

MINUTES OF THE
SANTA FE COUNTY
SPECIAL ETHICS BOARD MEETING

February 5, 2026

Santa Fe, New Mexico

1. **Call to Order:** This special meeting of the Santa Fe County Ethics Board was called to order by Chair Tom Quaid, at approximately 3:00 p.m. on the above-cited date in the Johnson Conference Room at 240 Grant Street, Santa Fe. This meeting was conducted as a hybrid with participants on-line and in-person.

2. **Roll Call:** The following members were present indicating a quorum:

Members Present:

Tom Quaid
Daniel Coyne [virtually]
Jesse Guillen [virtually]
Elinor Hoover
Marcia Mikulak

Member(s) Absent:

None

County Staff Present:

Gabe Bustos, Staff Liaison
Peter Valencia, Assistant County Attorney
Sara Smith, Manager's Office

Others Present:

Chris Mechels [virtually]

3. **Approval of Agenda**

Mr. Valencia informed the Board that the agenda was inadvertently posted with an incorrect item regarding the review of complaints dismissed by the CCEO. According to Section 20 of the Santa Fe County Code of Conduct, a complaint submitted to the CCEO is not within this Board's authority or jurisdiction to review unless there is an appeal of complaint that was subsequently dismissed. The correct agenda was posted on the website and emailed to the members.

Ms. Hoover moved to approve the agenda and Ms. Mikulak seconded. The motion passed by unanimous voice vote.

4. Approval of the Minutes: February 5, 2026 Special Meeting Minutes

Chair Quaid requested that the recording secretary's name be included with those in attendance.

Ms. Hoover moved to approve the minutes as corrected. Ms. Mikulak seconded and the motion passed by unanimous [4-0] voice vote. Mr. Guillen abstained.

5. Public Comment

Chair Quaid established a five-minute limit for any members of the public wishing to speak.

Chris Mechels advised the Board that they should not go forward with today's meeting because of the agenda posting situation which is an Open Meetings Act (OMA) violation. At December's meeting, this board received bad advice regarding public input under the County's Rules of Order and OMA. Until the past couple of years, it had always been the practice that the public could speak on agenda items at BCC meetings. He noted that one of the Chair's duties is recognizing members of the public to speak on matters under consideration. He recommended that the topic of public input be placed on an agenda for discussion and clarification. Concluding his comments, Mr. Mechels advised the Board to terminate the meeting; however, if they were to proceed, that he have an opportunity to speak during the complaint form discussion.

Chair Quaid thanked Mr. Mechels and there were no other comments from public.

6. Guidelines for Media Request – Discussion Item

Mr. Bustos said that he discussed this item with the County's Public Information Officer who has been with the County for a little over a month, and, at this point, there is no formal policy in place. The PIO requested that, if contacted by the media, 1) as a courtesy, inform the County's Communications Office and, 2) be clear that you are speaking on behalf of yourself, and not as a spokesperson of the County.

Chair Quaid said that he had requested this agenda item.

7. Draft: Complaint Form – Discussion Item

Ms. Hoover said that she appreciated the revision which eliminated the requirement of having a complaint notarized, especially since that is not a requirement of the ordinance.

The following comments and suggestions were made regarding the form:

- The transition from bold face to regular type face is distracting.
- Bullet points may be useful
- Use a consistent font size
- Expand space within section 5 for additional documentation

- Develop an interactive pdf format for electronic submission, as well as by hand delivery
- The form needs to be readable
- The form content is fine
- Split name and position into two separate lines
- Make the form as clear as possible for the complainant
- A document editor would be useful for form formatting
- A well-crafted form will inspire confidence in the process
- Form to be available online
- Add Section 23, Code of Conduct, language to the top of the form

Once the Board accepts the draft, it could be presented to the BCC. Mr. Valencia said that there is not an adoption process specified in the Code of Conduct regarding the complaint form. As a best practice, following this Board's approval, it could be presented to the BCC. Although not required, he recommended that the BCC sign off on the form via a resolution.

The Code of Conduct contemplates the complaint form is delivered to the County Attorney's Office but there is no prohibition to submitting it electronically.

Chair Quaid recommended that the members review the document and send any recommendations to Mr. Bustos who will prepare an updated and corrected form at the next meeting.

Mr. Mechels requested an opportunity to speak to this item stating it was his right under the County's Rules of Order. Chair Quaid thanked Mr. Mechels for his earlier comments and attending the meeting.

Ms. Hoover recommended the form explicitly state that the complainant is protected from retaliation. Retaliation would be an ethics violation in and of itself. Mr. Valencia cited Section 23 of the Santa Fe County Code of Conduct addresses non-retaliation:

“The Board of County Commissioners does not tolerate retaliation, workforce discrimination or harassment of any kind against a person who has reported in Good Faith a violation of the Santa Fe County Code of Conduct...”

Ms. Hoover recommended inserted that language in the introductory section of the complaint form.

Mr. Bustos noted that it may take some time to convert/create the form as a pdf for submission.

The complaint is not made public.

Chair Quaid said he downloaded Doña Ana County's complaint form. They do not have an Ethics Board but rather a telephone number and an online complaint form. Those complaints are handled by a contractor called Ethics Point.

Mr. Valencia outlined the County's complaint process: complaint form delivered to the County Attorney's Office who forwards it to the County's Contract Ethics Official (CCEO) who makes a threshold determination as to whether or not the complaint is forwarded to this Board or

summarily dismissed. There is an appeal process, which comes to this Board, if the complaint is dismissed. Once the official determines that there's a valid complaint it would come to this Board. The County Attorney's Office does not evaluate the substance of the complaint, the CCEO makes that determination.

7. Other Business

A question was raised as to whether an Ethics Board meeting was considered a public hearing. It was noted that their recent meetings have been "special" meetings. Mr. Valencia said he would review this further; typically, a public hearing would include action items. Chair Quaid said it was his understanding that accepting public comment was not required, however, as Chair he is allowing it.

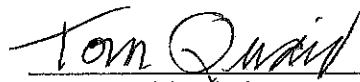
Mr. Coyne asked whether accepting public comment sets a precedent for future Ethics Board meetings.

Mr. Valencia referred to Resolution 2009-02, and noted that adoption of ordinances and other matters requiring public hearings requires public input. Public input is the chair's discretion as long as it is within the confines of OMA.

8. Adjournment

Having completed the agenda, Ms. Hoover moved to adjourn. Ms. Mikulak seconded and upon unanimous voice vote, this meeting was declared adjourned at approximately 4:00 p.m.

Approved by:



Tom Quaid, Chair
Ethics Board

[Meeting minutes summarized from staff recording]