetically?

CHRIS MANN: I think...

MANAGER SHAFFER: I think, if I could Chair, Commissioner Johnson. Ultimately it would be for the Board to decide if you wanted to find or allocate existing resources to this purpose, either this fiscal year or in the future. So, again that's ultimately a Board decision. COLTPAC makes recommendations. So, you don't have to make that decision today.

COMMISSIONER JOHNSON: Right.

MANAGER SHAFFER: You know you could decide to move forward and see what happens with the grant application and then decide on another day, you know whether to allocate County resources towards this purpose, but again, really two separate decisions in my mind.

COMMISSIONER JOHNSON: Got it. Thank you, Manager Shaffer. So, maybe I missed it, but what is the request? What amount of funds are requested in the grant or is it a more open-ended process?

HERBERT FOSTER: We've been looking at the number \$500,000.

COMMISSIONER JOHNSON: Okay. So, that..

CHAIR GREENE: \$500,000?

COMMISSIONER JOHNSON: ...sort of makes an assumption about the value of the property acquired? I'd assume.

HERBERT FOSTER: Correct.

COMMISSIONER JOHNSON: Because this is designed to cover all, if not more, right? The grant application could also help us with signage or whatever other programming elements?

HERBERT FOSTER: Mr. Chair and Commissioner, potentially, but the purpose of the grant is for primary for acquisition. Other costs can be proposed, but it says not with that great clarity that DFA will decide which of these additional costs could be eligible, like signage, other engineering costs, hard costs for improvements, etc. because we want to show them the total budget of the total project.

COMMISSIONER JOHNSON: So, what about staff time for the due diligence aspects that you...

HERBERT FOSTER: Grants often, but not always. have that kind of information or soft costs or administrative costs. Some allow indirect cost of 25%, 30% of additional, but this doesn't offer administrative or operational expenses for staff time and....

COMMISSIONER JOHNSON: Okay. Alex, did you have something? You got it.. Okay.

HERBERT FOSTER: Yeah.

COMMISSIONER JOHNSON: So, the next steps, if we receive the grant would be, in addition to these due diligence items, what? Just so that we have a picture of, okay, we've submitted this application. Okay, the property was acquired. Now what?

HERBERT FOSTER: I'm suggesting we re-engage the Rio en Medio work group of some fashion, and I know there's continued interest in looking at from a number of different folks different options for additional parking or depending on how the feasibility, the work of looking at the capital costs and the design of a parking lot. How many spaces can we get? A lot of that is still under question, but I would suggest whether the grant is awarded or not, it would be moving forward with the community in facilitating those meetings and ultimately finding long term parking solution that may or may not include this process. There are others areas that are being considered and have some due diligence left behind them as well.

COMMISSIONER JOHNSON: Okay. So, thank you for that answer. So, if we were to...This is really a request that we submit the grant and acquire the property. If we do that, you know, I've read the letters of concern, for example and this is just the preceding step that's first of all timely. I mean, it's time sensitive in that we could be receiving money to help us with this project, but the concerns that are raised in those letters could be alleviated. There will be another bite at the apple, so to speak, as far as resolving some of those. Is that correct or not?

HERBERT FOSTER: I believe so. If the grant is not awarded, then the question will still remain. How would we fund some of these improvements to the property if it would be acquired?

COMMISSIONER JOHNSON: Okay.

HERBERT FOSTER: Even if the County was not to acquire the property, the question still remains of emergency access and the roadway and parking for access to designated public open space in the forest.

COMMISSIONER JOHNSON: Right. Okay. Did you have some...

HERBERT FOSTER: I would imagine through the due diligence, we would want cost estimates and see and that's going to really be a determining factor because I frankly have heard dollars in terms of the millions for parking and roadway.

COMMISSIONER JOHNSON: Sure.

HERBERT FOSTER: That's just not feasible, etc.

COMMISSIONER JOHNSON: Okay.

HERBERT FOSTER: So, the real work would begin after we acquire the property.

ALEXANDRA LADD: Mr. Chair, Commissioner Johnson. We also have our public works team in the room and they've been looking for quite some time at various options for how to support that Open Space in, in terms of creating better parking and safer access. I think Herbert's touching on a really important point, which is regardless

of whether the grant is funded or not, we still have ongoing community work we're doing there and we still have ongoing issues we need to solve for. So, this grant is just kind of icing on the cake...

COMMISSIONER JOHNSON: Yeah.

ALEXANDRA LADD: ...in light of that ongoing work.

COMMISSIONER JOHNSON: Thank you, and thanks Herbert. Those are helpful. I have some additional questions mostly about parking because we always talk about that, but I'll wait.

CHAIR GREENE: Commissioner Cacari Stone?

COMMISSIONER CACARI STONE: Thanks Chair Greene for looking left.

CHAIR GREENE: So, I was waiting for him to finish.

COMMISSIONER CACARI STONE: First of all, thank you Chair Greene.

Thank you for all the community members and COLTPAC for giving all your input, your recommendations. Thank you, Herbert and the team, Alex, for putting this together so quickly. I have some questions. First, this is also open from DFA to Tribal Sovereign Nations. Do we know if any of our neighboring tribal communities are also applying in the immediate area because we also want to have an establishment of relationship building? So, I'm just curious. Did anybody consult with them?

HERBERT FOSTER: Mr. Chair, Commissioner, not that I'm aware of.

COMMISSIONER CACARI STONE: Okay.

HERBERT FOSTER: No, I have not.

COMMISSIONER CACARI STONE: Okay, thanks.

HERBERT FOSTER: If I may, I also want to thank the unrecognized heroes of this meeting. These two individuals right over here. Sara and Daniel and...

COMMISSIONER CACARI STONE: That's right. Thank you so much.

HERBERT FOSTER: ...the two hiding in the room behind here. So, thank you. Yes.

COMMISSIONER CACARI STONE: Much gratitude for making special meetings happening...

HERBERT FOSTER: Yes.

COMMISSIONER CACARI STONE: ...at the last minute and all the technical glitches. We appreciate you. So, these questions are coming in terms of before us is to vote yes or no on putting forth a grant application?

HERBERT FOSTER: Correct.

COMMISSIONER CACARI STONE: I want everyone to know and I want to hear the public comment that this is not about whether we should or should not keep moving with Rio en Medio, but the first question is if it was such a good idea and this could go to Chair Greene, how come we haven't tried to acquire it before? Because when I look at the County assessors and the tax reports, it is assessed somewhere

between \$162,000 and \$173,000. You say it might be a market value of \$500,000 given all the lands we acquired. We acquired a land for how much? \$3.4 million or so, in the district's overlaying with Commissioner Hughes and Commissioner Johnson? If it's about \$500,000 have we considered buying it before? So, it is to Greene and to Alex. Thanks.

ALEXANDRA LADD: Chair Greene, Commissioner Cacari Stone, I think the number \$500,000, we're throwing spaghetti at the wall.

COMMISSIONER CACARI STONE: Yeah.

ALEXANDRA LADD: We don't really know what the real number is because we will have to do a pretty complex appraisal in order to determine what the actual market value of that property is because as you know, we can't pay more than that. I think what's important to note, and Herbert touched on this a little bit, because of the extensive due diligence process that we will need to go through, we are hoping that the DFA would consider some of those due diligence costs, the environmental studies, some of the feasibility work as part of that acquisition cost, but again, the directions in the grant are pretty vague. So, we just rounded up, to say the least.

COMMISSIONER CACARI STONE: Okay, I appreciate that. You're right, and I didn't see in the DFA call and I didn't know if they had a conference call for interested bidders, if it does cover any of those additional costs. So, we would acquire those right away. Great. Chair Greene, do you have any other comments? If it's such a great idea, how come we didn't try it before?

CHAIR GREENE: So, this had been discussed...

COMMISSIONER CACARI STONE: Thank you.

CHAIR GREENE: ...for many months and well over a year at this point. Probably as soon as I became a County Commissioner, I was approached about this potential acquisition, but we withheld it because we never got it budgeted and there were still a variety of...It was really a budgeting issue for me, I think, to put it forward. We probably could have and should have, but...

COMMISSIONER CACARI STONE: Okay.

CHAIR GREENE: ...now we have a grant opportunity.

COMMISSIONER CACARI STONE: Okay, thank you. So, if we look at the County assessor's tax that the actual owner's paying, it's at \$162,710 taxes, we know. Then if we look on Zillow, it's about \$175,000. So, it's not that much when we are acquiring public lands not through grant applications, and I'm just asking some questions because we have to come up with a sound rationale **as elected (0:46:43)** from my opinion, that balances a one-time opportunity versus long-term planning and investment later. My other question for Herbert, Alex and our County team is when I look at the criteria from DFA and then I look at your checklist and let me go back to it. Just give me a second. Okay. From your checklist on the memo and then let me go to

the DFA criteria and points. We actually meet, and I'm coming from a place of both an elected and someone who's written probably close to \$100 million of grants and only gotten \$35 million, is when you write a grant, you want to be sure that you can authentically stay, especially as a public entity, in this case government or a university, you can authentically state the pros and make sure you have the strengths in the application so it's competitive. We only meet one criteria with the screaming yes and that's one that's pass/fail, and that's a willing seller. The other criteria is looking at 20, 40, 60, 80 points additional. We only meet yes in the habitat quality ecological significance, and having reviewed grants even at the national level for National Institutes of Health, I'm on a national Committee, I'm asking myself, "Would we even score in these areas?" We have to apply and we're taking your time. Do you think we'll really get a competitive score given all this documentation and everything's public already anyway?

HERBERT FOSTER: I think Mr. Chair, also thank you for the question. I've also reviewed the application and the criteria. I think we hit on many of the cylinders and it could do very, very well. I know there's also a weakness. I think it's the readiness for acquisition. I think that would be the weakest point, but other than that, I don't know that I can predict the amount of points. I could say we would have a fairly competitive proposal.

COMMISSIONER CACARI STONE: Okay, because I want to set us up for success and when I read the materials, criteria number one, pass/fail, yes, we met it. We have a willing seller. Criteria two, available for media acquisition, the answer is no according to the memo from the staff. Public Land Manager, we're not sure what it's going to take. It's uncertain. Criteria public access, no. Habitat quality, yes. Partnership and support, it's mixed. So, I'm just saying if we voted yes today, I'm saying it's a 50/50 maybe 30% chance we'll get it, 70% chance no. I'm just saying that and it's not our fault or your fault Commissioner Greene's fault or any of the community's fault that this was such a quick turnaround. So, sometimes we have to make a decision. Are we going to go for a grant or not? Are we going to do our due diligence and plan for the next year? There's different tactics. One strategy is go for it, get feedback. Maybe we will, maybe we won't, another one is we're opening the conversation with the community. So, I'm just thinking through all of this and I want to hear the public comment, but I don't even know if we're going to be that competitive from my take on it. So, that's just the take. The other piece is I'll have some other questions, but why did the Rio en Medio Working Group...Why is it on pause? I'm just curious. Was there something that happened there?

CHAIR GREENE: For the most part, Adeline Murthy left the County's Operations and...

COMMISSIONER CACARI STONE: Who did?

CHAIR GREENE: Adeline.

COMMISSIONER CACARI STONE: Oh, okay. So, it's been on pause because of the community or because of us?

CHAIR GREENE: Because of staffing.

COMMISSIONER CACARI STONE: Staffing. Okay.

CHAIR GREENE: Yep.

COMMISSIONER CACARI STONE: Is that your take on it? Or...

HERBERT FOSTER: I would say that's for sure, Mr. Chair, Commissioner, absolutely a partial explanation that I have seen.

COMMISSIONER CACARI STONE: Okay.

HERBERT FOSTER: I know there's been an ongoing effort over the last couple of years exactly where it has and why it has stalled. I think there's been a number of stalemates in terms of parking and cost and kinds of issues that are coming up here and trying to find viable options. I don't know that every option has been fully explored at this point, but I would suggest...

COMMISSIONER CACARI STONE: Sure.

HERBERT FOSTER: ...we continue that.

COMMISSIONER CACARI STONE: Thank you so much. I think you'll hear a lot more about that from the public who have...

COMMISSIONER CACARI STONE: That's terrific. Then I know public works is in the room and I have a question for...Thank you for everything.

HERBERT FOSTER: Sure.

COMMISSIONER CACARI STONE: ...for public works. We know how much money. and I guess that would be for Kurt. Thank you for coming forward. Thank you, sir, and thank you for all your work on the Agua Fria Trail and everything you do for District 2.

KURT WEBER (Road Director): Oh, thank you.

COMMISSIONER CACARI STONE: You and your team. So, we know that these trails and Open Spaces cost a lot of money. You know more than us, and our Agua Fria Trail with the watershed and all that has gone into it has been how many millions more than what we expected?

DIRECTOR WEBER: For the?

COMMISSIONER CACARI STONE: Agua Fria..

DIRECTOR WEBER: Oh.

COMMISSIONER CACARI STONE: Camino Real.

DIRECTOR WEBER: Probably about, we're up to about \$15 million on the Greenway.

COMMISSIONER CACARI STONE: \$15 million? Okay.

DIRECTOR WEBER: Yes.

COMMISSIONER CACARI STONE: Okay. So, we don't know what the cost

of actually making the acquisition of the land operable in terms of Open Space trail and use. Do you have a ballpark? Because you've done these projects, before what it would cost the County?

DIRECTOR WEBER: Well, after looking at the land, Commissioner, there'd be a considerable expense to get it into parking. One of the big things is going to be the access across the river. The river, if we have to rebuild a bridge or something there, we could be looking at several million dollars depending on what type of design we look at to cross to the north side of the property coming off the road. The road right now, as being the Road Director, it's a little suspect because it's just a one lane road. So, if we're bringing the public in on a one lane road and public are going out on a one lane road, there could be some safety issues there and that's the way we're looking at it. It's not...You know, we've looked at a lot of properties in that area for public parking. Once again, I think this could be a little bit of a sticky situation with the one lane road, especially bringing in the public to County property.

COMMISSIONER CACARI STONE: I appreciate that. Are there other costs because this is your area of expertise not mine, that we're not thinking about at this time that we should think about?

DIRECTOR WEBER: Well, when we were talking with them Commissioner, about the project, you know the first thing we would probably do is go out for a PER and then we could get a sense of what's needed out there based off of what Planning has planned for the area, that way we can get a good handle on costs. Of course, then once we get the cost then we would have to come back to the Commission for the full funding for the project and that would be for design and construction.

COMMISSIONER CACARI STONE: Thank you so much. Right now, how many pieces of land, maybe you don't have this answer, but my question is how many pieces of land have we bought? It's good. It's good to have Open Space land, especially now that the federal Trump Administration is infringing on open public lands, right? So, we want to have public lands. It's a good ecological sustainability goal, but how many public lands do we have now where we have in the works the planning of trails? Where would this be in the hopper?

DIRECTOR WEBER: Honestly Chairman, Commissioner Cacari Stone, I couldn't tell you that one. I do not keep up with the amounts of property that we have, only when we're doing a road or something to it or constructing trails.

COMMISSIONER CACARI STONE: Thank you. I see the County Manager moved his mic. So, Chair, please if we can have the County Manager.

CHAIR GREENE: Sure. If he has something to...

MANAGER SHAFFER: Thank you, Chair. Commissioner Cacari Stone. So, this may not be all inclusive, but priority of the Board is to complete the backbone rail trail and greenway projects to their intended terminuses. Those are at various stages of

development. There is money that was allocated in the Growth Management Department's budget to do some planning with regard to the Bobcat Crossing Ranch in terms of its future development. Again, that's at the planning stage. We're also moving forward with revisiting and I believe finalizing the construction plans for the Thornton Ranch Open Space. You'll be hearing next Tuesday about efforts to revisit potential planning for La Bajada Ranch, which we've owned for a number of years, probably 16 at this point, whether that's ultimately economic development or Open Space or a combination. Again, that's another piece of County inventory that is in the planning stages. Those are some of the bigger ones that come to the top of my mind, but I'll defer to Alexandra and to Herbert if there are ones that they would want to highlight, but San Pedro is another recently acquired property. I don't know if there's any planning with regard to the portions that were adjacent to the Cerrillos Hills State Park, but those are the relatively recent and long-term acquisitions that I can think of top of mind.

COMMISSIONER CACARI STONE: Thank you so much County Manager. Thank you, Kurt. Thank you. We have about six in the hopper as priorities and I think I just wanted to put this out so the public can hear that if we did get the grant, if we voted yes today and get the grant, we're looking at five years plus on the outside of actually doing something with it. So, is there an expectation Herbert and Alex from DFA that we have to put this acquisition into an operable Open Space trail within a certain period of time or is it just they had this one-time money go ahead and get land?

HERBERT FOSTER: Mr. Chair, Commissioner, I would say it's the latter.

COMMISSIONER CACARI STONE: The latter?

HERBERT FOSTER: No, I haven't seen anything or heard any expectation around that. It's just they would refer to the criteria. The sooner we can purchase it, the sooner we can move forward with programming and a PER and design and engineering and fundraising and I would say what minimal improvements we could do in the interim.

COMMISSIONER CACARI STONE: Okay. So, the strengths we would have to be competitive is we know the County is a good steward of public lands. We do have a seller. We think we can close in 30 days?

HERBERT FOSTER: No.

COMMISSIONER CACARI STONE: Is that possible

HERBERT FOSTER: It's not close. You have to have a purchase contract.

COMMISSIONER CACARI STONE: Purchase contract. Can we have a purchase...

HERBERT FOSTER: You can have a five-year purchase lead time. You just have to have it under contract.

COMMISSIONER CACARI STONE: Okay. Is that possible to have it under

contract in 30 days?

HERBERT FOSTER: Mr. Chair, Commissioner, I can't personally speak to that. I'd rather not estimate that.

COMMISSIONER CACARI STONE: We have Michele here and I just want to be responsible, Chair Greene. I totally support land in your area, but the public needs to hear us ask these questions. Thank you, Michele. Thank you, Herbert. How possible is this? Thank you.

MICHELE CASKEY: Chair Greene, Commissioner Stone, it would be possible to be under contract within 30 days with an extended closing period to allow us time for due diligence, appraisal, inspection.

COMMISSIONER CACARI STONE: I appreciate that, and that would go in the application then? Your assessment and a letter?

MS. CASKEY: That we could be under contract within 30 days? Yeah.

COMMISSIONER CACARI STONE: Okay, great. I'm a competitive person. I like to get grants.

MS. CASKEY: By this action, if you granted authority to the County Manager to negotiate an offer, then that would give us the authority to proceed with presenting an offer. Otherwise, we would have to come back to this Body to request that authority separately.

COMMISSIONER CACARI STONE: Okay. So, we have that written already. So, thank you so much for your expertise.

MS. CASKEY: You're welcome.

COMMISSIONER CACARI STONE: That's all the questions I have. I really look forward to hearing from the public. Thanks for your patience, Commissioners, Chair Greene.

CHAIR GREENE: Yeah. Thank you. Just as a little...Some of the responses that came, you know, we can improve the grant application and tweak it just a little bit to add some aspects of this. First off, this is an addition to existing managed property that has a \$600,000 budgeted, designed and planned restoration project on the land that we already own right above it. So, whether we're already investing in the Rio en Medio Open Space, this would just be an addition to that and an add for that.

COMMISSIONER CACARI STONE: Chair Greene, I'm sorry. Is that in the staff memo?

CHAIR GREENE: It is. I mean...

COMMISSIONER CACARI STONE: Probably, I didn't see it in the presentation.

CHAIR GREENE: Yeah. It wasn't in the presentation, but it is part of our budget and there is a plan that I think I've heard that work is supposed to start in the next few months.

COMMISSIONER CACARI STONE: So, for the public record let's confirm.

CHAIR GREENE: Yes.

COMMISSIONER CACARI STONE: This is an addition? County Manager?

Thank you.

MANAGER SHAFFER: Yeah. Chair Greene, Commissioners, it is adjacent to. It is not part of the intended work that has been scoped. So, again, it is adjacent to the existing County-owned land, and there is certainly part of the capital budget approved by the Board of County Commissioners. I can pull up the exact number, but it's in excess of a million dollars that's included in the capital budget for restoration work on the existing land that the County already owns, which we'll go forward again, regardless of the decision with regard to this land. The scope of work for that restoration again, does not include this land.

COMMISSIONER CACARI STONE: Okay. Thank you. So, Chair Greene, thank you for bringing that up because I didn't see it in the memo and I want to be sure the public knows we're thinking about all of it. Is there a chance to connect that land with this if we acquired it? Is that kind of part of the hope, aspiration?

CHAIR GREENE: Aspiration? I don't know if there is capacity in the amount of money that's budgeted to do this, but it was not envisioned currently. What we're working on currently is the land that Santa Fe County already owns.

COMMISSIONER CACARI STONE: Thank you for the time.

CHAIR GREENE: Mm hmm.

COMMISSIONER CACARI STONE: Thank you, County Manager.

CHAIR GREENE: Additionally, a question. You know, I don't understand the need for a \$1 million bridge across the Rio en Medio. I think the Rio en Medio crossing is purely for folks to get to the water tanks and for Ms. Morton to get to her properties across the bridge, across the river. I think all of the parking and public amenities would be much more lighter weight issues and wouldn't need... Yes. Yes, a bridge could easily cost a million dollars, but a couple culverts and stuff that is befitting that river scape and the traffic and load that is needed is certainly much more affordable, I would think. So, I'm going to defer my presentation, but I am going to leave a little, just set the stage here. This is something that I do want to reiterate that we've been talking about and spending a lot of community, staff and expense and time on this. We had a facilitator, Miss Rosemary Romero who is great at her craft. She has met in dozens of meetings. I mean, this was a regular Monday morning meeting. I attended a few of those. We had open houses up in Rio en Medio. We had the community. The outreach was extensive. It wasn't unanimous in the case of we want to open this up for public greater good. There were a few neighbors that are just below this property that had ongoing concerns and still have those concerns and we'll probably hear from them in a few minutes, but we have existing Open Space up there and I personally don't feel we

should be blocking the access to that and the greater good is to find a mediated and negotiated solution that addresses most of these issues, but maybe not all of them, but we'll do our best to do all of them. This is not the decision we're making today. Today we're making the decision to apply for the grant. In the future we will decide whether we want to do an alternative route if the grant doesn't come through. We will decide whether we want to do some capital improvement projects, but this is a first step that has non-County money being offered to us and the opportunity to move this forward without an impact on our budget.

The reason we started speaking about the \$500,000 was we didn't know what Ms. Morton's appraisal would come in at and we didn't quite know what the work would be required to do that, but we wanted a little bit of money for both aspects and we didn't want to overshoot too much to sort of hurt the project in the eyes of the score. There's \$37 million dollars that needs to be distributed across the entire State. So, we wanted something that would be significant, would be impactful, but also wouldn't overshoot too far. Thank you. So, I do want to give the opportunity. So, actually Chairman Mann, you did raise your hand for us a couple minutes ago. Maybe somebody answered your question and what you wanted to respond to, but I will give you that moment, and then afterwards we will let Ms. Morton and the applicant.

CHRIS MANN: Yeah, thank you, Mr. Chairman. I just wanted to address a point that Commissioner Cacari Stone raised, and I don't know how the County staff will respond, but on the question of public access, which I think, as you know, COLTPAC is very concerned about that. I mean, we like Open Space for the birds and bees, but we think public access and public recreation is a key feature of that system. The grant, it appears to me, and I would imagine from their priority, the DFA will give high marks for public access. I just want to make it clear that there's no question about public access to the Rio en Medio Open Space, and I don't see that there would be with the acquisition of this space. There is a longstanding pedestrian easement to that property, which my understanding is would continue. The question is more about vehicular access. So, I think we would sell ourselves very short on the grant application if we said there's no public access. Otherwise, we wouldn't have the national wilderness system where no vehicles are allowed. So, thank you for.

CHAIR GREENE: Yes, thank you for clarifying that because that is true. Except for a few years where after the Medio fire, the trail had to be closed, the trail is open. Well, actually it closed again because of the fire this week, but up until this week, the trail was reopened this spring. Part of the solution that we think this property has as being a parking area is to alleviate some of the neighborhood impacts that have upset the neighbors for many, not even for many years, for just a few years recently. I'm going to let's... Let's go to Ms. Morton and Mr. Conway, are you helping? No? She's got it?

Excellent. Fabulous. Ms. Morton, please tell us about your property and how this works for our Open Space.

DR. LEAH MORTON (Family Medical Physician): Yeah. I think I want to start with, you know, this is my humble attempt to offer this option to the whole community. I would hope it might help create an opportunity to solve the parking impact. I have to admit my real passion is for it to become a wetlands and water conservation and part of the water cycle. I will proceed to try to sell the property because of that. There has been community opposition, and I will hopefully like to address that. I think I'm in very good terms with most of the neighbors, even the ones opposing this with one of exception who has been very vocal about trying to deny access to the forest for the community. I want to just say also, I mean, I am not a grant writer and I don't know what makes a strong grant, but to me, the grant is simply an offer to the County without any strings attached to purchase more Open Space and maybe peripherally help set up the space so it can be maintained, and I appreciate so much effort by so many people in the last two weeks since we found out that this was an option and a lot of expertise has gone into this.

I also want to say something about my grief at the loss of my property subsequent to the flood, and the difficulty getting help and outright obstacles from only certain people in the community because they did not want the forest reopened. I think that the only way that we can heal as a community is to heal this landscape that was totally devastated and the river actually dropped six feet, meaning our water table dropped and our drinking water is actually compromised and threatened because of that. The community is approaching this as if, not all of the community, some of the community is approaching this as just the idea that we need more adjudication of water. Again, I've spoken to this Board before, but I did see some of you at the Next Generation Water Summit, which presented a very, very sober picture of our water situation. We can be fighting battles over who has the rights, but that does not obfuscate the whole issue that the water is going away. I hoped in my small way, from my understanding of water tables, permaculture, planting, the rain, that we could recuperate our water supply and that is my main motivation of doing this project. Otherwise, I mean, I love having my 23 acres and I am the last person before the County Open Space in the National Forest, and I can go out anytime, but I also do want access for my community in this endeavor. It has been hard fought to simply do that courtesy to the whole community. I'm struck in some of my research on water issues that the more hopeful programs going on in Africa, in India, in the Sudan to restore the desert and make it green again have been...

CHAIR GREENE: Sounds like you're on.

DR. MORTON: Out of time?

CHAIR GREENE: No, but we can wrap it up. We'll have questions

for you more directly, so.

DR. MORTON: Okay. So. The issue is that I think healing the community involves healing the landscape. They go hand in hand. My apologies to the community members who have been oppositional to this. I can name the names. I have a deep, longstanding relationship with most of those and I honor those. I honor your feelings. I do not agree with the tactics, and I hope that by healing and offering my land up, we will heal not only the landscape, the river, but our community.

CHAIR GREENE: Thank you, Dr. Morton. Before you go anywhere, hold on, I have two questions. After the floods, did you have access to your home?

DR. MORTON: I have not had vehicular access to my home for four years.

CHAIR GREENE: Thank you.

DR. MORTON: So, I park at the forest office service parking lot and I hike about a quarter mile in. Before December, I actually forged the river. Rappelled down one side, crossed the river, rappelled up the other side with my groceries, with any supplies I happened to have, and that's how I...Now I do have, I would call it a foot bridge, from NRCS that was very inadequately put in and the road is substandard. I still cannot get propane. I cannot get services. I cannot get ambulance. I am told it's fine by my neighbor who owns that piece of the land and will not fix it, but it doesn't help that neighbors think propane should come in County service, any services should come.

CHAIR GREENE: Great.

DR. MORTON: So, anyway.

CHAIR GREENE: Thank you. So, next question. You ran a retreat and a medical operation, your business out of your property previously. You've run retreats there. You've had how many guests at any given time in the past?

DR. MORTON: I previously had parking for 25 people and I ran a very low-level medical practice. I'm a family medicine physician partially retired. You know, people would come one at a time for that, but I also have a nonprofit whose mission is sustainability relationships and often had groups of 25 or more when I had the parking space. Some of that has been directly taken out by the flooding.

CHAIR GREENE: Thank you. Just wanted to establish that there was parking. I wanted to establish that there was parking up there...

DR. MORTON: Yes.

CHAIR GREENE: ...once upon a time.

CHAIR GREENE: Thank you. So, I'm going to open it up to public comment now and see if we can get folks from the room and get people that are online teed up. Thank you, Dr. Morton. We'll have questions for you, I'm sure. Thank you for...No, keep your applause. So, folks who would like to come and speak to this, we will allow three minutes per person. We don't need a sworn testimony in this or...? Nope,

not sworn testimony. I think theoretically you don't have to even identify yourself or give an address, but it's helpful. So, do we need name and address?

ATTORNEY BOYD: Chair, I think it's perfectly legitimate for you to ask for that information, but I wouldn't stop someone from commenting if you know...

CHAIR GREENE: I think that is my...Yeah, I would like to know who you are, if possible, or we would like to know who you are and where you live if possible, maybe geographical ambiguity, and the more you can tell of your connection to the Rio en Medio area, the more helpful we are.

HARLEY RINZLER: Thank you, Mr. Chairman and Commissioners. Good afternoon. My name is Harley Rinzler and I live in Vista Redonda, which is near Rio en Medio and I rise today in support of this acquisition. I'm a frequent hiker on the trail to the Rio en Medio and the falls. I think it's a wonderful resource that should be available to be shared by as many people as possible, safely, and I'm also here to read a statement from Andrea Romero, the District 46 House of Representatives representative. She says, "I'm proud to support Santa Fe County's application to the Public Land Projects Fund to acquire and improve 22.1 acres expanding the Rio en Medio Open Space. This project builds on our state's \$600,000 investment in river and watershed restoration, while addressing critical public safety, access, and infrastructure needs. A thoughtfully designed parking area, emergency turnaround, and ADA access will make a real difference for residents and visitors alike. Protecting our open spaces, strengthening our communities and investing in safer, more resilient infrastructure go hand in hand. I strongly encourage support for this important project." Thank you very much.

CHAIR GREENE: Thank you, Harley. Mr. Kadlecek?

JOHN KADLECEK: I live next door to Leah, 87 Rio en Medio Road on. I'm John Kadlecek. My wife is on the phone. She's going to have to leave for an appointment soon. Would it be possible for her to speak right now?

CHAIR GREENE: Sure.

MR. KADLECEK: She also has been telling me that there's quite a delay from the Facebook. Let me just tell her.

DANIEL N. FRESQUEZ: [inaudible]

MR. KADLECEK: What's that?

DANIEL N. FRESQUEZ: Is Lauren her name?

MR. KADLECEK: No, Julie Rehmeyer.

DANIEL N. FRESQUEZ: Chair Greene, Commissioners, we do have two

online

speakers. Julie is second in line. So, if you'd like to speak now, she can. Lauren is signed up to speak before her.

CHAIR GREENE: I'm fine. I want to defer and allow Julie the opportunity right now, but she does have an appointment and she's been active in this. We will go back to Lauren if possible, afterwards. Is there a way to choose one first or the other?

DANIEL N. FRESQUEZ: Absolutely Chair. So, Julie, if you could please unmute your mic and you may start your public comment.

JULIE REHMEYER: Am I...Okay, you're hearing me. Okay, just a moment. Okay. My name is Julie Reymeyer. My husband John Kadlecek and I live at 87 Rio en Medio Road adjacent to the track D4 property. First, I have to correct Dr. Morton's claim that I'm a vocal opponent of forest access. I've actually worked very hard to find a parking solution that will work for the community as part of the working group. Her comment is particularly ironic because she correctly quotes me in her application as saying, "We very much recognize that it is a precious thing, not just to us, but to Santa Fe as a whole. We want to be able to have people come here, but we have to have a workable solution." I think it would be wonderful if the County acquired this property and restored it as wetlands. It's ecologically important land and its restoration would help rebuild the water table which is critical for our village. The easement that provides private but not public access to tract D4 passes through our property. We were never contacted in advance of this proposal and indeed Miles Conway told me directly that he kept it from me in expectation that I would be opposed. We were lucky to find out that this was even happening. Despite that, we are willing to negotiate an easement in good faith as long as it results in well-managed parking at a level the village can safely support and that the community is included in the planning process. I'd be happy to explain more of the details of that if asked. Buying this property would accomplish very little without significant investment beyond the purchase price as has been clear in this discussion. Buying it is just the necessary first step for later restoration, and it sounds like the grant would cover little of that.

If the County buys this property, they're also buying an obligation to care for it, and as Herbert and others have mentioned, realizing the vision of parking will require a major investment, even if the easement gets solved. The County does have an opportunity if it acts quickly to get significant help for the most expensive section of road to repair. The County sponsored an Emergency Watershed Protection Grant that was supposed to fund that repair at 75% federal match. That work got pushed into phase two and the County has so far declined to commit the required 25% match for that. According to NRCS EWP program lead, David Griego, that grant expires in April. That match is somewhere between \$150,000 and \$250,000 sparing the County \$450,000 to \$750,000. I'm also a member of the working group, as I mentioned, and to my mind, it's unfortunate that it was suspended. We were working toward a number of concrete possibilities, but we never quite got there. I hope we can build on that work to reach a solution that satisfies its mission of finding a solution to the parking problem

while preserving quality of life in the community. So, I ask that if the Commission approves the purchase, you also commit to invest in caring for this land. If you have any desire to have parking on it in the future, you should commit to funding the phase two match as soon as possible so it can be processed before April, and please ensure that this will be handled very differently going forward than this proposal has and that affected landowners and neighbors are informed and included in the planning. Thank you.

CHAIR GREENE: Thank you, Julie. We're going to continue back in the room and Ms. Sabato, we will get to you and everybody else online shortly.

DANIEL N. FRESQUEZ: Sorry about that. Lauren, we're going to continue with public comment in the room and then we're going to come back to you for your public comment. If you could just hold on for just one moment.

CHAIR GREENE: Okay. Thank you, John.

MR. KALDECEK: Let's do this again. So, I'm John Kaldecek, and I'm also the neighbor that Leah has referred to as being the one trying to keep people out of the forest. I want to clarify how untrue that is. I'd also like to add that until the flood waters receded, we gave her access to her house through our property after that. Presume that like all the other neighbors who had repaired their access to their property because the flood, she would also do so, but has chosen not to. I and other members of the Rio en Medio community were alarmed and blindsided when we learned of this application day before yesterday. Personally, because it falsely claimed that there was public access through my driveway to the parcel in question. Our community has been waiting for the release of a report from a working group open house that conducted a poll about preferences for different parking options for the Rio en Medio Trail. This report was distributed to members of the working group, but as there were confidentiality agreements in place, members were still waiting to be released to share the report. In less than half a day, we got 21 signatures on a petition against this application because of the parking element and the desire to return to a process where the community has a voice in the selection of the parking. Many other members of the Rio en Medio community wanted to be here but couldn't because of the short notice and the effort involved in going to the COLTPAC meeting. At the COLTPAC meeting, the attorney for the County clearly stated that there is no public easement to the property in question, and to establish a public parking lot the easement would have to be renegotiated. I want to be perfectly clear, I love the idea of river and wetlands restoration. I'm a member of the Rio en Medio Mutual Domestic. I'm aware of the increased exposure of the water table since the floods and how that affects our aquifer. That restoration is very important and I support this application for its emphasis on restoration.

Regarding trailhead parking, there are other possible solutions and the process needs to continue to find the best one. That said, it's true that parking on this property

is one of the possible options. Yesterday my wife Julie and I sat down with Justin Greene and outlined what conditions we felt would be necessary to make the parking workable for the community and for us that would make us feel willing to turn our easement from a private to a public one. There is another easement holder who would also have to agree. What all of this means is I really hope that this property is acquired and restored, and the County needs to understand that this isn't for free. Even if no parking is put on that land, and another solution is found, the restoration work is going to be tremendous. Too bad there's not time for you all to go and see the property and how it's got deep channels in it that were never there before. I made a presentation here with pictures at the time of the floods as President of the Mutual Domestic looking for aid which led to us getting the EWP Grant. Additionally, if the parking gets implemented, there are also costs involved with that based on the conditions that we need for the community. So, finally, the Commission needs to understand that while this presents a very good deal to get 20 plus acres of open space for free, the ensuing maintenance and improvements come with costs that will have to be planned for. Thanks.

CHAIR GREENE: Thank you, John. Michael, welcome.

MICHAEL RODRIGUEZ: Hello. My name is Michael Rodriguez. The Rio en Medio Trail is beautiful and has been open forever for all of New Mexico to enjoy. I purchased land in Rio en Medio over 40 years ago. It was open then and except for fire restrictions or COVID, it has always been open. This is County land. There is County land in Rio en Medio, but it has been landlocked. This purchase joins that land and opens the opportunity to provide a trailhead with parking and restrooms. Up to now, parking has been congested and restrooms not available. A trailhead with parking and room similar to trailheads in the Pecos at Cowles and Holy Ghost would eliminate the congestion that there is now. The road to it is far better than the narrow, unimproved roads leading to Cowles and Holy Ghost trailheads. These trailhead roads have residents along them similar to Rio en Medio. This is a perfect opportunity to solve the current Rio en Medio trailhead problems and to create a truly workable trailhead. In addition, Rio en Medio has been damaged by major flooding in recent years with the County owning the land. Just above Rio en Medio, the County would be able to do land restoration to protect the village of Rio en Medio from future flood damage. There is more to be done, but this is a necessary first step to provide Rio en Medio from future flood damage and provide Rio en Medio River access to all of New Mexico. Thank you.

CHAIR GREENE: Thank you, Michael. Mr. Conway, Miles. Welcome.

MILES CONWAY: Mr. Chair, members of the Committee. Thanks for holding this hearing. My name is Miles Conway. I live at 495 New Mexico 592. My wife and I and some neighbors that are below the switchbacks and what we would...You know, kind of the traditional neighborhood and then the traditional farming areas west of the church. We formed the Friends of the Medio Community Advocacy Group when

we were prevented from having the conversation about the potential reopening of the trail and the forest at the time when it was a \$5,000 fine to go into the forest because it was contentious. It was too contentious. This campaign to reopen the Rio en Medio Trail has broken me. It has fractured our community. Following each defeat and following every victory, I poured myself into this labor of love to restore and improve the public access to a forest where I've laid the ashes of my blood. So, for years I've been putting the pieces of myself back together to continue the work because it's good work. I've bonded with new brothers and sisters who fight for public lands. At times I've turned into a werewolf. I don't recognize myself in the ferocity of this battle because as we feel attacked, we have attacked back. We will stand for public lands. We stand for a free Medio. We will not stop.

I stand for Leah and her incredible generosity to share a piece of land in all of perpetuity for the public good and unconfined valley segment that is essential for the restoration of the aquifer, for the future for how we're going to survive climate change, how we're going to maintain the wells and the integrity of the water system that we live within. I have no regrets about turning into this werewolf I've become because I'm powerless to stop my advocacy. I refuse to feel like an outlaw in my wilderness and the woods themselves compel me onward to fight for a durable access and open possibilities for future fathers, mothers, and children to hug the same ponderosa we circled year after year. So, I stand with Leah, I stand for a free Medio and I stand before you encouraging the commission to pass through resolution that Leah's land be pursued and acquired through any funds possible, if not this fund, then the next one and added to the existing holdings of community open space along with all the possibilities for restoration, safety and access made possible. I've delivered the 60 signatures of the Friends of the en Medio including dozens of Rio en Medio residents, a dozen Chupadero residents that we gathered yesterday in 12 hours, and that should be in your emails.

CHAIR GREENE: Thank you, Miles.

MR. CONWAY: Thank you. This is a great project.

CHAIR GREENE: Other folks who would like to speak from the from the chambers? All right, we can go to folks online. You were here just to watch? Alright. Okay. Who do we have online?

DANIEL N. FRESQUEZ: Chair Greene, Commissioners, we have Lauren online ready to speak. Lauren, thank you very much for your patience. You may unmute your mic and begin your public comment.

CHAIR GREENE: Lauren, can you hear us? Are you ready to start?

DANIEL N. FRESQUEZ: Lauren, are you able to hear me?

LAUREN SABATO: Yes. Can you hear me?

CHAIR GREENE: Yes, we can.

MS. SABATO: Can you hear me?

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DANIEL N. FRESQUEZ: We can hear you now. Yes. You may begin your public comment.

MS. SABATO: Thank you. Good morning, Commissioners. My name is Lauren Sabato, a resident of Rio and Medio Road. Free state money for 22 acres of open space is tempting, and there appears to be a push to acquire now and resolve the problems later. I want to be completely clear. We support public access and we welcome hikers who enter safely to enjoy the trails. Please consider these two points before you vote, but first of all, I want to acknowledge that you have received a well-composed proposal that claims to have numerous benefits for the Rio en Medio community. If this is truly beneficial then why was it purposely concealed from our community who only found out about it by chance on Monday night? The landowner and their "friends group" are on the group email list for Rio en Medio and they could have easily informed us. One could ask why didn't they? We do not oppose a proposal to acquire wetlands. The public parking lot attached to this project however requires the County to bring the private and County roads leading to it up to code.

Number one, the project does not resolve access and safety issues. It adds to them. This project is located at the end of a quarter-mile private driveway reached by a nonconforming 14-foot-wide County road. The County does not own the right of way through much of this neighborhood. Increasing parking capacity on a road where vehicles cannot safely pass for long stretches increases the risk that emergency vehicles will be blocked. Making this road compliant would require condemning six family homes that are adjacent to the road, that does not include mine, destroying access to others, demolishing most of an 1863 acequia and conducting millions of dollars in granite mountainside blasting.

Number two, public access already exists and there's a better solution for more access. The grandfathered forest service parking lot is open and in use today. Public works. Thank you, public works, addressed informal roadside parking with emergency access lane signs and those signs have successfully kept that area clear for six years without any towing needed. The forest service is already negotiating to purchase the Christian brother's property to accommodate regional trailhead capacity with existing facilities and ample paved parking. Supporters oppose this because it would require a short additional walk on the trail but is a slightly longer walk really justification for acquiring land that would require millions in additional infrastructure in place emergency access at risk? Please do not commit the County to acquiring this property before answering these fundamental questions. Is the grant application eligible? Who will pay for access? Can emergency vehicles safely reach the site, and does this project solve a problem that has already been addressed? Thank you.

CHAIR GREENE: Thank you, Ms. Sabato. Is there anybody else online that wishes to speak for or against this proposal?

DANIEL N. FRESQUEZ: Chair Greene, Commissioners, there is no one else online with their hand up. Laura and raised her hand again.

CHAIR GREENE: She already spoke. Is this a different person that is...She already spoke.

MS. SABATO: He's asking you...

DANIEL N. FRESQUEZ: Yeah.

NICK SABATO: Hello, can you hear me?

CHAIR GREENE: Oh, same connection, different person.

MR. SABATO: Yeah, no, this is Nick Sabato. I'm also on the list to speak. We live in the same household.

CHAIR GREENE: Go ahead.

MR. SABATO: Can you hear me?

CHAIR GREENE: Yes, we can. You can go ahead.

MR. SABATO: My name is Nick Sabato. I'm the Chairman of the Board of the Rio en Medio Ditch Association. Our Alto Ditch established in 1863 runs right along the side of Rio en Medio Road. We're very concerned about any developments on Rio en Medio Road of any sort, including parking lots. This year we received a substantial amount of funding from the State of New Mexico Capital Outlay program to repair damages to our ditches that was done by the flood of 2022. Senator Worth, Representative Romero were instrumental in securing these funds. So, I mentioned this flood. Per the County Emergency Management Department, this property you're looking at purchasing and proposed parking lots is in a floodplain, and per the Emergency Department, the floodplain is with a very high likelihood of flooding again. Let's be clear, Morton's proposal is about a new parking lot. Parking lots are discussed 22 times in this proposal and the main supporters of the proposal is special interest group, Friends of Rio en Medio. Their mission for two years has been access and parking for National Forest Trail 163 through the traditional village of Rio en Medio. This special interest group has appeared in front of the Committee, in front of the Board of Commissioners and has held many meetings and goals of access developing parking lots for Rio en Medio Trail 163. They were also instrumental in forming the City-County Rio en Medio working group whose tasks were resolved to parking problems of the Rio en Medio Trail. Make no mistake, the proposal was about making a parking lot. Listen, our job as a Ditch Association is to protect our ditches and it's critical that we be included in all future discussions about any development along Rio en Medio Road, but we've got a bigger problem. Our Ditch Association and the public were denied access to the Santa Fe County Rio en Medio working group minutes and final reports. When they started the group, we were promised that the community would be allowed to see those minutes. We have an email from a County official stating the minutes were no longer going to be given to the public. This is wrong. This is really wrong. Now, for several

months, we've been asking and requesting for those minutes from the County and have been denied. The final report that we were promised has never come through. That has been since January. So, we were not even aware or informed of Leah's proposal. Where is the transparency? Why conceal the minutes, the final report and keep all of this from our community? Thank you.

CHAIR GREENE: Thank you, Nick. Alright. Are there any other hands raised?

DANIEL N. FRESQUEZ: That is it. No other hands.

CHAIR GREENE: Thank you so much. I will ask the room one more time. Is there anybody else in the room that would like to speak? Okay, seeing none we're going to close public comment and we're going to go to the Commissioners for further comments or questions and thoughts about this? Yeah.

COMMISSIONER CACARI STONE: Thank you. Thank you, Chair Greene.

CHAIR GREENE: I did, and she was looking at her papers, and I was like, yeah.

COMMISSIONER CACARI STONE: To the left, to the left. Thank you everybody for your patience in our technology issues. Thank you for folks, our staff again, for all the public comment for all the submitted reports. After hearing everything, I just want to say we try to balance our decisions. So, my leadership principles are people matter and policy for all, and the all means also our environment. I appreciate the staff. We need to have alignment with our strategic plan and our vision for open spaces and trails. I find this on content itself that we're supposed to vote on to offer to approve that we submit an application to the DFA for the acquisition of these 22.1 acres is what's on the table, but sometimes land and discussions in the narrative and the history around that are always more complex and we wind up scratching an old wound. Based on all of this, I find that the purchase of the property is in the best interest of policy for all in public and the sustainability of our land and aligns with our vision and goals for open spaces with the County.

However, what I find complex and problematic is the...I want to emphasize often State Federal Governments will put out RFPs or have public comments in less than 14 days. Time oppression is real and we can't have conflict resolution and we can't get to the deeper relationship building that's needed in terms of planning for our land in open spaces. So, that is not the fault of any one person I've heard speak. Not the County, not the community it's just a quick turnaround. It is what it is, but what I'm going to recommend...I just want to make one other comment. I've been sitting up here for a year and eight months and I never hear testimonies from the pueblos and the sovereign nations. This land of the Tesuque Pueblo is just above this land. We share water, we share the flow of the Rio en Medio as a shared responsibility. I haven't heard any testimony from traditional Hispanic Land Grant folks here. This was a traditional

Hispanic Land Grant. Then there's the recent stakeholders. So, Chair Greene, Commissioners, what I'm proposing is that more discussion is needed. We move forward towards a vote to ask for our County staff to apply for this grant, but in it whether we get the grant or not and prior to final acquisition, that we add a third component that we are voting on that the County will reengage with the stakeholders. I have them all listed including the Rio en Medio working group, Rio en Medio Ditch Association, Friends of the Rio en Medio Trail, Santa Fe Conservation Trust and the surrounding neighbors, acequia stakeholders, pueblos of Tesuque and the Hispanic Land Grant community and traditional settlements, that we re-engage with them to make a plan.

Now what is all that called? It could be three meetings, it could be two, but we've confirmed that we have 30 days to make the offer but it sounds like we have time beyond this transaction to do relationship building. So, I think that's really important here. I want to move. It's never a bad decision to have land and public lands and protect it, and I want to move for a third component here. Thank you.

CHAIR GREENE: Thank you. I appreciate that. We'll get to that in a in a little while. So, Commissioner Hughes?

COMMISSIONER HANK HUGHES: Yeah, I think what I have to say is mostly in agreement with Commissioner Cacari Stone. I think we should purchase the land and then we can take our time planning with the community how we're going to develop it, what we're going to do. It's very logical. It's next to open space we already own, it just expands that, expands access to that trail. Before the pandemic, I hiked that trail many times and I always had trouble parking. It's a big pain to park there. So, parking might be part of the solution depending on how we proceed with that. I also want to mention that when we were planning trails in Thornton Ranch we involved the...That's a small part in District 5 mostly in District 3, but Commissioner Bustamante and I were invited, but all the tribes participated including some that came from Oklahoma to participate in planning that and I think they were very appreciative of the County including them in it and we took all their things into account. So, I think we can open that up again and do the same here. I mean I don't know whether there'll be that much interest here, but we have to open it to the pueblos to participate. So, anyway, I do feel we should go ahead and purchase it. Thank you.

CHAIR GREENE: Thank you, Commissioner Hughes. Commissioner Johnson?

COMMISSIONER JOHNSON: Thank you, Chair. Thank you to everyone who came and voiced their thoughts on this particular proposal. I agree with my colleagues and we might discuss what we're doing here versus what we're doing in a bigger sort of more expanded capacity. As I see this is, this is a crunched deadline because of the potential for funding. So, I don't see any reason that we shouldn't move

forward with the grant application knowing that we will have more opportunities to discuss this down the road, including the relationship within the community and with the community and the greater population of users who may want to access the trail system. So, taken in this narrow range, I don't see any reason to deny the current item before us, and moving forward it's just essential that we take into account many of the things that the property owners and opposition have mentioned. The items that, or sort of relationships I would say that Commissioner Cacari Stone laid out and that Commissioner Hughes also referenced. So, I don't have much more to say about this. I do think that I would like to talk about the parking down the road, but we're not really here to talk about that. That's my position on this. So, with that, I'll yield. Thank you, Chair.

CHAIR GREENE: Thank you, Commissioner Johnson. Is Roger here? Is he? Or you can answer the questions maybe.

ATTORNEY BOYD: Chair Greene and Commissioners, I can do my best to answer any of your questions.

CHAIR GREENE: Okay.

ATTORNEY BOYD: Also, Roger is here and he can be available to answer any questions.

CHAIR GREENE: Okay. I bet you you could probably do it. The existing easements that access our County land, to our County land and to Dr. Morton's land, those are not public, but the public is using them to access our land and the federal trails. They're just not vehicle? Like, how do we parse that?

ATTORNEY BOYD: Chair Greene, I've sent a message to Roger to invite him to come in but I, again, would speculate that given the existence of the current easements as being, and representations, that they are restricted and not adequate to the proposed use. I believe the easements may currently be used for traversing and accessing the existing public land and the existing County trail and then the Forest Service Trail, but may not be adequate for the wider construction activities that are contemplated by the application.

CHAIR GREENE: So, public access to our open space and public access to the forest land is established, just not adequate for parking at this point?

ATTORNEY BOYD: I'd invite Michele Caskey to look at this...

CHAIR GREENE: Okay, please.

ATTORNEY BOYD: ...because I think she's been much more dialed into this.

CHAIR GREENE: Thank you, Michele.

MS. CASKEY: Chair Greene, I've investigated these easements across this private road and a public footpath was reserved in the recordance of them. The private road allows ingress and egress for property owners, but not to the public.

CHAIR GREENE: Great. So, in our grant application, this is what I wanted to establish, that we could very clearly say that public access to this open space is established if we acquired this property, just not vehicular.

MS. CASKEY: Correct, Chair Greene. Public access is established...

MANAGER SHAFFER: Chair, if I could. To be clear, yes there's an access point. That's separate than saying the property is open for public use, to be clear. So, we own property, it doesn't mean that it's open for public use even if you could access it legitimately. I just don't want to misrepresent in our application. Those are two separate issues. You can access Bobcat Crossing Ranch. There are easements to get there. It's not open for public use. That's the distinction I'm drawing.

CHAIR GREENE: Okay. That's a safety issue at this point, and once we do this restoration work would we think that that would be reopened for public access?

MANAGER SHAFFER: Chair Greene, again, that's ultimately for the Board to decide. I'm just stating that in the application to DFA we cannot fairly represent that our acquisition of this property means that this property will be open for public access.

CHAIR GREENE: Could we take a... Add that to the motion?

MANAGER SHAFFER: I don't think that anybody would be comfortable at the County level saying that it is safe for public use. No one has done that level of due diligence, and you would have to again think about where people would walk, what have you. Again, I wouldn't be comfortable making that recommendation. You don't know what the cost would be etc., but it's up for the Board.

CHAIR GREENE: So...

MS. CASKEY: Chair Greene, could I just interject here. I would think in any offer to purchase this property, we would need to make it contingent upon establishing public access across this private road as a separate feasibility.

CHAIR GREENE: Okay. Maybe we're not "guaranteeing it," but it sounds like, I won't speak for everybody else, but I will say that it could be our intent to open this up for access and that future plans, PERs, all of the planning would be to establish at a bare minimum, pedestrian access to the forest trails and to the public open space, and if further negotiation can happen with the landowners and the private road that we might have the ability to park some cars and get an emergency turnaround and so on.

COMMISSIONER CACARI STONE: Chair Greene, Michele, County Manager, I don't know if we're there for digging in the details at this point. You know, I don't want to botch the opportunity to get the grant. We've been meeting for almost three hours...

CHAIR GREENE: Yep.

COMMISSIONER CACARI STONE: ...and I'm wondering if we should...Again I was proposing a caveat of re-engagement of different stakeholders but...

CHAIR GREENE: Sure.

COMMISSIONER CACARI STONE: ...then to move forward...

CHAIR GREENE: I was just trying to add that with the intent of opening up for public access so that we have that in the grant.

COMMISSIONER CACARI STONE: Would it be...If it's County-owned land, then isn't that always our intent? Public use and open spaces?

MANAGER SHAFFER: Mr., Chair...

COMMISSIONER CACARI STONE: Public use?

MANAGER SHAFFER: Not necessarily.

COMMISSIONER CACARI STONE: Okay.

MANAGER SHAFFER: So, again, and the timing is not specific. The one example that I can think of readily is the open space property near the Santuario. You know, at the best of my recollection, that is not open and there is no intent for that to be open for public use though it does meet other stated goals of the County. So, no. Again, I just want to be transparent and open in terms of what we submit in the application is that none of that has been explored, budgeted, programmed etc. So, as I said we can say the access is what the access is, but beyond that, without that level of due diligence as I said, that's up to the Board to decide what representations you're willing to make.

CHAIR GREENE: So, just as a follow up to that we do not restrict people from taking the Forest Service Trail which cuts across Santa Fe County land. Are we telling...Are you saying that even though our open space is not open, that we're saying, "No, actually don't take the trail."?

MANAGER SHAFFER: I would defer to land use relative to the Forest Service Trail. I don't want to overstate my knowledge, which again I believe predates our acquisition as to what those rights are. So, again, I think to say we're purchasing the property and now all of a sudden once we purchase it people are going to be free to go and traverse it and where they like, that's the distinction I'm drawing. I don't think that we're there yet and I don't think that when we acquire property it necessarily means that it is open for public use, the property itself. That's separate than access.

CHAIR GREENE: I mean it's...I get open use can be this broad and particular access can be narrowed to there are trails and we want access. I just want to see that our grant application doesn't say there's no access here. There's a trail, there's a Forest Service Trail that traverses both existing County property and Dr. Morton's property.

MANAGER SHAFFER: We will accurately describe the current state, and beyond, that no funds have been budgeted, and in terms of what I understood the direction to be which is, acquire, plan later. That would be short circuiting the plan later part if we start saying these are the things that we're actually intending to do, and that's the part that I heard in Commissioner Cacari Stone's statement is that she doesn't want to get in advance of that planning and healing process. Again that's for the Board to decide, but that's what I thought I heard.

CHAIR GREENE: Okay. I heard that too.

MS. CASKEY: Chair Greene, I would just add because Ms. Morton intends to retain a portion of the property, I think the county would want to be very careful with opening the entire property where she's living to the public without proper planning.

CHAIR GREENE: Sure. That is definitely a point of view that needs to be maintained in this.

COMMISSIONER CACARI STONE: Chair Greene?

CHAIR GREENE: Yeah?

COMMISSIONER CACARI STONE: May I just add?

CHAIR GREENE: Yeah.

COMMISSIONER CACARI STONE: I heard testimony and I think some of the official documents submitted for today's public record, keeps mentioning trailhead parking and again we're not voting on trailhead parking today. That's what I want to clarify and make sure all of our Commissioners were on board. We are voting on applying for a grant to acquire the property at market value which somewhere is between \$300,000 and \$500,000 or so forth. The added piece I'm asking is that we re-engage with community members, all these stakeholders, I have a list. We can add more, but we're not voting on to add parking to a trailhead today, and I just want to be very clear what I'm voting on and not voting on for the public. Thanks.

CHAIR GREENE: Thank you. So, on top of the purchase of the property, because the grants has some ecological restoration capacity, would you support \$250,000 for the County to do ecological watershed and riverbed restoration?

COMMISSIONER CACARI STONE: Respectfully, Chair Greene, Commissioner Greene, I think we're getting ahead of ourselves. Right now, we're voting on one thing and we have one vote at a time. There's a lot of planning that needs to be involved and I think that we're really thinking ahead. So, I'm not going to publicly vote for something that's not on our record here as part of the agenda. I mean I support...

CHAIR GREENE: It's part of the grant. It's a part of the grant so you could add, instead of just the property acquisition a certain slug of money that would go to restoring some of the property to clean it up and to get it...

COMMISSIONER CACARI STONE: Okay.

CHAIR GREENE: ...back to pre...

COMMISSIONER CACARI STONE: Thank you for that, but when I read the DFA application, it didn't say it was going to fund that and I'll defer to Herbert and Alex. I'm willing to call DFA myself, but I don't think we have...

CHAIR GREENE: They don't answer questions anymore.

COMMISSIONER CACARI STONE: ...what's allowed and not allowed?

CHAIR GREENE: So, just to be...

COMMISSIONER CACARI STONE: Yeah, what's allowed and not allowed? I

don't know. I don't think...All they are...What I read from the grant application for the announcement, it's for the acquisition and purchase of property. I didn't hear restoration or anything.

CHAIR GREENE: So, I would like to hear from staff as well. I've heard mixed concept of this, but also that DFA would make an ultimate decision as to what was eligible. So, if we don't put it in there, they certainly are not going to consider it. If we do put it in there, it would be potentially considered, whether successful, who knows. Herbert, did you have an opinion on this?

HERBERT FOSTER: Sure, thank you Mr. Chair and Commissioner. The grant application, the primary purpose is for acquisition. That's what the funds are for. However, the application does allow for us to present the total project and the total project cost. There may be additional cost in it over and above the acquisition like various improvements that would be determined at such future time. It's not quite clear. It says they may decide to fund those or not over anything, over and above the acquisition cost.

COMMISSIONER CACARI STONE: Well, just so that we're competitive, sometimes governments will throw applications out because they don't comply with the criteria. I think prior to submitting, I'm just going to defer to the County Manager and the staff because I trust you to put in the grant application what you think is needed in this first stage. I don't feel like today I'm ready to vote on all kinds of other caveats, but whatever's needed and if it's allowed and there's clarification, I say go for it, but I think we're being too prescriptive. Again, we're going on three hours of a special meeting which we thought might take an hour.

CHAIR GREENE: Yes.

COMMISSIONER CACARI STONE: So, I'm just being mindful.

CHAIR GREENE: Yep. I think my understanding was is that part of a restoration plan, which we're already doing on the upper part of the property and could propose as to be on this new part of the property does increase our scoring potential because it goes into, "You're not just buying open land," but...

COMMISSIONER CACARI STONE: Okay. Chair Greene, I appreciate it. So, the way it's written on what we vote, I'm making a motion that we move forward with a vote because it says, "Authorization for our County Manager to apply to DFA for public lands creation, expansion and restoration program for funds." So, that's all inclusive and I feel like it would, in my opinion, include your concerns and added value you're adding, so...

CHAIR GREENE: Okay. I was just going to put a target dollar amount to it.

COMMISSIONER CACARI STONE: I...Okay. Well, I think right now I'm just

going to defer to the expertise of the County Manager and the staff. They've applied for a lot of grants and they only have till tomorrow. So, the longer we meet, the less time they have to get this grant ready, so.

CHAIR GREENE: Okay.

COMMISSIONER CACARI STONE: Plus, they need a break.

CHAIR GREENE: Yep.

COMMISSIONER JOHNSON: Is that a motion? I'll second and I have a comment.

CHAIR GREENE: Okay. Please.

COMMISSIONER CACARI STONE: I was adding the engagement component.

COMMISSIONER JOHNSON: Oh, I'm sor...

COMMISSIONER CACARI STONE: Are you agreeing with that?

COMMISSIONER JOHNSON: Go ahead.

COMMISSIONER CACARI STONE: So, the engagement component would be a number three and I'll defer to...It's, "Prior to a final acquisition decision and subsequent to the acquisition, the County shall re-engage the Rio en Medio Working Group." I'll just say, "Re-engage the stakeholders," and in parentheses, "I.e. the Rio en Medio Working Group, Rio en Medio Ditch Association, Friends of the Rio en Medio Trails, Santa Fe Conservation Trust, surrounding neighbors and stakeholders, including land grant community with the assistance of a trained facilitator. It seems like there was a lot of contentious things, very passionate voices, and I sent draft language to Sara pending you guys agreeing or not, but just some sort of reengagement statement I think is needed at this point to make sure our public knows we're committed to that.

COMMISSIONER JOHNSON: Chair, Commissioner Cacari Stone, I'm in favor of that language, but maybe not prior to acquisition given that the acquisition is a 30-day window and in the kind of...One scenario would be that we would receive the grant for acquisition, acquire the property, and then do nothing. Keep it basically as it has been and nothing else changes. That is not our desire necessarily, but I see them as I don't see the need for the engagement to proceed acquisition.

COMMISSIONER CACARI STONE: Gotcha.

COMMISSIONER JOHNSON: So, otherwise I'm in favor of it.

COMMISSIONER CACARI STONE: Okay, so would you agree Commissioner Johnson, no worries, that it would be re-engagement, engagement of "stakeholders, giving examples immediately subsequent to the acquisition of the land," something like that?

COMMISSIONER JOHNSON: Yeah, subsequent to any...

COMMISSIONER CACARI STONE: So, we show an intent.

COMMISSIONER JOHNSON: ...future BCC decision on, I am in favor of

that. Sure.

COMMISSIONER CACARI STONE: Okay, thanks.

CHAIR GREENE: Thank you. Ms. Ladd, it looks like you have something too. Oh, Commissioner Hughes?

COMMISSIONER HUGHES: Well, I was just going to say I agree with Commissioner Johnson. We should purchase the land no matter what, I mean, if we get the grant, and then have all the community engagement afterwards.

COMMISSIONER CACARI STONE: Thank you. Thank you. What I'm trying to do is put our intent here as an item three so that the public that's very impassioned about this because, we scratched some wounds or conflict areas that they were assured that we intend to engage them subsequent to the acquisition of the land. If we have that, it gives our intent for the public. I think...

CHAIR GREENE: I think it goes to the intent of the process that we're talking about re-engaging the Rio en Medio Working Group. So, I think that it aligns with bringing people in to discuss the future of this and making sure regardless that we have that. That seems to be the win or lose this grant. We're going to talk about how to plan this properly and continue down that path.

COMMISSIONER JOHNSON: Well, and also Chair, if we were to not receive the grant, we would then start that process...

CHAIR GREENE: Regardless.

COMMISSIONER JOHNSON: ...to decide to buy it with our own funds. I mean that makes sense to me. So, pending the grants, if the grant is approved, we buy the property and then we proceed with the engagement.

COMMISSIONER CACARI STONE: If it's not approved...

CHAIR GREENE: Keep going.

COMMISSIONER CACARI STONE: ...we are committed to reengaging.

COMMISSIONER JOHNSON: Yes, exactly.

COMMISSIONER CACARI STONE: Do we want to put that in writing for the public? Because people felt pretty impassioned about this discussion and we need to show our commitment on the record and it wouldn't hurt to just add a caveat language.

COMMISSIONER JOHNSON: So, do you just...I mean, I would propose that you change the language that you read out to just say, "subsequent to or..."

COMMISSIONER CACARI STONE: So, it was...

COMMISSIONER JOHNSON: "...in advance of any future decision by the BCC."

COMMISSIONER CACARI STONE: Could you repeat that?

COMMISSIONER JOHNSON: So, instead of preceding, say, "In advance of any future hearing of this case by the BCC..."

COMMISSIONER CACARI STONE: How about this?

CHAIR GREENE: How about Santa Fe County recommits itself to engaging the community.

COMMISSIONER CACARI STONE: How about this. "Subsequent to the application regardless of...Subsequent to the application and/or acquisition, that the County reengage and engage with stakeholders," and give the examples, and "With the assistance of a trained neutral mediator facilitator." This isn't going away, and when we look at conflict resolution in the community, that's still going to be there whether we apply for the grant or not. So, I just wanted us to have that.

COMMISSIONER JOHNSON: So, are we calling that a motion?

CHAIR GREENE: Yes, but I do want to defer to Ms. Ladd because she's...

ALEXANDRA LADD: Thank you, Mr. Chair, members of the Commission. I think the engagement of the public is really baked into all of the open space planning and management that we do for any of the properties. I'm very...I'm a little nervous about being held at any kind of time frame or trigger to restart that process because for a couple of reasons. One, we have four vacant planning positions right now and we just don't have the capacity to do the kind of engagement we would want to do in this immediate moment, but also, I think engagement is not just a one-way street. So, we have to make sure that the community is ready to continue the work. I don't think it was ever assumed that the work was paused and never going to be picked up again because it is such an important place. So, I do want to add that assurance that there are no open space management or planning decisions that would ever be made by the County without that engagement.

COMMISSIONER CACARI STONE: Thank you. Well, I don't think we put a timeline on it. I don't feel comfortable voting yes, because I need to address the other concerns and it needs to be an intent from the Board on engagement and respecting all stakeholders and neighbors and this time oppression of a quick turnaround grant creates fracture. So, I just would like, "The County shall engage and re-engage with stakeholder groups, i.e. Rio en Medio group, neighbors, acequia holders." I gave examples.

CHAIR GREENE: Did you include the tribes in there?

COMMISSIONER CACARI STONE: Huh?

CHAIR GREENE: Did you include the tribes in there?

COMMISSIONER CACARI STONE: Yeah, I have the tribes in here too. "Surrounding neighbors, acequia stakeholders, other affected communities including tribal governments and Hispanic grant landholders." That was an i.e. so we're not too prescriptive. So, we just have a statement on engagement and re-engagement with no timeline.

CHAIR GREENE: This is the future development of all of the open space up there.

COMMISSIONER CACARI STONE: I'm not voting on parking today, just engagement. I think this reengagement engagement needs to happen and we're not voting for a parking lot. I think the community needs to hear that. So, this is an opportunity to acquire land and then plan with the community.

CHAIR GREENE: So, I'm great with that, you're great with that. We have a motion from Commissioner Cacari Stone with the addition to approve the proposal and to apply for the grant with the addition of a stakeholder group continued engagement and an endorsement of that, loose enough that we don't put a timeline on it per se, but it's a commitment by the County to follow that process. We have a second by Commissioner Johnson. Any further discussion? Hearing none, all in favor say aye. Any opposed? Hearing none. Thank you. It is unanimous. Let's go apply for a grant.

Commissioner Cacari Stone moved to approve the proposal. Commissioner Johnson seconded. The motion passed by unanimous [5-0] voice vote.

MANAGER SHAFFER: Do you want to take on the second element, "If adequate funds are awarded for the purchase."? Do you want to delegate that authority to move forward with the acquisition or would you like that to come back? I don't think that was covered by the first motion, but again, it's the pleasure to the Board.

CHAIR GREENE: I, yep.

COMMISSIONER CACARI STONE: My first motion was to include items one and two as a package County Manager.

COMMISSIONER JOHNSON: Yep.

COMMISSIONER CACARI STONE: Thank you so much.

MANAGER SHAFFER: If I didn't hear that clearly, forgive me. Thank you.

COMMISSIONER CACARI STONE: Oh, thank you so much. Yeah.

CHAIR GREENE: Thank you. Yes.

COMMISSIONER JOHNSON: That was my understanding as well. Thank you.

CHAIR GREENE: Thank you. I had understood that it was what was listed on the agenda. So, just to make sure.

COMMISSIONER HUGHES: Should we just make a separate motion to give the County Manager authority?

CHAIR GREENE: Sure.

COMMISSIONER CACARI STONE: Make a motion to give County Manager authority to purchase acquisition of property at the fair market value rates.

COMMISSIONER JOHNSON: Second.

MANAGER SHAFFER: Again, Again, and that's contingent upon the funds being awarded.

COMMISSIONER CACARI STONE: Contingent upon the fundings, yes.

CHAIR GREENE: Yes.

COMMISSIONER JOHNSON: Second in that case.

CHAIR GREENE: We have a motion by Commissioner Cacari Stone, a second by Commissioner Johnson. All in favor, say aye.

Commissioner Cacari Stone moved to approve. Commissioner Johnson seconded. The motion passed by unanimous [5-0] voice vote.

4. Concluding Business

A. Announcements.

CHAIR GREENE: Thank you so much guys. I really want to give a big thank you to staff. This was a heavy lift on a short timeline. Thank you to the community. Thank you to everybody. Thank you to the folks that even came out in opposition. We wanted to hear their voice in this and we can negotiate a great better open space than we have.

B. Adjournment. (Action Items)

COMMISSIONER CACARI STONE: I'll make a motion to adjourn the special meeting.

COMMISSIONER JOHNSON: Second.

CHAIR GREENE: We have a motion from Commissioner Cacari Stone, a second from Commissioner Johnson. All in favor say aye.

Commissioner Cacari Stone moved to adjourn. Commissioner Johnson seconded. The motion passed by unanimous [5-0] voice vote.

CHAIR GREENE: We are adjourned. Thank you, guys.

5. Public Meeting Disclosures

- A. During the course of an open meeting, the Board of County Commissioners (BCC) may go into Executive Session at any time to discuss any item on the agenda that falls within the enumerated exceptions to the open meetings requirement of the Open Meetings Act, upon a motion stating the authority and reason for closure (with reasonable specificity) and approval by a majority vote of a BCC quorum. NMSA 1978, §10-15-1(l). While the BCC has a practice of listing on its agendas for its open meetings specific items to be discussed during for Executive Session, the Open

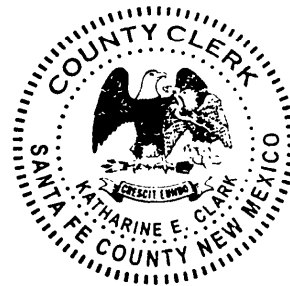
20 August 2026 01:40:04 PM

Justin Greene, Chair
Board of County Commissioners

Attest to:



Katharine E. Clark
Santa Fe County Clerk



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