

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

November 27, 2012

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:24 p.m. by Chair Liz Stefanics, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Maricela Martinez led the Pledge of Allegiance and Ken Barros led the State Pledge following roll call by County Clerk Valerie Espinoza which indicated the presence of a quorum as follows:

Members Present:

Commissioner Liz Stefanics, Chair
Commissioner Kathy Holian, Vice Chair
Commissioner Robert Anaya
Commissioner Danny Mayfield
Commissioner Virginia Vigil

Members Excused:

[None]

V. MOMENT OF REFLECTION

The moment of reflection was led by Sharon Vigil-Ramirez of the Finance Department.

VI. APPROVAL OF THE AGENDA

- A. Amendments**
- B. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, on page 4 under the Final Orders, number 5, Case #V 12-5250 has been tabled. And then I'd also like to request that we try to have the Matters from the County Attorney, executive session around 5:00 because we do have somebody that needs to be here for that.

CHAIR STEFANICS: Yes, thank you. We have outside counsel coming at 5:00, Commissioners. If there's anyway we could do the entire agenda before then it would be great, but if not, we'll come back after the executive. So are there any other changes, Commissioners?

COMMISSIONER HOLIAN: Madam Chair, I move for approval with the amendments.

COMMISSIONER ANAYA: Madam Chair, I just had a question.

CHAIR STEFANICS: Yes.

SANTA FE COUNTY CLERK RECORDED 11/27/12 3:33

COMMISSIONER ANAYA: Which was the CDRC Case? Tell me again. I'm sorry.

CHAIR STEFANICS: Number 5.

COMMISSIONER ANAYA: Page?

CHAIR STEFANICS: Page 4, at the top.

COMMISSIONER ANAYA: Okay.

CHAIR STEFANICS: That was tabled.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR STEFANICS: Okay. There's a motion to approve the amended agenda. Is there a second?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Commissioner Mayfield.

COMMISSIONER MAYFIELD: I guess I just have a quick procedural question to the agenda. And it's going to be for our Public Works Director, Adam Leigland. Madam Chair, Mr. Leigland, I know I asked you via email, one, that there would be a presentation for this meeting regarding some issues regarding solid waste with our jails and all of our other facilities for Santa Fe County that would either be at this Commission meeting or also at our Solid Waste Task Force Committee meeting. I saw that it has not been noticed for either this meeting or our Solid Waste Task Force meeting. I want to know why.

CHAIR STEFANICS: Ms. Miller, could you –

MS. MILLER: Madam Chair, I was unaware of the request. I think it was made directly from Commissioner Mayfield to the –

CHAIR STEFANICS: Okay, so Mr. Leigland.

ADAM LEIGLAND (Public Works Director): Madam Chair, Commissioner Mayfield, as I discussed, we wouldn't be able to get on this agenda so we discussed getting it on the Solid Waste Task Force agenda and actually I didn't see the agenda that went out this morning but I did ask to get it included. But if it doesn't get – if it's not a specific action item it can be included as an item from the members. I have all the information prepared and I was prepared to present it tomorrow at that meeting. So if it's not on the agenda then that must have been an oversight.

COMMISSIONER MAYFIELD: I guess fair enough, that this was an oversight, but again, I did want that discussion so I just ask, and I'll make that formal request, Ms. Miller, that that information be put on the January BCC regular meeting. So thank you. Thank you.

CHAIR STEFANICS: Thank you. Yes.

COMMISSIONER ANAYA: Madam Chair, I have a question. If I voted for or against an item and I wanted to carry that vote forward in the next meeting, the only way that I could do that is to pull the item, because it's a Consent item? Is that the only way I can do that?

CHAIR STEFANICS: Mr. Ross?

STEVE ROSS (County Attorney): Madam Chair, Commissioner Anaya, can you explain a little bit more?

COMMISSIONER ANAYA: Item 7, I voted in opposition to that item. It's on here as a Final Order.

SFC CLERK RECEIVED 11/29/12 1:33

MR. ROSS: Oh, right.

COMMISSIONER ANAYA: And I want to reflect my vote the same way I voted in the original case. So do I need to pull that?

MR. ROSS: You can either pull it, Commissioner Anaya, or you can make a statement when it comes up at that item, approval of the Consent Calendar.

CHAIR STEFANICS: So, Commissioner Anaya, we haven't approved the Consent Calendar yet. So before we do that or when we go to motion you could make your statement.

COMMISSIONER ANAYA: I just wanted to ask that clarifying question. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. So is there a second to the motion to approve the amended agenda?

COMMISSIONER MAYFIELD: So moved, Madam Chair.

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

CHAIR STEFANICS: Ms. Miller, were you trying to say something?

MS. MILLER: Madam Chair, I was just thinking of the request that Commissioner Mayfield had. I think you said that something didn't get noticed for the Solid Waste agenda tomorrow? But I think, if it's not till 3:00 tomorrow we could get them to amend that. So if you'd like me to have that noticed as opposed to just a matter from the Commission or from a member I can try to have someone do that and I'll make sure it's noticed.

COMMISSIONER MAYFIELD: And Madam Chair, Ms. Miller, I appreciate that. I think my preference would be that this just comes back in front of the full BCC in January. So thank you.

CHAIR STEFANICS: Thank you.

VII. APPROVAL OF MINUTES

A. Approval of October 30, 2012 BCC Minutes

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

CHAIR STEFANICS: Thank you. Is there a second?

COMMISSIONER ANAYA: Second, Madam Chair.

CHAIR STEFANICS: There's a motion and a second for approval of the October 30, 2012 BCC minutes.

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

VIII. PRESENTATIONS

A. New Employee Introductions (County Manager)

MS. MILLER: Madam Chair, I do not have any new employees that are here to introduce unless any of by directors brought any that I'm unaware of.

CHAIR STEFANICS: Okay. Thank you very much.

VIII. B. Recognition of Retirement of Richard Lopez, 28 Years of Dedicated Service to the County Assessor's Office

GARY PEREZ (Deputy Assessor): Thank you, Madam Chair. Madam Chair, Commissioners, today we are honoring Richard Lopez for 29 years of employment with the Assessor's Office and celebrating his retirement from Santa Fe County. He's very smart. He's retiring while PERA still has the funds.

Richard began with the Assessor's Office as an intern field auditor in the summer of 1982 helping out with the County's reappraisals. As his supervisor, Jessica Ulibarri puts it, this was a long time ago, back when they had to use paper parcel maps that did not identify the roads, way before Google maps and GPS. They would even camp out in Edgewood and use their own vehicles. They used their pencils and papers to collect data and now we use laptops. A lot has changed. Richard is now what we call old school.

A year later in August of 1983 Richard was hired on permanently as a residential appraiser. For three decades he has seen many changes throughout his employment. He has worked with many people, fellow employees, as well as a multitude of property owners. He has also worked under five different assessors and their administrations. Richard has been in his current position as a senior appraiser for close to 20 years. He has been somewhat like a school teacher. He has taught many employees how to measure, how to sketch, how to defend the assessed values they derived. Richard has also passed on his knowledge without hesitation and has always trained other employees to obey the law and respect the citizens of Santa Fe County. He has always abided by the golden rule, whether in a protest hearing or at someone's doorstep.

Richard has always remained humble as well. He has a wealth of experience and knowledge, yet he never made anyone feel like they were inferior to him. Richard has always worked quietly and is never one to be outspoken, except for the one time in the 1990s when he was quoted in the newspaper saying that the Assessor's Office was still in the Dark Ages. Rebel.

Throughout the years Richard has always been the exemplary employee each supervisor hopes for. He is professional, dedicated, meticulous, and above all he has represented the County with integrity. In his position he is a man who always walks a straight line. Our office is losing an employee with the most experience. In his absence the our office and the County will have a great void to fill. Not only was he one of our greatest assets, he also made the best spinach dip. We are sad to see you leave us, Richard, but we're happy for you. Congratulations, Richard Lopez. Thank you for dedicating 29 years of your life working for Santa Fe County.

DOMINGO MARTINEZ (County Assessor): Madam Chair, Commissioners, I just want to say a couple of things. When Richard started full time for the County of Santa Fe I was just appointed by Governor Anaya to the Property Tax Division Directorship, so I've known Richard most of our adult lives, both he and I, we were just comparing how gray our hair has been since the first time we met way, way back then. As you know, Richard has always been a steady individual. He has led as well as done a lot of work for the Assessor's

Office and for Santa Fe County and there isn't a day that goes by that I'm not remembered about all the things that we've done all these 29 years, and just imagine that you have an individual here that started right out of high school and today is retiring and he's stayed at the same office all this time. So that's dedication; that's loyalty for you. Again, Richard, thank you and God bless.

CHAIR STEFANICS: Thank you, Richard, we'd like to have you say a few words and then we'll come down and have a photo with you.

RICHARD LOPEZ (Assessor's Office): Madam Chair, members of the Commission, I want to thank you for the certificate I got today. I want to thank you for all you do for Santa Fe County, a tremendous job. I want to thank Domingo and Gary, County Assessors for all they've done for me and for what they've done for the County's Assessor's Office. They've brought this office to the highest level I've seen in my 29 years of being with the County. Not only professionally but technology. So I'd like to thank them.

I'd like to thank all the County Assessors I've worked with throughout the years, starting with Diego Armijo, who's passed away. I've worked under [inaudible] Selva, Jr. I've worked under Marcy Quintana, and Benito Martinez, all of whom I great admire. And I'd like to thank my supervisor, Jessica Ulibarri, a great supervisor. She's a tremendous asset to the County of Santa Fe, and also my former supervisor, Daniel King, who is a great, smart person and a great asset to the County, along with my fellow employees and the employees that worked under me. They're wonderful people. I've worked under wonderful staff and have always gotten along very well with them. I want to thank them all.

I want to thank Santa Fe County for giving me the opportunity to work for them and for all they've helped me with education. Santa Fe County is a great place to work. Through Santa Fe County I was able to get a mortgage, raise a family and to be retiring. I thank you all. I get a little emotional, but I just thank you all and I thank Santa Fe County for all they've done for me. Thank you.

CHAIR STEFANICS: Thank you, Commissioners, let's take Commissioner comments then we're going to come down and take a photo with you and the whole Assessor's staff. Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Richard. You're a good man. You're an honest man. You're a hard worker. You lead by example. You will be greatly missed. You're a professional and have always been at the Santa Fe County. You always were willing to help people out and for that I thank you very much. Good luck to you in whatever you do and maybe we can bring you back as a volunteer to help us do other things for the County when you're ready. But enjoy. Enjoy your retirement. It's very deserving and thank you again for all your work.

MR. LOPEZ: Thank you, Commissioner.

CHAIR STEFANICS: Thank you, Commissioner Vigil.

COMMISSIONER VIGIL: Thanks, Richard. I want to really underscore the sentiments that Domingo expressed. Being in one place for 29 years really does express an incredible amount of commitment and dedication and one of the few employees that I have seen come to us for retirement that have kept themselves at the County for that length of time. I can imagine how much value you take with you when you're departing. And I just wanted to say my experience has been as I observe the work that's done through you in the

Assessor's Office and I hear about it, you're one of those exemplary employees who believes in getting up in the morning, showing up for work, getting the job done, and leaving at the right time. That work ethic is so critical, and above and beyond that you're willing to help others. So thank you for who you are and congratulations and good luck.

MR. LOPEZ: Thank you, Commissioner Vigil.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I just want to add my thanks to you for all of your hard work and all of your really excellent work over the years, and I truly hope that this next chapter in your life will be fun and will open up some new doors for me. So thank you.

MR. LOPEZ: Thank you, Commissioner.

CHAIR STEFANICS: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Richard, thank you for the great work you've done for the County. I know various individuals have always complimented you. You've been very caring, compassionate and would always listen to people when they came to talk to you. I know if anybody ever asked questions of me I'd say go downstairs and talk to Richard. He's definitely an individual you want to talk to. So thank you for your great commitment. Twenty-nine years is a long time. You should have left four years earlier because you probably gave the state a lot of your money by not doing that, the County. But it's great service that you've done and I hope your next chapter is very fruitful to you. Thank you.

MR. LOPEZ: Thank you, Commissioner.

CHAIR STEFANICS: I'd like to just say that working in the Assessor's Office is not always the easiest with the public, and the public has complaints sometimes about what is happening with their properties and you all try to be very fair. And we appreciate that very much. So in your ups and downs in your positions, working with everybody that you do there, just know that we do acknowledge the hard work and sometimes the angst that you receive from the public, but without your work we wouldn't have the money here at Santa Fe County to do the work we're doing on roads, that we're giving to the schools, that we're working on water systems, etc. So thank you very much to the Assessor's Office and to you personally.

So we'd like to come down and congratulate you and then take a photo, and Domingo, any of your staff that are here, we'll have them stand in front.

[Photos were taken.]

CHAIR STEFANICS: For the public and anybody who's here, somebody who works some place for 28, 29 years, they have a real affinity for the place that they work, so it's a major life change and for those of you who've gone through it out there, you all know the feelings.

SFC CLERK RECORDED 11/27/12

VIII. C. Acknowledgement and Recognition of Santa Fe County Employee Robert Martinez II, for Qualifying for the 2012 World Series of Team Roping Finals in Las Vegas Nevada

COMMISSIONER ANAYA: Madam Chair, a few brief comments before I turn the floor over to Mr. Martinez. It's always a pleasure acknowledging our County employees, but it's a double bonus when County employees are your family. I just want to say that when you're driving from Santa Fe to Moriarty, if you're driving at night, and pretty much any night of the week you want to pick, as you get up on top of Clark Hill, we call it, where the slats are, and you look to the left, to the east, you'll see lights in the distance. And those lights in the distance are at Miquelita and Basilio, our grandparents and Mr. Martinez' grandparents' family ranch where you'll see those lights shining. And it's Mr. Martinez and his sister and his brother and the family, Kristen works for us as well at the County, at the Sheriff's Department, Jared, J.C. has helped and works with the Fire Department in the volunteer program.

You'll see those lights and you know they're over there practicing and working. And this presentation is a culmination of those efforts and that practice and it's with great pride that I read the following:

Robert Martinez II is the 23-year old son of Robert Martinez and Tish Trujillo, and we have Mr. Martinez, as you all know, his father, Robert, why don't you stand up right now, and Ms. Trujillo, Tish, if you'd stand up, to acknowledge them. And let's give them a round of applause.

We also have Bobby Trujillo, his step-father, if you'd stand up as well, and we have Mr. Fernandez, his grandfather, former County Commissioner, Rudy Fernandez, if you'd stand up as well.

I'll go on. He's a 23-year old son. He started his rodeo career by competing in New Mexico 4-H rodeo right here in Santa Fe County. After 4-H rodeo he competed in New Mexico High School rodeo across the state of New Mexico, and I think Robert and Tish probably wore out about four or five sets of tires. After high school, he competed in the Grand Canyon Regional Intercollegiate Rodeo for New Mexico Highlands University, and from high school until now he's competed in the New Mexico Rodeo Association in calf-roping as well as team roping and for the United States Team Roping Association.

This is his first year competing in the World Series of Team Roping. He qualified for the World Series of Team Roping in April, winning the average by seven seconds and winning a prize of \$10,000. The World Series of Team Roping finals will be held at Southpoint Hotel in Las Vegas, Nevada. He will be leaving December 7th and returning on December 16th. He will be competing for a portion of \$6 million of prize money.

I noted earlier and I'm going to note it again, his grandparents, Rudy and Olive, Mary Lou and Hank, and his great grandparents, Basilio and Miquelita Anaya from Stanley, New Mexico. Congratulations, Mr. Martinez, the floor is yours.

ROBERT MARTINEZ II (IT Department): Thank you guys. I'd just like to say first of all, before I start the video that I put together for you guys, I know what the agenda is like for these meetings and I thank you for taking the time out of this agenda to recognize me in my accomplishment. And like Commissioner Anaya said, I started

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competing in 4-H rodeo when I was eight years old with my sister Kristen and my brother and my poor parents that hauled us everywhere.

We've been competing ever since. It's a lot of hard work. We practice every single night after we get home from work. When I was in college I'd go to class until noon and I would practice in the evening until 8:00 at night. It's where all my dedication is, it's where my heart is. It's a lot of work. I spend a lot of miles on the road. Every weekend I'm in at least one or two states and my goal is to join the pro Rodeo Association circuit one day and qualifying for this roping is one step closer to my goal. So I'm kind of hoping that this year I'll be able to get my permit.

[A video presentation followed.]

CHAIR STEFANICS: as you were growing up and moving up to bigger calves, I bet there was a real rush of adrenalin every time. I'd like to hear from the other Commissioners and then we're going to come down and congratulate you and then take a family photo of everybody that's here from your family. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I want to read this when we go down. Santa Fe County recognizes Robert Martinez II. The Board of County Commissioners and County Manager are proud to acknowledge and congratulate you on qualifying for the World Series of Team Roping finals in Las Vegas, Nevada, on December 7, 2012 through December 16, 2012. The Board of County Commissioners and County Manager wish you the best of luck, presented on this 27th day of November, 2012.

CHAIR STEFANICS: Thank you. Other Commissioners.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, congratulations, Robert and I'm glad you're here today. In any event I would just like to say we're so proud of you and I'm wondering what your next major competition is going to be.

MR. MARTINEZ: Well, I'm just focusing on Vegas. It's been a lot. But like I said, I'm hoping to get my permit this year and get into the pro circuit and that's my goal and that's my dream, like I said. Making the World Series finals is one of the goals that I set at the beginning of the year and I reached that in April. So I'm a big goal-setter and I don't know. We'll see what happens next.

CHAIR STEFANICS: Congratulations. Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you. Robert, congratulations. Good luck and be safe out there.

MR. MARTINEZ: Thank you.

CHAIR STEFANICS: Thank you.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: I didn't know Kristen was back there, but you follow those in front of you that set example as family members. Kristen, stand up. I didn't see you back there. Kristen was a professional in her own right. So let's give her a round of applause. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Vigil.

COMMISSIONER VIGIL: Even though it's such an honor, actually, to be recognized. As you can tell most of the recognitions we have are for retirement. So when we have an employee or your age, the youth and enthusiasm that you've expressed for this is a

wonderful role model for our entire county. I want to welcome Froggy and Mary Louise, wherever she went, and Tish and Bob and Robert Martinez. Your family as a whole group. Kristen was with us, I remember her wearing these buckles that were award winning buckles and thank you for the movie presentation. It really does create a visual for the effort that you put into this and the energy that you have. Wow. We should bottle that somehow and distribute it; it's phenomenal.

Robert, congratulations. It just seems to me that whatever you decide to do, wherever you go, you're going to succeed. There's no doubt in my mind. Thank you for what you've done for setting an example for the youth in our community.

MR. MARTINEZ: Thank you, Commissioners, so much, and one thing real quick. I'd just like to thank my family. I know it's not easy. Me and my dad practiced last night and we froze. But practice is what makes you a winner and for all my parents' support and all my friends' support, it's not easy. And following in my sister's footsteps, she pro-roads and I have good people to look up in my life and I just thank them for that. So thank you.

CHAIR STEFANICS: Thank you. A big round of applause and we're going to come down.

COMMISSIONER MAYFIELD: Madam Chair, sponsors and supporters, so any supporters that could help Mr. Martinez.

CHAIR STEFANICS: Yes, so sponsors and supporters are welcome.

[Photos were taken.]

COMMISSIONER ANAYA: I also, Madam Chair, would like to congratulate and thank Chelsea, Bobby's girlfriend for coming as well.

CHAIR STEFANICS: Thank you very much to the entire family for coming.

VIII. D. Presentation from the La Bajada Mutual Domestic Water Consumers Association on Their Water Trust Board Financing

MR. LEIGLAND: Madam Chair, Commissioners, as the Board knows, the Water Trust Board granted the County a grant to La Bajada to fix the mutual domestic's water system. The conditions of that grant were that the mutual domestic transfer ownership of that system to Santa Fe County, to the Santa Fe County utility. The La Bajada mutual domestic want the Water Trust Board to revisit those conditions and the mutual domestic is going to be going to the Water Trust Board at their December meeting which is next Wednesday. But since the Water Trust Board gave the money actually to Santa Fe County instead of the mutual domestic itself we felt that it was appropriate that Mr. Gallegos from the mutual domestic come and explain his case to you first since actually are the recipients, and just kind of prepare you for the case he's going to make to the Water Trust Board next week. I just will mention that the Water Trust Board invited him to come speak to them. Back in October one of their members came to one of their membership meetings. So I just want to lay the groundwork for Mr. Gallegos' presentation today.

CHAIR STEFANICS: Okay, so Mr. Leigland, have we received – before we hear from Mr. Gallegos – have we received any formal communication from the Water Trust Board in writing or verbally about their requirements, regulations, restrictions?

MR. LEIGLAND: Madam Chair, yes, we have. It was about a month and a half ago. Actually, the Finance Authority issued the letters to us that listed all the conditions for receiving the grant. Some of the conditions, they wanted to see the technical aspects of the project, they wanted to see funding draw-down schedules. And then La Bajada's case, two of the conditions, #6 and #7, actually #6 said that the County had to agree to take ownership and condition #7 was that the mutual domestic had to agree to convey ownership. So they have formally communicated – the Finance Authority has formally communicated to us these conditions.

CHAIR STEFANICS: Okay. So after we hear from Mr. Gallegos, Commissioners, we might actually want to formulate the questions that we would like the Water Trust Board to respond to in writing. And the reason I'm saying that is we don't want to eliminate the possibility for our communities to receive support if they have certain requirements, but if they are flexible about the requirements I'd like for them to put that in writing. So, Mr. Gallegos, come on up and tell us about your situation.

ALONZO GALLEGOS: Good afternoon, Madam Chair and Commissioners and staff. My name is Alonzo Gallegos. I'm the chairman of the La Bajada Ditch Mutual Domestic. Like Mr. Leigland explained, La Bajada came before the County requesting that the County request on behalf of La Bajada funds for help in our mutual domestic from the Water Trust Board. They granted the request for monies for La Bajada but they came with those conditions Mr. Leigland explained. La Bajada cannot meet that condition. You can see what I gave you here is by unanimous consent the La Bajada mutual domestic members do not want to give up their system. *[Exhibit 1]*

So we come today seeking your assistance to go before the trust board on our behalf in unison and strike those two conditions and let the rest of the monies awarded become in the name of the County and you continue to assist us in our endeavors to get a supplemental well and a water tank, etc. You can see what I also have in there that we have – we received monies from a capital outlay grant by the legislature this past session in the amount of \$50,000. We're willing to pay back the money that you receive from the Water Trust Board for this endeavor. We've been supplying water to our members in La Bajada since 1919. We've incurred debts in the past and we have no problem incurring debt in the present and the future to continue to be viable.

One thing I might add that I don't have in this insert I presented you all is I don't think it's in the best interests of Santa Fe County to acquire this system, being we're 60 miles round trip from you guys for you to go out and service us. There's 13 hookups presently. Geographically, we're not in an area where you guys can provide us with water. Basically, you're going to go out there and drill a well, which we want to do, and you're going to take water from our aquifer under our lands. So we don't feel it's a viable idea for the County to add us to your service area. With that being said I open myself up to questions by you all.

COMMISSIONER VIGIL: Madam Chair.

CHAIR STEFANICS: So, Mr. Gallegos, let me ask the first question then we'll go to Commissioner Vigil. Or no, Commissioner Vigil, go ahead.

COMMISSIONER VIGIL: Thank you, Mr. Gallegos, for being here. There's no one who empathizes with you more about gaining a sense of proprietorship and ownership for your own well system. But having been at the legislature since the inception of the Water

Trust Board, I can guarantee you that they have their own criteria with regard to whether or not that can happen and if it isn't met, I'm not sure what the outcome will be. So I'm going to sort of – with that in mind, ask some questions that are very likely to be posed to you before you go before the Water Trust Board. And the first question would be, so if they do not take away those grant conditions that you transfer ownership to the County, do you want the County to refuse the grant, or how would you move forward under those circumstances.

MR. GALLEGOS: That's beyond my intellect to know but just what we're going to do as far as letting the County receive the grant without us going forward to the conditions. To your question, if La Bajada – if the Trust Board turns us down we don't want the funds. I'll seek funding elsewhere. There are other sources of funding for mutual domestics.

COMMISSIONER VIGIL: Okay.

MR. GALLEGOS: I might add that I did meet with Dr. Rose, the chairman of the Water Trust Board a few weeks ago and he suggested I go before the board with my request. I explained to him the history of La Bajada and our concerns that I've stated today and he thought they'd probably look at it. There's no criteria saying this is new – the requirements. I did receive money from the Trust Board in the past. We have a \$38,000 ten-year non-interest loan by DFA, the Department of Finance. The County helped us, Katherine Miller in particular helped us receive that fund when we had our problems a couple years ago about freezing. So I'm positive that it could go well for us but I'd really like the County to consider going in jointly with us on this request.

COMMISSIONER VIGIL: These are some of the questions that I believe need to be responded to or you need to be prepared for. Were you placed on a boil order by the state about a year ago or so?

MR. GALLEGOS: Yes. That's typical of mutual domestics. You get a hit of a positive for coliform or something –

COMMISSIONER VIGIL: What was it for? Do you recall?

MR. GALLEGOS: For coliform. It's a bacteria that comes now and then in water.

COMMISSIONER VIGIL: E. coli? Was it *e. coli*?

MR. GALLEGOS: It's a form of *e. coli*. But what it is is we neglected to put chlorine in the water. A lot of people don't like chlorine so I kind of avoid it if I can, but I'm finding out you can't.

COMMISSIONER VIGIL: Are you still on the boil order or has it been lifted?

MR. GALLEGOS: We haven't had any positive hits for a long time. It may be in place. I have no idea. I haven't heard from the EPA yet.

COMMISSIONER VIGIL: And your water system has been known to freeze. How do you respond to those?

MR. GALLEGOS: It's been known to freeze one time and it came out publicly two years ago and that's the only time it froze. I'm 56 years old and it's never froze before until that time, and it hasn't frozen since because of our endeavors we corrected that problem.

COMMISSIONER VIGIL: And what happens when it does freeze? How does the mutual domestic respond?

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MR. GALLEGOS: Well, we try to thaw it out. In that case the whole county suffered, northern New Mexico, that deep freeze we had a few years ago. That was the norm throughout the region. So to say how do we respond to that, we just wait until it thaws. In that case we had to wait until it thawed and the damage was extensive, to the tune of pretty near \$70,000. But we've corrected that problem and like I said, it's never happened before. We had some erosion problems that exposed the line. We had sought funding from the legislature in the past and we received it in 2009, and the administration of Governor Richardson. They took that funding that was granted. We had a design that was in place by Souder and Miller to correct the problem to avoid that freezing problem but we lost that money, the funds to do it and we got caught, basically with our pants down on that one.

COMMISSIONER VIGIL: Okay. And I would kind of look into a little bit of the history of the events and how many times they've frozen because I do believe those are things that the Water Trust Board will be looking into. I'm saying this in order to prepare you for some of the things that you will be asked at the Water Trust Board hearing. I think from my perspective, where Santa Fe County is with this, we take direction from the state. Whatever the state decides with regards to these dollars, in many ways we've become the fiscal agent and sometimes that's very burdensome for the County. And so I think from my perspective it's half a dozen of one, six of the other with regards to the dollars. Unfortunately, we would like for the board, before you go before the Water Trust Board and when do you go before them?

MR. GALLEGOS: I missed the submission of my packet two Fridays ago so it looks like I'm not going to be on the agenda until January, first week of January.

COMMISSIONER VIGIL: Okay. I would look at alternatives to funding because the Water Trust Board is one of the few sources for these kinds of things. You may be able to get severance tax bonds from capital outlay through your legislative, but with regard to the dollars, or the larger amount of dollars that are available, it is through the Water Trust Board. So I would maybe visit with some of the Water Trust Board staff to find out what happens if they decide that those grant requirements have to be there, what alternatives you would have. You really don't want to lose the opportunity for these kinds of dollars. They're rare and they might increase; I don't know, but my fear is that if you turn them down that will be part of your state record and I'm not sure what other state agency would be amenable to further funding if they know you've turned down this valuable amount of dollars. That's been my experience with the Water Trust Board and I say those things only to caution you to be prepared for what the consequences might be of this.

MR. GALLEGOS: I appreciate your comments.

COMMISSIONER VIGIL: Thank you.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioners, the need for a viable, safe and quality water alternate system for La Bajada has been and will continue to be one of my top priorities as Commissioner. Since starting on the Commission, the very first month, I was faced with this particular issue and until the well was drilled, until the tank is in place and that alternate source of water is provided I'm going to continue to keep it a priority. I want to also, as you said, Mr. Gallegos, thank the Commission, this Commission, and staff because we haven't not done things. We've been working collaboratively to achieve the

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\$50,000 from the Department of Finance and Administration that you mentioned earlier, to provide some water hauling during that immediate need and working in collaboration with the Governor's office and the National Guard during that very difficult time that you guys had when you were trying to get your water supply back.

And I also want to say that this is directly linked – and I'm also very appreciative of the Commission to the resolution that we discussed where there's going to be some reconsideration of the resolution to provide potential options so that mutual domestics don't have to give up their authority or their autonomy and continue to run and operate their systems and provide their own service. Those are all things that I'm appreciative of that this Commission has done.

Simply put, there's two items that you mentioned, Mr. Gallegos, that you're asking us to support you on, to remove so that you would still get some support and helping to drill a well and utilize those resources from the County, but that then you would continue to manage and operate your own facility as you've said and many other mutual domestics said at the last meeting that you want to do. So I want to do that, and I have already had discussions with Senator Phil Griego who has been very supportive of the initiatives in La Bajada, specifically your issue on the well and the water. I'm going to talk now with Stephanie Richards. I know you've had numerous discussions with now Representative-elect Richards. I'm also going to solicit some feedback from Representative Trujillo who doesn't represent your community but is representing communities and agricultural needs right on the boundary of La Bajada Village.

So I think there's political support and will from legislators and I would respectfully ask you, Madam Chair, and this entire Commission to support his request to remove the two requirements and stand behind and with you along with your request when you take it to the Water Trust Board. So that's my respectful request of this Commission.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Katherine, did you have a question that you wanted to ask?

MS. MILLER: Madam Chair, Commissioner Holian, I was trying to figure out – there's a couple of things, because I went to the Water Trust Board meeting and La Bajada was not on the recommended list to get funding. And as a matter of fact I had to fight for the funding for them. But there's a couple of things just would need to be clarified because in the request they said that they're not asking Santa Fe County to spend any County money, but my understanding is, so we were the ones that put in the application, so we're the ones making the match, which is what takes in the resolution that the Commission passed back in April which was one of the conditions. That was one of the reasons that the Water Trust Board said – they needed to know about that resolution that the Board passed that said that if County funds were going to be put into a system that we would make them either wholesale or retail customers.

So when I was at the meeting there were two things that the Water Trust Board was very concerned about and that had to do with water rights and who would own the system or whether they would be a customer. So I think we would need to address, number one, whether we would – whether they would do their own match so there are no County funds and our resolution doesn't apply, or, if you want to make a waiver from that resolution. And

then we'd have to state to the Water Trust Board we would still be the fiscal agent. I do not think the Water Trust Board will award them the funds directly. They were being very difficult about that. So I think we need to make sure we have an answer for that issue.

And then the second thing was – and they may be okay with that, and I think that would be workable. It depends on what the Commission wants to do relative to the match and the previous resolution, and the other thing was the water rights. They were very adamant about an issue relative to the water rights that I believe La Bajada disagreed with. So I just wanted to let you know that those – at that meeting, that's what they were being really difficult about coming to a conclusion to make the award and why they put those two conditions on. So I think if we do support this request we need to make sure we as the County have an answer to that since we were the ones to put the application in for making the match and agree to those conditions.

COMMISSIONER HOLIAN: So Madam Chair, Katherine, I just wanted to ask you, so what you're saying is that we probably would have to pass an amendment to the resolution that we passed previously?

MS. MILLER: Madam Chair, Commissioner, I'm not saying an amendment, I'm just saying to waive that condition of our resolution or something because that – just so we're consistent with the resolution that was passed by the Board. I don't know how you want to handle it but that was one of the issues that they asked about.

CHAIR STEFANICS: On this same point, I know everybody was talking about this point, but on this point, one of the things we could do – that could happen is Santa Fe County could withdraw its application to the Water Trust Board, which would leave your community to pursue it. The question is, and has your group discussed if a match was required where they would come up with the match?

MR. GALLEGOS: Yes, that's why, Madam Chair, excuse me. That's why I put in there we're willing to take on the debt to the Water Trust Board, not the County.

CHAIR STEFANICS: So, but my question is, and maybe I'm just not hearing your answer, Mr. Gallegos, if we just said we're out of it. We'll let you proceed on your own and not hamper you.

MR. GALLEGOS: I'd prefer that you wouldn't.

CHAIR STEFANICS: And the Water Trust Board said what money are you coming up with to match whatever we give you, you're prepared to do that?

MR. GALLEGOS: We are capable of going in and financing it ourselves. Yes.

CHAIR STEFANICS: Okay. I had Commissioner Vigil and then Commissioner Anaya.

COMMISSIONER VIGIL: On that point, I would be a little concerned about the County reversing its position after it submitted an application to support you and then saying to the Water Trust Board, but wait a minute. We're really not supporting them. At least there's not going to be any matching funds. And whatever the mutual domestic decides to do we will support. It would make much more sense to me to go ahead and withdraw our application, because as an applicant we are actually saying we will provide the matching dollars. And if we're not going to do that and you're going to do it, a cleaner application from the mutual domestic well, and that's how other mutual domestic wells do it, it would be probably more appropriate. Otherwise, I think we're actually exposing the County into a

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situation – we have other mutual domestic wells that we’re assisting with before the Water Trust Board and we have our kind of reputation at stake too. I wouldn’t want the Water Trust Board to say, well, Santa Fe County isn’t really serious here because they’ll come back to us with an amendment. I think we risk a little bit. I don’t know how you feel about just applying as a mutual domestic well by yourselves.

MR. GALLEGOS: Madam Chair and Commissioner Vigil, I tend to side with Katherine, the County Manager Katherine Miller’s position that the two things that brought these conditions about were exactly what you stated. As far as your reputation – obviously, it’s very hard to acquire, to get approved – we were approved, the County was approved I think over 300 applicants or somewhere around there and 25 got approved. Why would we want to – if you are sincere, the Board is sincere in helping us, La Bajada in its endeavors, why would you want to rescind your application and leave us out alone. It takes a long time to resubmit everything again. We’re there; it’s just a matter of striking two items, which are 7 and 8 on their requirements. We’re addressing that right now as Ms. Miller has stated.

COMMISSIONER VIGIL: Okay. The other piece of information that’s relevant to this, and I say this sort of as the devil’s advocate for what this process is going to be. Another piece of information that’s really, really important is with regard to the matching dollars, I don’t know how upfront those have to be shown. I don’t know if they can be retroactive. I don’t know how that’s done, but the Water Trust Board will want to know that. And the other thing that the Water Trust Board will be looking at with regard to the County applying for this and trying to just rescind a couple of requirements, those are the standard requirements that they have for these kinds of applications. So they would be making, to a great extent, an exception to this particular request.

So I’m not one and I don’t want to be classified and I don’t want you to leave here thinking that we’d leave you out in the cold because in fact, the last time your water system the County and the National Guard were there to back up water for you, and we will be there for you and we have in the past. And this is one way of moving forward and that’s why we submitted the application. But it was the Water Trust Board’s requirement that the County be the recipient of that. So with that, I think that we need to be prepared for that.

MR. GALLEGOS: Madam Chair, Commissioner Vigil, I don’t want to ponder so much on that issue, but again, La Bajada has received funding from the Water Trust Board in the past, from the Department of Finance also. We’re familiar with the requirements. We’re ready to address them. I’m not afraid to think that I’m going to be shot down, but again, I just want to reiterate, it took a lot of effort by the County and staff. I’m appreciative of it. Let’s not drop the ball when we have it in our hands.

COMMISSIONER VIGIL: That’s it, Madam Chair.

CHAIR STEFANICS: Okay. Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I don’t want to belabor the point. Last meeting we had a discussion with mutual domestics and this Commission was in agreement to look at other options associated with the resolution that the Manager just referred to. So between now and the next meeting I want to work with staff on what those options may be for that resolution.

The second piece is I’m going to bring another resolution forward, Mr. Gallegos, that would support your efforts and what you’re trying to achieve. The Commission can raise

questions on it and ask you or others questions and then we can have a vote and make a determination one way or the other. But I'm going to bring Senator Griego to the table, Representative-elect to the table, as well as the current representative, outgoing Representative Hall who's also been very supportive of the initiative to help with those efforts. I'm going to work with you to gather again all of the mutual domestics together around this issue to help you try and resolve it.

So those things I'm committed to do. It sounds like you're not on the December agenda. We'll put it on our meeting for December 11th – is it the 11th, Ms. Miller? Our next BCC? I'll put those two items and have that discussion and you and I can solicit some other support from some of the other mutual domestics and community leaders to help get where we need to be.

The last point I would make is that all of my colleagues to my left, within their districts – and I'm going to get a list of the – have received County matching dollars to do water projects. Agua Fria who I spoke at length with several of the leaders in the Agua Fria Mutual Domestic on this particular issue has been very fortunate, based on the efforts of my colleague to the left in receiving a lot of money from Santa Fe County to do very good things to help that mutual domestic not be absorbed into the County but continue to operate on its own. So I'm going to leave that alone and I'm going to tell you that I will support you and I will do everything I can to get my colleagues to support the resolution and I thank you very much for coming today.

MR. GALLEGOS: Thank you. Madam Chair, can I make one point to that?

CHAIR STEFANICS: Certainly. Go ahead and respond. I don't think we're quite finished with you yet.

MR. GALLEGOS: Okay. That matching fund that's going around, we – La Bajada is sitting on a \$50,000 capital outlay contract through the Department of Finance. That could be – I'm looking into it to see if that could be the matching portion for the Water Trust Board.

COMMISSIONER VIGIL: Okay. May I, Madam Chair? Just to clarify for Commissioner Anaya, the dollars that went to Agua Fria, so long as they were state dollars, those dollars remain County property. The dollars, the most recent huge amount of dollars that were given to Agua Fria created a waterline that belongs to the County, not to Agua Fria. So they also are based and have to comply with the requirements the state has.

The other thing is if we do consider this, and I think we should, I'd like someone from the Water Trust Board to also be here to give us some indication of what their requirements would be and I think that would be helpful too. So if we're going to bring in other folks to testify on behalf of this I think it might be helpful to you to learn from the Water Trust Board what their requirements are at our December 11th meeting.

CHAIR STEFANICS: Okay. We're talking about two separate issues. We're talking about this particular application, and we're talking about the retail/wholesale customer situation. Now, that's why at the beginning when Mr. Leigland was talking I indicated that we might want to identify some questions that we asked the Water Trust Board to respond to in writing to us before we take any position on this. So you're listening, right? So you can ask them, Mr. Leigland, in writing? Okay. We need to ask the Water Trust Board if conditions 7 and 8 were removed if that is going to affect the ability of this mutual

domestic to receive funds, so that we are clear, and they are clear on what's going to happen. And if they're clear that it might be in the negative and they don't want us to proceed then we understand.

There isn't anything positive about forcing a community to do something, but on the other hand, if a community wants something from the County then the community becomes a partner, and that's why we came up with the retail/wholesale. And so that is why I am divorcing these two separate issues. That this mutual domestic wants to be on its own, I totally appreciate that. But if there is a community that wants to come forward and wants our help, then there needs to be some partnership, some agreement between the County and the water entity.

So I separate the two issues here. I'm happy to support your independence and going forward like that, but while Commissioner Anaya prepares for December, Mr. Leigland, if you would try to get some responses for us from the Water Trust Board so that we can make an educated decision when we get to that point. Okay, so other Commissioners?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: I think one – and I think we're going to try and achieve this based on the feedback that the Commission provided to the mutual domestics when they were here at the meeting and we'll just pull it off of the record verbatim. But I think what the idea was that in the amended resolution that we would do, that we would try and provide language that provides an opportunity for that partnership. As the resolution reads now it's all or none. It's you lose full control and full responsibility and what we were trying to do is exactly what you said in the amended one that would have a partnership and a balance between the two so that by taking a dollar of County assistance they wouldn't have to relinquish all of the authority. And that was what the discussion was for the mutual domestics and the resolution.

So I actually agree with you and I don't think – I've never heard – and Mr. Gallegos, you can say otherwise, but you were willing to do a partnership, but if it was all or none, if you took a dollar, you had to give up all authority, that you didn't want to do that but a partnership is definitely an option. Correct? That's how we applied in the first place.

MR. GALLEGOS: Madam Chair, Commissioner Anaya, you're very misled at this point in my opinion of the statements you're making. Moving forward after the County received its conditions to receive the monies from the Water Trust Board, the County gave me a draft – not a draft, but a memo, a document, with proposed conditions that we had to meeting, meaning the mutual domestic and the County and one was to give all assets to the County but not the debt that we have in place. That's ridiculous. Who would do that? That turned the membership off.

There were a number of things, I could go on. I have the document behind me. [inaudible] You guys should be informed of it.

COMMISSIONER ANAYA: Mr. Gallegos, hold on. Hold on a second. Because I want to clarify something. I don't think the chair – I think what the chair was talking about was actually opening up the window to say if there's a partnership – when we apply to the Water Trust Board, we originally were going to apply, we were going to work together with you in partnership and you as a mutual domestic were willing to work in

partnership.

MR. GALLEGOS: Yes, sir.

COMMISSIONER ANAYA: Where the problem came was when the resolution came in and it was all or none. That if the County didn't take full control over it then we couldn't do it anymore. That's where the [inaudible] to get back to the ground here, you're willing as a mutual domestic to partner with Santa Fe County, you just don't want to relinquish all of the authority over to the County. Right?

MR. GALLEGOS: Exactly.

COMMISSIONER ANAYA: Okay. I think the chair was actually trying to broach that topic and move in the direction of trying to mitigate that. So I just want to be clear on that. She said the word partnership so that means two relationships coming together to make it happen, but you're willing to do that. Correct?

MR. GALLEGOS: Of course.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Anything else? Mr. Gallegos, do you have any parting words you want to leave us with?

MR. GALLEGOS: Yes. To address Commissioner Vigil's statements of getting someone from the Water Trust Board here, as a matter of fact we had Mr. Leigland and a member of the Water Trust Board attend La Bajada's annual meeting in October. We were informed of what to do. So we are informed of what conditions they're willing to look at and what they're not.

COMMISSIONER VIGIL: My intent is for this Board to hear from them, not necessarily you.

MR. GALLEGOS: Okay. I wish that you guys would consider my request and let's try to carry this to the extent and get the monies used what they're intended for.

CHAIR STEFANICS: Great. So we have something to deal with in December. It sounds like – oh, Commissioner Mayfield, you have something before I summarize? Go ahead.

COMMISSIONER MAYFIELD: Yes, just really quick, Madam Chair. Mr. Gallegos, I want you also to know that I really weigh in on this, but I'm also supportive of this request that's coming forward.

MR. GALLEGOS: Thank you, Commissioner Mayfield.

CHAIR STEFANICS: So to summarize, I believe that we might hear some – a resolution or two in December, that Commissioner Vigil has asked for a member of the Water Trust Board to try to be here. That I've asked Mr. Leigland to receive some or to ask them some questions in writing and to respond to us. So I think there's a couple different requests on the floor in order for us to have a complete vetting of this and perhaps take some action in December.

MR. GALLEGOS: I thank you, Madam Chair, and staff, thank you.

CHAIR STEFANICS: Thank you for coming today.

IX. APPROVAL OF CONSENT CALENDAR

CHAIR STEFANICS: Is there anybody who wants to remove something?

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COMMISSIONER ANAYA: Yes, Madam Chair. I believe, based on my earlier statements I want to remove item X. C. 7.

CHAIR STEFANICS: Okay, so C. 7 is removed from Consent. Commissioner Holian.

COMMISSIONER HOLIAN: Madam Chair, I'd like to remove X. B. 3 and 4.

CHAIR STEFANICS: X. B. 3 and 4. Anything else? Can I have a motion to approve as amended?

COMMISSIONER HOLIAN: So moved.

CHAIR STEFANICS: Is there a second?

COMMISSIONER ANAYA: Second.

CHAIR STEFANICS: Okay. Thank you.

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

X. CONSENT CALENDAR

A. Appointments/Reappointments/Resignations

- 1. Appoint Linda Trujillo for Nancy Rodriguez Community Center Board (Community Services Department/Health and Human Services Division/Teresa Casados)**

B. Resolutions (Public Comment)

- 1. Resolution No. 2012 -155, a Resolution Requesting a Budget Increase to the Fire Impact Fees Fund (216) to Budget Fire Impact Fee Revenue Received for Planning and Design Costs to Renovate the La Cienega Station 2 / \$30,000 (Public Safety / Fire / Teresa Martinez)**
- 2. Resolution No. 2012 -156, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) From Forestry Revenue Received for Personnel and Apparatus Utilized on the Arroyo Alamo and Waldo Fires / \$11,775.75 (Public Safety / Fire / Teresa Martinez)**
- 3. Resolution No. 2012 – ___, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a Youth Conservation Corps Commission Grant Awarded Through the NM Energy, Minerals and Natural Resources Department / \$147,584 (Public Safety / Fire / Teresa Martinez) ISOLATED FOR DISCUSSION**
- 4. Resolution No. 2012 – ___, a Resolution Requesting a Budget Increase to the GOB Series 2009 Fund (335) From Cash Carryover for Design Services for a Transfer Station in the Jacona Area / \$50,000 (Public Works / Adam Leigland / Teresa Martinez) ISOLATED FOR DISCUSSION**
- 5. Resolution No. 2012-157, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) for a Grant Awarded Through the NM Department of Finance and**

Administration 2012 Legislative Session for Improvements to the Romero Park / \$75,000 (Public Works / Adam Leigland / Teresa Martinez)

6. **Resolution No. 2012-158, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) for a Grant Awarded Through the NM Department of Finance and Administration 2012 Legislative Session to Be Used for Security Doors at the Youth Development Facility / \$110,000 (Public Works / Adam Leigland / Teresa Martinez)**
7. **Resolution No. 2012-159, a Resolution Requesting a Budget Adjustment Resolution to Increase to the Utility Fund From Pooled Cash and Place It in the Waste Water Other Operating Cost Fund (505) / \$97,500 (Public Works)**

C. Final Orders

1. **CDRC Case # V 12-5120 Elia Gutierrez Variance. Elia Gutierrez, Applicant, Requested a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Two Dwelling Units on 1.24 Acres. The Property is Located at 13B North Horizon Lane, within Section 36, Township 17 North, Range 8 East, (Commission District 2). Approved 5-0, John Lovato**
2. **CDRC Case # V 12-5090 Lawrence Maes Variance. Lawrence Maes, Applicant Requested a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Three Dwelling Units on 10.21 Acres. The Property is Located at 85A County Road 44, within Section 31, Township 15 North, Range 9 East, (Commission District 5). Approved 5-0, Wayne Dalton**
3. **CDRC Case # V 12-5160 Timothy Armijo Variance. Timothy Armijo, Applicant, Requested a Variance of Article III, Section 2.4.1a.2b (Access) of the Land Development Code and a Variance of Article 4, Section 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to Allow a Family Transfer Land Division of 2.26 Acres Into Two 1.13 Acre Lots. The Property is Located at 19 Calle San Ysidro, in the Vicinity of La Puebla, within Section 18, Township 20 North, Range 9 East, (Commission District 1). Approved 5-0, Wayne Dalton**
4. **BCC Case # MIS 12-5270 Ponderado Estates Subdivision Phase II Time Extension. Judy Ross & Ted Wegner, Applicant's, Requested a 24-Month Time Extension of the Previously Approved Preliminary and Final Plat and Development Plan for a 13-Lot Residential Subdivision (Ponderado Estates Phase II) on 39.323 Acres. The Property is Located at the End of Camino**

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- Peralta, within Section 30, Township 17 North, Range 9 East (Commission District 2) Approved 5-0, Vicente Archuleta**
5. **CDRC Case # V 12-5250 Carla Cavalier Variance. Carla Cavalier, Applicant, Requested a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow a Family Transfer Land Division of 25 Acres Into Three 8.30 Acre Lots. the Property is Located at 25 Sandoval Lane, in the Vicinity of Edgewood, within Section 11, Township 11 North, Range 7 East, (Commission District 3) Approved 5-0, Wayne Dalton**
 6. **CDRC Case # V 12-5130 Joseph & Anna Garcia Variance. Joseph & Anna Garcia, Applicant's Requested a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow a Small Lot Family Transfer Land Division of 2.5 Acres Into Two Lots. The Property is Located at 3 Avenida Pita, within Section 10, Township 15 North, Range 10 East, (Commission District 4). Approved 5-0, Wayne Dalton**
 7. **CDRC CASE # MP/PDP 09-5300 UDV Temple Variance. UDV Temple, Applicant, James Siebert, Agent, Requested Master Plan and Preliminary Development Plan Approval for a Community Service Facility (Religious Institution) as Defined Article III, Section 7 of the Land Development Code, as Amended. The Two-Phase Proposal Consists of a 6,500 Square Foot Structure to Be Used as a Temple with a 2600 Square Foot Covered Portal Type Structure—to Be Enclosed for Inclusion to the Temple as Part of a Subsequent Phase, a 706 Square Foot Yurt, a 225 Square Foot Utility Room, and a 225 Square Foot storage building on 2.52 acres, for a property Located West of US 84/285 at the Southwest Corner of the Intersection of Arroyo Hondo Road (CR58) and Brass Horse Road (CR 58C) at 5 Brass Horse Road, within Section 13, Township 16 North, Range 9 East (Commission District 4) **ISOLATED FOR DISCUSSION****

Withdrawn Items

X. B 3.

Resolution No. 2012-160, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a Youth Conservation Corps Commission Grant Awarded Through the NM Energy, Minerals and Natural Resources Department / \$147,584. (Public Safety / Fire / Teresa Martinez)

CHAIR STEFANICS: Okay, we are now on the resolutions. Is there anyone in the audience who came to speak about any of the resolutions in the Consent Calendar? Okay. So Commissioner Holian has removed X. B. 3. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. First of all, I'd just like to say good work on getting such a general grant. I think these are really great, especially

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since they put the youth to work. Actually, my questions are probably for Chief Sperling. First of all, I wondered if you've already hired anybody for this yet?

DAVE SPERLING (Fire Chief): Madam Chair, Commissioner Holian, no we have not. We plan to advertise beginning in January. This grant period is for April 1st through the end of September, approximately.

COMMISSIONER HOLIAN: And do you know kind of where you might be doing these sort of fuel reduction projects?

CHIEF SPERLING: Madam Chair, Commissioner, we do. We'll be working on the ongoing project down in Edgewood, in San Pedro. There's a couple of other projects listed specific to this grant that I'll have to get back to you on that are new projects for us, but they are part of the grant package.

COMMISSIONER HOLIAN: So anything off of Old Las Vegas Highway, Chief?

CHIEF SPERLING: Commissioner, I'll have to check for you. I'm not quite sure if that's included in this one.

COMMISSIONER HOLIAN: Okay. And the other thing I was sort of curious about this is can we apply for a renewal of this grant or is this a one-time only thing?

CHIEF SPERLING: Madam Chair, Commissioner, this is an annual grant. This is our third consecutive grant from YCC. And this is the third year of the program. The program is really contingent upon funding I believe through BLM, and we're hopeful every year that the funding or course continues. It's channeled through the state, comes to us. But we keep our fingers crossed that the funding keeps coming for support of the program. This has been very successful for us and I think our program has been a model for the YCC in New Mexico. We've done some really nice work with the folks we've hired over the last two years. A number of them have managed to not only get full-time career employment with our organization but have also managed other organizations, both local, fire department and State Forestry, federal services in the last two years.

COMMISSIONER HOLIAN: Thank you, Chief, and good work.

CHIEF SPERLING: Thank you, Commissioner.

COMMISSIONER HOLIAN: Madam Chair, I move for approval of Resolution 2012-160.

COMMISSIONER MAYFIELD: Second.

CHAIR STEFANICS: Okay. There's a motion and a second.

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

- X. B. 4. Resolution No. 2012-161, a Resolution Requesting a Budget Increase to the GOB Series 2009 Fund (335) From Cash Carryover for Design Services for a Transfer Station in the Jacona Area / \$50,000 (Public Works / Adam Leigland / Teresa Martinez)**

COMMISSIONER HOLIAN: Thank you, Madam Chair. Probably my questions are for Mr. Leigland, mostly. So Adam, why are we doing this?

MR. LEIGLAND: Madam Chair, Commissioner Holian, we have an existing agreement with the Pueblo for Jacona that requires us to design a closed transfer station, similar to what we've done at San Marcos. So this is just to comply with the terms of that existing agreement.

COMMISSIONER HOLIAN: So we are committed. We really have to do this. We can't pull out of the agreement?

MR. LEIGLAND: Madam Chair, Commissioner Holian, I guess we could look at pulling out of the agreement. This is an old agreement. I think that it's – I guess I'd say it's a low risk to proceed with how we're going now. We're actually most of the way through the design anyway.

COMMISSIONER HOLIAN: So, Mr. Leigland, once we do the design, are we committed to actually doing the improvements as well?

MR. LEIGLAND: Madam Chair, Commissioner Holian, no.

COMMISSIONER HOLIAN: Okay. So that is an option that we can make a decision on?

MR. LEIGLAND: That's right.

COMMISSIONER HOLIAN: Thank you very much. I just sort of wanted to comment that the reason I noticed this is I was thinking that possibly we were going to look at another site for a transfer station up in that area that might consolidate a couple of the existing stations. Is that still a possibility?

MR. LEIGLAND: Madam Chair, Commissioner Holian, at the Solid Waste Task Force tomorrow I think we're going to talk about a lot of different recommendations and I think one of the things we look at will be consolidation and consolidating in the north part of the county would probably be part of that. This design that we're talking about would be easily modified if we were to decide to relocate, the design that we're working on can be easily modified for the new site. Actually, we kind of have a standardized design now similar to for instance Stanley and San Marcos. The design we're working on for Jacona will be similar to that.

COMMISSIONER HOLIAN: So actually that brings up another question. If we were to chose another site, could we move the building that's currently on Jacona to that site or does that belong to the site?

MR. LEIGLAND: Madam Chair, Commissioner Holian, the sites out there – it's a mobile facility and it's ours.

COMMISSIONER HOLIAN: And it belongs to us. Okay. Thank you, Mr. Leigland. So, Madam Chair, move for approval.

COMMISSIONER MAYFIELD: I also have questions on this matter please.

CHAIR STEFANICS: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Leigland, have decisions been made from the Solid Waste Task Force? The reason I'm bringing this up again is I know, and I have emails between you and I right here that I asked for topics to be discussed, in either this meeting or the Solid Waste Task Force meeting regarding solid waste issues. Concerns I have surrounding solid waste issues. Because it just seems to me that decisions are being made, discussions are being made, of closing down transfer stations, moving transfer stations. No discussion has been brought in front of this Board, and now I'm hearing

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that a move may be possibly happening. I have an agreement right here of commitments that we have made or that were required to be made regarding the Jacona transfer station that are three years old, that are past due by Santa Fe County that we are in breach of a contract that have not been abided by by Santa Fe County. So do you or Legal want to explain why we're in breach of this contract? And has other decisions been made regarding the Jacona transfer station that I'm not aware of or that this Commission's not fully aware of?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, to answer your first question first, no decisions have been made, but if you recall at the last Solid Waste Task Force, the direction from the membership was to explore a series of options and to present those options tomorrow, which is what we've been working on. So the options that they were asked to explore were the countywide assessment, the mandatory curbside, looking at curbside districts, and continuing discussion of changing operations, either curtailing hours, changing hours, increasing the services, recycling, greenwaste, more consolidation of all our transfer stations. So no decision has been made but the task force did ask that we look into that and so over the last months staff has been working on that and that's what we intend to present tomorrow is the results of that analysis.

So Commissioner Holian asked if we're still looking at that and the answer is yes, because we were asked to. We'll present that tomorrow, and then the task force can decide which direction they want to go to bring recommendations to this Board. Just to give you an idea, the regional resolution required that the task force bring something to the Board of County Commissioners within six months of its first meeting. That would be the first meeting in January but because we don't anticipate having a meeting in December because of the holidays, tomorrow what we were going to propose is that we have two meetings in January, in the beginning of the month and the end of the month and we actually bring recommendations to this Board in February.

So if the Solid Waste Task Force agrees to that schedule then over the next three meetings we will be preparing the recommendations to bring to this and I imagine the recommendations are going to be wide-ranging because we'll be looking at recycling, we'll be looking at education, increased enforcement of illegal dumping. Those are all the things that are on the table. So the recommendations that will be presented tomorrow – I shouldn't say recommendation. It was a scenario, we'll say. I was asked to create a scenario. So I think that answers your first question.

Your second question concerns the agreement. Yes, you're actually right. That agreement says that we were meant to have a design presented by, if I'm not mistaken, by August of this year. The agreement that you referred to earlier with the Pueblo. So we are in breach. I don't know why it's taken us this long to get to where we are not but we are now trying to meet the terms of that agreement. So, Commissioner Mayfield, I don't know if I've answered your questions.

COMMISSIONER MAYFIELD: Again, Mr. Leigland, it just seems like – I don't know if decisions are being made or if they're just a reason. I guess one of my reasons, and again, I'll ask and I'll just say it because I think unless the chair and respectfully if she wants to cut me off that's fine, if it's not noticed properly. One issue that I asked to be noticed, I would like to know what Santa Fe County is doing with all solid waste that Santa Fe County has, because I think it's relevant to this discussion. I want to know what we're

doing with our solid waste at our Corrections Department. And I'm going to ask this question right now. What are we doing with our solid waste at Corrections? Are we contracting that out with a private vendor? Are we getting rid of that at our SWMA facility?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, we'll present you with the full details –

COMMISSIONER MAYFIELD: I'm just asking right now. What are we doing with our solid waste at our Corrections Department?

MR. LEIGLAND: The facility contracts it.

COMMISSIONER MAYFIELD: Why are we contracting it out.

MR. LEIGLAND: It's the most effective way –

COMMISSIONER MAYFIELD: Is it the most economical way to do it?

MR. LEIGLAND: Well, the alternative would be that we send – Santa Fe County doesn't have collection facilities. We have transfer where we consolidate loads and we carry the 40 or 110 cubic yard facilities –

COMMISSIONER MAYFIELD: I guess I hear that, Madam Chair. Excuse me, Mr. Leigland, but it's arguably probably the most economical. So here we are passing it on to every other constituent, the unmost economical way, but we find that it's more economical to contract out all our other facility waste through a private third party vendor, but yet we tell all our other residents you go ahead and pay more money to dispose of your solid waste. And that's one of my issues that I have with solid waste disposal in Santa Fe County. But I think it's all relevant. Do we need to address this all correctively, besides of just saying let's shut down some of our solid waste facilities? And I just wish we could address all of this. I think it's all relative together and that's why I'm asking that we look at this. Recycling, what Santa Fe County does with all of us.

Let me ask this other question, because I don't know this and this is what I want to know. What, at your Public Works facility, where you all are housed at, how do you dispose of your trash out there?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, our solid waste, the Public Works facility is collected by our transfer station employees.

COMMISSIONER MAYFIELD: Okay. So at least that's going to the Caja del Rio.

MR. LEIGLAND: It's going to Caja del Rio, but all of the waste is going to Caja del Rio. The Corrections Department is being collected by I think it's MCT and it goes to it. This building is collected by the City and it goes –

COMMISSIONER MAYFIELD: That's good to know. So at least that's going to Caja del Rio. That's not being shipped to Rio Rancho.

MR. LEIGLAND: No. Everything goes to Caja del Rio.

COMMISSIONER MAYFIELD: And that's the information, Madam Chair, Mr. Leigland, that I'm looking for. I just want to make sure that none of Santa Fe County's waste is being shipped down to Rio Rancho. But that's information that I'm looking for again, because there is discussion that there might be potential transfer stations closed. And look, I'm getting bombarded with emails and I hope folks keep them coming to me. As you know, I'm passing them directly to you and I'm asking that they be put into the record. And I'm trying to share them with all committee members. But I think that's all relevant to this

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discussion. And it's going to come in front of this whole Board eventually because this Board is going to make the decision. And it is – it does go to this other agreement we have at the Jacona station. So that's why I'm asking for this information and I'm going to be straight. When I've asked for something and I have the emails right here, Adam, just so you know, I sent you a request on November 9th that I would like this discussion to happen either at this BCC meeting or the Solid Waste Task Force meeting. For whatever reason, just simple error, communication error – maybe on my part – it was not noticed at either meeting. It could have been my fault to through communication.

MR. LEIGLAND: Well, Madam Chair, Commissioner Mayfield, it was my fault but it's since been corrected. So the new agenda has already been noticed with that item for tomorrow's meeting.

COMMISSIONER MAYFIELD: That's fine, and that's the discussion I wanted to know, because I had no idea what Santa Fe County is doing with its solid waste because the residents ask me and I want to know. So here I am telling them, well, guys, your fees may go up and/or your facilities may be closed. And I don't have an answer for them right now. And I'm finding that we're in breach of an MOU and that I'm being told that your facility might be moving. So again, Madam Chair, I'll get off this point but one thing that I will ask, and I'm going to ask formally request this Commission to entertain this knowing that only myself and Commissioner Holian are members of the Solid Waste Task Force and I'm going to ask this request tomorrow, but I will ask that – and I'm going to ask this request tomorrow, that at least the Solid Waste Task Force meeting be held in these chambers, hopefully after hours, so that hopefully we can get better or more public participation. So thank you, Madam Chair, for entertaining me.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioners, I support Commissioner Mayfield's request relative to the task force and the meeting and any item any of my colleagues would have to present for discussion I would support them having the opportunity to present that at a meeting. I guess relative to the task force, I think that it's good that there are Commissioners on the task force, but it's an opportunity for the task force, from my perspective to actually – if there are proposals on any closures of any transfer station then I think it's the task force role to help us get input specifically related to that point and go to those communities and provide public notice and have a hearing specifically on an item like that.

So if there's a potential recommendation on a closure, I wouldn't want to see the task force come back to this Commission for us to make that determination until there's been a vetted process that's afforded the public a specific opportunity to comment on. So if it was the San Marcos transfer station that was recommended for closure then I would want all the individuals in that region that utilize that San Marcos station to be notified that there's a potential closure so that they would be afforded the opportunity to go make comment. I think that comment should take place there, and then recommendations should happen after that. So if the task force is leaning in that direction, then I would suggest they go out and get some more input relative to that.

Here's something I would like you, Mr. Leigland, or my fellow Commissioners that sit on the task force to pass on. As one individual Commissioner I will continually say that if

there's ways within the task force where there's pickup service in the urban areas – I know, Commissioner Holian, you've talked about some areas in the urban area that are primed and ready for commercial service, if they are ready and the County is going to move into that venture and that can offset the costs of overall transfer station use, my position is always let's reduce the fees in the outlying areas if we can offset that with revenue from commercial pickup in the urban areas, so be it. But I would be averse to any recommendation for an increase to tipping fees at the transfer station and I would just ask that be passed on to the task force.

But I look forward to seeing the recommendations but I also think they need to be methodical about how they solicit public input. Thanks.

CHAIR STEFANICS: On that point about pickup, I just wanted to let you know that I just – I have a series of friends off of 599 and there is a small company from Albuquerque, New Mexico that has the trash pickup for the entire area and it's \$13 for three months. And when I heard that price I thought maybe they should be the Santa Fe County vendor. So I will try to find out who that is but that was an astounding price to me, how low it was. Anyway, back on the resolution. Resolution No. 2012-161.

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

CHAIR STEFANICS: Is there a second?

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: There's a motion and a second for Resolution No. 2012-161, a resolution requesting a budget increase to the GOB Series 2009 fund from cash carryover for design services for a transfer station in the Jacona area for \$50,000.

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

COMMISSIONER MAYFIELD: Madam Chair, just a quick follow-up question.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Leigland, and maybe this is a question for Mr. Ross. Is there something going, or I guess related, with the Jacona Land Grant? Is there some study going on with the Jacona Land Grant regarding maybe transfer use?

MR. ROSS: Madam Chair, Commissioner Mayfield, you and I discussed this earlier when I tried to get a copy of this agreement I was handed a copy of a similar agreement with the land grant dated some 12 years ago that as far as I can tell is still in force. And it's for the same thing, for a transfer station on the land grant as opposed to on the Pueblo. So all these things have got to be sorted out.

COMMISSIONER MAYFIELD: That might be relative also that we could look at that.

MR. ROSS: Correct.

COMMISSIONER MAYFIELD: Thank you.

- X. C. 7. **CDRC CASE # MP/PDP 09-5300 UDV Temple Variance. UDV Temple, Applicant, James Siebert, Agent, Requested Master Plan and Preliminary Development Plan Approval for a Community Service Facility (Religious Institution) as Defined Article III, Section 7 of the Land Development Code, as Amended. The Two-Phase Proposal Consists of a 6,500 Square Foot Structure to Be Used as a Temple with a 2600 Square Foot Covered Portal Type Structure—to Be Enclosed for Inclusion to the Temple as Part of a Subsequent Phase, a 706 Square Foot Yurt, a 225 Square Foot Utility Room, and a 225 Square Foot storage building on 2.52 acres, for a property Located West of US 84/285 at the Southwest Corner of the Intersection of Arroyo Hondo Road (CR58) and Brass Horse Road (CR 58C) at 5 Brass Horse Road, within Section 13, Township 16 North, Range 9 East (Commission District 4)**

COMMISSIONER ANAYA: Madam Chair, I just pulled this for the actual vote.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR STEFANICS: Commissioner Holian.

COMMISSIONER HOLIAN: I actually was going to pull this too and the reason is because in the caption it talks about a yurt and I believe that the yurt is not going to be built. So I'm just wondering whether the caption should be amended in some way. I know this came from the original caption. Does it make any difference, Steve?

MR. ROSS: Madam Chair, Commissioner Holian, that's the original caption as the application was originally designed. The yurt is specifically addressed on page 4, paragraph #7. A yurt, a greenhouse, shall not be erected on the property.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I actually did note that; I just wondered if it made a difference because it was in the caption. In any event, I move for approval.

CHAIR STEFANICS: I'll second. Comments on this item? Do you want to comment after your vote?

COMMISSIONER ANAYA: Madam Chair, just on the – no, I don't have a comment after. I just – is there any – is it just an oversight that the vote count isn't in this? It's listed on everything else but not that one. Is that just an oversight? On every case it says that the case was 5-0 or –

MR. ROSS: Madam Chair, Commissioner Anaya, I actually drafted this order and Land Use staff uses kind of a different format and they do that. It is an oversight.

COMMISSIONER ANAYA: Okay. I was just curious. Thanks.

CHAIR STEFANICS: Okay. On CDRC Case #MP/PDP 09-5300, UDV Temple Variance, all those in favor of this final order please say aye.

The motion passed by majority [4-1] voice vote with Commissioner Anaya casting the nay vote.

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CHAIR STEFANICS: Commissioner Anaya, did you have a comment? None. Okay. Thank you.

XI. STAFF AND ELECTED OFFICIALS' ITEMS

A. Public Works Department

- 1. Request Approval of a Building Lease Agreement Between the County and Presbyterian Medical Services for a County Owned Building, Parking Lot and Playground Located at County Road 98 in Chimayo for a Headstart Program in Santa Fe County**

MR. LEIGLAND: Madam Chair, Commissioners, the County has an ongoing lease with Presbyterian Medical Services as the caption says for Headstart, and this is just to renew that lease for one more year, for \$500 a month.

COMMISSIONER MAYFIELD: Move for approval, Madam Chair.

CHAIR STEFANICS: There is a motion from Commissioner Mayfield to approve. I will second.

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

XI. A. 2. Open Space and Trails Plan Update [Exhibit 2]

MR. LEIGLAND: Madam Chair, Commissioners, there's been a lot of activity with our trails lately. We've had some ribbon-cuttings and a bond. There were some river trail projects that were part of that bond so we thought it might be appropriate to update the Commission on just what the trail plan looks like and just kind of give you an idea of what new trails are coming down the road, pun intended. So with that I'll turn it over to Colleen. She has actually put together a nice little power point presentation for you that talks about some of our major trail initiatives.

CHAIR STEFANICS: Thank you.

COLLEEN BAKER (Open Space Program Manager): Thank you, Adam. Madam Chair, Commissioners, thank you for the opportunity. As Adam introduced we thought it might be a good idea to do an update on the trails plan that we've been working on, where we are and partly in context for the design contract that's on the agenda later for award. So the Open Space and Trails Plan that was adopted in 2000 had goals for the trails that we would be working towards implementing over time. These are selected out of those. The primary goal was to identify major trails that we could consider primary trails that would provide a backbone, give us a backbone structure for the multi-purpose trails that would provide the connections between places, and from that backbone develop a secondary trail system that connected communities and particular destinations into that backbone structure.

There was also language in there about preserving historical trails and access to existing open space, parks, and recreational areas in the county. And then finally to create

links between County open space acquisitions, city parks, state and federal lands, to provide that kind of trail experience between but also commuting opportunities.

What we've done since then is try to refine that open space plan using the community planning process that the County has through plans such as the Community College District Plan, the Tres Arroyos del Poniente District Plan, other traditional community plans, and also more regional plans like the Metropolitan Planning Organization just put out the bicycle master plan in 2012. So drawing on that to refine where our primary trail corridors are.

The primary trails the Open Space program is currently working on you would be very familiar with – the Santa Fe River Greenway, the Santa Fe Rail Trail, the Arroyo Hondo Trail, which we'll get back to in a few minutes. New Mexico Central Trail you may not know as well. It's an old alignment that's away from the [inaudible] area but through the Rancho Viejo development and down through our open space property at Thornton, at the junction there with the Burlington Northern Railway.

The Chile Line is another major old railway that actually leads up north and we're looking at that one, possibly in connection with the Rio Grande Trails and some trails that have been in the Jacona area as well. And then a trail connection between Cerrillos and Lamy generally along the Burlington Northern Santa Fe Rail line as well.

Just a couple of pictures of the major corridors that we're looking at. This is the Santa Fe River Greenway at San Ysidro Park, Santa Fe Rail Trail, this is the Spur Trail which is a district trail in the Community College area that connects east-west from the Rail Trail and over towards the Arroyo Hondo area where we're going to be working. This is the old railroad bed of the New Mexico Central Trail that we're using as a trail alignment.

We also do soft surface trails. This was part of the Dale Ball connecting trail at Arroyo de la Piedra that we just completed. And so giving context to the item that's further down in the agenda for the design of the Arroyo Hondo Trail, this is a view looking up the Arroyo Hondo towards the Sangre de Cristos. This is the circulation map from the Community College District Plan and in the red area that's where the Arroyo Hondo Trail is, and it actually runs from the Rail Runner station along the Arroyo Hondo to Oshara Village and also the Community College and connection to the Rancho Viejo area. So this is where we're taking the context of putting together this design RFP.

This map – I apologize, but the road line is the proposed or conceptual line that we're actually going to be asking the designer to provide construction documents for, but it goes from the Rail Runner station all along here, connects to the Rancho Viejo fire station where there is a trail head now, and then connects up into the La Pradera trails, and then over to the Rancho Viejo, connects to the Spur Trail, which then takes us on over to the Rail Trail, which is off the map and into the Santa Fe Community College District, also connects into the New Mexico Central alignment which Rancho Viejo actually has a trail along that portion, and we're looking at connections over into the southeast.

So some pertinent facts about the Arroyo Hondo Trail: It is a connection between the Rail Runner station and the Santa Fe Community College. It's going to add approximately six miles of primary trails, multi-purpose – bicycle, pedestrian, equestrian trail. And then it's also – it's on MPO's transportation improvement program and the state's transportation improvement program, so it is eligible for federal transportation funding. The estimated

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construction cost is \$5.6 million. We're looking at phasing that in four sections to make it more fundable and the design contract is the item that's further down on the agenda. And with that I would stand for questions.

CHAIR STEFANICS: Great. Yes, Commissioner Vigil.

COMMISSIONER VIGIL: Thanks. Colleen, thank you so much for this presentation. I'm going to keep copies of this map because this certainly is a project Santa Fe County has taken that we've been in the forefront and it's wonderful to see the results. Thank you for the work you're doing also.

On the Rail Trail, I've been asked, is that going to remain a dirt trail or are there any plans to put any concrete there at all?

MS. BAKER: Madam Chair, Commissioner Vigil, no. At this point we've heard from the community. They very much want to keep it a natural surface trail. We've tried to make it wide enough to accommodate more users as a larger trail but it is not intended to be paved or concrete at any time.

COMMISSIONER VIGIL: I'm so glad you said that because that's how I've been representing it.

MS. BAKER: We may hear from the community differently about which direction to take.

COMMISSIONER VIGIL: No, actually the question was just posed. I happened to be on the Arroyo Hondo Trail, well, more than a week ago I guess, and there is a group of stewards there that live around the area that were raking and weeding and doing all kinds of things to that trail and I was very delighted to see that because one of the things that I think we are going to need to have to do is create those stewardship programs. Now, I'm sure these folks are highly personally incentivized to be doing this but I think there are other communities who would also be equally as incentivized and I know that we probably have to create a support system to make those stewardship programs happen. Have you all discussed what direction you might be going with that? I just don't think these trails can survive without local stewardship or ownership.

MS. BAKER: Madam Chair, Commissioner Vigil, you're actually right, and you're referring to the Arroyo Hondo open space which we do need to distinguish from the Arroyo Hondo Trail. They're graphically related.

COMMISSIONER VIGIL: It was a trail.

MS. BAKER: Yes, and there's a loop trail within the Arroyo Hondo open space. And to speak to the stewardship, you're correct. That was actually a superb collaboration with the Santa Fe Conservation Trust and the Trails Alliance of Santa Fe. So those are non-profit – not even a non-profit, they're just a local organization dedicated to trails and they wanted to do that project and that neighborhood, the Arroyo Hondo community is very active in supporting that. And it does take that, having a community mobilized around a particular resource, particularly close to home. So we'll be trying to foster that in as many places as we can and the Arroyo Hondo Trail itself we may be able to build an organization like that around that.

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What's critical to that, and thank you to the Commissioners and to the Manager and all of Santa Fe County, we have the volunteer coordinator position coming on in January, that part of their role will be fostering those kinds of stewardships organizations.

COMMISSIONER VIGIL: Okay. I'm glad to know that because when I initially brought forward the stewardship program we really didn't have the ability to staff or provide any kind of support for that. So if this volunteer coordinator can coordinate with communities to provide these stewardship programs – and that is really the concept behind Santa Fe Beautiful. It's an internal, organized organization that creates the opportunity for volunteers to do litter pickups. So that kind of philosophy I think really enhances a community's ability to take ownership and to create beautiful passages throughout the community. So we're planning all of this. Lest we do that I think we're going to be selling ourselves short. Thanks, Colleen. Thanks, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you very much, Colleen for your presentation. I just think that this trail network is a wonderful recreational opportunity for our whole community. So I just want to thank you and the Open Space and Trails Department for all the hard work you do. And I wondered if I could get a copy of your presentation.

COMMISSIONER VIGIL: I would like one too.

COMMISSIONER HOLIAN: Because I'd like to send it out to my email list and so on.

CHAIR STEFANICS: I think we need a copy here today, because we all have some questions that we're proceeding with. So could somebody go get a copy while we continue to ask questions? I'm talking about a physical copy for the Commissioners today. So continue, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I'd also like one on the computer because I'd like to send it out if I could. Then I wanted to ask, because I knew – I think I heard that last week or weekend that the Arroyo Hondo Land Trust was doing some maintenance. Were they doing that on the Arroyo Hondo open space area? Were they collaborating with you?

MS. BAKER: Madam Chair, Commissioner Holian, yes. I believe they were involved in that volunteer work. We did the Trails Alliance with the assistance of the Conservation Trust put together for us.

COMMISSIONER HOLIAN: So that's a great model. Anyway, thank you.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Colleen, thank you for the presentation. For those open space areas that we haven't started work on an active trail, can a community – do we allow a community association or a group of people to get on to our open space to go tour it or hike with staff? Because what I think happens a lot of times is we're working on projects and you're trying to do a sequence and resources are always challenging, but do we provide opportunities for people to do that and could you maybe talk about that

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publicly so people that are listening or watching can understand what they can do to access some of that open space that does have a formal trail network?

MS. BAKER: Madam Chair, Commissioner Anaya, yes. We have tried to do that, recognizing that some of these projects, because it's taking time to develop them that we haven't provided that. So particularly Thornton Ranch is a great example. We have not developed that property for regular public access so what we've been doing is hosting a series of tours periodically through the years to allow some level of access. It's not ideal, but it's some level of access to the public to enter those properties.

COMMISSIONER ANAYA: I guess I would like, Madam Chair and staff, I'd like you guys to consider some type of request process that an organized group could go through to be able to access possibly open space in some organized way that affords staff the opportunity to review it and then maybe plan for it. One of the things, we had the La Cienega studio tour group came before us at our last Commission meeting and I think in those areas where we have open space that we might be able to complement a community activity around a tour around their tour, so that people that are accessing the Galisteo studio tour or Madrid or Cerrillos tours or art festivals could have a combination of things that they're doing. So if you guys could maybe look at some possible alternatives and some way that a group could request that I would appreciate it.

The other thing is could you just provide me an update as to – I know there's plans to do the covered riding area in Edgewood. I want us to do a groundbreaking over there. I'd like to get more involved in that project. I'd like to make sure that the 4-H groups are involved in that project because the kids are going to be one of the main groups that are going to utilize it and really enjoy it. I think it goes well beyond equestrian and goes into a facility that could help with the kids and showing their animals and have other alternative arts and crafts – many different things that I know you guys have probably already dissected but if you could get me involved and then we could work together. But can you kind of give me an update as to where things are at with that particular project?

MS. BAKER: Madam Chair, Commissioner Anaya, the construction contract award will be on the December 11th meeting. That's what we're aiming for. We can certainly entertain a groundbreaking. We have been talking with some of the 4-H leaders possibly taking stewardship of that property or at least part of the stewardship of that property. And future, long-term, that property is, at least in the community of Edgewood looked at as possibly a hub, a trail hub. The trails have yet to be developed and we need to work on going through that community planning process of identifying what those primary trails would be that might come out of that region. But it's a future part of that as well. Right now we're focusing on developing the internal trails so that at least it functions as a whole right now, and then we'll start looking at what those trail connections might be from there.

COMMISSIONER ANAYA: Excellent. One group that goes along with the 4-H groups is the Moriarty FFA, Future Farmers of America that's very strong in the Moriarty High School. If you could access those youths and show them what we are going to be doing and solicit some feedback from those youth I think they're another important group that would probably utilize that space as a hub as you suggest to do activities and other events for youth.

The other group, and the name escapes me, but it's the horse adoption facility that is in Santa Fe County by Cedar Grove. It's a non-profit organization and at minimum we should – they have their own facilities where they do their work, but I think a discussion with them on what we're doing and how it might complement some of the work that they're doing for horse adoptions. I know that their horse adoptions in the last two years have doubled and the last I talked to them they were up to 90 horses I believe that they had taken in and were looking to provide homes or people to adopt them or take them in. So I appreciate the work and your efforts and thanks again for coming forward. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. I have a couple of questions. First of all, when are we going to receive a report from COLTPAC on the volunteer resolution?

MS. BAKER: Madam Chair, I'd actually like Beth to answer that if I could. I believe we're reviewing that in December on the 13th.

BETH MILLS (Open Space): Good afternoon, Madam Chair, Commissioners. Yes, we are going to be finalizing that on December 13th at the COLTPAC meeting. We've reviewed the draft that the committee had come up with at last month's meeting. There were some changes, so we're hoping to finalize the recommendation on the 13th of December and then – I don't know. Perhaps you can advise us on how best to bring those recommendations forward to you or how you would like to proceed.

CHAIR STEFANICS: Well, it's similar to the other task forces, so we would want to hear a formal presentation here about it. If we take the time to pass a resolution for a work product that means we like to hear about it. So, Ms. Miller, probably one of the January meetings we need to hear if COLTPAC is ready to make some recommendations by then. Okay? Great. The second question I have is as you went over these plans – and the reason I wanted this in hard copy for all the Commissioners right now is could you identify any areas of the county that perhaps could use some attention for development of open space? Areas like – we all know of some in our district, but are there some that perhaps should be further developed, like some areas or some districts in the county?

MS. BAKER: Madam Chair, Commissioners, I think there's probably multiple ways to answer that and looking at several. Trails-wise, for sure, particularly in the areas that are receiving growth. So in the Community College District area, in the Eldorado area, in the Tres Arroyos del Poniente area, there are some clear needs for connecting trails, along the lines of the district trails but also into the community trails and trying to make sure that the developments that are coming forward are matching in with the trail system that actually functions. I actually just had a conversation earlier this morning with Erick Aune, our transportation planner, starting to look at what some of those connections might look like for trails planning, particularly.

On parks also, a little bit different because it's generated by a population need, so we need to look at where the growth is happening and look at their levels of service and look at what we're trying to provide and how much of that developments are going to provide at the local park and neighborhood park level, and how many community parks, the larger parks, we need to start looking at. So we really need to do some analysis from the population standpoint of where we need to focus our park energy.

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Open space takes on a different character in trying to protect landscapes. So the Galisteo Basin is one of our top priorities. There are some particular issues per region. They fall partly in districts, but per region, like the northern part of the county, really there's public land access issues, where there's a lot of public land but it's difficult to get to it and there's some conflict between local residents and how trails users get to public lands. And there's an agricultural component to our program too, agricultural preservation that's particularly relevant to the northern part of the county but also La Cienega and some of the smaller communities as well. So it depends on what particular conservation or recreation goal we're looking at, but each area we are trying to further that discussion I guess is to your point.

CHAIR STEFANICS: So I just recently learned that I have a little park in my district that I knew nothing about, and I'm talking about hiking trails park or a park that people would just go and sit under a tree and have a picnic. How do those parks – how are they maintained, how are they kept up? We might have some liability issues in some of our parks and I know that Commissioner Mayfield has brought that up for some of his areas, but now I'm seeing something in my district as well. So could you talk a little bit about the older pieces that we have?

MS. BAKER: Yes, Madam Chair, Commissioners, the park that you're referring to is Leo Gurule Park. It's near the Allsups there off of 14. It is a park that – the land was dedicated to the County through the development, through the plat dedication of the development. So that four acres that the park is on was dedicated to the County through the development. The park itself was built – I don't have the dates in front of me but it was one of the Land, Water and Conservation Fund projects so it was probably in the seventies or early eighties era.

All of these parks I've had reviewed for safety. That is one of the ones that does not meet current safety codes. And so we've put it on the capital needs list as a project. That facility needs to be updated completely. It's beyond compliance and it needs to be renovated. It's actually served its life and now it needs the capital to bring it back up to standards. So it's recognized; it's on our list. We are also working with our Risk Department to decide whether we need to do some removal of equipment to mitigate our liability in that park.

The only other park that I'm aware of that's actually functioning, there are a couple that don't function right now and are not being used. They're also Land, Water and Conservation projects from the seventies and eighties. The only other one that's currently being used is Benito Chavez. It also has many pieces of equipment that don't meet current safety standards. Fortunately, that one was on the bond list and we will be addressing that in the next four years.

The other parks that are older, I've had a safety inspector look at and they still meet current safety standards. Rio en Medio is the one that comes to mind. It is aging and we need to keep an eye on it. It's also been put on the capital needs list as a park that we would need to renovate at some point.

The other parks are actually in decent shape or we're doing work to keep them up. We do right now, currently have two maintenance staff and we have the seasonal positions that we were awarded in this last budget round. So we are doing everything we can to keep up with the maintenance on those parks. And we have community members that are also

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contributing like at La Puebla where we have a community member cleaning the bathroom and helping us out as well.

CHAIR STEFANICS: Well, maybe it's the last item I have. I think the parks and open space is very, very important for the community, but – and connectivity is something we discussed years ago when we first started COLTPAC, but the Thornton Ranch issue – my taxpayers in my area want to know why they can't get in. So I think this has been discussed and I harangued Ms. Miller about it quite a bit, but this has been discussed for a long time now. So I think we have to start coming up with some resolutions.

When we put down good money for something, and there's something really exciting to participate in, and the taxpayers know about it, we need to be able to provide something for them. And I know that we're very conscious of degradation of the site, but by withholding something it can lead to that and I would hate to see that happen.

MS. BAKER: Madam Chair, Commissioners, that is one of the biggest ones on our task list and actually that was also in the bond, so the planning, the design to provide the public facilities to allow access to that property is now funded. So we can move forward with that. A couple of critical things that we do need to handle though because of the resources as you said, we really need somebody to safeguard that, whether it's some kind of staff position as a resource ranger or partnerships with BLM, although there's only one ranger, I believe, for BLM in the whole district. But some way to safeguard that as we do open that up to the public.

One of the things that's really in our favor is that the Galisteo Basin Management Act for those cultural sites has been passed and approved, so we are using that in our planning as we move forward for the actual development of that property as well. So there are a few key things that have happened in the last year that really poised us well I think for opening up that property. But that is on our task list now.

CHAIR STEFANICS: Great. Thank you.

MS. BAKER: And what I'd like to do with that, actually, I have a handout and I'm sure it will engage questions but maybe not for today that gives the date of the property, when it was acquired, why it was acquired and what the status is. *[Exhibit 2]* So for a future discussion.

CHAIR STEFANICS: Thanks. Other questions, comments? Thank you very much for coming today and giving us that update.

XI. A. 3. Water Trust Board Project Update

MR. LEIGLAND: Madam Chair, Commissioners, I felt it was timely to just give you an update on the status of our Water Trust Board applications. Seeing that we talked about one earlier today it would be a good opportunity to talk about all the other ones that we're currently working on. So just to remind you, the County received a Water Trust Board grant in 2011 to do some watershed or some riparian restoration in the Rio Quemado, so we're proceeding with that. It was a \$43,000 grant and the RFP for those services it out. So that one is progressing.

In addition, in the 2012 funding cycle, in addition to the money that we received for La Bajada we received money for two other projects. We received money for a waterline extension in La Cienega. The total project amount for that was \$400,000. That was to add a new waterline in the La Cienega area and it will essentially extend the County water service in that area on the Paseo C de Baca, on kind of the south side of the river. We anticipate – we haven't received all the funds yet. We've submitted all our documents to the Finance Authority and we anticipate we'll start in February and that project will last one year.

The other project we received in the area was the La Cienega Spring monitoring project, and this is part of our larger effort to look at spring flows and groundwater and the acequias in that area. And so this was a \$148,000 effort to do that, as the title says to monitor the springs. We're going to monitor at three locations between the wastewater treatment plant and that La Bajada acequia diversion. And we're going to have some data loggers at ten locations at those three overall locations. And so we estimate that we'll start that about the same time in the January/February and that once again will be one year.

So those are the ones we received in 2012. Also in 2012 that we've been tangentially involved with, the mutual domestic at Canoncito received \$250,000 to design internal distribution system improvements. They haven't received the funds yet but they have prepared and issued an RFP and they've asked the County to help evaluate the proposals and then when the proposals are actually awarded they've asked the County to manage that, the execution of that contract and that's related to the County's effort to adopt that system.

So they have RFPs but they're not going to evaluate them until the next board meeting and they've asked the County to assist on that. So if the – I'm assuming that funding schedule will follow ours, which is to say they'll start work in February and then we'll probably have a design.

And that leads me to the two – and just to remind you that the two projects that we submitted for the 2013 cycle we submitted them at the end of October. They are currently going through what the Water Trust Board calls peer one review. We haven't heard the results from that. One was for the construction of the Canoncito internal water distribution. So the design was funded. This year we'll have the design ready to receive the construction funds this year. We think we'll compete very well. And the second one we submitted for was for Chupadero water system improvements and that is the County recently adopted the Chupadero system and so this will do about 13,000 feet of internal distribution. So as I said, those are both in peer one review and we hope to hear good things about those very soon.

So that's just an update on our Water Trust Board process. I'll stand for any questions.

CHAIR STEFANICS: Thank you. Questions, comments?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Leigland, can we work together with a mutual domestic water association and a community association in La Cienega and number one, provide them a written summary of the Water Trust Board applications that maybe you and I could sign on to? A letter that gives them a summary. And then maybe do some type of gathering as we're initiating each of those projects in La Cienega. Maybe we can do it around one of their meetings. I know they have Saturday

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meetings some times, but maybe you and I could work together and we'll invite the entire Commission and everyone to participate in that. But I think those are good projects that are going to help the valley and ultimately the region, especially the water extension that's going to help offset some of the groundwater we're taking out of the area. Thank you. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you, Adam. I have a question on the Canoncito project. Where will the water come from to deliver to them? Will it come from our County utility or will it come from a well? Of course it will come from our utility, but is it anticipated that it will be coming from Buckman or from a well in the area?

MR. LEIGLAND: Madam Chair, Commissioner Holian, it will come from Buckman. So under the 2008 bond with the projects to bring BDD water from Rancho Viejo all the way to Canoncito. So there was a question, I guess a cash flow question. We weren't sure which would get those first and so we were investigating if there had to be stop-gap measures involved and maybe an interim well. But with the passage of the bond that question has been answered I guess in the affirmative. So the phasing question has been resolved and so they will be getting Buckman Direct Diversion water.

COMMISSIONER HOLIAN: So is that going to slow it down a little bit? Because it seems like it would take more time to put in that extra line than to drill a well [inaudible]

MR. LEIGLAND: Madam Chair, Commissioner Holian, actually know. Actually things should go very quickly, and in fact there is no extra line and in fact now that the cash flow question has been answered it actually eliminates some work, some piping, and so it will actually be a shorter amount of line.

COMMISSIONER HOLIAN: And then I have sort of a general question, because it seems like we're really doing a lot of expansion, and this is a really good thing with all of our water projects and so on and so forth, especially with regard to our utility. Do we have an overall plan or are we thinking of putting together a plan so that we can sort of look at the overall picture?

MR. LEIGLAND: Madam Chair, Commissioner Holian, that's a very topical question because we've actually been working on that very thing and we presented a draft plan, we presented a draft issue with the various technical groups. So, yes, we can definitely bring that forward. You can call it a utility growth plan, a sustainability plan. So yes, we'll bring that forward.

COMMISSIONER HOLIAN: Thank you, Adam. Great. I'm glad to hear that.

CHAIR STEFANICS: Thank you. Anything else from the Commission?
Thank you very much, Mr. Leigland.

XI. B. Administrative Services Department

1. Request Approval to Award Contract #2012-0210-OS/PL to Loris & Associates for the Engineering Design Services for the Arroyo Hondo Trail in the Amount of \$569,996 Exclusive of GRT

BILL TAYLOR (Purchasing): Thank you, Madam Chair, Commissioners. You were just briefed on the trail plans for the county and just a little bit of background. Again, the Arroyo Hondo Trail design includes a trail along the lower Hondo that connects to the New Mexico Rail Runner rail stop at 599 to the Community College and some neighboring subdivisions, schools and businesses. The trail is located within the Santa Fe Community College District and is identified as a district trail in the Community College District Plan. The primary segment runs parallel to Rancho Viejo Boulevard. It will run along Avenida del Sur and the Arroyo Hondo Trail will provide multi-modal transportation.

Purchasing issued an RFP in June. We made a selection through the committee. There were six proposals received from various firms and Loris and Associates was ranked as the most qualified firm, and with that, Madam Chair, we ask approval of the contract and would stand for any questions.

CHAIR STEFANICS: Thank you very much. Questions, comments, motions?

COMMISSIONER VIGIL: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Vigil.

COMMISSIONER VIGIL: If no one has any particular questions I'm ready to move for approval.

COMMISSIONER HOLIAN: I'll second that.

CHAIR STEFANICS: There's a motion and a second. Are there questions?

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

XI. B. 2. Request Approval of Agreement #2013-0115-CORR/PL for Electronic Monitoring Services in the Amount of \$420,000

MR. TAYLOR: Thank you, Madam Chair. Santa Fe County Corrections Department offers electronic monitoring services for those Santa Fe County residents who are court-ordered to be monitored electronically while on probation, prior to be adjudicated, and/or while nearing the end of their minor drug, alcohol and misdemeanor sentence. We, Purchasing, to obtain these services, issued the RFP. We obtained three proposals in the RFP, BI, Incorporated, 3M Monitoring, and from Rocky Mountain Offender Management Systems. All proposals were reviewed, deemed responsive and BI – we went through actually the short listing RFP process and then onto oral presentations, and BI, Incorporated was ranked as the selected firm. With that, Madam Chair, I'll stand for questions.

CHAIR STEFANICS: Thank you. Questions, comments, motions?

COMMISSIONER HOLIAN: Madam Chair, I have a question.

CHAIR STEFANICS: Yes, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Bill. And what did we spend last year on electronic monitoring equipment?

MR. TAYLOR: I believe we spent approximately \$460,000. Is that correct, Director? I believe it was about that amount.

PABLO SEDILLO (Corrections Director): Madam Chair, Commissioner Holian, the initial contract was for \$460,000 but we asked for an additional \$440,000 to take us over through the term of the contract.

COMMISSIONER HOLIAN: So this is a little bit less than what we were spending last year then.

MR. SEDILLO: Madam Chair, Commissioner Holian, this is for one year for the contract. Yes.

COMMISSIONER HOLIAN: Thank you, Pablo.

CHAIR STEFANICS: Thank you. Commissioner Anaya, you had something?

COMMISSIONER ANAYA: Madam Chair, Mr. Sedillo, I know we've had discussions – I know when electronic monitoring first came on board the idea was that we would help offset people that would otherwise be sentenced to jail and they would be, because of those minor offenses be able to be on electronic monitoring. Is that still the purpose or are we now seeing high numbers still in the jail as well as high numbers in the electronic monitoring? And while you're answering that, what's our statutory obligations associated with electronic monitoring? I know what they are for jail provisions, but what are our obligations for electronic monitoring statutorily, if any?

MR. SEDILLO: Madam Chair, Commissioner Anaya, first question is the EM devices were intended for the offset for in lieu of incarceration. Our current count for Santa Fe County residents has actually gone down. We were averaging probably around 275 and now we're averaging 242. Our total count of our population is about 497. That's where we're staying pretty consistent so if you look at 497 and about 242 are Santa Fe County residents and the rest are paying inmates there is an offset. We have approximately 360 on EM monitoring a month. So that is a good amount. However, we are still struggling with getting compensated for those EM devices that the people are being placed on by the person that they're being placed on.

And the issue of statutory, I'm not quite sure that we have anything that is statutorily binding for the correctional facility to put people on EM. That is coming from the judiciary, from the courts, the district and magistrate courts placing those individuals on EM.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Sedillo, is there any internal analysis of individuals that are on electronic monitoring based on their offenses that are in jail that could be on electronic monitoring and questions or discussions that we've ever broached with the judiciary and the judges to figure out how we can get more of them out of the jail onto EM which is a lot more – what's the savings between the two?

MR. SEDILLO: Well, Madam Chair, Commissioner Anaya, there is a great amount of savings if you place them on EM. I think a lot of the people that are being placed in Santa Fe County detention the judges are really looking at that. What we're trying to do inside our facility is we're trying to establish programs. We have established programs inside a facility to recommend to the judges, that they no longer need to be in our facility. They can go on EM. And we can't make that determination. We can make the recommendations to the

courts and the courts can actually give good time for those individuals and say, okay, you're here for six months but you've been actively participating in programs in our facility and we are now sending recommendations to the judge to get them out of our facility to be placed on some type of supervision, whether it be EM or another type of supervision.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Mr. Sedillo.

COMMISSIONER VIGIL: Madam Chair.

CHAIR STEFANICS: Yes, I have Commissioner Vigil and then possibly Commissioner Mayfield.

COMMISSIONER VIGIL: Do you know, Pablo, if in the judgment and sentence the judges are actually requiring the recipients to pay the County for this? Or is there a level of expectation that the County pay? Because that could be a condition of their release from jail or a condition of use of the –

MR. SEDILLO: Madam Chair, Commissioner Vigil, it's a very good question. Right now we have about 48.5 percent of people being waived their fees to be placed on EM and that's quite a significant amount of people being waived. They can impose it in the judgment and sentence and I think we're working with the judges right now even to try to establish some kind of revenue because we're losing quite a bit for a hookup fee. A certain amount just to be hooked up on EM and making those individuals accountable for that responsibility of being placed on the EM device.

COMMISSIONER VIGIL: And I guess the other question I have is with regard to – I have to comment, be careful what you ask for. I worked with Aaron Briscoe with the judges back in 1999 to try to get them convinced to have this alternative sentencing with the mission, as Commissioner Anaya referenced, that it would reduce costs at our County jail. Now, it's incredible to me to see how much costs have gone up with regard to this. So I actually think that there should be some criteria put in place rather than having criminal defense attorneys request a waiver. I think that it was originally intended for us to assist those who are indigent but not all of these recipients or sentencees are indigent.

So it's seeming to me that we're taking on responsibility that needs to be taken care of by somebody else. It's kind of the monster we built when we requested this in a way. But I do believe there are ways to do it. I think we do have to work with the judiciary and I also understand just from conversations I've had with corrections folks and with our County Manager that there are different kinds of EM and some are Cadillacs and some are Tauruses for lack of a better word. So if they're issuing the Cadillacs, which are far more expensive, is there a need for that? That kind of criteria I think needs to be established.

The other question I had for you, Pablo was who does the monitoring? Is it the Sheriff or is their probation officers? Who actually does the monitoring?

MR. SEDILLO: Madam Chair, Commissioner Vigil, actually, we have a division in our Department of Corrections that we have staff to monitor that. So we have a department that strictly monitors our EM devices.

COMMISSIONER VIGIL: Okay. And so if someone's in violation, who do they report that to?

MR. SEDILLO: If someone's in violation they report that to the courts. The courts establish a warrant for their arrest for the violation, depending on what the violation is.

COMMISSIONER VIGIL: Okay. And what about probation officers? They used to be engaged in these and they used to actually drive by and check on the parolees or the probationees.

MR. SEDILLO: Well, our EM Division works closely with the probation department and also with the Santa Fe PD and the Santa Fe County Sheriff's Department as well. Just recently we kind of located an individual who was on a GPS system that was out committing some crimes in a certain area whose radius he was supposed to be at. So we kind of look at that and in a collaborative effort with the law enforcement we were able to get him apprehended as well.

COMMISSIONER VIGIL: Okay. Thank you. Thank you, Pablo. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you and Commissioner Vigil and Commissioner Anaya both broached this but Director Sedillo and Mr. Taylor, is there a way maybe you guys – and I don't know where we're at as far as the contract, but the RFP for the electronic monitoring. And I guess it has been stated there's arguably a Cadillac model and maybe a model that would suffice. But the ones that the judges are ordering – could we go out for an RFP to find the model that would be acceptable as far as the one price that we would put out for bid and whoever bids on that that would be acceptable with the judiciary out there, and that's what the County would pay for if we're ordered to pay for it?

MR. TAYLOR: Madam Chair, Commissioner Mayfield, this RFP did that. These firms have all of the tools in the toolbox for EM and they provide that, but we did make a clear separation in the agreement of the basic – not the Cadillac so to speak, of the equipment that would be provided. And as Director Sedillo mentioned, they will be working with the judges to look at those devices that are less costly. So the \$420,000 is what's budgeted but our goal is to beat that price on an annual contract.

So when we put out on the RFP what is available out there on the market but in the agreement and in negotiations we've identified and separated those basic electronic monitoring devices.

COMMISSIONER MAYFIELD: And Madam Chair and Mr. Taylor, maybe I'm not understanding then. How are the more expensive models being chosen then if they're not on the agreed upon contract.

MR. TAYLOR: Madam Chair, Commissioner Mayfield, the judges are aware of what equipment is out there and available. So these firms all carry those equipments and so they can – unless you can respond to that better than I can, Director.

MR. SEDILLO: Madam Chair, Commissioner Mayfield, the judges are the ones that choose the type of devices they're going to be placing on the clients, those EM devices on those clients. And they choose to look at the different types of ability to those devices and mostly it's the Cadillac version.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair, Mr. Ross, and respecting the judiciary, but why are we then bound to pay for this if they're not on the agreed-upon price?

MR. ROSS: Madam Chair, Commissioner Mayfield, that's a good question. If the savings over the cost of incarceration, incarcerating an individual and that's why we

might want to pay. The question is whether we might want to pay for the Cadillac version or the stripped down version. Katherine and I were just talking. There's quite a few Cadillac versions in here. We're not obligated to even provide electronic monitoring. It helps the jail keep the population under control and saves costs in the long run, but by the same token we're not obligated to offer this full range of stuff either. So if an item is very expensive and we don't want to offer it we're not obligated unless they offer it. I think Commissioner Vigil was the one that pointed out that intense discussions with the judiciary on these topics is critical.

COMMISSIONER ANAYA: Madam Chair, on this point.

CHAIR STEFANICS: On this point.

COMMISSIONER ANAYA: Madam Chair – is that okay, Commissioner?

COMMISSIONER MAYFIELD: Yes, sure.

COMMISSIONER ANAYA: Madam Chair, Commissioner Mayfield, and Steve and staff, maybe the time has come, because I remember that it was an organized, coordinated, collective effort when you were working with Baron and conversations with the Manager and discussions. Maybe it's time we rekindled some of those things that worked and in another effort to provide that additional information to the judges. I think maybe a lot of times it's just that I know that Mr. Sedillo communicates with the judiciary and the Sheriff and others but maybe it's time we got reorganized again and maybe made a concerted effort to re-establish some of the financial implications that we have within the jail and work with them on an organized way to try and mitigate them and maybe get some improvement. Maybe it's just a matter of lack of confidence or awareness of the magnitude of the problems. So that's a suggestion. Thank you, Commissioner.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Ross, so then I guess the downside would be if they chose not to use I guess the best model that's out there they could incarcerate and that would be the cost offset. Do we know what that dollar amount would be, a difference, Mr. Sedillo, I guess if we're at capacity. And I guess my other second part to that question would be if our jail was at capacity, would we then be responsible for putting I guess the population in a different facility somewhere else. Would that be at our expense?

MR. SEDILLO: Madam Chair, Commissioner Mayfield, it would offset. Right now, we're averaging about 497 as I indicated in our account. We can hold up to 614 in our facility. So right now we have an average of about 360 on EM. If the judiciary, the judges would – if they intended to not put anybody on EM and put everybody in the jail then it would cause – our population of course would increase on that note.

COMMISSIONER MAYFIELD: And then Mr. Sedillo or Steve, would we then be the ones charged to find a different facility for our inmates?

MR. SEDILLO: If we needed to move any inmates, Santa Fe County is our priority, number one, and then the other inmates that we house for different entities, we would ask them to move those inmates so we could accommodate Santa Fe County.

COMMISSIONER MAYFIELD: Thank you. Thank you, Mr. Sedillo.

CHAIR STEFANICS: Thank you. So what's the pleasure of the Commission?

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

COMMISSIONER VIGIL: I'll second.

CHAIR STEFANICS: Okay, there is a motion and a second to approve the agreement for electronic monitoring services in the amount of \$420,000.

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

XIII. MATTERS FROM THE COUNTY ATTORNEY

- A. Request Authorization to Publish Title and General Summary of Ordinance No. 2012-___, the Santa Fe County Animal Control Ordinance: an Ordinance Governing the Duties of Animal Owners; Impoundment of Animals; Issuance of Permits; Defining Offenses; Establishing Penalties; and Repealing Santa Fe County Ordinances 1981-7, 1982-7, 1990-8 and 1991-6 and Santa Fe County Resolution 1982-28**

CHAIR STEFANICS: Commissioners, this is only title and general summary. This is not a public hearing. This is not the full bill. Ms. Brown.

RACHEL BROWN (Deputy County Attorney): Good afternoon, Madam Chair, Commissioners. I'm here this afternoon accompanied by the Animal Control supervisor, Audrey Esquivel and Major Johnson with the Sheriff's Department to request permission to publish title and general summary of this ordinance which would replace our current Animal Control Ordinance. As outlined in my memo there was a group of interested constituents who worked to gather ideas as to what deficiencies our ordinance had and to draft language that might address those deficiencies. And we have worked hard to address any due process requirements that our ordinances might need in terms of impoundment of animals and return of those animals as well as permitting and revocation of permits as necessary.

The ordinance also includes some new concepts such as feral cat colonies, which is a concept that was not present in the prior ordinance, and removes the right to utilize voice command when out in public with dogs. And we've also adjusted our fee schedule and I'm going to ask Audrey to actually hand out a revised fee schedule that would go with this proposed ordinance; we omitted on permit type from the one that was contained in your packet and that was the permit for the feral cat colonies. [Exhibit 3]

I know that Audrey worked intensely with this group and is available to answer any questions you have about the revisions and I believe there are people from the animal shelter present today although this might not be the right meeting to address questions to them but they are present if you have questions in particular about feral cat colonies.

CHAIR STEFANICS: Okay. Just explain the process to the public. Usually when we publish title and general summary or approve publishing title and general summary, we don't get into public comment, public hearing. We usually – the Commission identifies that they want one or two public hearings when we get to the ordinance so everyone in the entire public can come and start speaking to us about it. So, Commissioners, it's your decision how much you want to discuss this, if you'd like a presentation from staff, if you want any comments from the audience, but please remember we will be doing this one or two more times. So, what is the pleasure?

COMMISSIONER HOLIAN: Madam Chair.

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CHAIR STEFANICS: Commissioner Holian.

COMMISSIONER HOLIAN: I just want to make a few introductory comments. First of all, I'd just really, really like to thank the focus group who worked so hard on this ordinance. I'd especially like to thank Mary Martin and Bill Hutchison and Lourdes Montserrat because they I think attended almost every meeting, and there was a lot of hard work and a lot of discussion that went into this. And I'd really like to thank Audrey and Major Johnson. They also attended all of our meetings. And Rachel, you really helped to put this together in the end. And so I'm just so appreciative. And I just want the Commissioners to know that this was not done lightly. There was a lot of thought, a lot of hard work, a lot of ideas that came in from not only people in our community but from model animal control ordinances across the county. So thank you, Madam Chair.

CHAIR STEFANICS: Thank you for those comments and I truly appreciate the work of the group as well and I know that when volunteers from organizations and the County participate they are providing a service to us, and I thank you. Commissioners, what's the pleasure? Commissioner Vigil.

COMMISSIONER VIGIL: I move to approve, Madam Chair.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: So we have a motion and a second for authorization to publish title and general summary. Is there further discussion? Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I think one of the things we need to make sure we do, especially when we're talking about any new changes, especially those that are financial implications, that we clarify and provide some written feedback within our website and within pamphlets that explains exactly what would happen if this would pass. That's the only way that I could see that we could adequately convey the impacts and not have a discussion and debate about it in these meetings, pass it, and then when people come to find out when they're getting fined for things that were changed that they were not aware of. So it's very important to me that we, through the public hearing process, convey what those impacts are, that we get it out to as many sources as we can even utilizing web, media, our email lists, to make sure that people understand their responsibilities.

So one question that I have is is this – I see animals in the ordinance and then I see reference to dogs and cats. Are we talking about all animals in this ordinance? Or just dogs and cats?

CHAIR STEFANICS: Rachel, do you want to answer, or Audrey? Either one.

AUDREY ESQUIVEL (Animal Control Supervisor): Madam Chair, Commissioner Anaya, we would just be talking about dogs and cats, unless you – there's also the ferrets and I think that was it. It's mostly domestic pets.

COMMISSIONER ANAYA: Madam Chair, I'm sure I'm going to have more questions. I'll probably set up a meeting with staff individually to raise those questions. But I do want to make sure that we do as much outreach to the community to make sure they understand and I think, Madam Chair, your suggestion of having the side by side would be a helpful part of that to make sure people are prepared and understand what's existing as it stands now. But thank you.

COMMISSIONER HOLIAN: Madam Chair, on that point.

CHAIR STEFANICS: Yes, Commissioner Holian.

COMMISSIONER HOLIAN: I would also like to request that when you put up the comparison that you show what the fees are in the city, because part of the goal here was to bring us in line with what's happening in the city.

CHAIR STEFANICS: Thank you. So current fees, city fees and proposed fees. Now, the other question, Commissioners, I'd like for you to address is whether or not you would want to have one public hearing on the ordinance or two. So in your remarks you might let us know that too. Commissioner Mayfield.

COMMISSIONER ANAYA: I'd say two, Madam Chair. At least two hearings. I think it's a big enough issue.

CHAIR STEFANICS: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, and Audrey and Rachel. Just as far as fees, a little more clarification on the background. The fee for retrieval of an animal carcass. So if a resident comes across an animal carcass and they call you all, are they going to be charged \$100 if that's removal of the private dog? What is that fee for?

MS. ESQUIVEL: Madam Chair, Commissioner Mayfield, that is for their personal pet.

COMMISSIONER MAYFIELD: Okay, so again, if they find an animal in their yard that died, could they call you guys or are they going to be charged for that?

MS. ESQUIVEL: No, sir. We will pick that up.

COMMISSIONER MAYFIELD: So you have that clarification in the fees and stuff like that?

MS. ESQUIVEL: We can put that in.

COMMISSIONER MAYFIELD: Okay. And then, just because we're going through our code, and I don't know our fees and our code, but if somebody wanted to have a home occupation business of a grooming parlor. I don't know what our fees are going to be but you guys already have in here a \$200 annual fee. Is that going to coincide with our code? Do we have something, Steve, in our code? Are we going to automatically determine if this is in addition to a permitting fee in our code? I don't know if this is for Steve Ross? Penny Ellis-Green? If somebody has a home occupation –

CHAIR STEFANICS: Could somebody address that? Mr. Ross or Penny? He's asking about the fees that will be in the code regarding businesses, fees and how they correspond to grooming parlor fees in this.

PENNY ELLIS-GREEN (Deputy County Manager): Madam Chair, Commissioners, the code, once adopted will have to have the fee ordinance associated with it and it would be specifically for development review fees, permitting fees.

COMMISSIONER MAYFIELD: But we could arguably have somebody who wants a home occupation business of a grooming parlor –

CHAIR STEFANICS: And there's a fee here.

COMMISSIONER HOLIAN: So is this going to be in addition to that or is this going to replace that fee? Did the discussion overlap? What's the deal on that?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, I believe that would be in addition to any land development fees, like permit fees.

CHAIR STEFANICS: I don't think that would be acceptable.

COMMISSIONER MAYFIELD: I don't think that's fair either.

CHAIR STEFANICS: This is called a permit fee. Why would we pay a permit fee under this ordinance and a permit fee under our Land Use Code?

MS. ELLIS-GREEN: Madam Chair, Commissioners, the fees under the Land Use Code are review fees for the use of the property as a home occupation, so we would be reviewing deeds, plats, legal lots of record, floor plans, that kind of thing.

COMMISSIONER HOLIAN: Madam Chair, on that point.

CHAIR STEFANICS: Yes, Commissioner Holian.

COMMISSIONER HOLIAN: Well, I think that part of the reason to have these fees is because these kinds of facilities might have to be inspected by our Animal Control Department if it was thought that there was something going on that was not – where the animals were not being taken care of properly. So these fees are to help our Animal Control Department actually have what they need, the resources that they need to do the job that they're going to do.

CHAIR STEFANICS: Commissioner Mayfield, you have the floor.

COMMISSIONER MAYFIELD: Madam Chair, that's fine. I guess this can be vetted out in the public meetings. And then also the fee for resisting or obstructing an animal officer – and maybe this goes for the captain. But wouldn't this arguably be a criminal violation where they would arguably be charged, Captain, or would this be a dollar fee. Couldn't they just be charged criminally for obstructing an officer in their duties? Major. I apologize.

KEN JOHNSON (Sheriff's Department): Madam Chair, Commissioner Mayfield, if there is obstruction of the officer in his duties a deputy could go over there and take enforcement action.

COMMISSIONER MAYFIELD: But are our animal control officer – they couldn't be charged by obstructing an animal control officer?

MAJOR JOHNSON: They could be charged but a deputy would have to go down there and the deputy would do it.

COMMISSIONER MAYFIELD: So they could be charged arguably then twice. A financial penalty and –

MAJOR JOHNSON: If they're physically resisting then appropriate action and charges would follow.

COMMISSIONER MAYFIELD: Okay. So I just was asking on that. And Madam Chair, that's fine. And Thank you, Major and I apologize for calling you captain. You deserve that title so my apologies. Ms. Brown – and I haven't looked at all the detailed information behind it, but there would be more explanation for all these fees, background on all these fees in our detail?

MS. BROWN: We can certainly give you – the fees were based on the cost of sending an animal control officer – in terms of the permitting fees – to inspect a location where a permit is going to be issued, as well as looking at a comparison of what area local governments are charging, so that we come in line with those other jurisdictions.

COMMISSIONER MAYFIELD: What is the penalty fee arguably for an individual who has an unaltered dog or cat who has had that animal for whatever a sustained amount of time and they get that animal picked up. And Audrey and I have had this conversation I guess in the past. And they need to have that dog retrieved from our animal

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control office. So they get a fine for that. Correct? So what will that fine be? And say they haven't had that dog – just to use a dog as an example, they haven't had that animal licensed, so they're going to be fined for something like that. Right?

MS. BROWN: For the first offense, the fine is \$100 and it goes up by \$100 for each subsequent offense. For the fourth offense there's no ability to simply pay the fine. They're actually taken to court on that.

COMMISSIONER MAYFIELD: And then are they going to be mandated to have that dog spayed or neutered or will they have the option to have that dog not spayed or neutered?

MS. BROWN: I believe if the animal is picked up for running at large they're required to then alter the animal.

COMMISSIONER MAYFIELD: And what if that dog is pretty senior in age? Could they then have that option to opt out of having that animal spayed or neutered?

MS. ESQUIVEL: I'd be the one to answer that. Madam Chair, Commissioner Mayfield, if they have a letter from the vet saying that there's either medical problems or the dog is too old, then that would be waived.

COMMISSIONER MAYFIELD: Okay. So that would be just determined by a vet.

MS. ESQUIVEL: Okay. Thank you. Madam Chair, Ms. Sisneros, do you have – arguably is there a rough count or our animal population between dogs and cats? Is there a rough guess? And then do we have a guestimate of how many licenses? You should have a record of how many licenses are issued right now, don't you?

MS. ESQUIVEL: Madam Chair, Commissioner Mayfield, I don't have a number as of right now for licenses. I can get that. That would be [inaudible] I can get that number for you. I don't know – are you asking dogs countywide? I couldn't answer that. I don't know.

COMMISSIONER MAYFIELD: And Madam Chair, Ms. Brown, so this revenue, is this going to go straight into our animal control? I don't know how the budget is going to be set up on this. The budget is going to increase by 90 percent based on the licenses alone, correct?

MS. BROWN: I don't know that the budget will increase. I don't know if we can predict how that will increase. It will just depend on how many people get their licenses. My understanding is that as the revenues come in they're placed in the general fund.

CHAIR STEFANICS: I believe Ms. Jaramillo wants to speak to that.

CAROLE JARAMILLO (Finance Department): I was just going to answer the question. Revenue that would be received from the animal licenses would go into the general fund and would most likely be used to support the Sheriff's Department.

COMMISSIONER MAYFIELD: Okay. But we don't know if that would then go straight into our animal control operations? That would be a decision this Board would make?

MS. JARAMILLO: Yes.

COMMISSIONER MAYFIELD: Okay. And then I guess my last – thank you, Madam Chair. I guess my last question is the managed feral cat colony permit. So we have

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managed feral cat permits? I'm assuming there's a lot of unmanaged feral cat permits or populations, not permits. So people get permits for managed feral cats?

MS. BROWN: Madam Chair, Commissioner Mayfield, currently there is no provision in our Animal Control Ordinance for managed feral cat colonies. That was a concept that this task force developed and felt was very important. Whether there will be an interest from the public in coming in and obtaining a permit to run a feral cat colony we don't know yet.

COMMISSIONER MAYFIELD: Okay. But I guess are we going to mandate that if folks see or identify that they have some cats out there that they're required to come get a permit for that if they're running around.

MS. BROWN: They are required under the proposed ordinance to come in and obtain a permit if they are going to be maintaining a feral cat group, colony.

COMMISSIONER MAYFIELD: Okay. And Madam Chair, Ms. Brown, what is the County's definition of maintaining a colony?

MS. BROWN: If the cats are being fed, sheltered and encouraged to be present on the property, it's considered a managed feral cat colony. There's actually a definition of it within the ordinance, which gives you a lot of detail about what is expected. It means a population of feral cats that are properly permitted, live together in a specific location, share a common food source, are provided food, shelter, neutering and ear-tipping by a feral cat colony caretaker.

COMMISSIONER MAYFIELD: Okay. And then Madam Chair, Ms. Brown, what is a resident's expectation if they see feral cats running around their barn, their neighborhood and they've asked the County to come in and remove those cats? They can expect that from the County?

MS. BROWN: The County will pick up a feral cat at the request of a property owner if the property owner is willing to have the animal neutered and returned to the property.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Brown, the resident doesn't own these cats; they just see them running around. Can they pick up the phone and call the County and say, hey, these cats are by my property. We'd like you to come and get them. Does that resident have to incur that cost or is that the responsibility of the County to do that?

MS. BROWN: I understood that the resident, upon whose property the cat is located, they would incur that cost if they wanted the County to pick up that animal.

COMMISSIONER MAYFIELD: Thank you. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. We have a motion and a second to authorize publishing title and general summary and I've had a request for two public hearings when it comes time for the ordinance.

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

XIII. B. Annual Renewal of the Public Liability Insurance Policy

CHAIR STEFANICS: Ms. Miller, we'll come back to you but it will be before the executive session.

MR. ROSS: Madam Chair, I guess I'll take this item. There's a lot of material in the packet that supports this request. Every year on January 1 our public liability and casualty insurance renews. For the last three years we've had a company called One Beacon insurance company out of Boston, Massachusetts. We have insurance agents on contract which is the Daniels Insurance Agency and Mr. Koch and Mr. Segura are here from that agency. It's their responsibility at this time every year to go out to the market and get bids, solicit bids for insurance coverage beginning on January 1. And the process began, oh, I don't know about six weeks ago. Maybe closer to two months ago.

And you can see on the second page, the second full page of the packet the companies that submitted bids or declined to submit bids this year, those companies included Travelers' Insurance Company, CAN, Scottsdale, the Association of Counties, New Mexico County Insurance Authority and one other carrier. None of the other carriers including the County Insurance Authority actually submitted a bid this year and so the only bid that's been received is from One Beacon. And you can see the number there, which is \$1,198,934. And that's for everything, including the reduced deductibles that we contracted for for last year for the Sheriff's vehicles and heavy vehicles owned by the Road Department. Those vehicles now have a collision and comp deductible very similar to what any of us in this room have on our automobiles, which is \$500 and \$1,000.

The County last year paid \$1,147,316 for this same coverage. The increase is not actually an increase in the rate charged by the company but an increase in the County's activity, which increases the risk factors. So, for example, there's been a modest budget increase. There's been an increase in the number of shared vehicles and an increase in the value of our property, all of which are factors in computing the insurance premium.

That rounds out to a little less than five percent year over year, which is actually a very good sign that we're on the right track vis-à-vis our insurance coverage, because many other local governments have experienced much higher premium increases in part due to the insurance market, the number of catastrophes that have occurred in the last few years. We're just not seeing those types of increases. And I will say that this year the numbers are probably the best we've ever seen. We've had a lower number of claims this calendar year than in prior years and to date \$41,890 has been paid for claims that arose in this calendar year, which is a new record.

The County's total loss ratio over the last few years is 44 percent, which is very, very, very good. So we should all be proud of our efforts to keep risks under control and keep the cost of our coverage down. This package is based on a policy that has policies in the midst of just over a million dollars. And we also, like in all prior years also buying a \$5 million umbrella to protect the County up to the sum of \$6 million from most lawsuits.

And I think with that I'll just stop with that and stand for questions concerning this item.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I would ask our County risk management staff to please come forward, that are here. Before I make some additional comments I want to publicly thank you two and the County team and the Manager, Manager

Miller and Mr. Ross who worked on our risk management initiatives. You don't have the results that we are seeing without a team effort and a comprehensive game plan to educate and train staff to perform in the safest manner possible. So I want to publicly comment Mark, you and Jeff and Mr. Ortiz works with you guys as well, who's not here. So let's give them a round of applause for their work that they're doing on a regular basis.

Madam Chair, Mr. Ross, just to restate and summarize, you stated there was four by our agent, Daniels Insurance, solicited proposals from four entities, including One Beacon, or One Beacon was the fourth?

MR. ROSS: There were six companies that were solicited, including One Beacon.

COMMISSIONER ANAYA: Why don't we just ask Mr. Koch to come up as well and let him speak to that and then I'll make some additional comments, that we received no proposals.

JAIME KOCH: Madam Chair, Commissioner, I'm Jaime Koch, president of Daniels Insurance. We went out to all the markets that we have to do that and what we did is we requested the markets to have their bid in about four weeks ago. We didn't ask the County to get their bid in until two weeks after that. So that we had all the market ones so I could sit down with Steve and go over the bids. And then the County knew what our other bids were, which they did, looked at the coverages, and at this time they decided that they didn't feel that they could be competitive. We sat down with them two weeks ago, a week ago, went over the numbers, went over the coverages, because we had told you we don't care who you go with; you've got to go with whatever the best coverage was.

So when we sat down with Steve, went over it with great detail. He's a good guy to work with. I've known him a long time at the County. The County [inaudible]. But I would have to say that it's your staff that's creating this. That if they're not helping with the losses and working right you're not going to have these kinds of results. I would guess – I may be wrong, but of all the counties we have, which we have a number, you have the best loss ratio and you ought to be real proud of that because you wouldn't see stable premiums if you didn't have that.

So that's how the process was. What we do is we never would show the other companies what we did but we did show the County Association.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Mr. Koch for your work and your efforts and I would move for approval with that, Madam Chair.

CHAIR STEFANICS: Is there a second? We'll still have discussion.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: Thank you. There's a motion and a second. Is there further discussion, questions, comments? Commissioner Vigil.

COMMISSIONER VIGIL: I have a question. I don't know who can answer this but in order to lease the Nancy Rodriguez Center, which is a very popular site for leasing and increasingly becoming popular, the lessee is required to get insurance. My first question is does that insurance – can the person who's leasing the property attach that insurance to a policy they may have? Because the experience I had recently was I did go to One Beacon. So I guess my question is two-fold. Can somebody answer that first one? If people that want to lease that property, do they have to lease it from One Beacon? Is that part of our contract? I

don't know. And is there a possibility they could lease it or attach it to some of their insurance carriers for a lesser price?

MR. KOCH: You're talking about someone, Madam Chair, Commissioner, you're talking about somebody that's leasing land from –

COMMISSIONER VIGIL: No. They're leasing the use of the Nancy Rodriguez Community Center.

MR. KOCH: [inaudible]

COMMISSIONER VIGIL: Yes. And One Beacon is who you go to to validate and qualify yourself.

MR. KOCH: They can go to their others if they want to but they also have the opportunity to go to One Beacon.

COMMISSIONER VIGIL: Exactly. But there's nothing in our lease that requires One Beacon –

MR. KOCH: No.

COMMISSIONER VIGIL: Okay. That's an answer to my first question. Okay. Thank you. The second question is does anybody know once One Beacon – say most of the recipients or most of the people who are leasing there have leased from you – I think it's \$100 a shot, who keeps that dollar?

MR. KOCH: It goes to the company. They're the one taking the risk if somebody gets injured on that.

COMMISSIONER VIGIL: Right. Do you know – have you kept track of how much has been leased on that particular piece of property?

MR. KOCH: I can get you the numbers; it's a very small number amount, Madam Chair. But that's the thing. One penny doesn't go to Daniels. It goes to One Beacon to pay for that.

COMMISSIONER VIGIL: Right. My understanding is also that that any dollars that are received for the use of that property by resolution go back to – not necessarily insurance; this doesn't necessarily mean you, but goes back to the community center for renovations, improvements. Is that correct?

CHAIR STEFANICS: Ms. Jaramillo.

MS. JARAMILLO: I believe that the rent that's received from any of the community centers, it stays for use for the community centers for maintenance, typically.

COMMISSIONER VIGIL: Okay. So is that information that can be shared with the board of the Nancy Rodriguez Center?

MS. JARAMILLO: How much rent has been collected? Yes, we can get that information for you.

COMMISSIONER VIGIL: Okay. Because I don't think they know that or have that nor – there is actually a volunteer who is going through all the qualifications for renting it and she's doing it gratuitously and what I understand that people are trying to lease the place more and it's unavailable. It's being utilized far more that it was one year ago or two years ago, and Jeff and Mark probably know this more than anyone because I actually had to make inquiries to them about where I go to for that insurance. So if you could get that to Lois Mee, who is the – she is the volunteer coordinator for that.

MS. JARAMILLO: Okay.

COMMISSIONER VIGIL: Okay. Thank you.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, on Commissioner Vigil's points, I've brought up in this meeting, I believe Commissioner Mayfield has as well, relative to the leasing of our buildings. I think we need to take another look at it and figure out ways that we encourage the use of our buildings without making it onerous on the people that are trying to use the facilities. So I know it was a reaction to some things that happened years back, that we wanted to protect and cover ourselves but I also think we need to encourage the use of our facilities and make it as easy and as accessible as possible for people to use them. So maybe there's some balance we could strike and look at that. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, just to bring something up. I ran into a few people, and again, I know there's always multiple sides to a story, and of course I appreciate Risk Management and what they do and our insurance companies, what they do, and I know the County wants to avoid any issues out there of any claims against the County, and I know that. But unfortunately claims do happen. They do. And if we can mitigate those claims I think that's a great thing. And I know our staff does a phenomenal job, and I've spoken to the Manager about this. But again, issues happen and when the claims get filed they get filed and our Risk Management team looks into it and they pass them on to insurance companies.

The issues that I get when I talk to people is if they run into me, they run into me at a store, they call me. They say, Danny, we have not heard back from your departments on what the status is of our claim of the incident that happened. Not passing judgment on whose fault it was but that's just what I get back. So if I pass it on to the County Manager or to staff, I think simply enough, not saying that they haven't heard back from the insurance company or from staff, but they have to make sure that that follow-through happens with them.

If there's a denial of it, there's a denial of it, but I just would hope that that written denial goes back to them so that if they choose to follow a different course of action that's their choice. If they want to appeal that decision by the insurance company, if they want to appeal that decision by us if we are denying it that's their right. But if we are denying that claim of that individual who has filed a risk claim against this County I would hope that we're stating a reason why we're denying that claim. If the individual is claiming that we broke their fence in the course of grading the road and we did or we didn't, if we're saying, look, your fence was already down when we graded that road, so be it. That was a decision made. But I would hope that we would at least provide that individual with a written response that says, look, our investigation has determined that your fence was already down and we provide that in written form back to them in a timely manner, not seven, eight months later. And just put that in writing to them so they have it and also say, so we're determining your case is closed. That way they have that right to seek whatever course they want to seek.

Maybe you all are doing that and I'm assuming you are, but I'm just letting you guys know that I'm being told that that's not happening. So I would just ask that if you're not or if you are that you [inaudible]. Maybe you're thinking that the insurance company is doing that under denial, if they're denying it. Maybe they're approving it. But maybe the County has to also follow through on that. If somebody falls at one of our transfer stations and they're being

denied for whatever reason of falling at the transfer station that those individuals are followed up, if it's not with the insurance company it's at least through the County of why they're being denied, or if it was accepted. So that's just all I would ask.

And I know you all do a phenomenal job. You have a hard job to do. I don't think anybody likes to have to deny a claim, but there's reasons for it, so I would just ask that if they're denied that we do provide timely, written response to either accept their claim or why we're denying it. So thank you.

JEFF TRUJILLO (ASD Legal Director): Madam Chair, Commissioners, on that point, Commissioner Mayfield, a lot of times what happens is when a claim comes in there is certain investigation parts we have to take and some get a little bit long, because it involves multiple people, like a vehicle accident. It's not just one side we're dealing with. We're dealing with maybe another care of maybe three people, four people in it, with their injuries, their accident but it was our fault. And some of these answers to people do take a little while for them to get a response back. But once we're made aware that somebody hasn't been responded to, either myself or my other risk management, Mark, we get on the horn to the insurance company saying we need to speed up this process. These people need an answer whether it's yes, no, or they have to take other action against us.

COMMISSIONER MAYFIELD: And Madam Chair, Jeff, I'm not saying – whatever the process is it is, but even if it's a denial, I just think that written follow-up and maybe the reason why it was denied so again, if they want to choose another course, if it's a legal course they want to choose against the County, that's still their right. But just so that's in written form to them. And maybe that's what you guys are doing, but they are telling me that they're not receiving that communication from the County and/or arguably from the insurance company who's denied it.

CHAIR STEFANICS: Mr. Lujan, you want to say something too?

MARK LUJAN (Risk Management): Madam Chair, Commissioners, Commissioner Mayfield, that is being done currently. Anytime that there's a denial our insurance makes sure that they do mail out the denial based off of facts and it's stated in the denial letter, but it's sent to the direction that's on the tort claim. So people should be receiving it. If they're not receiving it I need to know so we can make sure that they do get a copy of it.

COMMISSIONER MAYFIELD: Okay.

CHAIR STEFANICS: Thank you. We do have a motion and a second. The thing I would request, but not to discuss today. I would just like to get a list of reserves that have been set aside for open cases so I know what we're dealing with.

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

XIV. MATTERS OF PUBLIC CONCERN – (Non-Action Items)

CHAIR STEFANICS: Is there anybody here for Matters of Public Concern? Is anybody here for Matters of Public Concern? If not, we're moving right ahead. We'll come back to matters from Ms. Miller and Mr. Ross.

XV. MATTERS FROM THE COMMISSION

A. Resolutions

1. Resolution No. 2012-162, a Resolution Dedicating Santa Fe County South Meadows Bridge as the Sergeant First Class Leroy Arthur Petry Bridge

COMMISSIONER VIGIL: This dedication really goes without explanation. My only regret is that I wanted to coordinate with the City's honoring of Sgt. Leroy Petry. As we all know he's the most recent Medal of Honor winner and a local Santa Fean. We actually, many of us participated in a parade where he was honored. The City has a separate dedication that they're trying to coordinate his schedule with and because I won't be here probably when that's done I wanted to move this forward and take action on it. This is dedicating the South Meadows Bridge and the Sgt. First Class Leroy Arthur Petry Bridge.

In conjunction with that I am working with state legislators to name the overpass at Veterans Memorial Highway after Sgt. Petry and I think that will further enhance our actions in naming South Meadows after this. This takes official action for it. We are looking at a dedication plaque and perhaps that can be coordinated at the time that Sgt. Petry is in town. He actually works in Washington, DC so it's difficult to coordinate his schedule. His schedule is pretty tight so I'm hoping that the next dedication we can do after we take action on this is the dedication of the plaque. With that, Madam Chair, unless there are any questions I move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: Okay, is there discussion?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate the resolution and the dedication. This is something that I brought up during the time that they were honoring Mr. Petry. I happily would sign the resolution and the dedication and would always encourage us as a Commission to dedicate bridges and other facilities that we have in the county to those heroes throughout Santa Fe County and our community that have served us at all levels. So I very much appreciate it and I think it's well warranted. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action and later in the meeting indicated his positive vote. See page 56.]

XV. A. 2. Resolution No. 2012-163, a Resolution Approving Expenditure of \$100,000 From the Capital Outlay GRT for Monument Signs and Signage Accessories for the Agua Fria Village Gateway Entrance and the Sergeant First Class Leroy Petry Bridge

COMMISSIONER VIGIL: I may defer a little bit to Katherine about this. This action was taken by the Commission sometime back allocating some of those GRTs for prioritization projects within each of our districts. I think we've taken action on some – Commissioner Anaya and Commissioner Mayfield's. This is the first time I'm requesting this. I think the balance of those requests I'm dividing between myself and the incoming Commissioner, so I'm only asking for the amount that is half of that balance and it will be for the dedication of the Leroy Petry Bridge and the plaque itself and for a monument sign to enter and exit Agua Fria Village creating kind of a gateway to that village and identifying it as a traditional historic village. With that, Madam Chair, I move for approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: There's a motion and a second. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just for clarification, this is \$100,000 from the Community Services where each district, each Commissioner has \$200,000 allocated. Correct?

MS. MILLER: Madam Chair, Commissioner, we put – yes. \$200,000 per year divided by the [inaudible] \$200,000 each in the capital outlay GRT and we had made some conditions when we allocated that. I don't remember if it's by resolution or conditions that it had to be something that is over \$10,000 and that is allowable by that GRT, and at the time you decide we just bring it to the Board to have it approved, because we budgeted the money but in order to know what to spend it on this was the process that was outlined back in the spring.

COMMISSIONER ANAYA: That's fine. These are district funds in District 2 and she's allocating \$100,000, half. I know Commissioner Mayfield is here now on this item but I would ask that we reopen the last –

CHAIR STEFANICS: I was going to show please show Commissioner Mayfield voting yes on the last item, so it's a 5-0 on the Resolution No. 2012-162, so it would be a condition and a correction. Thank you very much.

COMMISSIONER MAYFIELD: Thank you.

CHAIR STEFANICS: Okay, so now we have a motion and a second on Resolution No. 2012-163 for the appropriation.

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

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: And I apologize, I just stepped out. But also though Katherine, excuse me, Madam Chair, Manager Miller, and maybe you just discussed this, but if we're going to use district funds could we just maybe in the future identify them on the resolution, however you do it? Maybe you just discussed that and I was out of the room. I apologize.

MS. MILLER: Madam Chair, Commissioner, what I was saying was as each one of these, because we've set aside in the budget the million dollars with \$200,000 per district, and a \$100,000 minimum and that the way that we would then attribute it to a project

is you would bring it forward so that it shows that we have a budget trail of what we did with it. So then this is the item that \$100,000 of the \$200,000 for District 2 would be spent this year. What we did do is a spreadsheet that shows where each one is.

CHAIR STEFANICS: What Commissioner Mayfield is asking for is just something in here that says district appropriation. Or something.

COMMISSIONER MAYFIELD: Madam Chair, Katherine, like say I bring something forward for District 1, just say District 1 Community Funds.

MS. MILLER: Oh, okay. Sorry. I didn't understand that.

COMMISSIONER MAYFIELD: Thanks. Just so other Commissioners know.

XV. B. Commissioner Issues and Comments (Non-Action Item)

CHAIR STEFANICS: Commissioner Vigil, do you have anything?

COMMISSIONER VIGIL: Not at this point, Madam Chair. I reserve my comments.

CHAIR STEFANICS: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I just wanted to say a few words about the Quivira Conference that I attended week before last. It was really an incredible conference. There were people from all over the world there. The Quivira Coalition is world-famous at this point. And it was multi-cultural, it was multi-generational, and there were a lot of people from our community as well. I would just like to mention that it was attended by William and Lois Mee and Katherine Baca from Agua Fria Village, Rick Martinez and his wife Deanna, Don Bustos who is I believe in Commissioner Mayfield's district, gave a talk there as a small farmer who grows things for the farmers market, and Gordon Tooley who has a very famous Truchas tree farm also gave a very interesting talk there.

Now the topic of the conference was how can we feed nine billion people, which is what we think is going to be the population of the earth in 2050? The answer is we can't. The short answer is we can't if we keep doing the same things we're doing now because right now we're only feeding six billion out of the seven billion who are on the planet at this very point, and we are wrecking the land at the same time.

So we are going to be in a world of hurt, especially with the severe weather events that are occurring from global climate change unless we do something. However, the reason that this conference was really inspiration is that there's good news out there and that is if you use good grazing techniques you can both restore the health of the land and feed people, and by the way, you can also sequester carbon. And it's really interesting when you think about it plants and animals grew up together. That is they evolved together. And of course we all know that animals need to eat plants. We've got that down. But what I learned there and what's really, really interesting is that plants need animals.

Plants don't do well unless they have animals who are eating them and stepping on them and pooping on them. So that's why grazing can actually really increase the productivity of land. And we're really lucky because in our area we have a lot of people who understand this and who are doing some really good things. The word is spreading. It's actually where the innovation is occurring in our area is through small farms in our area, mom and pop

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ranches, places like that. And so there were just a lot of inspirational stories at that conference that I attended and I felt real hope for the future.

And I think that it's important to recognize that those are the people in our communities that are going to help feed the world, help feed those nine billion people, and interestingly enough, these are the farmers and the ranchers who are the most successful. They're the ones that are actually making money now. So, thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Mayfield, Matters from the Commission.

COMMISSIONER MAYFIELD: Yes, Madam Chair, thank you. Just to remind everybody and there was a little bit of discussion today but it was positive I believe, but there is a Solid Waste Task Force meeting tomorrow, that would be Wednesday, November 28, 2012 at 3:00 pm, and that is at the Santa Fe County Public Works facility and that is off of the New Mexico 599 frontage road, and that is at again 3:00 pm, and the topic for new discussion will be the discussion of possibility of curbside pickup and the association with reduced convenience center reduced hours and/or days of operations and presentation of a draft proposal of solid waste assessment and management of an RFP. Just to let the public know they're welcome and encourage their participation so they know.

And also, I think everybody does know, Mr. Stephen Baca, who is one of our volunteer fire chiefs out at the Pojoaque station, however he was involved in an unfortunate accident with New Mexico Gas earlier this year and there is a benefit dance for Mr. Baca Saturday, December 1, 2012 and that is at the Cities of Gold conference center. Dinner is at 6:00 pm. The dance is from 8:00 to 12:00 am and the music is being donated by the Chimayo Boys and the ticket is for \$15 and there is two tickets for \$25. I'd encourage everybody and anybody, for adults and children to attend if they can make it, you'd be very much welcomed. And I would hope that you had a wonderful Thanksgiving with your families. Thank you.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Nothing, Madam Chair.

CHAIR STEFANICS: Okay. The only thing I would note is that we have Zona del Sol, which is the youth project area off of Airport Road, is dedicating some murals this weekend, December 1st at noon. Everyone is invited. The Santa Fe Small Business Incubator is having their annual business meeting this week and I would like to commend Marie Longserre for all of her hard work. She often goes unnoticed, but she really helps small businesses get going and thrive in our community. And that's all for me. Commissioner Vigil.

COMMISSIONER VIGIL: I just wanted to thank Senior Services for the Thanksgiving meals that they provide. I actually got some feedback from a few folks who went to them who really appreciated it. So I know that takes a lot more effort to get that going at our senior centers, but it was nice to hear something positive about them, and I always hear positive stuff for our senior services.

The other thing that's come to mind and I think this was discussed since we had our Affordable Housing meeting this morning, it might be good to consider having – and I know we're going to be considering an item that we discussed this morning at our December 11th meeting, but it might be good to consider bringing back the affordable housing to the Board as a whole, not the public housing issues. They used to be merged, they got separated, but in

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order to control that morning session a little better that Affordable housing could come – the issues could come directly to the Board. So I would consider that that might be a more efficient way of dealing with those issues, particularly if we take action on the current agreements that are being proposed. I think that would work far more efficiently.

CHAIR STEFANICS: Thank you, Commissioner, for that comment. The reason I think we separated it out was because we weren't giving it due diligence at this meeting. But I guess our new chair next year will help decide that. Commissioner Mayfield for a second time.

COMMISSIONER MAYFIELD: Madam Chair, thank you. I physically won't be here December 11th and I need to do this formally. I just want to recognize Commissioner Virginia Vigil. It has been an honor and a privilege serving with you. I want you to know that, and I will miss you and I do look forward to working with you in the future in some how, some way in a different capacity. It has been an honor working with you, Virginia. Thank you.

COMMISSIONER VIGIL: Thank you. And thank you for the chile.

COMMISSIONER MAYFIELD: One is hotter than the other.

CHAIR STEFANICS: We won't get started on Commissioner Virginia Vigil because we're going to spend a lot of time on her next time.

XII. MATTERS FROM THE COUNTY MANAGER

A. Public Works Report

MS. MILLER: Madam Chair, I think the directors would like to do the reports very quickly. Public Works first.

MR. LEIGLAND: Madam Chair, Commissioners, I'll be very, very quick. I just wanted to update you on some ongoing construction projects and then talk about some other things that will be coming to you.

CHAIR STEFANICS: Just the highlights. Briefly. We're going into executive soon.

MR. LEIGLAND: Okay. Actually, what I will do is mention some what we're calling coming attractions. So we're having the Arroyo Hondo wetlands ribbon-cutting. We're planning for that probably in January at this point. The Vista Grande Library addition, the construction bids will go out in December, and we expect to have a contract for that in January. And then the Ken and Patti Adam Senior Center in Eldorado, we expect to have the design contract probably go out in January. The old courthouse redevelopment plan, if you recall our effort to see what we're going to do with the old courthouse when the new one opens. We're going to have the planning RFP go out in January and we have numerous land acquisitions for the Santa Fe River Trail that will be coming to you soon, and then the Romero Park – actually on today's agenda you approved some grant funding and then the actual execution contract for the redevelopment will be coming to you, I think it's on the next agenda. So just what we're calling the coming attractions, things you'll be seeing very soon.

CHAIR STEFANICS: Okay. Questions, comments from the Commission for Mr. Leigland on Public Works? What about the courthouse?

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MR. LEIGLAND: Madam Chair, the courthouse, the completion date is December 20th and we are on track for that. Actually we're planning on giving you a more detailed presentation at the December 11th meeting.

CHAIR STEFANICS: Thank you. Other questions, comments? Okay. Thank you.

XII. B. Human Resources Report

MS. MILLER: Madam Chair, we have the HR report.

BERNADETTE SALAZAR (HR Director): Madam Chair, members of the Commission, some of the highlights for the month of October were that we completed the union contract with the fire union. It took us about 18 months but we got it done. We also have been doing a lot of training on the Code of Conduct. We provided in the month of October 13 hours of training with the Code of Conduct and we have trained within that month approximately 223 employees. And we also completed our clothing allowance for employees who are granted their uniform. So we wrote that out. That's a pretty big process for the month of October. And I stand for any questions.

CHAIR STEFANICS: Questions for Human Resources?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Bern and Ms. Miller, I have a question that I'd like your feedback on and see if there's a way to discuss it internally and then maybe recommend some potential policy. But I think that a lot of calls that come in, I've referred them to you about how long it takes an application to be submitted and then the review process of the applications and then the interview process and the background process. I think those timelines, you guys are always working hard to be as diligent as you can and turn them around as fast as you can. Some take longer than others and that's understandable.

But I think it might be a good thing for us to consider as a County to have a window that that process occurs in, where we could actually cover from start to finish various jobs. And I think when there's still so many people that are out of work and trying to get work, and I think that as efficient as we could possibly get with turning that process into a written form and then showing people for various jobs, and it may vary depending on the type of job or the background that it may take. I think it would go a long ways to provide customer service and provide a scope as to what people should expect. Do you have any thoughts on doing something like that formally as an organization?

MS. SALAZAR: Madam Chair, Commissioner Anaya, we actually have an internal process that we rolled out when we did the performance based budget and one is a report that we conduct internally in HR is a time-to-fill report. So we track when the job was posted, how long did it take for the department to conduct interviews, how long did it take for pre-employment screening, background checks, all that kind of stuff. And so our goal is to complete that process in less than 30 days. Some jobs we're really good at and some we're struggling with. But we do have that in the works right now. We can formalize that and put

some tips and guidelines on our website to allow applicants to look at that so they kind of have an idea of where we're at.

We have begun that process, and so I can present that in one of my future reports when we have a little more time, but I can show you what the report looks like and kind of what our goals are.

COMMISSIONER ANAYA: I think that would be helpful. And the other thing that I think would be helpful if you don't already do it. If we do it just say that we do it already. But to actually have a checklist. You know how when you go to Land Use you get a checklist of the things that the County needs and requires, and it's kind of a template that the customer can have that they know what they have to turn in and they kind of have a general idea, an outline of what's to occur. That might help mitigate some of the questions and maybe some of the confusion people have when they're applying to get a job. Do we do something like that?

MS. SALAZAR: We have a checklist internally but we don't provide it to applicants, so that's a good idea and we can definitely implement that right away.

COMMISSIONER ANAYA: I think that could go a long ways to helping them understand the framework and an actual outside date might be something else that we work our way into. But I appreciate it. Thank you.

MS. SALAZAR: Okay.

CHAIR STEFANICS: Bernadette, in your report I'm reading that we only have 20 vacancies for the entire County? Is that correct? The last page of your report? That color-coded –

MS. MILLER: Madam Chair, that's all the ones that are posted. Some of them have several positions, like detention officers, it's a continuous open till filled. So some of those are single positions and some of them are multiple openings.

CHAIR STEFANICS: So, Ms. Salazar, how many vacant positions do you think we have? Just ballpark.

MS. SALAZAR: Madam Chair, if you look at the other report, that's the report I was referring to. Sorry. I didn't know you were looking at the one with the blue. We have a total number of vacancies within the County on page 4 of the HR statistics report and that number is – we have one including frozen positions and that's 91 positions currently.

CHAIR STEFANICS: Okay. So I think that that might be a heartening number to people out in the public who would like to apply for jobs so I'm glad that we're letting them know there are some vacancies there.

MS. SALAZAR: Yes.

CHAIR STEFANICS: Thank you. Other questions, comments. Thank you.

XII. C. Corrections Monthly Report

MR. SEDILLO: Good afternoon. We have approximately a vacancy rate of 17.86 percent with 15 vacant positions. We filled seven positions for the month of October. We had approximately 825 bookings with 893 releases for the month of October, and our average population was 496 at the adult facility and 16 at the youth facility.

Some of the things that we're doing at the adult detention facility is that we're currently in discussions with Delancey Street, the courts, the DA's office, regarding the referral of repetitive substance abuse offenders to a drug and alcohol substance abuse program in lieu of jail. Now that is specifically targeting the females at this point.

Secondly, the Santa Fe County Detention Center provided emergency housing for the United States Marshal Service. They had 55 inmates that we held for them for seven days. They had some mechanical issues with a plane that they were doing some Conair with and they had to land in Albuquerque and they asked Santa Fe County Detention Center to assist them. We provided the transportation in conjunction with the United States Marshal Service and brought 55 to our facility. We were supposed to hold them overnight but we held them for approximately seven days. We were very complimented by the United States Marshal Service in providing that type of assistance in such short time.

Our next 240-hour academy is scheduled for January 7, 2013 with twelve cadets scheduled to attend. Our emergency department referrals are down with only two inmates being referred and transported to the emergency room. In the month of October we had 23 inmate confinement contracts that have been fully executed with other government entities. Twenty-four entities did not sign contracts within the deadline of November 15, 2012.

An estimated total bill of \$546,948 was billed for the adult facility and \$50,508.60 at the Youth Development Program for the month of October. As we indicated earlier, our electronic monitoring, our population is averaging about 357 for the month of October. Revenue received for the month of October with those 357 was \$10,912. I stand for questions at this time.

CHAIR STEFANICS: Thank you very much. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you, Director. How's the accreditation process going for the New Mexico Association of Counties?

MR. SEDILLO: Actually it's going very well. We have received our letter from the New Mexico Association of Counties. Actually, the letter indicated that we were approved for the accreditation process, so we're waiting to do that. I think that's going to be scheduled some time the first of the year.

COMMISSIONER HOLIAN: Thank you.

CHAIR STEFANICS: On that point, usually they do a recognition at one of the big meals at that conference. So we should be prepared for that, if that's – if we're totally done. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Sedillo, I appreciate the written summary and the bulleted items that you presented, but I also liked seeing the other statistical information you used to have on the population. So I think the two together are very helpful. But I liked the written summary and the format that you have this month.

MR. SEDILLO: Madam Chair, Commissioner Anaya, we can surely provide you with that as well.

COMMISSIONER ANAYA: Thank you.

CHAIR STEFANICS: Any other questions or comments for Mr. Sedillo?
Thank you very much.

MR. SEDILLO: Thank you.

XII. D. Review and Discussion of the Monthly Financial Report for the Month Ending October 31, 2012

CHAIR STEFANICS: I see Ms. Jaramillo here.

MS. JARAMILLO: Madam Chair, Commissioners, I'm going to give you the financial report for the month ending October 31st. I'll be very brief for you. Our expenditures were \$32.6 million which exceeded our revenue of \$29.1 million. This might seem alarming but it is totally normal for the way our revenue collections are. Our big months for property taxes are December and January. We should be getting in about \$22 million over the next couple months from property taxes which will even everything up.

As of October we were slightly above our projected revenue for property taxes by about \$100,000 and our gross receipts taxes were also better than our budget by about \$450,000. All in all, our expenditures are right on schedule. We did have \$14.1 million worth of capital expenditures. Most of this was within the judicial court complex which was about \$10.7 million. I stand for question.

CHAIR STEFANICS: Thank you. Questions, comments from Commissioners? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Ms. Miller, at the last several meetings we've been having more and more discussions about property taxes, mill levies and yield control. And I know we talked about having a broader discussion in the new year. Can you get the Commission whatever you can find of written documents and statutory requirements associated with property tax obligations for Commissioners with yield control and the history of it? I began the process over several months now of diving into that and it's a complicated piece of work. And I think it's very important for us to really have a very fundamental rooted understanding of it because the public – it's one of the things that I know I raised when I set foot in the door as a Commissioner and it's still something that I haven't fully grasped and retained. I just need more information and written information that I could absorb and read and then utilize the benefit of your expertise and Finance staff and the Assessor's Office.

Is that something we can do our best to continually get our hands on, but whatever you can provide us in writing would be very helpful.

MS. MILLER: Madam Chair, Commissioner Anaya, actually as soon as this was done I was going to give you a couple updates and one of the things we were looking at and Carole and I have been working on it because it is a very complex issue and that effect of yield control really, really makes it difficult for the Commission to have any impact on reducing residential property tax rates because they're already held down so much from what's actually imposed.

So it is very complex and one of the things that I wanted to make sure that we do if we do it potentially in that – more of the study session day we were trying to do in January or whether we do it at the regular Board meeting was to try and get you a lot more examples of how that formula works and what the statues are relative to how it works, and kind of some other things than what I've actually been able to discuss with you so far.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: Could you answer this question for me? Does the basis of the formula fluctuate annually based on total revenue statewide when the factors are figured in for the yield control? Or is it an increase that's allotted by individual county calculations that then stays consistent throughout the year?

MS. MILLER: Madam Chair, Commissioner, I'll try to answer that. It's based on – the formula is based on two factors or three factors that can change. One is the growth factor which is set statewide. That's statutory, that's where they say here's how much your budget is allowed to grow. So that one is a statewide factor. The other is how much net-new value you have because they don't push the new value, new construction – there's a piece of the formula – new construction in its first year is not subject to yield control. And then existing value is the other piece and that's in the county. It has nothing to do with anything but your existing value within your county if it increases or decreases based upon appraisal done by the Assessors in the county. That's the other factor. So you do have one factor that is statewide; that's the growth factor, and then a factor that the county, and that's what your property values do based on relative to market rate and what the Assessor does.

So it's a combination. And then any debt is not factored. Yield control does not apply to debt rates; it's only operating rates.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Ms. Miller.

CHAIR STEFANICS: Thank you. So any other questions for Ms. Jaramillo for Finance? Thank you very much, Ms. Jaramillo. Ms. Miller.

MS. MILLER: Madam Chair, there were a couple of follow-up things. That was one of them, so we just mentioned that about the tax stuff. Another item was a reminder that we have that lovely thing called the legislative session coming up in January and we have been sending out to the liaisons asking for any additional legislative initiatives you would be interested in having us put on our County agenda other than what we have already passed, which is supporting all of the Association of Counties resolution. We'll be bringing back next month a reminder on the 11th of what we did last year, what happened with those things, what didn't. But we also want to make sure that we get from you any individual items, resolutions or areas you would like us to research that we have not previously done. I think we passed a couple other resolutions in support of things like the food policy initiative. And we'll have that list but then also what we did last year and anything else that you have that you would like us to do. So if you could send me or Hvtce, Lisa, or Rudy responses to that if there's anything through your liaisons or through those individuals what you would like us to add to that list.

And then what we'd like to do is as we've done in the past kind of formalize that in the beginning of January and keep adding to it through the session as issues arise. So I just wanted to get your feedback on that.

And then the other thing that I had was that we have officially appointed Penny Ellis-Green and promoted her to the Growth Management Director. So that is her official title now and we'll be transitioning her workload from the Manager's Office over time and I'm going to work with existing staff to see what we can do right now to transition and take on that work and then we'll be reviewing how to move forward with the Deputy Manager position at a later date.

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CHAIR STEFANICS: So, Ms. Miller, on the legislative session and activity, have we given thought to something besides a legislative breakfast before meetings that day, because we had people running in and out and in the old days, the City and the County used to sit with the legislators together in the evening. Have we thought about doing something different?

MS. MILLER: Madam Chair, yes, we've noticed that it has gotten difficult. Last year was particularly difficult because they really ran into their own committee meetings. With it being a longer session it does give us a little more opportunity to do something a little bit more conducive to that. Staff is working on some ideas that we'll bring also forward to you, different ideas of what we could do instead of that.

CHAIR STEFANICS: So when do you think that we would get that settled?

MS. MILLER: Madam Chair, we'll bring it on the December 11th meeting so we get some feedback from you as to what you would prefer that we set up.

CHAIR STEFANICS: Great. Okay. Thank you. Other questions, comments for the Manager?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: Madam Chair, I like the idea – we used to have them in the evenings in the past and I think it's something we should look into. Respectfully, because we have multiple municipalities in the county it's probably better to just work with County priorities. But I do think evening type discussion with the legislators would be a good one. Thank you.

CHAIR STEFANICS: Thank you. Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Manager Miller, did the County decide not to do an Intergovernmental Summit this year?

MS. MILLER: Madam Chair, Commissioner Mayfield, no, we didn't decide not to do one. We have budgeted for one. It was a little more of an issue. Last year we had a great difficulty with participation, because all of a sudden once we set it and got commitments everybody went to another meeting, the All-Pueblo Council had a meeting. So what we really wanted to do was to try to work and get somebody – and we held it about this time last year. We were thinking it might be good to hold it after the beginning of the year, and also see if we can get somebody else to help host it so there's a little more buy-in because we had a little bit of difficulty with that last year.

COMMISSIONER MAYFIELD: Could we just put that in the hopper to look at it please?

MS. MILLER: Yes.

COMMISSIONER MAYFIELD: Thanks. Only if the Commission concurs.

CHAIR STEFANICS: Well, on that point, Commissioner Mayfield, do you think that the Regional Coalition would consider co-hosting it with Santa Fe County?

COMMISSIONER MAYFIELD: That's a great suggestion. I'll bring that up at the next meeting.

CHAIR STEFANICS: Because it really needed some strength added to it; otherwise people were kind of dropping off.

COMMISSIONER MAYFIELD: Madam Chair, that is a great suggestion.

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MS. MILLER: Madam Chair, and Commissioner Mayfield maybe you and I could work on that with them and see if we can come up with an idea of how we could get better participation because that was a little disappointing last year. Lots of commitments and then a lot of them weren't there. So that was kind of rough.

COMMISSIONER MAYFIELD: And Madam Chair, I have just a sidebar. I have an executive meeting with Mayor Coss and Mayor Lucero the 4th for the Regional Coalition. I'll take it to the full board, but I'll bring that up at that executive meeting on the 4th.

CHAIR STEFANICS: Great. Anything else for Ms. Miller?

MS. MILLER: That's it. Thank you.

CHAIR STEFANICS: Thank you.

XV. C. Executive Session

1. Discussion of Pending or Threatened Litigation

CHAIR STEFANICS: Mr. Ross, how much time will we need for an executive session?

MR. ROSS: Madam Chair, we'll need about 45 minutes to discuss pending or threatened litigation.

CHAIR STEFANICS: Okay. Thank you. Now, could we have a motion please?

COMMISSIONER HOLIAN: Madam Chair, I move that we go into executive session where we will discuss pending or threatened litigation.

CHAIR STEFANICS: Is there a second?

COMMISSIONER ANAYA: I'll second, Madam Chair.

CHAIR STEFANICS: There is a second. We need a roll call please.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7) to discuss the matter delineated above passed upon unanimous roll call vote with Commissioners Anaya, Holian, Mayfield, Vigil and Stefanics all voting in the affirmative.

CHAIR STEFANICS: Thank you. Now we are going into a recess for executive session, when we return, we have already finished the business of the agenda. So when we return we should only be returning for the purpose of coming out of the executive session and adjournment. Thank you very much.

[The Commission met in closed session from 5:20 to 6:24.]

Commissioner Anaya moved to come out of executive session where all five Commissioners, Mr. Ross, Ms. Miller, Ms. Brown, Ms. Ellis-Green and Michael Dickman were present. Commissioner Holian seconded the motion which passed by unanimous 4-0 voice vote. [Commissioner Vigil was not present for this action.]

XVI. ADJOURNMENT

Having completed the agenda and with no further business to come before this body, Chairwoman Stefanics declared this meeting adjourned at 6:25 p.m.



Approved by:

Kathleen Holian

Board of County Commissioners

~~Liz Stefanics, Chairwoman~~

Kathleen Holian

Geraldine Salazar
~~VALERIE ESPINOZA~~ **GERALDINE SALAZAR**
SANTA FE COUNTY CLERK

Respectfully submitted:

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

**The La Bajada Community Ditch and Mutual Domestic Water
Association
(LBCD & MDWA) hereby states and requests the following:**

The LBCD & MDWA would like to thank Santa Fe County in assisting us in seeking funding from the Water Trust Board on our behalf.

The LBCD & MDWA cannot meet the conditions set forth by the Water Trust Board. Specifically, conditions seven and eight.

The LBCD & MDWA is requesting that Santa Fe County and the LBCD & MDWA go jointly to the Water Trust Board to eliminate items seven and eight and move forward with the rest of the approval.

The LBCD & MDWA is unable to allow Santa Fe County to take over their water system because of the unanimous consent of the LBCD & MDWA members.

The LBCD & MDWA is not asking Santa Fe County to spend any county funds only to assist us in the design, the contracting and submittal of bids using the water trust fund monies and the capital outlay grant that we received in the amount of \$50,000.00. The LBCD & MDWA will be responsible for paying back the water trust fund monies.

The LBCD & MDWA is a viable up and running water system that has incurred debt, has had meters installed and has provided affordable water to its members since 1919. They are always ready to increase its water rates to meet any debt incurred in the present and in the future.

Respectfully,

Alonzo Gallegos, President
LBCD & MDWA

November 27, 2012

NO CLEAR RECORDED 81/18/2013



Status of Santa Fe County Open Space Properties

Name	Acres	Acquired	Mandate/Purpose	Status
Santa Fe Rail Trail	29.1	10/15/1997	Santa Fe County Land Use Planning/Rail with Trail	Open
Cerrillos Hills State Park	1098.2	1/21/2000	Open Land and Trails Plan/Cultural-Historic Resources	Open
Madrid Open Space	57.3	2/15/2000	Open Land and Trails Plan/Cultural-Historic Resources	Open
Rio en Medio Open Space	121.3	4/21/2000	Open Land and Trails Plan/Access to Public Lands	Open
Santa Fe River Preserve	0.4	8/11/2000	Resolution 1998-79	Open
Talaya Hill Open Space	290.5	9/29/2000	Open Land and Trails Plan/Access to Public Lands	Open
SF River - San Isidro Park	35.5	5/24/2001	Resolution 1998-79	Open
Arroyo Hondo Open Space	86.8	11/14/2002	Open Land and Trails Plan/Cultural-Historic and Natural Resources	Open
SF River - El Camino Real Park	44.6	12/3/2002	Resolution 1998-79	Open
Spur Trail	7.3	9/2/2003	Open Land and Trails Plan/Santa Fe Community College District Trail	Open
Little Tesuque Creek Open Space	161.0	8/15/2005	Open Land and Trails Plan/Access to Public Lands	Open
Ortiz Mountain Open Space	1350.0	5/9/2007	Open Land and Trails Plan/Natural Resources	Open
Arroyo de la Piedra Open Space	54.4	12/15/2011	Open Land and Trails Plan/Access to Public Lands	Open
Old Pecos Trail Open Space	4.8	5/15/2000	Open Land and Trails Plan/Gateway	Preserve
El Rancho Open Space	5.5	9/22/2000	Open Land and Trails Plan/Cultural-Historic Resources	Preserve
Lamy Open Space	91.2	12/20/2002	Open Land and Trails Plan/Cultural-Historic Resources	Preserve
Edgewood Open Space	29.8	9/29/2000	Open Land and Trails Plan/Recreation and Trails	Construction Contract Award December 11, 2012 BCC
South Meadows Open Space	22.2	8/9/2001	Open Land and Trails Plan/Community Open Space	Design in progress. Planned Fall 2013
Los Potrerros Open Space	40.0	9/4/2001	Open Land and Trails Plan/Cultural-Historic Resources	Planned Spring 2013
SF River - Cieneguitas	11.8	7/29/2005	Resolution 1998-79	Design in progress. Planned Spring 2014
Thornton Open Space	1904.1	10/2/2000	Open Land and Trails Plan/Cultural-Historic Resources	2013 GOB; need Park Ranger
Mt. Chalchihuitl	TBD	Pending	Open Land and Trails Plan/Cultural-Historic Resources	2013 GOB; Pending acquisition and remediation
Arroyo Hondo Trail	23.2	12/30/2004	Open Land and Trails Plan/Santa Fe Community College District Trail	Design Contract Award November 27, 2012 BCC.
San Pedro Open Space	160.0	6/23/2011	Open Land and Trails Plan/Access to Public Lands, Turquoise Trail National	Pending funding
El Penasco Blanco Open Space	93.4	5/1/2002	Open Land and Trails Plan/Cultural-Historic Resources	Pending direction from the community
La Cieneguilla Open Space	151.1	12/29/1999	Resolution 1998-79	Pending direction from the community
				5873.4

LICENSING FEES	
Altered Dogs and Cats	\$8.00 annually
Unaltered Dogs and Cats	\$100.00 annually
Duplicate Tag	\$3.00
PERMIT FEES	
Kennels	\$200.00 annually
Grooming Parlors	\$200.00 annually
Pet Shops	\$200.00 annually
Shelters	\$200.00 annually
Guard Dog	\$200.00 annually
<u>Managed Feral Cat Colony Permit</u>	<u>\$200.00 every two years</u>
Individuals Maintaining More Than Ten Animals On Their Property	\$200.00 annually
Wild and Exotic Animals	\$200.00 annually
Breeder	\$125.00 annually per breeding animal
Circus and Animal Acts	\$250.00 each series of consecutive events in Santa Fe County
Litter	\$25.00 per litter
IMPOUNDMENT FEES	
1 st impoundment	\$10.00
2 nd impoundment	\$20.00
3 rd impoundment	\$40.00
4 th impoundment	\$80.00
Subsequent impoundments in 12-month period	The fee shall double
FEE FOR RETRIEVAL OF ANIMAL CARCASS BY ACO - \$100.00	
FINES FOR VIOLATIONS OF THIS ORDINANCE	
Resisting or Obstructing an Animal Services Officer	\$300.00

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No Rabies Vaccination		
1 st Offense	\$75.00 + proof of vaccination	
2 nd Offense	\$150.00 + proof of vaccination	
3 rd Offense	\$300.00 + proof of vaccination	
4 th Offense	Refer to Court	
Harboring an Animal that has Bitten		
	\$300.00	
Restraint of Animals		
	Unaltered Animal	Altered Animal
1 st Offense	\$50.00	\$25.00
2 nd Offense	\$100.00	50.00
3 rd Offense	250.00	125.00
4 th Offense	\$300.00	\$250.00
5 th Offense	Refer to Court	Refer to Court
No Animal License		
	Unaltered Animal	Altered Animal
1 st Offense	\$100.00	\$25.00
2 nd Offense	\$200.00	\$50.00
3 rd Offense	\$300.00	\$100.00
4 th Offense	Refer to Court	Refer to Court
Permit Violations		
1 st Offense	\$100.00	
2 nd Offense	\$250.00	
3 rd Offense	Refer to Court	
Animals Disturbing the Peace		
1 st Offense	Refer to Court	
2 nd Offense	Refer to Court	
3 rd Offense	Refer to Court. Upon conviction, the County may deem a nuisance and file a lawsuit in district court.	
Nuisance		
1 st Offense	\$75.00	

2 nd Offense	\$150.00
3 rd Offense	\$300.00
4 th Offense	Refer to Court
Unlawful use of Tags	\$100.00 or refer to Court
Confining Animals in or upon a Motor Vehicle	
1 st Offense	\$100.00
2 nd Offense	\$200.00
3 rd Offense	\$300.00
4 th Offense	Refer to Court
Cruelty (Physical Abuse)	Refer to Court
Neglect	
1 st Offense	\$150.00
2 nd Offense	\$250.00
3 rd Offense	\$300.00
4 th Offense	Refer to Court
Abandonment	
1 st Offense	\$200.00
2 nd Offense	Refer to Court
Poisoning	Refer to Court
Animal Fights	Refer to Court

In addition to the fines due to the county, the pet owner shall also be responsible for any and all boarding fees accrued at the shelter and the state spay/neuter deposit if applicable.

Any combination of kennel, grooming parlor, pet shop or shelter operating as a single business at one location shall only be required to obtain a single permit. Multiple locations shall require a permit for each location.

~~Any person who breeds animals shall be required to obtain a breeder permit for each breeding animal.~~