

START OF BOOK

MINUTES OF THE BOARD OF COUNTY
COMMISSIONERS

DATE OF MINUTES 6-9-98

DATE OF FILMING _____

CAMERA OPERATOR YVONNE SANCHEZ

SPECIAL MEETING

1518097

BOARD OF COUNTY COMMISSIONERS

SANTA FE, NEW MEXICO

SPECIAL MEETING

JUNE 9, 1998

**Marcos Trujillo, Chairman
Paul Duran, Vice Chairman
Richard Anaya, Commissioner
Javier Gonzales, Commissioner
Joe Griñé, Commissioner**

SANTA FE COUNTY
SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS

June 9, 1998

This special meeting of the Santa Fe Board of County Commissioners was called to order at 1:25 p.m. by Chairman Marcos Trujillo in the Santa Fe County Commission Chambers.

Roll Call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present

Commissioner Marcos Trujillo, Chairman
Commissioner Joe Griñé, Vice Chairman
Commissioner Richard Anaya
Commissioner Paul Duran
Commissioner Javier Gonzales

Members Absent

III. APPROVAL OF AGENDA

CHAIRMAN TRUJILLO: Any changes, Domingo?

MR. SÁNCHEZ (County Manager): Mr. Chairman, the only thing I wanted to point out is that we have an amendment and it has three items on that amendment. Item number one on the amended agenda falls on page one under V. B. Item number two --

CHAIRMAN TRUJILLO: Where are the amendments?

MR. SÁNCHEZ: They are on the front. You'll see two agendas. One says Special Meeting, June 9, 1998, 1:00 p.m.: Amendment to Agenda. The first item, Mr. Chairman, in case not every one has a copy says, "Request approval for actual expenses for Commission to attend New Mexico Association of Counties 1998 Annual Conference in Lincoln County." Again, that's on page 1 under V. C.

The second item on the amendment to the agenda and the third item fall on page 2 of your agenda. Item number two is under VII. A. 6. And it's "Request authorization to amend the State of New Mexico Environment Department grant agreement project No. 94-6-

1518097

QQQQQ-GF, for Agua Fria sewer project."

The third item, again, on page 2, is under VII. E. and it's to add a resolution adopting the June 23, 1998 special election proclamation for Congressional District 1 to be held on Tuesday, June 23, 1998."

Then, Mr. Chairman, I think that that's it. There were no other amendments -- Oh, yes, there was one more. On page one of the actual agenda, I was told just told a few minutes ago that we are tabling committee appointments under administrative items. That's VI. A., items 1, 2, and 3. And with that, Mr. Chairman, there are no other amendments to the agenda for the special meeting, but I wanted to point out, you'll have a section that says special meeting in your hand-outs, and you'll have a section that says regular meeting. So we have that agenda coming up at 5:00 and we've got them tabbed so that your information from both these meetings is separated and clearly delineated.

COMMISSIONER TRUJILLO: Thank you, Domingo.

Commissioner Griñé moved to approve the agenda as amended and the motion was seconded by Commissioner Duran. The motion passed by unanimous [4-0] voice vote.

IV. APPROVAL OF THE MINUTES: April 28, 1998

CHAIRMAN TRUJILLO: Now we'll go to approval of the minutes. And these are the regular meeting, April 28, 1998. Any changes to the minutes?

Commissioner Duran moved to approve the minutes of April 28 as presented. Commissioner Griñé seconded the motion, which passed by unanimous [4-0] voice vote.

CHAIRMAN TRUJILLO: We have another set of minutes, May 12. Any changes to those minutes?

Commissioner Duran moved to approve the minutes of May 12, 1998 as presented. Commissioner Griñé seconded the motion which passed by unanimous [4-0] voice vote.

CHAIRMAN TRUJILLO: And we've got another one from May 19. Any changes to those minutes?

Commissioner Duran moved to approve the May 19 minutes, and his motion was seconded by Commissioner Griñé. The motion passed unanimously [4-0]

V. CONSENT CALENDAR

County Manager Sanchez presented the Consent Calendar as follows:

- A. Resolution No. 1998-53. A resolution requesting a budget transfer between funds from the Solid Waste, Maternal and Child Health, D.A.R.E., DWI, Building renovations, Los Barrancos Project, CDBG Santa Cruz Youth Center fund to the general funds in an effort to reduce the number of funds on the County general ledger**
- B. Resolution No. 1998-54. A resolution requesting a budget transfer between funds from the road projects fund to the general obligation bonds series 1997 fund to properly reflect the road construction costs from bond proceeds**
- C. Request approval of actual expenses for the Commissioners to attend the New Mexico Association of Counties 1998 in Lincoln County**

MR. SÁNCHEZ: With that, Mr. Chairman, those are all the Consent Calendar items.

CHAIRMAN TRUJILLO: What is desire of the Commission, did you want to segregate any of the items, or do you want to do a blanket approval on them?

Commissioner Griñé moved for blanket approval of the Consent Calendar. Commissioner Gonzales seconded the motion, which passed by unanimous [4-0] voice vote.

VI. ADMINISTRATIVE ITEMS:

- B. Committee expirations/resignations/vacancies**
 - 1. Lodgers' Tax Advisory Board**

MR. SÁNCHEZ: Thank you, Mr. Chairman. Mr. Chairman, on the Lodgers' Tax Advisory Board, we had a representative from the Bishops Lodge who was an employee and representing the industry. This individual's name was Mark Webber, but he is no longer working at Bishops Lodge, therefore no longer meets the criteria for representation on the Lodgers' Tax Advisory Board. We've got a copy of his resignation or a memo to that effect in the packet. And if there are any questions, Mr. Chairman, I'll try to respond.

Commissioner Griñé moved to accept the resignation. Commissioner Anaya seconded the motion, which passed by unanimous [4-0] voice vote.

1518097

VII. STAFF AND ELECTED OFFICIALS ITEMS

A. Administrative Services Department

- 1. Request authorization to accept and award a contract to the lowest responsive bidder, Bid No. 98-43, for the provision of a tow truck with a slider back**

THOMAS MONTOYA (Finance Director): Mr. Chairman, Commissioners, invitation for bid 98-43 was issued for offers to purchase a tow truck with slider back. Two bids were received. Public Works Department and Purchasing Section request authorization to accept and award invitation for bid 98-43 to Santa Fe Chevrolet for the lowest responsive bid in the amount of \$53,832. The basis for award to Santa Fe Chevrolet can be found in Section 13-1-21 of the State Procurement Code, which states that all registered New Mexico resident business are to be given a 5% preference over out of state bidders on any state, county or municipal bid.

CHAIRMAN TRUJILLO: Any questions of Thomas?

Commissioner Anaya moved to approve the bid and his motion was seconded by Commissioner Griñé. The motion passed unanimously [4-0].

- VII. A. 2. Request authorization to accept and award a contract to the lowest responsive bidder, Bid No. 98-44, for the provision of a transport trailer**

MR. MONTOYA: Mr. Chairman, Commissioners, invitation for bid 98-44 was issued for offers to purchase one mechanical folding gooseneck trailer. Two bids were received and have been reviewed. Public Works Department and the Purchasing Section request authorization to accept and award invitation for bid 98-44 to MCT Industries, Incorporated, for the lowest responsive bid in the amount of \$42,256.

CHAIRMAN TRUJILLO: Any questions of Thomas?

Commissioner Anaya moved to approve the bid. Commissioner Griñé seconded the motion, which passed by unanimous [4-0] voice vote.

- VII. A. 3. Request authorization to accept and award a contract to the lowest responsive bidder, Bid No. 98-49 for the provision of a walking floor trailer**

MR. MONTOYA: Mr. Chairman, Commissioners, only one bid was received

1518097

and has been reviewed. The Public Works Department and the Purchasing Section request authorization to accept and award invitation for bid 98-49 to MCT Industries, Incorporated for the sole responsive bid in the amount of \$45,890.

CHAIRMAN TRUJILLO: I have a question, Thomas. Are all of these acquisitions, expenditures coming from the bond monies, or how are these purchases being made?

MR. MONTOYA: Mr. Chairman, Commissioners, I believe that this is part of the capital package. The current fiscal year for the Public Works Department. General fund dollars.

CHAIRMAN TRUJILLO: Thank you. Any other questions?

COMMISSIONER DURAN: Mr. Chairman, Thomas, when there's only one bid, does your office take any further steps to verify that it's a reasonable bid?

MR. MONTOYA: Mr. Chairman, Commissioner Duran, our office has purchased open-topped trailers in the past and have determined that yes, in fact this price is fair and reasonable and customary for this type of item.

COMMISSIONER DURAN: So you have that procedure in place when you only have one bid?

MR. MONTOYA: Mr. Chairman, Commissioner Duran, that's correct.

CHAIRMAN TRUJILLO: Any other questions? What's the desire of the Commission?

Commissioner Grifé moved to approve, and was seconded by Commissioner Anaya. The motion passed by unanimous [4-0] vote.

VII. A. 4. Request authorization to award a contract in response to a request for quotes to Healthcare Planning and Development Group for the schematic design of La Familia Medical Center Satellite Clinic

MR. MONTOYA: Mr. Chairman, Commissioners, Santa Fe County General Services Department requests a proposal from qualified architectural firms for the preliminary or schematic design of the La Familia Medical Center Satellite Clinic. Two proposals were received. General Services Department and La Familia Medical Center have reviewed and rated the proposals based on the evaluation criteria established in the request for proposals. General Services Department and Purchasing Section request authorization to award a contract for programming and schematic design of La Familia Medical Center Satellite Clinic to Healthcare Planning and Development Group in an amount not to exceed \$21,044.25 including New Mexico gross receipts tax.

CHAIRMAN TRUJILLO: Thomas, this is the first time that I've seen anything awarded for schematic design. What does that mean?

1518097

MR. MONTTOYA: Mr. Chairman, Commissioners, if I could, I'd like to defer to Robbie or David on exactly scope of work on this RFP.

DAVID MADRID: Mr. Chairman, members of the Commission, what you're looking at is essentially a space, programming and design phase of the architectural services. The architectural services will be broken into two phases, the first phase of which will determine what rooms within the clinic go where, how close the exam rooms will be to the nurses' station. Essentially, the flow of the patients and staff within the clinic. When La Familia built their main facility, they realized that a lot of problems that they had. And essentially they have a beautiful facility, but it's not designed to meet the needs of the providers or physicians or the people that take it, so we're going to take this extra step, and the person that does the design will take their information, their basic drawings, and then we'll go out for an RFP for the actual architectural services, which will be the design, the planning and the drawings, and they will incorporate the space, programming and design and schematic results into the actual design of the facility.

CHAIRMAN TRUJILLO: Thank you very much. So essentially this will make it more conducive to providing the type of service that this facility will be providing.

MR. MADRID: Exactly.

CHAIRMAN TRUJILLO: Thank you. Any other questions? What's the desire of the Commission?

Commissioner Duran moved to accept Healthcare Planning and Development Group's proposal. Commissioner Anaya seconded the motion, which passed unanimously. [4-0]

VII. A. 5. Request authorization to amend the professional services agreement with Corporate Health Resources to provide an employee assistance program for County employees

MR. MONTTOYA: Mr. Chairman, Commissioners, the proposed amendment in your packet extends the current agreement for an additional year, subject to the same terms and conditions for counseling services for employees. The Personnel Division is requesting approval of the contract amendment number three with Corporate House Resources to extend the term of the contract to June 30, 1999.

CHAIRMAN TRUJILLO: Any questions of Thomas?

Commissioner Anaya moved to approve the amendment and his motion was seconded by Commissioner Grifé. The motion passed by unanimous [4-0] voice vote.

1518097

VII. A. 6. Request authorization to amend the State of New Mexico Environmental Department grant agreement project No. 94-6-QQQQQ-GF for the Agua Fria sewer project

LARRY VELASQUEZ (Public Works Director): Mr. Chairman, Commissioners, we had not intended to include this in your packet and we apologize for that. We received it on Friday and it's an amendment to extend the expiration date on one of the grant agreements that we have on the Agua Fria sewer project. The agreement actually expires June 30, which will be our next meeting so we included it in this and we request your approval to extend the date for two years. The project is about 30% complete. It should be completed by August but we'd like to just go ahead and extend it for a two-year period.

CHAIRMAN TRUJILLO: Any questions of Larry? What's the desire of the Commission?

Commissioner Anaya moved to approve the request and his motion was seconded by Commissioner Duran. The motion passed by unanimous [4-0] voice vote.

VII. B. LAND USE DEPARTMENT

1. **Request authorization to publish title and general summary of an ordinance amending Ordinance No. 1996-10, Article IV, Section 1, Article VII, Section 6.7, and Ordinance No. 1991-7, Fire Prevention Code to adopt the 1997 Uniform Fire Code and the most recently published edition thereof. The proposed amendments and adoption of the 1997 Uniform Fire Code are to Clarify and update both ordinances and obtain alternative fire protection measures for small, rural, commercial businesses**

HANK BLACKWELL (Fire Marshal): Mr. Chairman, Commissioners, thank you. Just a brief overview. What we're trying to do in adopting the 1997 Uniform Fire Code, currently we operate under the 1988 Fire Code. Due to technology, a lot of things have happened in terms of fire protection measures, which are both more affordable and efficient in terms of fire protection. A lot of the technologies have changed. The Codes every two to three years are updated to keep track with those technologies and also some of the risks that evolve in terms of flammable and hazardous materials, in terms of their development. So that's one of the reasons we're trying to do this, if we can update the code, I think we can better serve our constituents, better serve the community and better protect the community.

Most of all the requirements of the Uniform Fire Code, '88 or '97 here deal with

1518097

commercial establishments. Hand in glove with that, we're trying to also coordinate that with looking at trying to put together some alternatives for rural commercial fire protection measures, which should give us more opportunity and more flexibility to help the people in the rural, traditional communities that don't have formal fire protection systems.

Commissioner Gonzales moved to approve the authorization as requested. Commissioner Anaya seconded the motion which passed by unanimous [4-0] voice vote.

VII. C. FIRE DEPARTMENT

- 1. Resolution No. 1998-55. A resolution adopting a state-wide ambulance tariff**

STAN HOLDEN (Emergency Services Director): Thank you, Mr. Chairman, members of the Commission. The Santa Fe County Fire Department, as you know is a sophisticated ambulance provider regulated by the State Corporation Commission of New Mexico. As such, the State Corporation Commission sets the ambulance tariffs that the ambulance service for the County is able to charge to constituents. In May of this year, the State Corporation Commission adopted a new minimum state-wide ambulance tariff and we are requesting that the Commission adopt this new state-wide ambulance tariff for use by the Santa Fe County Fire Department to be effective July 1, 1998.

CHAIRMAN TRUJILLO: Any questions of Stan?

Commissioner Grifé moved to approve the resolution. Commissioner Anaya seconded the motion which passed by unanimous [4-0] voice vote.

VII. D. GENERAL SERVICES DEPARTMENT

- 1. Request authorization to enter into an agreement with the Santa Fe Boys and Girls Club for the fiscal year 98-99 drug elimination grant**

DAVID WOLF (Utilities Director): Mr. Chairman, Commissioners, included in your packets is a proposed agreement between Santa Fe County and the Santa Fe Boys and Girls Club in Santa Fe County, specifically, the Housing Services Division. The County has received a grant from the Housing and Urban Development Department in the amount of \$66,300 for the purpose of drug elimination. The Boys and Girls Club has administered this grant on behalf of Santa Fe County for the past five years and the proposed agreement in your packet would allow the Boys and Girls Club to administer this grant on behalf of the County again for this fiscal year.

CHAIRMAN TRUJILLO: David, where is this going to be applied? Is this county-wide?

MR. WOLF: Mr. Chairman, that's correct. The grant will fund three counselors at three different housing sites throughout the county.

CHAIRMAN TRUJILLO: And that's Santa Cruz, Calle Lorca and --

MR. WOLF: Santa Cruz, Camino Jacobo and Valle Vista.

CHAIRMAN TRUJILLO: Thank you. Any questions of Dave?

Commissioner Gonzales moved to approve the measure and Commissioner Griñé seconded the motion. The motion passed unanimously. [4-0]

VII. E. MATTERS FROM THE COUNTY MANAGER

1. **Resolution No. 1998-56. A resolution adopting the June 23, 1998 special election proclamation for Congressional District 1 to be held on Tuesday, June 23, 1998**

REBECCA BUSTAMANTE (County Clerk): Mr. Chairman, members of the Commission, New Mexico State Statue NMSA 1978 Section 1-24.2a states that whenever a special election is required, the governing body of said county shall by resolution issue a public proclamation calling the election and said proclamation shall be filed with the County Clerk. We have two precincts that are affected by the special election, precincts 15 and 73. We've consolidated them. They'll be at the Edgewood Elementary School, and they'll be conducted on July 23 from 7:00 a.m. to 7:00 p.m. Currently, we are conducting the early vote and people are requesting absentee ballots and we've received many requests for that. Currently it's ongoing. And I would just like you to adopt this resolution in accordance with the law.

Commissioner Gonzales moved to approve the proclamation. Commissioner Griñé seconded the motion which passed by unanimous [4-0] voice vote.

MS. BUSTAMANTE: If I may also ask the governing board for one more consideration. We had approximately 5,000 people who early-voted or absentee-voted in the Primary. We anticipate, based on that figure we are going to expect anywhere from about 10,000 people who will be either early-voting or absentee-voting in the general election. I used this room for space. The people enjoyed it and I would just ask the governing board if I'm not going to be using that space that you designate a place here in the County, because as you know you adopted the County Courthouse as a voting place in November. I will need to know by the first of August. Thank you very much.

CHAIRMAN TRUJILLO: Thank you, Becky.

1518097

COMMISSIONER GRINÉ: Mr. Chairman, Becky, so there are only two precincts in this special election, where are you going to set up the voting machines at?

MS. BUSTAMANTE: We've consolidated -- we're going to hold it at the Edgewood Elementary School on June 23 and we've consolidated the two precincts. Right now we're doing the early vote and the absentee.

COMMISSIONER GRINÉ: For that they have to come over here?

MS. BUSTAMANTE: Yes, sir. We have provided an awful lot of absentee ballot requests all over. We've left them several places in Edgewood and around the area of these two precincts so that people won't be inconvenienced.

COMMISSIONER GRINÉ: Okay, thank you.

COMMISSIONER DURAN: Mr. Chairman, Becky, how do we adopt another place as a voting place. We agreed that this would be a voting place. If there isn't room here, how do we go about designating another site?

MS. BUSTAMANTE: That would be very difficult, I think because you adopted it in November when we brought the precincts and designated our polling places in accordance with the statute. We had to do that by the first Monday in November of 1997 and I went before you and you did adopt it. I think it would be very difficult because of the fact that we have almost 70,000 voter registration cards that we need to refer to and we have them in files here in my office and to move it, it would be very difficult on the staff.

COMMISSIONER DURAN: What's the process of designating another site?

MS. BUSTAMANTE: Outside of this office? Outside of this building?

COMMISSIONER DURAN: I'm sure that there have been other sites that you have designated as polling places.

MS. BUSTAMANTE: When I brought my request to you in November we designated two sites. We designated a site here and we designated the Santa Fe Fairground Building. We only got a very small room there. We had people who had to wait outside. It's a very small room. The cost to do that was about \$10,000, just to do that one little room. So cost is prohibitive and also a big factor.

COMMISSIONER DURAN: So for this election it would probably be too costly to do that.

MS. BUSTAMANTE: I believe so, and keep in mind I did try the satellite site, because in the year 2000 we should be designated a Class-A county and we are mandated to have four satellite sites in the year 2000. Thank you very much.

CHAIRMAN TRUJILLO: Thank you, Commissioner Duran, Becky.

VII. F. MATTERS FROM THE COMMISSION

1. Discussion regarding Santa Fe County Commission retreat

JUAN RIOS (Public Information Officer): Mr. Chairman, members of the

1518097

Commission, I have been given direction by Commissioner Duran to look into the City's setting up of their retreat and I had an opportunity yesterday to speak with the City Manager. He basically indicated that they do want to set up a retreat but they don't have a date, a place or a time set up yet. What they're trying to do internally is to identify what the Council and the Mayor want to set on the agenda to publish and public notice for that retreat.

COMMISSIONER DURAN: Mr. Chairman, I kind of asked this to be placed on the agenda because I thought it would be a good idea for all of us to go some place just to talk about the goals and the vision that we have for the County. I asked Juan to investigate that. And maybe what I was concerned about was how do we go some place and discuss matters, personal matter without it being a public meeting, and do we have the right to even do that?

MR. RIOS: Mr. Chairman, Commissioner Duran, I would have to deflect that question to legal because I think that there are issues regarding public meetings that we need to address and if the Commission chooses to meet as a quorum.

COMMISSIONER DURAN: I just thought it would be a good idea for all of us to get together to talk about these issues and if -- I just want to do what's appropriate but I think it's a good time for all of us since we're going to be working together for the next umpteen years here that we all kind of get to know each other a little bit more than what we do right now.

MR. RIOS: My understanding, Mr. Chairman, Commissioner Duran, is that if we're to pursue a formal agenda and the Commission is going to be meeting at a specific location as a body, that we would have to publish notice and open the meeting to the public.

COMMISSIONER DURAN: So Mr. Chairman, in closing, Juan you can keep us abreast of the City's development. I'd like to mirror what they end up doing.

MR. RIOS: I don't think that will be a problem.

COMMISSIONER DURAN: I think they've done this in the past and I think it would be a good idea for us, even if we just go to a park and talk.

MR. RIOS: Mr. Chairman, Commissioner Duran, we can certainly -- if we decide on the location that you'd like to have that particular retreat, that won't be a problem at all.

COMMISSIONER GONZALES: Mr. Chairman, I think it's a good idea. To me wherever we go, whether it's a hotel, or whatever, to at least sit down and start talking about the goals of the Commission. And I think it's fine, obviously we all agree that it should be a public meeting and it would be great for the public to sit down and watch the Commission engage in some type of informal debate of how we view the future of the County. I wouldn't even wait for the City. I think it's nice to see what they would do but I think that if we can over the next couple months spend some time together in an informal manner in the public type discussions, that we should move forward with that. We have a mission statement now right here at the County. We have to decide if we're going to keep that mission statement, identify some goals and priorities for the Commission that we all

agree on and go forth from there. But I agree with you, Commissioner Duran. We should move it outside of here and move it into some area outside of the Courthouse where we're a little bit more relaxed and just wanting to talk as freely and brainstorm ideas in a collective group. And if the public wants to go and participate, that's great. So I think it's good to see how the City does it, but I would just ask that we can proceed forward and start planning and making sure that the legal office is involved all the way through so we meet all the legal requirements for posting anywhere there's a quorum.

CHAIRMAN TRUJILLO: Very good, Commissioner Gonzales, and I agree. I think it's timely. We're going to be here for umpteen years like Commissioner Duran is saying and it's timely. And we need to talk about the mission, the direction of the County and see what the Commission wants to do to delineate a direction in a public forum. Does anybody have anything else?

COMMISSIONER DURAN: It sure seems like umpteen years.

COMMISSIONER GONZALES: Last time the Commission had a retreat we did hire a mediator to help facilitate, a facilitator actually who helped us. So I would really recommend that we identify a facilitator who can help keep some structure to the meeting.

CHAIRMAN TRUJILLO: Very good.

MR. RIOS: Mr. Chairman, Commissioner Gonzales, if that is the wish of the Commission, I will prepare the paperwork and get things going for you.

CHAIRMAN TRUJILLO: That is the direction of the Commission. Thank you.

COMMISSIONER GRIÑÉ: Also, I'd just like to bring up for the Commission's attention, since we approved those appropriations for the 4-H, they have met this past Monday night at the regular monthly meeting and they would like to know if they can start maybe using those funds because the season for the 4-H is approaching very soon and whatever we have to do from the legal side, I'd like to see if we can allow the 4-H to go ahead and start receiving those funds as they need them.

COMMISSIONER GONZALES: Mr. Chairman, I'm assuming Commissioner Griñé is sending that as a form of direction to staff unless the Commission says otherwise, if we can process the money, I don't know how we can do it because we're still in this budget year, but the discussions we've had with the 4-H people is that if they wait until July to get their money from us, it's really cutting it way too close and they're ready to start going to work. So can we cut them a check?

MR. SÁNCHEZ: Mr. Chairman, what we can do is we can generate from cash balances through the end of the fiscal year that we're relying on for our cash balances into the new fiscal year. We can do that. And I'll get staff moving on that as soon as the meeting is over.

COMMISSIONER GONZALES: Can we get that by this week?

MR. SÁNCHEZ: Oh, I think so.

COMMISSIONER GONZALES: Just so we can communicate back to them

1518097

when they'll have the check. And it's going to the 4-H, right? The check is?

COMMISSIONER GRINÉ: Mr. Chairman, also it's been brought to my attention and I guess probably Commissioner Platts can assist me, but there's a recall in Eldorado because we're not honoring written agreements that have been in place since the early 70's between AMREP and the County of Santa Fe that when the roads are brought up to certain standards that they'll automatically be taken over and dedicated and maintained by the County. I have discussed this somewhat with you guys in the previous months or so and I would just like to revisit it, that we need to at least address the issue and see how we can maybe -- either we're going to do something about it or leave it as it is or what would this Commission like to do?

And not just in those areas. I understand that there's also other apparently, like written agreements in other parts of the County where the County would go out and maintain roads like right before the start of school year and that since, I believe in the last 3 1/2 years those things have not been carried out and some of those people are now coming out wanting to know what happened. Where do we drop the ball. Even though they're not dedicated, but apparently there was a written agreement that we would maintain these roads once a year because the mail routes as well as the school routes.

So I'd like to see if we could do something about that at some point.

CHAIRMAN TRUJILLO: I have a question for Denice. Are we bound, Denice, by those written agreements? When the roads are not County roads and where they're upgraded or improved and they revert to the County, dedicated to the County? I know that we've had some problems in the northwest sector where we're improving some roads and the community wants to designate, to dedicate those roads to the County, and we're getting word from staff that that's not feasible because we've got a lot of roads in the County that we have to maintain.

DENICE KULSETH (County Attorney): Mr. Chairman, Commissioners, in general, the County is not obligated to maintain any road that's not been designated a County road and designation occurs by us either formally -- there's a formal dedication and we formally accept, or sometimes there's been what's been recognized in New Mexico as a de facto dedication and acceptance. That means it's been used for a long period of time by the public and we have by our actions accepted that road by continually maintaining it. There's a bunch of cases about how much maintenance constitutes an acceptance and there are cases that say once or twice in ten years is not enough, but a regular maintenance schedule, even without a formal procedure can force that road, if you will, on the County.

I haven't looked at these agreements. We may not have been legally obligated to take over these roads but we may have voluntarily agreed to take them over, even though the law didn't require us to. I would have to look at the contracts and look at the language to see if it's clear that we have bound ourselves to accept them or not. It would not be my recommendation to ever take over a road that's not designated as a County road because of the problems we are having in maintaining County roads that we have designated. So to

1518097

voluntarily take on burdens that we're not ready to fulfil, I wouldn't recommend, but I would have to look at the agreements to see, and I haven't seen them, so I'm not prepared to answer or give an opinion on those agreements.

CHAIRMAN TRUJILLO: Commissioner Grinë, is then the direction that we should give Denice, so that she can look at those agreements so she can provide guidance to us on whether we're bound by those specific agreements.

COMMISSIONER GRINÉ: That would be fine.

COMMISSIONER DURAN: My understanding of this issue is that there was an agreement in a previous administration that once the roads AMREP built met County standards that we would adopt them and incorporate them into our roads and maintain them. I've been approached by several people that have explained the situation, because I haven't read the contracts either by my understanding is that their interpretation is that we agreed to accept the roads once they were developed and met County standards.

CHAIRMAN TRUJILLO: And I think that's where Denice is coming from is she needs to look at those agreements to see if we're bound by the stipulations of those agreements. Right, Denice?

MS. KULSETH: Mr. Chairman, that's correct. I need to look at the language and see what was the obligation on the part of the landowners or the developer, who were the parties to the contract, take a look at that. I can do that before the next Commission meeting.

CHAIRMAN TRUJILLO: Would you please.

COMMISSIONER GONZALES: I would just like though to make a recommendation, since the direction that we talk about the policy that Commissioner Grinë spoke of and that's the policy where the Commission isn't going to accept any more roads, but I think we should revisit it and take a look. There may be some areas that granted, our Public Works feels that we may have a problem meeting the grading schedule or whatever might be because of these new roads. There may be some circumstances out there that would prove to be more of a benefit to the community if we did take it over. I don't know.

But what I would like to do is just send some direction to take a look at the policy and to either reaffirm the policy and say that we're not going to take over anymore County roads, alter the policy or to do away with it, whichever it is. But I think that last time we talked about this was two years ago, three years ago, Larry, that the policy's been in place.

MR. VELASQUEZ: Mr. Chairman, Commissioners, there really isn't a policy per se that says that the County will not accept any more roads. Our position in Public Works, I guess, and our recommendation to the Commission is that if, at this point, given the inventory that we do have, is that if you're going to consider accepting more roads that they should be in such a condition as that it requires as minimal from us right now, say for a period of five, ten years, something like that so we can catch up with what we've got.

The issue with Eldorado has been an agreement that's 25 years old that said, basically, that that's what the standard they were going put those roads to. Avenida

1518097

Eldorado, for example, is one of them. By that agreement, that road is supposed to be a dirt road. The problem with that is the minute you blade that road, because of the volume of traffic, it needs to be bladed again. So that was one of the roads that basically we have worked with them and it's gotten paved and I guess our recommendation will be that when it comes before you is to accept it as a County road. But there are some issue with regard to what standard, or what requirements are going to be needed by today's standards to I guess protect the County in a way where we can try to catch up with some of the other maintenance issues.

About two months ago we met with Steve and some representatives from AMREP and what we agreed to at the time is that they would resubmit the requests, or put a list together of all the requests and we would bring that forward to the Commission. I am not aware that they have done that yet. But that's where we were at with that.

COMMISSIONER GONZALES: Well, I guess my point is that we decide what the direction is going to be, we have final direction to the staff. And maybe we do put it in the form of a policy on how we're going to deal with future roads in Santa Fe County and the adoption of the roads. And in that process, take a look at what the agreements are that we have out there. I've got some agreements in my own district, where they're not County roads where we have an agreement to maintain them. And I think that we need to pull everything into place and have just one type of policy, one direction and have a good discussion amongst the Commissioners about how we feel about County roads and future County roads here in Santa Fe County.

So I guess that's what I would like to see Larry prepare for us with a list of options and where we stand today with the inventory, what the costs are to maintain these roads, really strong information so that we can make a good decision and hopefully formulate a good policy that is not only fiscally prudent but also from the public standpoint, a policy that's going to meet their needs because there are a lot of public roads out there that are being used that aren't designated in the County domain and people are expecting that we should be in there helping them out, taking care of those roads and it's hard for us to call back our constituency and say, sorry, you're out of luck. It's a private road, and to them, it's a public road. And so we need to figure out what's going on here and see how we can move forward.

MR. VELASQUEZ: We could start working on something.

COMMISSIONER GRINÉ: Also, this school thing is pretty upset out there because they have been promised by developers or builders that when these roads were supposed to be up to certain standards and they're supposed to come under the County umbrella, have come out and said now my property's devalued. We never took it over. It's not maintained and as a result it's creating a big problem between the group there, about 20 to 25 residents. Like I said earlier, supposedly they have a recall petition on. That's what Dale told me in an interview. That they're trying to recall me because apparently I'm not doing my job as a County Commissioner.

1518097

Anyway they had a meeting this Saturday. Did either you or Robert attend that meeting?

MR. VELASQUEZ: No, I had a discussion with the person -- I forget that person's name -- I had a conflict in something I already had scheduled so what I agreed with them if they wanted to set up a three person group or something like that to bring up this issue we could meet and try to come up with ideas or resolutions through that, and they were amenable to doing that. I had late notice on that meeting and I already had something else planned so I could not attend that. But that's the agreement that we had beforehand that we had with some of the people that were involved in that.

COMMISSIONER GRINÉ: Do you know anything of the outcome of this meeting?

MR. VELASQUEZ: No, I have a note to call them but they have not called me. I don't remember what the person's name was.

COMMISSIONER GRINÉ: I'd also like to ask Commissioner Platts, did you know about this meeting out there this past Saturday?

Do you know anything of the outcome of what took place at that meeting? Because I had a conflict also too seriously conflicted.

CHAIRMAN TRUJILLO: So we can get an analysis from you on County roads and the impact, if they're dedicated to the County based on today's standards, right? Okay, anything else?

COMMISSIONER DURAN: Mr. Chairman, I was wondering if I could ask David to at the next meeting, give us a report on the Socorro property that the County owns and the water rights that they have that we own down there. I'd like to have some discussion about transferring those water rights up to this aquifer or to our system, if it's at all possible. I'd just like to know the pros and cons. We need to have him give us the information we need.

CHAIRMAN TRUJILLO: Thank you. Any other matters from the Commission?

VII. G. MATTERS OF PUBLIC CONCERN - NON-ACTION ITEMS

COMMISSIONER BETTY PLATTS: Mr. Chairman, Commissioners, I hadn't planned to say anything but this road business, but I just wanted to add that as Larry's already said, yes, there was originally an agreement with AMREP that the County would take over the roads within the subdivision once they met County specifications. It used to be that the community would come to the Commission, oh, maybe twice a year with several roads to be accepted. It's been probably three years at least since they've come and I have to assume that it's because there are policy changes as far as what meets the County specifications.

1518097

That's the only reason I know. I haven't heard from them why they didn't bring anything to you, but that was the original idea and if the County now requires certain things they didn't before, I don't know what the hang-up is but I was not aware until Commissioner Griñé just mentioned it that that was a problem out there. I knew there was some people that were unhappy, but I asked what it was all about and nobody seemed to know. I've been curious myself why none have been presented to the County for approval. There was something about paving but I do that there are people that really don't particularly want paving on some of these little short streets and it would be very difficult to justify on little cul-de-sacs or something of that nature, so I think this is part of the problem and that's something you have to work out with Larry. But that was the original understanding.

CHAIRMAN TRUJILLO: Commissioner Platts, so the roads have been improved to a basecourse surface and an asphalt surface, right?

COMMISSIONER PLATTS: There are a number of roads the people don't see any need to pave, but the County may disagree on this. I'm not sure, but it could be one of the hang-ups because it's hard to justify, or who would pay for them on some of those little ones. The people, some them, like living on dirt roads. So there is some difference of opinion.

I'll see you all when I come back. This is my last meeting.

CHAIRMAN TRUJILLO: Thank you, Commissioner Platts. Anything else? Any other matters of public concern?

VII. H. MATTERS FROM THE COUNTY ATTORNEY

- 1. Executive Session**
 - a. Pending or threatened litigation**
 - b. Limited personnel matters**
 - c. To discuss the purchase, acquisition or disposal of real property or water rights**

MS. KULSETH: Mr. Chairman, before we go into executive session, you had asked me, Mr. Chairman, last meeting to look into the issue about DOE transferring property to Los Alamos County and San Ildefonso Pueblo. Rosanna has been researching that for you and what she has found so far is that there is actually a federal statute that authorizes the transfer of that property and specifically mentions the recipients to be San Ildefonso Pueblo and Los Alamos County. The remaining question is what happens if those transfers occur, is Los Alamos County land in Los Alamos County or are they a landowner like any other landowner owning land in Santa Fe County.

And Rosanna is going to follow that for us. She's been tracking down some leads in the federal government to get some answers on that and I've asked her, she's agreed to follow that and go to any meetings that are scheduled on that. I think a lot of it actually is

1518097

still up in the air, how that's all going to work. But we will keep track of that and update you as we get more information.

CHAIRMAN TRUJILLO: Thank you, Denice. Now, we'll vote for executive session. Do we have a motion?

Commissioner Anaya moved to go into executive session to discuss the matters listed above. His motion was seconded by Commissioner Gonzales. Upon roll call vote, it was unanimously [4-0] agreed to go into executive session. Commissioner Griñé was not present for this vote.

[The Commission met in executive session from 2:15 to 3:55 and reconvened with all members present.]

COMMISSIONER ANAYA: I move that we come out of executive session and for the record, the only things that were discussed was pending or threatened litigation, limited personnel matters and the discussion of purchase or acquisition or disposal of real property or water rights.

COMMISSIONER GRINÉ: Second.

CHAIRMAN TRUJILLO: Motion made and seconded by Commissioner Griñé. All those in favor? [Unanimous 4-0] All those opposed? Okay, we're back in session now.

COMMISSIONER GONZALES: Under threatened litigation --

CHAIRMAN TRUJILLO: Yes, go ahead, Commissioner Gonzales.

MS. KULSETH: Yes, Archie Perea. We need to have a motion on that settlement agreement.

COMMISSIONER GONZALES: I move that we accept the settlement agreement between Archie Perea and Santa Fe County.

COMMISSIONER DURAN: I second.

CHAIRMAN TRUJILLO: Okay, motion, seconded by Commissioner Duran. All those in favor? [Unanimous 4-0] All those opposed? The ayes have it. The settlement is final.

COMMISSIONER ANAYA: Mr. Chairman, I move to accept Domingo Sanchez' resignation effective June 19, 1998, with agreements to Domingo of the equivalent of six months salary, lump sum to be paid upon his resignation with the mutual understanding that Domingo agrees to make himself available for the next 90 days to the County Commissioners and County staff on an as-needed basis to assist with the transition period. Mr. Chairman, that is the motion.

COMMISSIONER GRINÉ: Second.

CHAIRMAN TRUJILLO: Motion made, seconded by Commissioner Griñé. Discussion? Commissioner Gonzales?

1518097

COMMISSIONER GONZALES: Mr. Chairman, just a quick comment to Domingo. We had the opportunity to meet Domingo about 3 1/2 years ago when we promised to this community that we were going to change the face of County government and how it was run. I don't know if people really know this story, but the way we met Domingo Sanchez was, I don't know if you remember, Commissioner Trujillo, we were going through a whole list of resumes of people that had submitted their request to become County Manager and we were looking at it and thought it would be a really good idea to sit down with this guy and it seems like since that day, there's been just a natural relationship, Domingo that you had with people up here and I want to thank you for what you've done for this community, what you did to this organization, for the level of professionalism that you brought to Santa Fe County.

We're working in areas now that we would never have had the opportunity to work in. We're servicing the public in areas we never had the opportunity to service them. If you hadn't laid the groundwork for that to happen. I feel on a personal note very sad that this decision has been made mutually, and I want to say mutually because I know that you want to spend time with your family and certainly at this time the County's loss is your sons' gain and I know that they're going to -- I don't know if it's a double-edged sword for those guys. They'll probably be pulling more weeds this summer than they counted on. But that's good for them that their dad's going to be home for a while because for the last 3 1/2 years, they've missed out because you've literally given so much of you life to making sure that this County has been operational.

I just want to publicly thank you for the record. You know how I feel personally about you. You know I'll always be thankful for what you've done for me and how you've helped me grow, how you've helped me become a better Commissioner. I'll always be grateful to you for that. I'm looking forward also to a summer of you being outside to spend more time golfing with you, on account of that happening, hopefully quite a bit. But I do want to just thank you and let you know that hopefully one day in the future I'll get a chance to work with you again, and if that comes, it would be a bright day in my future so, thank you very much.

COMMISSIONER ANAYA: Thank you, Mr. Chairman. I'd like to echo Commissioner Gonzales' sentiments there, Domingo. The first time I met you, you were eating a blossom burger down at my place if you recall. And I realize the stress that goes with that position and there's almost as much stress as we catch up here. I commend you that you can spend so much time with your family and after the last meeting we can go fishing or something. And I also I'd like to, Mr. Chairman, announce that our selection to replace Domingo Sanchez, a perfect gentleman, another gentleman by the name of David Wolf.

I think with his institutional knowledge he can help in the transition that Domingo is helping us along with as we move on, that particular effort will be steered in the right direction. So thank you, Mr. Chairman, for allowing me to do the announcement.

1518097

CHAIRMAN TRUJILLO: Thank you, Commissioner Anaya. I too would like to acquiesce with what Commissioner Anaya and Commissioner Gonzales have articulated so eloquently. I just won a landslide election last week and I attribute that to the efforts of Domingo Sanchez and the County staff because they have come through for me, guided me in the right direction and I come forth to them for requesting, to address situations in the professional situation that takes place by Domingo, his well-informed presentations, long hours, very conscientious dedication to the workforce and to the County and to the community. You epitomize that, Domingo, and I appreciate everything you've done for this County.

COMMISSIONER ANAYA: And Domingo, if you need an additional job, bring a hammer and help me nail up the drive-up window.

COMMISSIONER DURAN: I think for the last twenty years I've been doing business here at the County and in the 2-1/2 years that you've been here you've changed the way business is done here tremendously. You've been an asset to the County and I'd like to thank you for all the hard work you've put in and I'm sincere about that. You and I've had differences but I think that we've been able to overcome those differences and I am saddened too to see you leave, but I'm glad that you're going to be here to help us during the transition and hope to work with you again in the future.

COMMISSIONER GRINÉ: Mr. Chairman, Domingo, I'd also add on that we all know we have to move on. We all know that there's always better things out there to do, but I got to tell you that I knew that when Commissioner Gonzales, Commissioner Trujillo and Commissioner Anaya lined up themselves 2 1/2 years ago, I knew that this County was going to go forward in big bounds too. One thing I got to tell you is that I met with -- not even met with him. We just ran into him, is Isaac Pino. And Isaac Pino said, Is Domingo going? And I said, well, are you interested in his job? He said, I'd probably be divorced if I took that job.

So maybe in all the good things you've done, maybe you'll still have your marriage and your family to raise, because Isaac Pino did lose his first wife when he was County Manager for Santa Fe. So I'd like to add on much more beyond that, but I still talk to a lot of people that do a lot of business in the Land Use and they can't even believe how we have gone actually into a new century with all the new technology in place and that took your hard work and it took the people that you hired under you and that's what got us here. And I got to thank you for your services. All I got to say, Domingo, in a year and five months, I think I worked very closely with you. We only disagreed on one issue. And that's not too bad; it's a pretty good percentage.

MR. SÁNCHEZ: Mr. Chairman, I'd just like to tell everyone, all the Commissioners, thank you also for having had the opportunity to work for you and with you. I learned a lot and it was a very fun time in my life. It was hard work and a lot of hours. I made a lot of good friends in the Commissioners and the staff, the department heads. They've all worked very hard with us. I'm sad to go also, but again, my boys will be very

1518097

happy to spend a little time with me, since it's mostly late, before they go to bed or just a kiss good night or a phone call to let them know before they go to bed that I'll see them in the morning.

But I do appreciate the opportunity that I received while at the County. It was a very good experience and a positive experience. So thank you.

CHAIRMAN TRUJILLO: Thank you, Domingo. All those in favor of the motion, seconded by Commissioner Griné to accept Domingo Sanchez' resignation as County Manager. All those in favor? [Unanimous 4-0] All those opposed.

Thank you, Domingo Sanchez. It's been a positive experience. Now we have another motion.

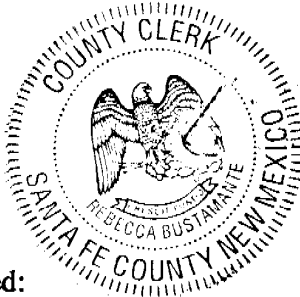
COMMISSIONER ANAYA: Mr. Chairman, I move that we appoint David Wolf as County Manager as discussed in executive session.

COMMISSIONER GRINÉ: Second.

CHAIRMAN TRUJILLO: Motion, seconded by Commissioner Griné to appoint David Wolf as acting manager of Santa Fe County -- County Manager, sorry, of Santa Fe County. All those in favor? [Unanimous 4-0] All those opposed?

ADJOURNMENT

Chairman Trujillo declared this meeting adjourned at approximately 4:05 p.m.



Approved by:

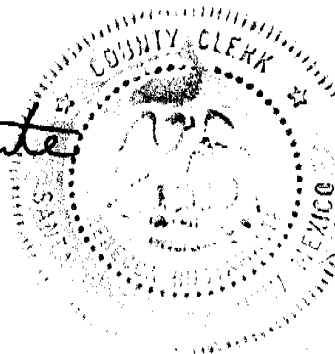
Marcos P. Trujillo
Board of County Commissioners
Marcos Trujillo, Chairman

Respectfully submitted:

Karen Farrell, Commission Reporter

ATTEST TO:

Rebecca Bustamante
REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1033 H05
COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed
for record on the 20 day of July A.D.
19 98, at 3:45 o'clock P m.
and was duly recorded in book 1518,
page 097 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

Marcella Salazar
Deputy

END
OF
BOOK

MINUTES OF THE BOARD OF COUNTY
COMMISSIONERS

DATE OF MINUTES 6-9-98

DATE OF FILMING _____

CAMERA OPERATOR YVONNE SANCHEZ

SPECIAL MEETING