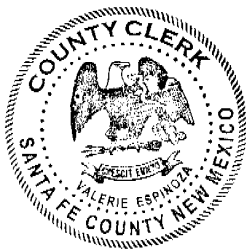


SANTA FE
BOARD OF COUNTY COMMISSIONERS
MEETING
May 29, 2007

Virginia Vigil, Chairman
Jack Sullivan, Vice Chair
Paul Campos
Michael Anaya
Harry Montoya



COUNTY OF SANTA FE) BCC MINUTES
STATE OF NEW MEXICO) ss PAGES: 96

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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

May 29, 2007

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:40 a.m. by Chair Virginia Vigil, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance and State Pledge, roll was called by County Clerk Valerie Espinoza and indicated the presence of a quorum as follows:

Members Present:

- Commissioner Virginia Vigil, Chair
- Commissioner Jack Sullivan, Vice Chairman
- Commissioner Paul Campos
- Commissioner Mike Anaya
- Commissioner Harry Montoya

Members Absent:

[None]

V. INVOCATION

An invocation was given by County Clerk Valerie Espinoza.

VI. APPROVAL OF THE AGENDA

- A. Amendments**
- B. Tabled or withdrawn items**
- C. Consent Calendar: Withdrawals**

CHAIR VIGIL: I'm looking out in the audience to recognize from Senator Jeff Bingaman's office, Pablo Sedillo. Thank you for being with us today, Pablo. Did you need to address the Commission on any item? Thank you for being here. We are now on Approval of the Agenda. Mr. Abeyta, are there any changes?

ROMAN ABEYTA (County Manager): Madam Chair, staff only has two changes and they are under XII. Staff and Elected Official Items, B, which is page 4 of the

agenda. XII. B. 1, Growth Management, Request for approval for award of contract to AUI, Inc. to construct sewer lines in Valle Vista. We're requesting that that be tabled. There's some language items we need to work out and I expect that to be back on your agenda in two weeks.

And then item XII. Staff and Elected Official items B. 3, that's the Request authorization to publish title and general summary of an ordinance amending the Land Development Code to add a new section XI. San Marcos Zoning District. The Land Use Administrator has requested that that item be tabled.

CHAIR VIGIL: Okay.

MR. ABEYTA: And there are no further changes from staff.

CHAIR VIGIL: Okay. Any changes from the Commission? Seeing, hearing

none -

amended.

COMMISSIONER MONTOYA: Madam Chair, move for approval as

CHAIR VIGIL: Any second?

COMMISSIONER ANAYA: Second.

The motion to approve the agenda as amended passed by unanimous [5-0] voice vote.

VII. APPROVAL OF THE MINUTES:

A. April 24, 2007

CHAIR VIGIL: Any changes to the minutes? These are the minutes of April 24, 2007.

COMMISSIONER SULLIVAN: Did you do the Consent Calendar?

CHAIR VIGIL: We can get to that after.

COMMISSIONER SULLIVAN: Okay.

COMMISSIONER MONTOYA: We already approved the agenda.

COMMISSIONER SULLIVAN: She didn't say anything about the Consent Calendar.

COMMISSIONER MONTOYA: Yes she did.

COMMISSIONER SULLIVAN: Oh, I'm sorry. I didn't hear.

COMMISSIONER MONTOYA: She asked if there were any changes. Too late.

CHAIR VIGIL: We're currently on the approval of the minutes of April 24, 2007. Are there any changes?

COMMISSIONER SULLIVAN: Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I've got a typographical change.

CHAIR VIGIL: There's clerical changes. Any other changes? Is there a motion.

COMMISSIONER SULLIVAN: Move for approval as amended.
CHAIR VIGIL: Motion, is there a second?
COMMISSIONER ANAYA: Second.

The motion to approve the April 24th minutes as amended passed by unanimous [4-0] voice vote. Commissioner Campos abstained due to absence from the meeting.

VIII. MATTERS OF PUBLIC CONCERN - NON-ACTION ITEMS

CHAIR VIGIL: The next item we have on the agenda is Matters of Public Concern. This is non-action items. Is there anyone there in the public audience today that would like to address the Commission on an item that is not a part of our agenda today?

COMMISSIONER SULLIVAN: We need the Consent Calendar.

CHAIR VIGIL: I believe we've taken action.

COMMISSIONER MONTOYA: We did.

COMMISSIONER SULLIVAN: Okay, I'll bring them up under Matters from the Commission.

CHAIR VIGIL: That would be fine.

COMMISSIONER SULLIVAN: Just so the staff can be ready, I'll have a couple more items under Matters from the Commission, which will be C. 1, 2, and 3 and 12.

CHAIR VIGIL: Okay, staff. Be prepared to answer questions under Matters from the Commission on those Consent Calendar items.

IX. MATTERS FROM THE COMMISSION

A. Request Direction to Identify Potential Locations for a Commercial Kitchen Facility for Santa Fe County's Co-Application with United Way of Santa Fe County for an EDA Grant (Commissioner Vigil)

CHAIR VIGIL: Who from staff or United Way will be taking the lead on this?

FRANK DILUZIO: Frank DiLuzio. I'm vice president for Community Investment at United Way of Santa Fe County. Thank you, Madam Chair, members of the Commission. The request today is for formal direction to allow United Way and County staff to evaluate a final list of sites and then come back to the Commission with a formal recommendation on a preferred location.

CHAIR VIGIL: Staff is there a response with regard to any requests on this item?

DUNCAN SILL (Affordable Housing Coordinator): Madam Chair, we held a meeting with constituents and United Way and members of the fair board. The site that

we have identified at this point as ideal for this partnership is the Extension Center.

CHAIR VIGIL: Okay.

MR. SILL: I stand for questions.

CHAIR VIGIL: Have we made any progress with the rodeo board with regard to this?

MR. SILL: We have communicated with a Mr. Ed Vasquez in meeting, I think, I believe was last Saturday and we've gotten possible feedback from Mr. Vasquez as well as Pat Torres at the extension center. He also introduced this potential partnership and the benefits to the greater fair board recently. So we're waiting for more formal direction and feedback from the fair board at this point, but we are confident that based on the benefits that we have identified that we'll be able to collaborate on it.

CHAIR VIGIL: Okay.

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Duncan, is this land going to be deeded to the group or is this - how is it going to work?

MR. SILL: Madam Chair, Commissioner Montoya, this is going to be a County-owned facility. We'll have control over the workings of it and through a management agreement with United Way they will actually be the entity to manage the operations of the commercial kitchen. Actually, if there's further questions about that I could defer those to Mr. DiLuzio.

COMMISSIONER MONTOYA: Madam Chair, move for approval.

CHAIR VIGIL: Motion to approve. Is there a second?

COMMISSIONER ANAYA: Second.

CHAIR VIGIL: Further discussion? Commissioner Campos then Commissioner Sullivan.

COMMISSIONER CAMPOS: Madam Chair, I have a question of Mr. Sill. What's the process for the actual official selection? Do we have to go to the board there or here? Who makes the decision?

MR. SILL: I believe that the procedure is to get a recommendation from that fair board formally and then of course they are a recommending board. The ultimate decision is yours on the BCC level and we have gotten feedback from them on a positive level, so we could certainly wait for a more formal direction from that board before we act on it. We could take action today based on that condition.

COMMISSIONER CAMPOS: Are there master plan issues or water issues at that site?

MR. SILL: Madam Chair, Commissioner Campos, the master plan issue was addressed by Mr. Vasquez last Friday. He was on the original committee and he was very open to the possibility of shared facilities on that site. He thought that it would be a good fit for not just the partnership between the County and the fair board and the Extension Center, but it would mean a potential on cost savings on the well. In terms of

the other issues, we are currently working on approaching the City to ask for services for that site.

COMMISSIONER CAMPOS: Okay. Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Duncan, is this going to be a separate building?

MR. SILL: Madam Chair, Commissioner Sullivan, we had originally envisioned that it would be a separate building but after meeting with Mr. Vasquez from the fair board there's a potential now to have a shared facility where there would be common spaces that would be utilized by both for fair purposes, the Extension Center purposes as well as the commercial kitchen. So through the design we're going to be able to achieve that and that would in turn again yield cost savings benefits as well as the promotion of partnership amongst the different constituents.

COMMISSIONER SULLIVAN: I appreciate that Mr. Vasquez thinks it's a good idea. I would feel a lot more comfortable if we brought back in the master plan architect who did the master plan for the fair ground, because there was and is a plan for those improvements and while the plans can certainly be flexible I'd like to see the architect who did that be involved in this and coming up with a revised master plan that would accommodate this building. Because there's not just issues of the building, there's issues of the parking, handicap parking and circulation that were addressed in the original master plan and there's issues of youth facilities that were also in the master plan. By youth facilities I mean beyond 4-H, that part of that master plan was that there be facilities for other youth groups as well, and 4-H has always been a key component of the fairgrounds program and the extension program there but there's a component that I would like to see again is that we open that up for other youth opportunities, so I'd want to see how this incorporates that master plan component into it and maybe the shared use could do that.

So that would be one request that I would have if that's where it's going to be. So the request here is not really to identify land, formal direction. You're telling us it's already been identified. So you're really not looking for direction for that I guess. Have you talked to the City about the water?

MR. SILL: I'll let the applicant address that.

MR. DILUZIO: Madam Chair, Commissioner, we've not talked directly to the City until we are certain exactly which parcel we were talking about. We didn't want to make that approach. When it's clear to the board and it's clear to staff that this is the preferred site then we'll make those contacts this week and begin those discussions. It's premature to do that prior to identifying firmly which parcel we were going to be talking about.

COMMISSIONER SULLIVAN: Okay. Just because you know that this site is in the county.

MR. DILUZIO: Yes.

COMMISSIONER SULLIVAN: And you know that the City has a policy

against extending water service outside the city limits.

MR. DILUZIO: Madam Chair, Commissioner, we're aware of that. In our discussions with the County Fair Board representative that's a hurdle they're also going to be having to face in terms of bringing water onto the site other than the well that's presently there. And also, if I could just mention in terms of meeting with the County Fair Board we're scheduled to be on their agenda June 11th to do a formal presentation and seek their input as a board, in addition to meeting just with Mr. Vasquez who was their designee.

COMMISSIONER SULLIVAN: Well, correct me if I'm wrong, but my understanding is that one of the facilities on the site already has City water and one uses the well. Is that wrong or is it -

MR. DILUZIO: Madam Chair, Commissioner, I'm not certain. I'm aware of the well and I'm aware that there are City sewer hookups to the site but I'm not sure about water.

COMMISSIONER SULLIVAN: Maybe that's just City sewer then. Okay. I'd also - and you all of course came in to talk with me and give me a briefing on it and I appreciate that. I would ask Mr. Abeyta that since this is in District 5 and it's the first I've heard of it that we keep our appropriate County Commissioners up to date on this since we're in District 5 and it would be good if I knew what was going on.

CHAIR VIGIL: Further discussion. Seeing, hearing none, just for clarification of the record purposes, does the maker of the motion understand his motion to mean pursuing the potential site at the County Fairgrounds?

COMMISSIONER MONTOYA: Yes.

CHAIR VIGIL: Okay. Secorder of the motion? Seeing the affirmation on that -

The motion to approve passed by [4-0] voice vote with Commissioner Sullivan abstaining.

IX. B. Resolution No. 2007-74. A Resolution Supporting Expenditure of a 2007 Legislative Appropriation for a Community Water and Wastewater Project in the Sombrillo Area, Providing for the County of the Santa Fe and the City of Espanola and the Department of Transportation Along the U.S. Highway 84/285 Right-of-Way and the Sombrillo Community, and Authorizing Negotiation of a Memorandum of Understanding By and Between the County and the City for Development of Community Water and Wastewater Projects in the Sombrillo Area (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Madam Chair. First I'd like to

recognize Councilor Alfred Herrera. Thank you for being here this morning, and also Cyrus Samii, the City of Española planner. Madam Chair, this did go before the City of Española Council on May 14th, I believe it was, and it was passed unanimously by the City Council there in Española. We have been collaborating and working with the City of Española as well as Santa Clara Pueblo around the issue of extending and working together on development of a wastewater system in the Sombrillo area. And along with that there have been communications of the development of a water system as well.

So this appropriation that we have received this past legislative session, we received \$200,000 from Senator Richard Martinez and \$250,000 from Senator Carlos Sisneros and another \$500,000 from Governor Richardson towards the development of the wastewater system. Discussions have been at this point that we are looking at possibly utilizing the City of Española wastewater facility, their tank that they've got and they're upgrading. This is a possibility in terms of what we will be doing with the system once it's hooked up. So the potential to use the City of Española services is something that we've agreed to work collectively on and with that, I would move for approval.

COMMISSIONER CAMPOS: Could you stand for questions first?

CHAIR VIGIL: Okay, not hearing a second we'll go ahead and go into discussion. I'll take your motion later. Commissioner Campos.

COMMISSIONER CAMPOS: Madam Chair, I'm concerned about this because it seems that we've been talking for a long time about prioritizing County projects, deciding what the priority is going to be and this seems to jump the gun a little bit by saying with this resolution that Sombrillo is the priority. I'm just concerned about that discussion, so I'm just wondering if this is not a bit premature in the big picture of what the County plans to do. I'd like, Mr. Abeyta if you could address that issue, because we have had discussions about really sitting down, looking at our resources, deciding where we're going to expend money. I'm just curious as to what the thoughts are from staff.

MR. ABEYTA: Madam Chair, Commissioner Campos, this is an area that we've been talking about. We are still working on a big, comprehensive plan. This resolution doesn't at this time allocate any commitment or make any commitment from the County as to funding. What we are committing to is that we will help seek legislative funding but at this time we're not ready to put forward our dollars. That's something before we commit to - and that's not saying we won't, but we need to do our big plan first before we put any of our own money towards this project. But what we're doing now is saying this is a project that we feel there is a need for and that we will work with the City of Española in getting state funding for. And potentially, we could add some funding ourselves, but again, that's going to be put on hold until we do our big picture that we're working on. And I expect to bring something forward to you in the next 30 to 60 days as far as water and wastewater.

COMMISSIONER CAMPOS: My concern is that we're committing by passing this resolution to go down the road to where it terminates to actually the project is done. And I'm not - I don't think I'm ready to do that today. So that's just what I throw

into the discussion.

MR. ABEYTA: Madam Chair, Commissioner Campos, there is \$150,000 of state funding that we received.

COMMISSIONER CAMPOS: I understand that.

MR. ABEYTA: So this is part of our commitment that we're going to push that forward to where it was allocated for.

COMMISSIONER CAMPOS: Well, that's typical policy for the County, to react. People throw things at us and we just run after the bait. Instead of having our own plan, we're just always just reacting to what other people throw our way. And that's my concern and that's the issue I raised with Commissioner Montoya for staff and for other Commissioners who want to discuss it.

COMMISSIONER MONTOYA: Madam Chair, this has been something that again has been ongoing in the community. We had a public meeting last week. The residents that were there were very grateful for us moving forward on this. This was and for years has been a priority for the County and I think we're just moving along. We were fortunate to get the funding that we did from the sources that we got it from in order to begin the project. I understand where you're coming from but I don't agree.

COMMISSIONER CAMPOS: Okay. Well, let me just say something. I don't know if Sombrillo has always been on our project priority list. Certainly we have identified others that were presented to the legislature this year. I don't think Sombrillo was that we got money thrown at us from the Governor's office, other people, and now it becomes, at least as resources that - I'm just not willing to commit at this point when we have so many other things that we have to consider and really decide where we're going to put our resources to effectively manage and leverage our funding. I'm not ready to vote yes on this today.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Roman, could you clarify - is the \$150,000, is that allocated to Santa Fe County?

COMMISSIONER MONTOYA: The whole \$850,000.

COMMISSIONER SULLIVAN: Oh, \$850,000. Oh, okay. Because it says here the Sombrillo area sewer system received a total of \$850,000 in legislative funding, but it was actually funneled through Santa Fe County.

COMMISSIONER MONTOYA: Right.

COMMISSIONER SULLIVAN: Okay. And so are we anticipating by doing this - are we committing to some additional County funds to match this?

COMMISSIONER MONTOYA: I would hope so at some point that we would see this as one of the priorities in the county for a wastewater system, yes.

COMMISSIONER SULLIVAN: It talks about getting a line in while they're doing the highway project and then ultimately annexing into the City of Española. Can this line be built for \$850,000?

COMMISSIONER MONTOYA: I'll let the engineer - James?

COMMISSIONER SULLIVAN: We have the City Planner here. Maybe the City Planner has an estimate.

COMMISSIONER MONTOYA: Cyrus, do you have – either you or James?

CYRUS SAMII: My name is Cyrus Samii. I'm with the City of Española in the Planning Department. What we're looking at is a number of different kinds of solutions including package plants, we were looking at in terms of septic that we heard from the Environment Department on. We're looking at the possibility of connecting to the Santa Clara Pueblo facilities. We're looking at the possibility of connecting to the City of Española. There are all kinds of options that are being looked at from a technical point view that we believe can be achieved within the budget of \$850,000. So what we try to do is find the right technical answer for the water and wastewater issues for Sombrillo and then to come forward with that.

I think this resolution just reaffirms our commitment to finding a solution out there and yes, there are solutions that can be achieved with \$850,000.

COMMISSIONER SULLIVAN: And that would provide a solution to both the water and the wastewater?

MR. SAMII: I think we're looking at the wastewater and that seems to be the community's first priority. We did hold a meeting on that and I think we heard that pretty strongly from the community.

COMMISSIONER SULLIVAN: Okay, so that we can anticipate that whatever of those solutions are ultimately decided on, at least with regard to wastewater that the likelihood is that that can be done within the \$850,000?

MR. SAMII: We had actually a kind of an interesting presentation from the Environment Department in which they showed us examples of things that are done for about \$3 million, of which there was some contribution of government as well. So the costs out of pocket were significantly less to the community. Again, we're looking at the right technical solution for this area, for the community, and then based on that we'll figure out what we can achieve with that budget.

COMMISSIONER SULLIVAN: Okay. I was just kind of curious as to the need for this resolution. It indicates that it's supporting the expenditure of a 2007 legislative appropriation. What does that exactly mean? I guess the alternative is to turn it back to them.

MR. SAMII: Commissioner, I think it's a commitment to come to the table and say yes, we are involved. Yes, we want to make the solutions. We want to work together with Santa Clara Pueblo. There are a whole bunch of options, whether it's connection to the Española facilities or connection to Santa Clara facilities or an independent kind of solution, I think what we're seeing is we want to come to the table and figure out a way to solve this problem, especially in terms of the wastewater for Sombrillo.

COMMISSIONER SULLIVAN: And what type of financial commitment has the City of Española made to this?

MR. SAMII: The City of Española has not – what we're looking at, the one thing that we're looking was the possibility of piggy-backing on the DOT project, in which case we were expressing our willingness to put in a water line up to Sombrillo through the reconstruction of the roadway and to look at making that commitment. And for course the DOT would pay for that up front and over time we would reimburse them for that. That is one thing that we are looking at very seriously and I have Councilor Herrera who is here who is also part of the Public Works Committee that has been considering that and glad to have him speak to the issue as well.

COMMISSIONER SULLIVAN: Councilor Herrera, thanks for coming.

ALFRED HERRERA: Good morning, Commissioners, Madam Chair. It's always great to see all of you. We tend to meet in different other arenas and this is my first chance to come and visit with you all in this forum here. So thank you for the opportunity. Quite frankly, I first of all want to thank Commissioner Montoya for his leadership in this particular project. But I must say that some of the initiatives that led to this appropriation, I guess I can truly say, Commissioner Montoya, that it was a grassroots effort that emerged from the fact that there's a burning need in that area, in that Sombrillo area, for water and wastewater, some solution of some sort. So that's kind of the impetus behind the constituents of that area approaching the Governor and local legislators. So that's kind of how that also came about.

And of course Commissioner Montoya has taken a leadership role in wanting us to meet with the public there and as you mentioned, we have had one public meeting already which we were a part of. This particular project is one that as it stands now kind of sits outside the incorporated area of the city. But we're obviously very concerned with what's happening in the valley there by way of contamination of the aquifer there and just continuing contamination by way of septic tanks.

So this is an opportunity for us to work together and remedy the issue there. It's still kind of up in the air. There's still a lot of fact-gathering at this point. The one thing that has been said here already that I'd like to emphasize is the fact that this is a state appropriation and our resolution when it was passed by the City Council was merely to affirm and commit to the fact that we would work collaboratively with Santa Fe County to try to do what's best for the citizens. We can't come before you to say that the ultimate solution is just to hook up to city facilities. That certainly is one of the options that's being explored. The City of Española has just expanded or is really underway in terms of an expansion to its wastewater treatment system, a multi-million dollar project that has been taken on by the City of Española with help from local and federal and state sources of this.

So there's a huge commitment that the City's has already made to the existing facility there, of which the beneficiaries could in fact be the surrounding areas, including the Sombrillo area. The DOT, as Mr. Cyrus Samii mentioned, is a small window of opportunity that hopefully we might be able to take water up that roadway and allow the citizens there to also benefit from it. There's a lot of work that needs to be done by way of

water quality, no different than you all are working with. We have the same issues except down in the valley. So in a nutshell, Madam Chair and Commissioner Sullivan, those are some of the things that we're working on from the City's point of view.

Again, thank you for the opportunity to visit with you.

CHAIR VIGIL: Thank you, Councilor. Any further questions, Commissioner?

COMMISSIONER SULLIVAN: Nothing.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Councilor Herrera, a couple of questions. One, what's the annexation plan for this area, as far as the City's concerned?

COUNCILOR HERRERA: Madam Chair and Commissioner Campos, one of the reasons that we attended the public hearing of course was to hear what the citizens have to say about the project, the water and wastewater project. And then the other part was for us to again in a cooperative fashion, be able to hear what the citizens have to say about annexation. So kind of at the tail end of the meeting we did present some information about annexation.

The City of Española has also passed another resolution that basically says that we're exploring the issue of annexation. And where we're at now is we want to continue to work with Santa Fe County but at the same time work with Rio Arriba County. As most of you well know, the City of Española basically is split between two counties, Rio Arriba County and Santa Fe County. And we're very interested in exploring the notion of annexation, if in fact as we move forward we hear from the public and there is strong enough support for the issue of annexation. Our first step in this whole process is to hear what the citizens of the community have to say and we really want to listen to what their reactions are at this point.

I can honestly say that the City of Española through its governing body has not really committed at this point to move forward and with a foregone conclusion that we are going to annex. We're basically in a fact-finding mode right now but more important, getting the reaction from the public which is really important for us. We need to hear from the people in the community. So that's kind of where we stand today. We've had one public meeting. We're planning on having a follow-up to that, as I recall, Commissioner Montoya, with the citizens from Sombrillo, but at the same time we're planning a couple of other meetings with the residents that reside in Rio Arriba County that could potentially also be incorporated. So basically, Commissioner Campos, a lot of discussion going on at this point.

COMMISSIONER CAMPOS: There's also been discussion about annexation in areas other than Sombrillo, right? These are annexation discussions going on in the City of Española.

COUNCILOR HERRERA: Absolutely. The discussion has spilled over beyond the community of Sombrillo. We're looking at - I call it north, in the Llano area, north and south of the high school, which is basically north and south of Fairview Lane,

which runs west and east there with the city. So we're looking at various areas in that vicinity. Yes, we are.

COMMISSIONER CAMPOS: You're thinking of the area of Santa Cruz? Is that right?

COUNCILOR HERRERA: That's correct.

COMMISSIONER CAMPOS: Have you had discussions with the folks in Chimayo about extending the water services to that area?

COUNCILOR HERRERA: Not in a direct fashion. We had attended quite a number of meetings and there has been discussion, certainly an interest on the part of the people that live up that - I suppose you could call it a corridor, up to Chimayo. A lot of discussion in terms of the quality of water there, obviously, which is pretty much what we're experiencing in the city. Wastewater is also an issue with them. And an ideal situation in the Sombrillo area, if I may just elaborate just a little bit, is to take advantage of the geographics of that area. From a practical sense it would make absolute sense to go up the Santa Cruz River and go up to a certain point, because funding is always an issues. It's always been an issue with the City of Española; it's an issue with you all. But at least if we can look at resolutions on a long term basis and position ourselves to be able to move beyond the boundaries of Sombrillo. That's certainly would lend itself nicely to be able to move up the Chimayo area.

Whether or not that happens there are still a lot of issues that need to be resolved, some discussion needs to take place with Santa Clara in that regard because they own some property along that area. So there's still much, much discussion and deliberation that needs to take place. But kind of in an indirect way we have - we are aware and have had some discussion with different people, different leaders in that community. Absolutely.

COMMISSIONER CAMPOS: You also mentioned the small DOT window. What does that mean? What is that window?

COUNCILOR HERRERA: The Department of Transportation, as part of the US 84/285 corridor work that's being done is going to find its way into the boundaries of the City of Española. The next phase, once they finish there in the Pojoaque area is they're going to move into the City of Española and start doing some work from - if you're familiar with the area there, from the Dandy Burger south. There's work that's going to be done on that roadway. And again, from a practical perspective, it just makes sense, again, looking at it from a long-range perspective, to try to capitalize on the opportunity there. That apparently is going to be happening probably by the latter part of this calendar year, certainly within the year. It's going to be moving pretty quick. The idea is that DOT has been talking to the City about the possibility of putting utility lines, either water or wastewater, on the roadway, so that we don't come back later and want to tear up their nice road. That's the window of opportunity that I'm talking about with DOT.

COMMISSIONER CAMPOS: Okay. Do we have to act today. Let's say if we did not act today, would that prejudice this idea that you're proposing?

COUNCILOR HERRERA: Madam Chair, Commissioner Campos, I would have to defer to the governing body in terms of whether or not you would like to act on

this or not. Obviously, there's no sunset provision that's going to happen at the end of June or anything like that. This is an appropriation for the following year, but that would strictly be up to you. The City of Española has already adopted our resolution just to commit to working with Santa Fe County, that's kind of the essence of the resolution.

COMMISSIONER CAMPOS: Thank you, Councilor, for coming.

Appreciate it.

COUNCILOR HERRERA: Thank you for the opportunity.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, thank you. Thank you, Councilor for being here. I think our congressional delegation, our state delegation, our Governor, has always told us to try to work together, to stretch our dollars so that we can get things taken care of. I think it's nice to see you here in front of this Commission and I think we've got to go back and forth and we need to work closely with all the cities and all the counties so that we can try to get these problems taken care of, and it's not just us taking care of it, it's bringing people in like the cities.

I don't have a problem with this. I think we need to move forward. If we don't move forward with this then it's going to send a bad signal back to the City of Española saying that Santa Fe County doesn't want to work. So I think that I would move for approval.

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Motion and second. Further discussion?

COMMISSIONER MONTOYA: Madam Chair, I just want to also recognize Barbara Deaux who has been here and been part of the discussions as well. Did you have anything to add, Barbara?

BARBARA DEAUX: Barbara Deaux, director of North Central New Mexico Economic Development District. In response to the question from Commissioner Campos about the service to the area of Chimayo, that cooperation between the City and the community in Chimayo is incorporated in Public Law 108254, which is the federal legislation that both the city and town of Chimayo in the federal legislation are working together on. The last time that was addressed by the city council in Chimayo was prior to the current administration. And we began that discussion at the public meeting that Commissioner Montoya hosted in Sombrillo last week, and there will be another public meeting at that same elementary school to discuss potential pipeline issues on June 21st from 2:00 to 4:00, and Commissioner Montoya and Commissioner Corriz, Representative Salazar and possibly Representative Lujan are sort of co-hosting that meeting to encourage that discussion to continue. Thank you.

COMMISSIONER MONTOYA: Thank you, Barbara.

CHAIR VIGIL: I have a question. I'm not sure who can answer it, so Barbara you may just want to hang out a bit. With regard to the preliminary design of this wastewater extension line, is the closest point of connection the City of Española? Or could there be a possibility of working with the Pojoaque Tribal government on their new

wastewater treatment facility? Where have the discussions gone with regard to that? Or are there jurisdictional issues?

MR. SAMII: Madam Chair, again, we're trying to start with the technical issues more than the jurisdictional ones and so we had the discussion we've had to day having to do with Santa Clara Pueblo, which has a water treatment facility right across the way. The issue associated with it is that it's actually uphill from the facility so that it requires a lift station, and that's part of the discussions we're going to be having in terms of what makes most sense for the community of Sombrillo. Whether, again, if it's a trunk line that goes through the river, whether it's a connection that comes in with the utility in 84/285, then goes to the City of Española or whether it is an independent plant that they have in their own backyard.

CHAIR VIGIL: Okay. Discussions are ongoing, I gather.

MR. SAMII: Yes, they are.

COMMISSIONER MONTOYA: But they do not include Pojoaque because of the poor geographics.

MR. SAMII: Santa Clara.

CHAIR VIGIL: Okay. Santa Clara. Got that. I think this is a great opportunity for Santa Fe County to show its support for something that our northern neighbors actually have been working very hard on and that's water projects and certainly wastewater projects. I don't believe that what we have in front of us actually requires us to commit to a prioritization or an allocation of dollars. I think that's a whole different issue and perhaps down the line we can discuss that. This, as I read it, really states Santa Fe County will support the City of Española, the Department of Transportation in pursuing further funding from the state legislature, and perhaps - I am sure you are considering other funding sources. I think we need to move forward on this. We need to continue to promote as much as we possibly can water systems in our northern, our southern, our western our eastern communities so that at some point in time the connectivity that we're all looking for and the wastewater needs that these communities have will be directly met. So with that, unless there's further discussion I'm going to call for a vote.

COMMISSIONER MONTOYA: Madam Chair, I just wanted to add that the Española Basin Regional Planning Issues Forum also adopted this as its top priority to work on as well. So that group is also the intergovernmental group supporting this as well.

CHAIR VIGIL: Okay. Thank you.

The motion to approve Resolution 2007-74 passed by 4-1 voice vote with Commissioner Campos casting the dissenting vote.

COMMISSIONER SULLIVAN: Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: One of the items that I'm going to discuss under Matters from the Commission, which was on the Consent Calendar has to do with

the North Central New Mexico Economic Development District annual contract. We can discuss that when we complete the matters and ask Ms. Deaux to come back or we could discuss it now, whenever you feel appropriate.

CHAIR VIGIL: Well, I think it's dependent on Barbara. Barbara, will you be able to be here to discuss that?

MS. DEAUX: Approximately what time would that be?

CHAIR VIGIL: It's hard to approximate. I actually am going to ask the Commission to consider this before we even take action. I'd like to take the next resolution and items C and D - actually items D through Q are all items regarding discretionary funds. If the Commission does not have any questions on any particular items there, I would ask that the Commission entertain an opportunity for approving items D through Q, except for those that want to be discussed, so that we can go into item C and appointments/reappointments, then Consent Calendar.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: I don't have a problem approving those but I do have people here from the Village of Galisteo and surrounding areas. There's probably about 20 people out there. I would like to do item G.

CHAIR VIGIL: Okay, item IX. G.

COMMISSIONER ANAYA: County Road 42 design project.

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: I don't agree with your suggestion that we should just do all these Commission matters on discretionary funds in a combined manner because I object, as you know, to probably half of them.

CHAIR VIGIL: Okay. So would you like to pull the half -

COMMISSIONER CAMPOS: Let's just go through them.

COMMISSIONER SULLIVAN: Go through them all except G.

CHAIR VIGIL: Okay. Then I'm thinking Barbara, based on the discussion we're currently having here is that we probably will not go into those Consent Calendar item until after lunch, which would be about 1:30 or 2:00. And perhaps we can actually calculate and hold off on this until you return. Okay.

IX. C. Resolution No. 2007-75. A Resolution Urging Centers Medicare and Medicaid Services (CMS) to Withdraw a Proposed Rule Restricting Medicaid Payments to Public Providers (Commissioner Montoya)

COMMISSIONER MONTOYA: Madam Chair, this is a resolution that the National Association of Counties is requesting counties nationwide to adopt. Essentially what this particular resolution will do will oppose the proposed rule which would impose

cost limitations on Medicaid payments, and also urges the centers for Medicaid/Medicare services to withdraw a proposed rule restricting Medicaid payments for public providers. And I'll stand for any questions.

CHAIR VIGIL: Questions?

COMMISSIONER MONTOYA: Move for approval.

COMMISSIONER ANAYA: Second.

CHAIR VIGIL: Motion and seconded. Commissioner Campos.

COMMISSIONER CAMPOS: Could you give me a concrete example of what this means? It's pretty general and it's pretty short.

COMMISSIONER MONTOYA: Well, essentially what they're going to do or try to do is propose caps and then eligibility requirements which could impact people in terms of Medicaid providers. So what we're asking them to do is to not do that. Don't limit what we're going to be allowed to get reimbursed for as a provider, or to pay for for the individual claiming those services as well.

COMMISSIONER CAMPOS: Okay. Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Could you explain, Commissioner Montoya, what the issue is on this generally applicable taxing authority? What it has to do with the new rule? It's on the bottom of the first page of the resolution. It seems to say that they're CMS is redefining the unit of government to mean a generally applicable taxing authority. So is that the problem and if so, why is it the problem?

COMMISSIONER MONTOYA: Commissioner Sullivan, I quite frankly do not know if that's the problem, except I do know that the problem would be that there would be limitations on services for that specific item. Is Steve Shepherd here? Anyone from - I do not know specifically that generally applicable taxing authority.

COMMISSIONER SULLIVAN: I couldn't figure it out either. The only thing I could think is that funds are - Medicare and Medicaid funds go to entities like the UNM Hospital, right?

COMMISSIONER MONTOYA: UNM Hospital, St. Vincent's.

COMMISSIONER SULLIVAN: I think St. Vincent's is included because they have that pre-1912 documentation as something before New Mexico became a state. That's as far as a limited municipal authority. That's how they can get direct state appropriations like they have in the last couple of years. I'm not sure what that means except I'm just thinking maybe it's like Albuquerque Hospital wouldn't be a taxing authority and may get Medicaid funds. So I wasn't really understanding what the impact of this rule was.

CHAIR VIGIL: Further questions?

COMMISSIONER SULLIVAN: That's the only one I had.

CHAIR VIGIL: Commissioner Montoya, once - if we enacted this, who does it go to and what purposes does it serve?

COMMISSIONER MONTOYA: It would go to NACo, so we would send a

copy to the National Association of Counties, who would then forward it to our congressional delegation on our behalf.

CHAIR VIGIL: So this is a NACo initiative.

COMMISSIONER MONTOYA: Yes.

CHAIR VIGIL: Okay. Thank you. Any further questions?

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: I've asked in the past when we get a bunch of resolutions from Commissioners but no staff input, I really don't understand . It's very technical to me. I don't understand this proposed resolution or how it affects us or anybody in the County of Santa Fe.

CHAIR VIGIL: Okay. Mr. Abeyta, would you have appropriate staff review this? Perhaps even the Health Policy and Planning Commission under these circumstances. They might be able to give us some significant input. But there is a motion and a second.

The motion to approve Resolution 2007-75 passed by 4-0 voice vote with Commissioner Campos abstaining.

IX. D. A Request for Approval for an Expenditure of Discretionary Funds in the Amount of \$2,100 to Santa Fe County Sheriff's Office for the Provision of Purchasing Mountain Bikes and Equipment for the Sheriff's Bike Patrol Unit (Commissioner Campos)

COMMISSIONER CAMPOS: Madam Chair, I think you've covered it all by reading the caption. This is the purchase of two bicycles, I believe, for the Sheriff's Department. They'll use them mainly in our public housing. We've had discussions in the past about how important it is to have Sheriff's people patrolling these areas on bicycles or on foot, and that's what this is. And I'd ask for your approval. It's a public purpose. It's a very important part of our discussions in the past. So I would move – unless there's any discussion or questions. I'd move for the approval.

CHAIR VIGIL: Motion. Is there a second?

COMMISSIONER SULLIVAN: Second.

CHAIR VIGIL: Any further discussion?

The motion to approve discretionary funding for Sheriff's bicycles passed by [4-0] voice vote. [Commissioner Montoya was not present for this action.]

IX. E. A Request for Approval for Expenditure of Discretionary Funds in the Amount of \$7,900 to Santa Fe County Community Services Department for the Provision of Purchasing Energy Efficient Light Bulbs and Other Energy Efficient Fixtures for Installation at Santa Fe County Facilities (Commissioner Campos)

COMMISSIONER CAMPOS: Madam Chair, Mark Sardella, our consultant, identified the youth facility as an energy waster and recommended a number of things to make it energy efficient. Last month we approved at least several thousand dollars for this project and this will supplement that, so it's just additional money to get the same job done as we approved about a month ago. If there aren't any questions I would move for the approval.

CHAIR VIGIL: Motion. Is there a second?

COMMISSIONER MONTOYA: Madam Chair, how many light bulbs are they going to buy?

CHAIR VIGIL: I'll second it for discussion.

COMMISSIONER CAMPOS: I don't know.

COMMISSIONER MONTOYA: I need more information.

COMMISSIONER CAMPOS: Okay. We'll get Ms. Roybal up here. She'll tell exactly how many light bulbs are going to be purchased by this \$7,900.

COMMISSIONER MONTOYA: I'm just kidding. I'm just getting back at him.

FRANK JARAMILLO (Community Services): Madam Chair, Commissioners, what we would like to do is we are going to go in and we are going to do the administration area with sensors like we did here at the courthouse. That's 100 percent payback. We'd also like to go - I'm going to meet with staff. I just met with Annabelle outside. I'd like to meet with staff out there and see what lighting is on 24/7 over there because that building is really old and it's housed with T-12 and we'd like to retrofit them with T-8's. So what we're doing is we're taking out the T-12's completely, ballasts and all, so we would retrofit them with T-8's. So it's not just light bulbs, it's ballasts and the whole lights and emergency lighting. So there's - and what we're doing is we're trying to use our judgment as to what and where we can save.

COMMISSIONER MONTOYA: Madam Chair, do you think that will cover most of it?

MR. JARAMILLO: It won't cover all of it, but it will do a big chunk. And we will have some considerable savings.

CHAIR VIGIL: Okay. In terms of recycling, what is done? Commissioner Anaya, go ahead.

COMMISSIONER ANAYA: Thank you, Madam Chair. Have we looked into purchasing new light fixtures? Is it cheaper to purchase them or is it cheaper to change the ballast out?

MR. JARAMILLO: You know what, Commissioner, we're looking into that now. That is a good question and that's why I wanted to meet with Gabe Narvaiz, the supervisor out there, and that is a good question because we are going to look into that. I think it will be cheaper to just change the ballasts out. I would like to go that route.

COMMISSIONER ANAYA: Okay. Thank you.

CHAIR VIGIL: And my question is, if you do take the light bulbs out, what do we do in terms of recycling those?

MR. JARAMILLO: Well, these T-12's, they have mercury, so we have to pay a separate fee on these to dispose of them. So that's another energy issue there. They're so old. They're outdated.

CHAIR VIGIL: Do we dispose of them with a local - with BuRRT or do we have to wait till the hazardous materials day?

MR. JARAMILLO: No, ma'am. But we do separate them.

CHAIR VIGIL: Just a separate contract?

MR. JARAMILLO: Yes, ma'am.

CHAIR VIGIL: Further questions? Lisa, did you want to address this with anything?

LISA ROYBAL (Constituent Services): Just one comment, Madam Chair and Commissioners. A suggestion from Mark Sardella is that we focus on one building at a time, so this is considered kind of like our pilot project for Santa Fe County in which we would provide energy-efficiency fixtures in the juvenile facility. This would impact about 40 percent of our energy savings and we could start tracking the information as far as our energy savings based on when we implement the fixtures. And so we can track it on a month-to-month, quarterly, even yearly basis as to how much energy the County is saving.

CHAIR VIGIL: So this would actually be a quasi-pilot project.

MS, ROYBAL: Yes.

CHAIR VIGIL: Okay. Or not even quasi. It would be a pilot project. . Any further discussion? Seeing, hearing none, there is a motion and a second.

The motion to approve discretionary funding for light bulbs and fixtures passed by unanimous [5-0] voice vote.

IX. F. Proclamation 2007-4, Declaring "El Rancho de Las Golondrinas Days" June 2-3, 2007 (Commissioner Anaya)

COMMISSIONER CAMPOS: Move to approve.

CHAIR VIGIL: Motion to approve. Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Any discussion?

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: I would just like J.J. Gonzales just to come up and briefly just tell us exactly what this is about. J.J., I know John Barkenfield was here but he had to take off. If you could just briefly let us know what you guys are doing, I'd appreciate it. Thanks, J.J.

J.J. GONZALES: Thank you. My name's J.J. Gonzales. I'm a resident of La Cienega and Madam Chair, Commissioners, we would like to thank you very much for giving us this proclamation declaring the 2nd and 3rd of June as El Rancho de las Golondrinas Day in Santa Fe County. As you know, El Rancho de las Golondrinas was started 35 years ago in 1972, and I happened to be there that first opening and I guess I think I'm going to be there for the 35th anniversary. All this is in conjunction with the International Association of Living History, Farms and Agricultural Museums. They're having their convention here in Santa Fe and they're going to be guests at the Rancho de las Golondrinas this weekend. And if I may, I would like to read this proclamation, Santa Fe County proclamation.

Whereas, El Rancho de las Golondrinas, New Mexico's only living history museum was a paraje or stopping place on the fabled Camino Real that joined Mexico City with Santa Fe in the Viceroyalty of New Spain; and

Whereas, this historic ranch with buildings and structures dating to its founding in 1710 welcomed travelers, traders and adventurers on El Camino Real de la Tierra Adentro, now designated as a national historic trail, during the Spanish Colonial and Mexican Territorial Periods of New Mexico history; and

Whereas, El Rancho de las Golondrinas is celebrating its 35th year anniversary as a living history museum open to the public with a mission to interpret the history, traditions, arts and culture of 18th and 19th century northern and central New Mexico; and

Whereas, since El Rancho de las Golondrinas' opening it has emphasized education and now welcomes more than 15,000 New Mexico students and teachers each year; and

Whereas, from June 1 through June 5, 2007 El Rancho de las Golondrinas will host a 2007 annual conference of the Association of Living History Farms and Agricultural Museums with over 150 museum professionals from the United States, Canada and Europe in attendance;

Now, therefore, we the Board of Santa Fe County Commissioners hereby proclaim 2007 spring festival, June 2 and 3, 2007 as El Rancho de las Golondrinas Day in Santa Fe County.

And with that, I also have complimentary tickets for all the Commissioners and County staff and I will give them to Valerie, so please, try to make a special effort to go out there on Saturday and be our guests. Thank you very much.

CHAIR VIGIL: Thank you, J.J.

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Just before we give them the final copy,

there is a typo on the National Historic Trail, should be trail, so let's make sure we get them the correct copy. It's in the second whereas, it says Historic Trial.

CHAIR VIGIL: That correction will be noted in the final proclamation. Motion and second has already been there. We are voting on this proclamation declaring June 2nd and 3rd as El Rancho de las Golondrinas Day.

The motion to approve the proclamation on El Rancho de las Golondrinas Day passed by unanimous [5-0] voice vote.

CHAIR VIGIL: Congratulations and good luck to the La Cienega community on this event, and Santa Fe County as a whole.

IX. G. Discussion and Comments, Regarding CR 42 Design/Budget, from Constituents who Live in Galisteo and Surrounding Communities (Commissioner Anaya)

CHAIR VIGIL: Commissioner Anaya, you had said you had some constituents here who wanted to address this. Do we know how many? Can they have a spokesman? Can we identify their need in terms of time?

COMMISSIONER ANAYA: Thank you, Madam Chair. I believe there is a spokeswoman, and two people? Okay. And this is regarding County Road 42. We've had ongoing discussions. We're about 95 percent complete and we are trying to get this project going, but the residents have some comments. Barbara.

BARBARA PFEIFFER: Good morning, Madam Chair and Commissioners. I'm Barbara Pfeiffer and I represent the Galisteo Planning Committee, and the subcommittee Roads Committee, and part of the Roads Committee is Route 42 that we're discussing today, County Route 42. I really want to thank you for allowing us to present our position this morning on County Route 42. You really have a tremendous agenda ahead of you and behind you as well. I'm here to introduce our speaker who is far more qualified than I to talk about this. His name is Kim Sorvig and he's a research professor at the UNM School of Architecture and Planning. He has a slide presentation as well as a talk to give about Route 42 and the part of it which still has to be paved.

He has many other qualifications and that will be on the first page of the pictured presentation. We live on the east end of Route 42; Kim lives on the west end, so we feel as if we're representing the whole of Route 42 and how it presents itself to the community and the future. We also feel that what we're doing right now, what we're talking about talks about the future paving of all County roads as well as our own, and that's why we have worked on it for a year and felt that it is so important to all of us living in the Galisteo Basin.

At this point I would really like to introduce our most important person, Kim

Sorvig, from the west end of 42.

CHAIR VIGIL: Thank you, Ms. Pfeiffer.

KIM SORVIG: I'm Kim Sorvig. I'm a resident of the county, along County Road 42, and I am, as Barbara kindly stated, a research professor at the UNM School of Architecture and Planning.

CHAIR VIGIL: And Mr. Sorvig, how long is your presentation?

MR. SORVIG: Approximately 15 minutes. And I believe that a number of the people who are here - why don't you stand up folks - would like to speak in support of this issue. I also suspect, since I see two members of the Department of Public Works, that they're going to want to speak in opposition to it.

CHAIR VIGIL: Okay. What I will do, because we do need to carve out time here because of our agenda, is I will allow your presentation, and I would ask the members of the public to just select a spokesman on their behalf. Okay?

MR. SORVIG: All right.

CHAIR VIGIL: So that we hear from you and one of the members of those supporters here.

MR. SORVIG: Madam Chair, Commissioners and County staff, we do thank you very sincerely in advance for your time and attention to this issue. I'd like to say first that most of the residents, not quite all of us, do actually support paving County Road 42 in principle. Our concerns arise from the fact as we see it that the current plans by the Department of Public Works don't reflect any citizen input, in fact reflect the opposite of it, and worse, they don't reflect coordination with other County departments and Codes. This touches on an issue that we've been hearing here and that is really a countywide issue, that of coordination and prioritization. We know that County has recently reorganized so that Land Use, the Department of Public Works and Utilities are now going to be an integrated department. We hope that this will help avoid situations such as the one we're in, and yet we're afraid that without the Commission's action those changes and improvements will come too late for County Road 42.

Since May of last year we have been trying to get our position heard and despite Commissioner Anaya's assistance on this the Department of Public Works is still not listening. Our concerns focus on stormwater management and erosion control, which are serious concerns for the whole county. What we're asking is actually quite simple, that the project conform to the requirements of the Land Development Code of Santa Fe County. That's a simple request but DPW has repeatedly refused to honor it. These are not abstract concerns. We've seen on our own properties what happens when the Department of Public Works engineers put together plans without land use review or oversight, and this picture is a prime example.

In 1998 they paved both ends of County Road 42 with no stormwater management whatsoever. The result as you see is gullies cutting across private properties hundreds of feet and deep enough for a child or even an adult to be lost in forever. This has created dangerous conditions on the road itself: soil outwash, ditches silted up, culverts filled up

mud holes, and even the paving that we're paying for undermined prematurely. Any of these situations could cause a tragic accident and could leave the County at legal risk. In addition, we were promised that this project would be revegetated. It turned out the promise was a contract option, which meant if we have any money left over. It didn't happen.

That kind of treatment of revegetation reflects the idea that it's just a bunch of pretty flowers, but in fact it is a requirement of a federal law called NPDES and it's there because vegetation is the most effective way and the most cost-effective to stabilize soil disturbed by construction. Because this was not done, instead of proper revegetation the entire paved area is now lined with invasive species and noxious weeds, some of them prohibited by the state of New Mexico.

All these problems could have been avoided if the road design had complied with the Land Development Code, which was in existence since 1996, so it pre-dates this project. That Code represents a great deal of thought by the Commission and other County staff and its stormwater requirements are crystal clear. If you have construction it cannot cause more runoff after construction than before. If there is increased runoff it must be detained onsite and it cannot interfere or change natural drainage systems.

Unfortunately this, again, another picture from County Road 42 is the result, when the Department of Public Works does exactly what that Code prohibits. It creates paved surfaces, drastically increases runoff and dumps it on to the neighboring properties and existing arroyos. Incidentally, the Code does not intentionally exempt DPW. It explicitly includes construction of roads and work by government agencies. I'm sure I don't have to remind you that stormwater is not just about unsightly gullies. This affects the whole county. It's a major cost to the County to manage stormwater properly, and it affects the quality and quantity of water in our wells and our acequias and our reservoirs. It affects farmers through soil loss and drought. It affects whether we have disastrous and sometimes fatal flash floods, and the Code is clearly intended to reduce these significant risks.

County roads produce more runoff than any other single entity in the county, simply by their vast area. The County has, at a conservative estimate some 770 acres of impervious surfaces. Next to that there's a tiny dot - this is a scale diagram - which represents a single acre of paving, which would be a large commercial facility. It's those tiny dots that are required to obey the stormwater code. They wouldn't be given an excuse because they said, oh, gee, my property's too small to have a detention basin or, gosh, it's going to cost me extra. But those are the arguments that DPW continues to use to hold themselves in effect above the law. As residents who have been on the receiving end of this we feel very strongly that it's time to change that and that the County can no longer afford to have its own department so far out of compliance.

It would be nice to report that the new plans for County Road 42 treated stormwater better, but they don't. This project will produce 18 new acres of new paved surface. Every time we get an inch of rainfall that's an additional 350,000 gallons of runoff, just from that one project, and the new plan still dumps it into existing arroyos and onto our property.

The new design also disturbs many, many acres outside of the paved area. As I said, the federal NPDES requires revegetation. So does the Code, for the simple reason that vegetation is a cost-effective way to slow stormwater and improve infiltration. Informed of this, DPW's response was, well, if it's a federal requirement, we'll put it in the contract but we won't fund it. That is almost a direct quote in a public meeting and I have witnesses.

The new design also dams more than 20 arroyos where the road crosses on fill that in several places is seven to nine feet deep. You see the little guy on the right-hand side, it gives you a sense of how big that really is. Damming an arroyo in this way clearly disturbs existing natural drainage, which the Code doesn't permit. Putting in a culvert, which is DPW's standard approach, actually makes the problem worse. The problem with culverts is that they concentrate the flow of water, like putting a nozzle on your garden hose. That drastically increases the amount of power that the water has to do what it's done to our properties.

DPW proposed to put rip-rap under the outlets of the culverts, which they completely failed to do in '98. This is a slight improvement because it breaks up the concentrated flow, but it does absolutely nothing to address the issue of dumping all that excess water onto adjacent properties. These stormwater issues are much harder to resolve because DPW is insisting that they need to apply design standards that would be much more appropriate to a major thoroughfare to what is really a hilly, twisting, little-used rural road that runs through some of the county's best open space. By DPW's own report, this road averages about 250 vehicle trips a day. If we look in either the County Code or the EZC tables, a road with up to 300 trips a day is considered to be a local lane, and it's designed with a 10 mile an hour speed limit. We don't want that or expect it, but it is worth pointing out that what the Department of Public Works is proposing for County Road 42 is once again, a law unto itself.

It doesn't reflect this Code or anything else that goes on anywhere else in the county. The reason this is important is that the higher the classification, the bigger the pavement, the more runoff that's produced. County Road 42 as proposed is going to be 28 feet of paving. New Mexico 14, which I think we all admit is a much bigger road is only 30 and there are New Mexico state highways that are only 20. This is an issue both for economics in a county that doesn't have unlimited funds, and for stormwater compliance. If we were to shave just one foot off the width off each of those shoulders we'd save an acre and a quarter of paving and associated construction. That's seven percent of the project total. That seven percent, on the \$4 million estimate would be \$270,000 savings. It would also mean seven percent less impervious surface, and about 24,000 gallons less runoff per inch of rainfall. That makes it much easier to comply with the stormwater code.

Unfortunately, at least prior to reorganization, DPW has been treating this as my way or the highway, which is basically the same thing, and has even threatened that if citizens didn't shut up and put up, they would abandon County Road 42 and not maintain it at all.

So we're coming here today with the unfortunate perception that County Road 42's design will never comply with existing law unless you the Board step in and help us make it so. We start out with high hopes a year ago. Most of them have dissolved in constant frustration. Emotions have run high, and I'm sure the citizens have contributed to the failure of negotiations in some ways. So I'd like to make one thing clear. We have these three main goals. We don't care how they're met. We want the water retained. We want that retained water used to get proper revegetation, which in turn improves stormwater issues, and we want to minimize the blockage of arroyos by excessive grading, cutting and filling.

And we need your help to get those issues back on the agenda. There are many, many technical methods to do this. I'm not going to talk about them today but I have just the cover of a book that shows that these are widespread. This is by a consultant from Sandia Park. We don't need to discuss the technical ways of doing this, but I wanted to give you some examples, just by way of showing that these things do apply to roads. We do the same thing all the time for getting a terrain management permit if it were anybody else except DPW. This is one we proposed.

Another major tool that DPW seems to resist is something called context-sensitive design. It's a major program that both New Mexico DOT and the federal highway authority are actively promoting. Among other things, it offers special funding and design flexibility so that road design can meet environmental and cultural objectives. I'm sure the DPW will tell you that this is going to cost us more money, but in fact if these methods are properly instituted they can save money, especially over the life-cycle cost. There are up front savings if we pave less, have fewer culverts and so on, but the important savings is in less erosion, better vegetation establishment, and as a result, much less maintenance cost over the life cycle of a project. And furthermore, doing it right is a way to avoid penalties. NPDES is a law with teeth. There could be lawsuits over things like this, and there certainly are do-it-over costs. From the 1998 project the department has admitted that they are responsible for repairing that arroyo or that erosion that they caused. That's not going to come cheap, and it was an entirely avoidable expense.

So clearly, we're not asking the Board to decide which techniques should be used. That's a task for the newly reorganized Department of Public Works in coordination please with the County Land Use people, who understand about stormwater in other ways. As residents and affected landowners we're asking the Board to direct the Department of Public Works not to let the contract for paving this road until it is in compliance with these existing laws. This is an urgent request because the department's position is that this is 100 percent complete, written in stone, and that they have no money to pay for changes. I'm a designer and I've written many contracts and every one contains the standard language that the designer must assure that the design complies with existing Code.

The County would be within its rights to reject the existing plans flatly and make the design consultant do them over at no cost. I don't feel that's fair, because the Department of Public Works is partly responsible for the non-compliance. I would much

prefer and I think, the residents would ask this, that you appropriate the necessary funds for design changes to bring this road into compliance. The other thing we're asking is much more general and basically, keep up the good work. You have reorganized in hopes of bringing these coordination issues to the fore. I think that that has great potential, so long as future road projects are routinely reviewed by the Land Use Department and people in addition to civil engineers, important though they also are.

Stormwater management is a critical priority in this county, reflected in a very good Code. It's time to enforce that Code evenly and fairly for all land users, including the Department of Public Works and we would like it enforced for County Road 42 as well. We don't want that to be the last project that's non-compliant; we want it to be the first one that's designed right. Thank you very much.

I believe our spokesman should be Jan Willem Jansens. Is he still here?

JAN WILLEM JANSENS: My name is Jan Willem Jansens. I'm director of Earthworks Institute and we've been working in the Galisteo Watershed for 13, 14 years now, specifically on watershed issues for the last ten. I'm honored to represent the community, although I don't live there. We've been working there and working with each single individual up and down County Road 42 and also 55-A, which is actually at the receiving end of a lot of the runoff on 42. We actually had a demonstration there that we recently sold but we are intimately aware of the runoff that's coming from the 42 area and affecting County Road 55-A.

Actually, a lot that I had plan to say was captured very well and explained very well by the previous speaker, Madam Chair and Commissioners, so I will actually try to keep it brief. What I would urge you to really do is to re-think about how Santa Fe County with this reorganization that you have planned and that is actually on the way as I understand it, can show through its road design to really become watershed wise as we like to say it in Earthworks Institute. And I think the opportunities here are really like Mr. Sorvig said, to reduce the road width. First of all, it saves money and that can be maybe applied to the replanning and implementation of more appropriate design practices. It will simplify the road and help slow traffic, which is also good for the environment there and the community. And it will reduce stormwater runoff and associated risks of soil erosion and flooding downstream.

And again, also with that, I really emphasize that I think it is important that the Department of Public Works follow the Land Development Code regulations on stormwater management and NPDES regulations. Mismanagement of stormwater from County Road 42 will have really most likely serious deteriorating impacts on the landscape on a watershed scale. It's not only for the residents along 42. As I said it drains down all the way to County Road 55-A and makes impacts on the Galisteo Watershed. In addition, head-cuts as a result of culverts, which we can see all over the place in Santa Fe County and beyond, to be honest, are often a result of the fact that culvert inlets are placed too low, and that's because the cost of increasing the roads to really go over the culvert is such that it is easier to place culverts a little lower in the base of the stream that comes down to

the road, but what it leads to is that the water basically falls in the culvert and creates head-cut erosion traveling upstream.

And these kinds of situations drain the surrounding meadows and have already done that in the past and we're very concerned about that happening also along County Road 42. I don't want to go into the details of why paved surfaces obstruct so much water. That was clearly identified. Another problem is that as Mr. Sorvig mentioned, 20 drainages were cut off and that water will be transported to other drainages. It has two ecological effects. One is that downstream, drainage that's been cut off from its natural irrigation through the drainage is robbed of its water and therefore will dry up and has less capabilities of restoring itself with the natural water flow that normally would come from upstream.

In addition, water that is concentrated in roadside drains will then be concentrated in a culvert to be piped and accumulated in a gully that actually never carried that water. So private and public lands downstream, and we have private and public land. We have about 1400 acres of County open space there. We also have BLM lands, state lands and then eventually public roads like County roads downstream like County Road 55-A. They will have to deal with all that water. Also there, they have to cross narrow points, drainages, etc. and that may cause erosion and flooding.

Along County Road 55-A we have to deal with an old landscape of alluvial sands that have been collecting a lot of sediment and water coming off these volcanic ridges that eventually water flows over that comes off County Road 42. And these alluvial sands basically create a lot of flooding from time to time. There are properties along 55-A that are flooding all the time with a major storm and that is a problem for those landowners but also for County Road 55-A.

So I think finally that a narrower road may allow for funds to make a design for County Road 42 meeting County drainage standards, improve the drainage structures, and maybe have some low water crossings instead of culverts, which is cheaper and easier I think to manage over time. And it's important to add water retention structures and other structures that increase local infiltration of water along County Road 42.

And in conclusion I'd like to appeal to you to have the Department of Public Works modify the design and coordinate internally to meet County drainage standards today, not for a future project, and show that we in Santa Fe County want to be a watershed wise community. I appeal to you to direct DPW to seek the financing for these modifications and changing the road width and to you to, if necessary, allocate additional funds to the department to enable them to complete the modified road and drainage design. Thank you.

CHAIR VIGIL: Thank you, Jan. For the benefit of the record, will the members of the audience who are in support of the testimony that was just given please stand? [Approximately 20 people stood.] Thank you all for being here. I'm going to assume you all are residents in County Road 42. Okay, 55-A and County Road 42. Thank you all for being here. This item was noticed for discussion and comments.

Commissioners, questions, discussion or comments.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: James, I guess what we're dealing with is this road already went out to design and it was designed in a way that the County says it's appropriately designed. Now, what I'm hearing is that they're asking us to deviate from the design, and then it comes into a liability for Santa Fe County if we deviate from the design. The members in the audience are saying that no, that's not right. So how can we work together to get this designed in a way that we will be able to be – that we can design this so that it makes both sides happy? I don't know. I'm hearing things from our attorney that says we have to stick with the architect's design; we can't deviate from it because if somebody gets hurt then we're liable or the engineer is liable. So what can we do to move this project forward without it being more of an impact on our budget? James.

JAMES LUJAN (Public Works Director): What we've looked at in this design is also accommodating some of the low water crossings that they have suggested. I think there's eight locations and we're looking at four of them that possibly can be with low water crossings. The width of the pavement was designed that way to accommodate bike lanes. That's one of the moves that the DOT is doing. This area is traveled by bicyclists and that's how we looked at that one.

But to address some of your other concerns, we have a very qualified civil engineer that has done many roads of designing, and we hired him with the intent of that and I would like to let him speak to some of those issues of design. Berlyn Miller. And he is a very qualified civil engineer.

CHAIR VIGIL: Thank you for being here, Mr. Miller.

BERLYN MILLER: My name is Berlyn Miller. I'm the president of Miller Engineering Consultants.

CHAIR VIGIL: Thank you for being here.

MR. MILLER: Any questions? I'd be happy to answer anything I can.

COMMISSIONER ANAYA: Madam Chair, Berlyn, there was one particular picture or two or three in there that showed the erosion off the culverts, off the County road. Is that going to be addressed in the new construction part of County Road 42

MR. LUJAN: Madam Chair, Commissioner Anaya, I think that's more for staff to address. That road was building in 1998 before any of the staff that currently is there and we do not do that type of construction anymore. In this project we have approximately \$800,000 worth of erosion control in the estimate for this new project. Yes, we agree that that was done in the past and we are going to repair that. But none of that staff is no longer here. I cannot speak to why it wasn't done in the past. I have no knowledge of it and none of my staff members also have that information. But we are not doing that type of work anymore.

COMMISSIONER ANAYA: Another concern was the reseeding of County Road 42 after the completion.

MR. LUJAN: What I addressed, we have it as a bid item. When we put this out to bid, and I did not state that we would not do it. I said if the budget allows we will

revegetate, and hopefully, looking at the budget and what we have put up for it, that will take place. We're looking at definitely reseeding that.

COMMISSIONER ANAYA: Okay, you mentioned that could possibly eliminate eight culverts and put in the low water crossing. Is it eight – or I want a number.

MR. LUJAN: We looked at four crossing, Gino DeAngelis and I myself have looked at four locations where we definitely install, work with the engineer to install low water crossings.

COMMISSIONER ANAYA: And I'm all in favor of the bike lane. We had over 3,000 bikers that went through the Village of Galisteo two weekends ago or last - two weekends ago. So I'm all in favor of that.

MR. LUJAN: That is the reason for the extra width in asphalt. And it has to go in both directions according to the green book.

COMMISSIONER ANAYA: Okay, so how are we going to solve the issue with – I think what we need to do is you all sit down with them. Maybe Berlyn Miller, maybe you can sit down with Kim. Have you done that yet at all?

MR. MILLER: Commissioner Anaya, we've had numerous public meetings. I think probably four or five, and we have talked to them on numerous occasions. This is the first time I've heard anything about the stormwater retention. Let me say it's not really a common practice to do stormwater retention on County road facilities that are rural like this, first of all, but we can entertain that if the County would like to. As far as the roadway width, that was established by the County as far as how wide they wanted the roadway and the bike lane and all that. The drainage criteria was established by the County Public Works Department. There is a lot of erosion protection in this design. Like I said, we have \$850,000 worth of rip-rap, rock that armor the outlet of the culvert and the ditches. We do have reseeding in the contract, so that is in the estimate right now as we speak.

So all those erosion protection measures have been implemented into the design at this time.

COMMISSIONER ANAYA: Okay. Thank you.

MR. MILLER: But to answer your question directly, we'd be happy to sit down with the County and the people to see if there's a way we could find common ground.

COMMISSIONER ANAYA: I would like that. I think that's the only way things can be solved is if you both sit down at the table and talk about the issues. Thank you, Madam Chair.

CHAIR VIGIL: I need to follow-up for a clarification. So you're saying there's \$850,000 for stormwater retention currently allocated to this contract?

MR. MILLER: Well, not for stormwater retention. We have almost \$850,000 worth of rip-rap which is what we use to basically prevent erosion. That's not only for the roadside ditches but also for the outlet of the culverts.

CHAIR VIGIL: So is the issue then, as you see it, just from your background, not necessarily that the erosion, that the issue of the erosion is in the manner in which it's designed at this point in time?

MR. MILLER: Well, any time you have roadway projects like this, when you concentrate flows into roadside ditches and into culverts, you're going to have potential for erosion. And so the way that engineers basically counter that is by implementing erosion protection measures like rip-rap and those types of things. Like I stated previously, we have rip-rap not only at the culverts but also in the ditches as well. So we feel like we've taken for a \$5 million project, almost 20 percent of that is erosion protection. So I think we've taken a huge step to try to eliminate erosion on the project.

CHAIR VIGIL: Okay. Further questions for Mr. Miller?

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: For Mr. Lujan. Mr. Lujan, Mr. Sorvig had an extensive presentation. Do you want to make a general response to all the issues raised by Mr. Sorvig so that we understand the context of the discussion between you and the community members.

MR. LUJAN: Which one in particular?

COMMISSIONER CAMPOS: I'm saying a comprehensive response. Do you have a response to what Mr. Sorvig said?

MR. LUJAN: Those photos, like I said it was done -

COMMISSIONER CAMPOS: I understand that. We saw the photos.

MR. LUJAN: Okay. Retention ponds is going to need to acquire probably property offsite that we would have to acquire extra right-of-way to do these retention ponds. As the practice or road building, I've never seen it happen but I'm sure we can. We can look at it. But we'd probably have to take some property or have some property to accommodate that.

COMMISSIONER CAMPOS: What is your budget for this? About \$5 million did you say?

MR. LUJAN: Approximately \$5 million.

COMMISSIONER CAMPOS: And you've had discussions for over a year with the community members.

MR. LUJAN: Yes, we have.

COMMISSIONER CAMPOS: Have they led to any positive results?

MR. LUJAN: I believe so.

COMMISSIONER CAMPOS: Okay. What positive results?

MR. LUJAN: We looked at accommodating some low water crossings. We've lowered the design speed. We will go back and -

COMMISSIONER CAMPOS: What's the design speed?

MR. LUJAN: Thirty miles an hour.

COMMISSIONER CAMPOS: And you've lowered that?

MR. LUJAN: That was originally 45.

MR. MILLER: Commissioner Campos, I think the original design speed was originally like 40 miles per hour. It has been lowered to 30 miles per hour, which means the posted speed limit will be 25 miles per hour. So we've done that in an attempt to try to minimize the cuts and fills as much as possible on the project.

COMMISSIONER CAMPOS: How long of a road is this?

MR. MILLER: It's I think roughly seven miles, I think - 4.9? Is it 4.9? It's roughly five miles then.

COMMISSIONER CAMPOS: Okay. Mr. Lujan, any other comments? What about the vegetation issues? Are you committed to revegetate, not just contingent on budget?

MR. LUJAN: It's in the budget and we have all those - when the bid comes in and all the money is in place we will reseed it.

COMMISSIONER CAMPOS: That's a commitment, right? A set-aside for that?

MR. LUJAN: That will have to be a commitment from the Commission to allocate the monies properly for this project, yes.

COMMISSIONER CAMPOS: Okay. If you did what the community members are suggesting that you do, would this increase the cost of the project?

MR. LUJAN: Roughly, the engineer's estimate right now is \$5 million.

COMMISSIONER CAMPOS: I understand what the estimate, but if there are changes to the current plan suggested by the community members, have you evaluated the additional costs?

MR. MILLER: Commissioner Campos, some of the changes actually might reduce the cost somewhat. If the pavement width is reduced, then obviously that would translate to a savings. I feel like we've already taken steps to minimize the cuts and fills as much as possible. By lowering the design speed to 30 miles per hour, obviously that lowers the cost because the less cuts and fills you have, the cheaper the project may be. Adding the retention ponds or retaining the water within the roadway corridor, if it's possible wouldn't see a huge increase in cost I don't think, but the question is, is it possible? Is there enough room within that right-of-way to do that? And that's the question. If there's not, and properties adjacent to the roadway have to be acquired or easements have to be acquired for that ponding, then the costs would increase. So I guess it really depends on the different elements you're talking about. So there could be some increases.

COMMISSIONER CAMPOS: Okay, so you really haven't fully evaluate that.

MR. MILLER: No, sir. Not to this point.

COMMISSIONER CAMPOS: Mr. Miller, it seems to me that if a plan is not a good plan for a road you can have devastating consequences to the surrounding properties.

MR. MILLER: That's correct.

COMMISSIONER CAMPOS: Now, do you feel that this plan as currently outlined is going to have all the negative consequences that Mr. Sorvig suggested it's going to have?

MR. MILLER: I don't believe so because the erosion protection that we've implemented to the project have gone to great extremes. I think that the design as the way it is here, we've actually had peer reviews by other consulting engineers that do a lot of highway work. We do some highway transportation work ourselves and we feel like it is a good design. We feel like it meets the standards in the industry. And this whole project was designed with the standard of care that we use in this business which is the AASHTO green book. I know this new thing, the context-sensitive design - I hadn't really heard of it until Mr. Sorvig brought it up, so this is kind of a new thing to us. And I know by myself and our peers, that's really not seen as a standard in the industry at this point. I think there's some merit to it in the future. I hope it actually is part of the standards because it gives us a little more latitude in what we do in design but right now today, that's simply not a standard in our industry.

COMMISSIONER CAMPOS: Are you willing to look at those standards?

MR. MILLER: We're willing to explore any possibilities. We're willing to work with the County and the citizens to look at other options. Our only concern, obviously, is to make sure that we meet the standard of care in our industry and making sure that we minimize liability for ourselves and we minimize liability for the County. That's our primary concern.

COMMISSIONER CAMPOS: We also have to minimize any destructive force that the road may bring to the community and the environment.

MR. MILLER: I agree.

COMMISSIONER CAMPOS: That's an obligation.

MR. MILLER: Yes. I agree completely.

COMMISSIONER CAMPOS: Are you meeting that obligation, do you think? Or do you think you need additional standards or changes?

MR. MILLER: I think with the erosion protection we have in place and the reseeded which was not done on a previous phase, I think we have. We're not doing any stormwater retention or detention at this point, just quite simply because it's not done very often on County road projects, but that's not to say that it can't be done.

COMMISSIONER CAMPOS: Is it something that is wise to concern?

MR. MILLER: I think it's something that can be considered. Again, it's not a standard for rural roads.

COMMISSIONER CAMPOS: I'm not talking about standards for rural roads, is it something - is it an idea that is worthy of consideration?

MR. MILLER: I think so, yes. I think it has merit.

COMMISSIONER CAMPOS: What's the time line? When would you like to break ground and start building the road?

MR. MILLER: Well, the design as it is right now is basically 99 percent

complete, so it's ready to go to bid at any point. With these changes, the County has asked us to look at the different low water crossings and how many of those could potentially be eliminated with culverts and do a low water crossing? We've identified four. So with some redesign efforts, there could be several months to do some redesign efforts. As far as the construction time line, I'll defer to James to address the construction time line.

COMMISSIONER CAMPOS: Thank you, Mr. Miller.

MR. MILLER: You're welcome.

CHAIR VIGIL: It's seeming to me, and we do need to move this agenda along without getting into a debate because what I'm hearing is there's some technical knowledge that perhaps hasn't been exchanged between our Public Works Department, our design architect and the community. And I think what we really need to do so that we come to a satisfactory design is, as Commissioner Anaya recommended, the discussions continue where this technical knowledge becomes exchanged and that you implement and look at the design through this process with regard to some of the requests the community is making, and I agree with our staff that some of these requests are new to most of us probably here. Indeed the argument that we're not complying with our own Code is new to me and I would argue that perhaps that's not true because what has been cited for us today is development review process standards and not road standards.

So there's a lot of communication that I think still needs to occur. Perhaps even our land use people could be a part of this process so that they can implement the information that's necessary in compliance with the Code. If you would schedule some meetings with the community, the community might be able to elect a couple of representatives to meet with you so that you can further discuss and come forth with some alternatives. I think that's where we're at. Is there any message to the contrary from the Commission on that?

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: I would like just maybe two people from the community and not have a meeting every time, that Berlyn and James could meet with. I think maybe you guys can help consolidate it to one or two people.

CHAIR VIGIL: Okay. And those who have the technical knowledge that can be exchanged. It sounds to me like we can move forward to the next item on the agenda. We're going to have to move forward. If there's something you need to address us on this, please feel free to e-mail us. But I think we're at a place where we can come to further resolution.

MR. SORVIG: Madam Chair, I'd like to just correct one misimpression. All of the so-called erosion control is armoring the right-of-way, which does not address the main issue, which is the dumping of stormwater onto adjacent property. That's all I'm going to say.

CHAIR VIGIL: Okay, and with that information, that needs to be exchanged in the direction that we've given the community and all our staff and our contractees.

MR. SORVIG: Thank you. We'll do that, and we appreciate the opportunity to do so.

CHAIR VIGIL: Thank you.

IX. H. A Request for Approval for an Expenditure of Discretionary Funds in the Amount of \$86.00 for an Additional Portable Toilet for the Town of Madrid for the Month of June, 2007 (Commissioner Anaya)

CHAIR VIGIL: Is that for the actual item itself, or is that for lease of it, Commissioner Anaya? It doesn't seem like very much.

COMMISSIONER ANAYA: That's the lease for that toilet for that month.

COMMISSIONER CAMPOS: Move to approve.

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Motion and second.

The motion to approve discretionary funding for a portable toilet for Madrid passed by unanimous [5-0] voice vote.

IX. I. A Request for Approval for an Expenditure of Discretionary Funds to not Exceed the Amount of \$5,000 for the Creation and Production of a Video for Santa Fe County Open Space (Commissioner Anaya)

CHAIR VIGIL: This would be a video for our open space to let people know what we have out there. I think this one is going to concentrate on the Cerrillos Hills Park. I stand for any questions.

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: What is the discussion about disseminating the information, distributing to the public? How are you going to do that?

COMMISSIONER ANAYA: Put it on our TV program that's with the Community College, when we break for lunch or executive session.

COMMISSIONER CAMPOS: Is this - the direction and production, is this entirely in the control of the open space group?

COMMISSIONER ANAYA: Yes.

COMMISSIONER CAMPOS: Okay.

COMMISSIONER ANAYA: Move for approval.

CHAIR VIGIL: There's a motion. Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Commissioner Anaya, does it have to be limited to Cerrillos

Hills? We have so many other – the Dale Ball Trail that we participated in, the Santuario de Chimayo purchase, many of those purchase. Perhaps all of the open space and trails could be highlighted and that would be I guess get more bang for our buck, so to speak.

COMMISSIONER ANAYA: You bet. I don't know the total minutes this is but we could definitely find out and see if we could do – the more the better.

CHAIR VIGIL: Okay. Would you include that in your motion?

COMMISSIONER ANAYA: I'll have to ask Paul. Paul, what was the exact time?

PAUL OLAFSON (Community Services): Madam Chair, Commissioners, I don't have a time exactly how much – the length of this. One of our concepts in discussing this was we would examine the entire open space program give an overview of how it works, why it's in place, the funding, and then devote some more time to the Cerrillos Hills, and the reason we chose Cerrillos Hills is because it's our major open facility right now. It wasn't to exclude any other open space, per se, because we have the river initiative, a lot of Dale Ball Trails, etc. But our thinking was we could showcase that Cerrillos Hills because it is up and open and I don't think we've bought into any exact script or anything at this point.

CHAIR VIGIL: Okay. So it sounds to me like we could get more bang for our buck to really promote the open space and trail program. You could highlight Cerrillos but I think there should be some of the other areas that are brought into this promotional video because really, we haven't necessarily concentrated on one area. We've done a very good job of concentrating throughout the county on this, and I don't want that excluded. So anyway, there's a motion, it sounds like some senses of direction for a fair representation of our open space and trails.

The motion to approve discretionary funding for a COLTPAC video passed by unanimous [5-0] voice vote.

IX. J. A Request for Approval for an Expenditure of Discretionary Funds to Not Exceed the Amount of \$2,500 for Plat Survey of the Edgewood Senior Center Property (Commissioner Anaya)

COMMISSIONER ANAYA: We can't find a plat survey so we need to survey the Edgewood Senior Center. It is County property. And I'll stand for any questions.

CHAIR VIGIL: Any questions?

COMMISSIONER CAMPOS: Move to approve.

CHAIR VIGIL: Motion to approve. Second?

COMMISSIONER ANAYA: Second.

The motion to approve discretionary funding for a survey for the Edgewood Senior Center property passed by unanimous [5-0] voice vote.

IX. K. A Request for Approval for an Expenditure of Discretionary Funds to Not Exceed the Amount of \$5,569.00 for New Computers for Santa Fe County Code Enforcement Department (Commissioner Anaya)

COMMISSIONER ANAYA: I'll stand for any questions. It's just to bring the Code enforcement in communication with the County when they're out on patrol.

CHAIR VIGIL: Questions?

COMMISSIONER ANAYA: Move for approval.

CHAIR VIGIL: Motion. Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Discussion? Commissioner Sullivan, then Commissioner Campos.

COMMISSIONER SULLIVAN: Madam Chair, I don't have any problem with the item. I just am concerned that we keep our budgetary process going through its normal channels of the department requests and then the Manager's office review and recommendations and Commission approval. I think where there are emergencies or where there are time-sensitive issues and things like that, the discretionary funds is a good way to address that. My only concern would be that I don't want every department coming to all of the Commissioners and saying, I need another computer. I need another car. I need another something because I didn't get it budgeted through the budget process. And I think that's the concern I have with this procedure, not so much this particular issue of needing computers. I don't know whether that's more important than other computers needed for the Land Use Department or the jail or whatever. That's what staff recommends and my only concern is that it not turn into a standard process where each department comes to Commissioners to fund items that they didn't get funded in the regular budget process. Thank you.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: I don't have any other questions.

CHAIR VIGIL: Motion and second.

The motion to approve discretionary funds for Code enforcement computers passed by unanimous [5-0] voice vote.

IX. L. A Request for Approval for an Expenditure of Discretionary Funds in the Amount of \$2,500 for Trails at the Glorieta Battlefield in the Pecos National Historical Park (Commissioner Sullivan) [Exhibit 1: Area Map and Information Sheet]

COMMISSIONER SULLIVAN: Madam Chair, in the packet materials that was on your table I passed out, there's a scope of work for this project and then there's also a map. These volunteers who are dealing with this made a presentation a couple of months ago to the Commission so I won't go into that in detail. But basically, what's happening is they're constructing a three-mile trail that will provide a walking, hiking and visual opportunity to see key aspects of the Battle of Glorieta personally, and this will all be on Pecos National Historical Park lands. None of this work is on private lands. But the park itself doesn't have an adequate budget to complete the work. I think it will do a number of things. It will increase the enjoyment of the park. It will increase some tourism in that part of the Pecos area. It's a low impact type of thing.

They have received other grants and offers of assistance as well and they're packaging this together and providing this trail and these viewpoints along the three miles. I think it's really going to enhance not only tourism itself but the experience that people have when they visit the Pecos area and the national historical park, which currently is pretty much focused on the ruins that are there, but there really is this other wonderful historical factor that is a big part of Santa Fe County that I would like us to support and get that trail completed.

I'll stand for any questions, Madam Chair.

COMMISSIONER ANAYA: Move for approval.

CHAIR VIGIL: Motion. Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIR VIGIL: Motion and second.

The motion to approve discretionary funds for the Glorieta Battlefield trail passed by unanimous [5-0] voice vote.

IX. M. A Request for Approval for an Expenditure of Discretionary Funds in the Amount of \$2,500 for the Lamy Museum in Lamy, NM (Commissioner Sullivan)

COMMISSIONER SULLIVAN: Madam Chair, this was another item that the Commission heard a presentation on some months ago. A local group has rescued what used to be the Legal Tender Restaurant. They're now in the process of turning it into a museum. They're conducting student tours there at no charge and they're experiencing some substantial costs in doing that, primarily because of Santa Fe County Code

requirements. Requirements for fire suppression systems, for ADA access and just a number of these things that sometimes volunteers don't thoroughly anticipate when they budget these projects. But it's a really good project. What used to be called the American Orient Express now stops in Lamy. They have people that come in and spend a day or two there, touring the area. They tour the museum. Again, so it's become a focal point for visitors that come into the area and then enjoy other trips in Santa Fe County as well.

It's just a really, I think, great effort to retain that building, the Legal Tender building and make it something that is a benefit to everyone.

CHAIR VIGIL: Is there a motion?

COMMISSIONER SULLIVAN: I would move for approval, Madam Chair.

CHAIR VIGIL: Motion. Is there a second? I will second it. Any further discussion?

The motion to approve discretionary funding for the Lamy Museum passed by 3-0 voice vote with Commissioner Campos abstaining. [Commissioner Montoya was not present for this action.]

IX. N. A Request for Approval for an Expenditure of Discretionary Funds in the Amount of \$1,913 to the Eldorado Children's Theatre (Commissioner Sullivan) [Exhibit 2: Informational Materials]

CHAIR VIGIL: I think we have information on this.

COMMISSIONER SULLIVAN: You have information in front of you on this, Madam Chair. I won't go through that except just to emphasize that it's a program for children of ages 7 to 18, and just last week we had a very well attended meeting out in Eldorado where we discussed the increase in crime that's occurred in that area, as well as tagging, property damage, and when you look at some of the issues you begin to realize that there are very little opportunities, there are very few opportunities for youth in the area. There are no skateboard parks, there's no middle school or high school with those programs that you typically have. There's just an elementary school.

So here we have a program, a children's theater program that's been quite successful and that hopefully would provide some of that outlet for the youth and I think it's well worth supporting and I would move for approval.

CHAIR VIGIL: Motion. Is there a second?

COMMISSIONER MONTOYA: Second, Madam Chair.

CHAIR VIGIL: Motion and second. I would just - I actually think, Commissioner Sullivan, that Eldorado has one of the strongest coalitions for services for youth. They have soccer clubs, they have equestrian clubs, they have a swimming pool. There is quite a bit there and I'm just glad to know they're expanding it into the creative arts.

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: What is this going to pay for?

COMMISSIONER SULLIVAN: Commissioner Montoya, we'll enter into a contract with the theater and it will pay for the costs that they incur as well as some modest scholarships that they give to the students who participate in the theater who can't pay for the limited tuition that they charge. And Commissioner Vigil is correct. There are some programs existing, such as the swimming pool and so forth, but those only apply to residents of the Eldorado Subdivision proper, who are members of the ECIA. So there is a great deal of development going on in Eldorado that's outside the Eldorado Subdivision now and there's of course all of the subdivisions that are on the east side of 285 that are not a part of ECIA either. So we have some youth needs that the ECIA doesn't cover through ECIA dues that homeowners pay. So I think this will be a nice addition. And I like to see youth get involved in the theater and in music and this does both.

COMMISSIONER MONTOYA: Thank you.

CHAIR VIGIL: Motion and second.

The motion to approve discretionary funding for the Eldorado Children's Theater passed by 4-0 voice vote with Commissioner Campos abstaining.

IX. O. A Request for Approval for an Expenditure of discretionary Funds in the Amount of \$350 for Yoga Classes to be Provided to the Ken & Patty Adam Senior Center (Commissioner Sullivan)

COMMISSIONER SULLIVAN: Madam Chair, we've completed the senior center but we only have funds to operate it one day a week, which is a tragedy. We're working on that with the County Manager. We've got funds in the budget for next year. We haven't included a contract negotiation with the City of Santa Fe or with the state yet on this, but in the interim there are some things that we can do to provide minimal services and one that's inexpensive and that the senior groups enjoy and are healthful are yoga classes. So this is a request for \$350 to have yoga classes until we get the next budget going for that. And I would move for approval.

CHAIR VIGIL: Motion. Do I hear a second?

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Is there any discussion?

The motion to approve discretionary funding passed by 4-0 voice vote with Commissioner Campos abstaining.

IX. P. A Request for Approval for an Expenditure of discretionary Funds in the Amount of \$22,500 for Research and Publication of the “History of Santa Fe County” Book (Commissioner Sullivan)

COMMISSIONER SULLIVAN: Madam Chair, this is something that I’ve felt that Santa Fe County needs to do for a long time. If you go into the bookstores, if you look into the websites and so forth, you’ll find some interesting documents, most on Santa Fe. There’s a book on Cerrillos Hills, but there really is nothing that tells some of the really interesting and cogent history that surrounds Santa Fe County. Back from – going back to the days when there were six counties in New Mexico, which Santa Fe County was one. There are now 33 of course. And I just felt we needed a document, whether it’s a book or a paperback, that we can make available to the libraries, to students, to the public, perhaps for a small fee, that shows what the history of Santa Fe County is.

We have the tri-cultural logo on our Santa Fe County seal and we don’t really think much what that covered wagon on there, for example, means. When do you think of the covered wagons? Where did they come from and how did they get here? So my intent is to really focus it on the tri-cultural aspects and not to rehash things that have been talked about in the past on the City of Santa Fe’s history but to provide a unique perspective. We’ve talked to some authors, some prominent authors, we have one – I want to get two to collaborate on this. I have one lined up and I want to get a second and also with some photographic history as well. I think it will be just a wonderful document that puts us in a place that really needs to be done. I’ll certainly stand for any questions on that. If there are none, I would move for approval.

CHAIR VIGIL: There’s a motion. Is there a second?

COMMISSIONER ANAYA: Second.

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Commissioner Sullivan, how many books is that going to be able to print, to reproduce?

COMMISSIONER SULLIVAN: That’s what one of the writers asked me is what format do we want the book in, and I don’t have the answer to that yet. It depends on how long, of course, it is. One of the – I had planned for this to just be – this expenditure to be just for the writing and the preparation and the layout of the book. And then in the next budget year’s discretionary funds to pay for the – to set some money aside for the actual publishing, once I know what it’s going to be. So I don’t think this would cover the publishing.

COMMISSIONER MONTOYA: Oh, so that’s just for the writing?

COMMISSIONER SULLIVAN: Yes. The writing and the research, the layout – it has to go to a professional layout firm to layout the books. That has some costs. But the actual running it off the presses, at that point we could then decide what the target audience was and how many we wanted to print and I could set aside discretionary

funds to do that.

COMMISSIONER MONTOYA: And you said you already had an author?

COMMISSIONER SULLIVAN: I have one – Sam Adelo, who’s agreed to participate. And I’m in the process of getting a second collaborator to work with him.

COMMISSIONER MONTOYA: Okay.

CHAIR VIGIL: Okay. Is there a motion?

COMMISSIONER SULLIVAN: I think I moved.

CHAIR VIGIL: Okay. Was there a second?

COMMISSIONER CAMPOS: Commissioner Anaya.

CHAIR VIGIL: Commissioner Anaya. Thank you. Further discussion?

The motion to approve discretionary funds towards a history of Santa Fe County passed by 3-2 voice vote, with Commissioner Vigil and Commissioner Campos voting against.

CHAIR VIGIL: And I just want to explain that I think we need to be cautious about allocating funds for a project that’s not fully funded without us taking action on whether or not discretionary funds will be available next year.

IX. Q. A Request for Approval for an Expenditure of Discretionary Funds in the Amount of \$2,500 for “Mentoring New Mexico” Boys Program (Commissioner Sullivan)

CHAIR VIGIL: I think we heard a presentation on this, Commissioner Sullivan.

COMMISSIONER SULLIVAN: We did, and that’s the program that I’m requesting funding for, again to target a youth group that’s in that very difficult stage. If we can prevent crimes from happening it’s so much cheaper than incarceration and other remedies after the fact. This is a wonderful program that does that. I wasn’t able to fund it last year but I would like the Commission to approve funding for it this year.

CHAIR VIGIL: Motion? Is there one?

COMMISSIONER SULLIVAN: I would move for approval.

CHAIR VIGIL: Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Motion and second.

The motion to approve discretionary funds for Mentoring New Mexico passed by 4-0] voice vote with Commissioner Campos abstaining.

CHAIR VIGIL: Shall we go to appointments and reappointments and the go

back to Matters from the Commission?

COMMISSIONER CAMPOS: After lunch?

CHAIR VIGIL: Or would the Commission like to break for lunch at this point in time? It is not almost five to one o'clock.

COMMISSIONER CAMPOS: Do we have any presenters that could present on these three things quickly, before one o'clock?

COMMISSIONER SULLIVAN: They're pretty straightforward.

CHAIR VIGIL: If we've read the packet we could also take action on them.

X. Appointments / Re-Appointments / Resignation

A. Reappointments of Katy Glen as the Alternate Member to Area 3, Ed Benrock as the Member to Area 11 and Larry Desjarlais, Jr. As the Member to Area 12 of the Road Advisory Committee

COMMISSIONER MONTOYA: Madam Chair, I move for approval on X.

A.

COMMISSIONER SULLIVAN: Second.

CHAIR VIGIL: Motion and second on X. A.

The motion to reappoint Katy Glen as alternate member to Area 3, Ed Benrock as member to Area 11 and Larry Desjarlais, Jr. as the Area 12 member of the Road Advisory Committee passed by unanimous [5-0] voice vote.

X. B. Reappointment of DWI Planning Council Members, Glenn Wieringa, Yvonne Ortiz, and Donna Morris

COMMISSIONER MONTOYA: Move for approval on X. B.

COMMISSIONER CAMPOS: Second.

CHAIR VIGIL: Motion and second.

The motion to reappoint Glenn Wieringa, Yvonne Ortiz and Donna Morris to the DWI Planning Council passed by unanimous [5-0] voice vote.

X. C. Resignation of Lara Yoder from the DWI Planning Council

COMMISSIONER MONTOYA: Move for approval.

COMMISSIONER SULLIVAN: Second.

COMMISSIONER CAMPOS: That's to accept the resignation?
COMMISSIONER MONTOYA: Yes, the resignation.

The motion to accept Lara Yoder's resignation from the DWI Planning Council passed by unanimous [5-0] voice vote.

CHAIR VIGIL: Then we will break for lunch and come back at 2:30, is what I'm hearing. Is everyone in favor of that?

[The Commission recessed from 12:55 to 2:45.]

IX. OTHER MATTERS FROM THE COMMISSION

CHAIR VIGIL: I'll go ahead and start with Commissioner Anaya. Are there any matters, Commissioner Anaya?

COMMISSIONER ANAYA: I have none, thank you.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Thank you, Madam Chair. A couple of items. First of all, I wanted to report on a couple of meetings that I've had since the last Commission meeting. We had a very productive meeting with Senator Bingaman's representative, Pablo Sedillo, lunch meeting with several folks from the Eldorado area, including the 285 Coalition people, or a representative from that. Also from ECIA. Also from the water and sanitation district. Basically we talked about issues that Senator Bingaman would be interested in and getting him familiarized with what the County and the water district plans are and recent discussions. I think it was quite productive and I just wanted to let you know about that. Mr. Sedillo is going to try to have Senator Bingaman out there as soon as he can to talk probably more about national issues rather than local ones. Again, I put in another pitch for some Buckman Direct Diversion funds whenever we get the opportunity.

We also had last week a meeting with the Eldorado Area Water and Sanitation District, a couple of their members and that was also productive. I see on their newsletter that they have replaced their legal counsel, the Coppler Firm. Not that that had anything to do with our meeting. No direct connection. In fact when I say replaced let me correct that. I believe that the firm withdrew from providing services, primarily based on I guess some controversy. But we talked, along with Steve Wust, particularly about hydrology and hydraulics and the Buckman project and brought them up to date on some of our thinking in that regard. We talked a little bit about the Cañoncito project and some of those issues.

I got the distinct impression, at least the two members that were there do want to work with us, notwithstanding the fact that they still have a lawsuit against us. So at least we're talking about technical issues and they I think understand where the County is on those technical issues and they're learning about the constraints that we have, particularly

in dealing with the Buckman project. So that was good.

I wanted to mention also – yesterday of course as we all know was Memorial Day and once again they had a real nice ceremony at the Santa Fe National Cemetery as they always do. The Governor was there this year and it was – normally, we think of Memorial Day as a time for picnics and family fun and I really got the sense this year that it's much more a day of somber reflection than it has been in the past. And then when I heard the news that evening that just since last Memorial Day we've lost 985 soldiers, men and women in Iraq alone – not counting Afghanistan or anywhere else. It came home to me that Memorial Days are becoming more and more somber and that's unfortunate.

Another issue, Madam Chair, that I had was I noticed that Santa Fe County had a full-page ad in the paper to advertise our website. I hope we have a pretty good website to justify that full-page ad. I think it was an attractive ad; it was eye-catching. I was just a little curious as to how much it cost.

MR. ABEYTA: Madam Chair, Commissioner Sullivan, I don't know what the cost of that ad is right off the top of my head but I can get you that information. We do have a new website and that's why we wanted to let the public know that we redid our website and so if you go on there, you'll see it's a whole different website that we have, a more user-friendly website, and a more modern website.

COMMISSIONER SULLIVAN: Okay. I just – being the fiscal curmudgeon of the Commission, I always – well, next to Commissioner Campos, perhaps. I don't know if you all have seen the ad.

COMMISSIONER CAMPOS: I have.

COMMISSIONER MONTOYA: I haven't.

COMMISSIONER SULLIVAN: I'll pass it down. And then, as I mentioned earlier, there are a couple of quick items on the Consent Calendar that I felt needed discussion and if it's okay, Madam Chair, do you want me to do those now?

CHAIR VIGIL: Which items are they? I'm not even sure the appropriate staff is here to answer it, but if you could just pose your questions – identify the items and then pose your questions.

COMMISSIONER SULLIVAN: Well, I think – I spoke a little with Barbara Deaux from the Northern Central New Mexico Economic Development and she had to leave for a doctor's appointment she said but that she had her assistant here. Is there someone – that was one of the items, Madam Chair. C. 12, the resolution for participation next year in the North Central New Mexico Economic Development District.

CHAIR VIGIL: And your second item?

COMMISSIONER SULLIVAN: And the others were C. 1, 2, and 3. One and two pretty much go together. They're fiscal items from the Administrative Services Department regarding the GASB policy and the inventory policy. I think that will go very quickly. I just had a question on that. And the third one is on the Sheriff's bonding policy.

CHAIR VIGIL: Is there anyone here to respond to those? Okay. Why don't you go ahead and pose your questions on 1 and 2 since they're related to Finance or

Administrative Services.

COMMISSIONER SULLIVAN: We've got the Finance here.

- XI. C. 1. **Resolution No. 2007-__ . A Resolution Requesting Approval of the "Fixed Assets and Inventory Exempt Items Policy" to be Adopted as a County-Wide Policy Regarding the Treatment, Recording, Inventory and Disposition of County Fixed Assets and Inventory Exempt Items (Administrative Services Department)**
2. **Resolution No. 2007-__ . A Resolution Requesting Approval for Implementation of a GASB 34/35 Policy and Procedure (Administrative Services Department)**

HELEN PERRAGLIO (Finance Department): My name is Helen Perraglio and I'm with the Finance Department, the Accounting Oversight Manager.

COMMISSIONER SULLIVAN: Thanks, Helen, for helping me out on these. And my questions were just simply, we've changed over to a \$3,000 inventory level and it was \$1,000 before. Is this the only change? I read through the policy but of course I didn't have the other one. Is there something significant that we're doing here? Or is this just a minor fine-tuning of the policy?

MS. PERRAGLIO: Madam Chair, Commissioners, Commissioner Sullivan, that is correct. That is the only change, the capitalization threshold of \$3,000 is the only significant change. Basically, these are all just what are in place right now, just to formalize these procedures. So it's basically our internal policies that are just being written down and will serve as guidance for each department.

COMMISSIONER SULLIVAN: So that means if you have an item that's under \$3,000, how is that accounted for?

MS. PERRAGLIO: That would be an inventory-exempt item and it would still be tracked internally by each department. Each department will have to keep track, which they currently have to do right now, keep track of all of their fixed assets that they purchase, whatever dollar amount they are. But it just won't go in our books as depreciated. So anything under \$3,000 still needs to be tracked by spreadsheets and we have attachments in our policy of inventory-exempt. So it would just constitute inventory-exempt items.

COMMISSIONER SULLIVAN: Okay. And then over \$3,000 they're depreciated?

MS. PERRAGLIO: They're depreciated. Exactly.

COMMISSIONER SULLIVAN: Okay.

MS. PERRAGLIO: They're assigned a life and they're depreciated.

COMMISSIONER SULLIVAN: Okay. That explains that. Then, on the GASB policy, I notice that - and of course I believe this came into being quite some time

ago – many years ago. Are we just now doing it?

MS. PERRAGLIO: No, that's not the case. We're just putting it into writing now. What happened is it came out in 1999 and we were able to phase it in. We had it go into full implementation in fiscal year 06, and that did occur, and that's happened over the past three years, we have implemented GASB according to our phased in procedures. That was accounted for in the audit, in the financial statements. So we've been in compliance with it. We just haven't put anything in writing as our own internal policy, so that's what this does. This was a draft that was written I think in 2004 when it first was going to be an issue for the County, but this is just finalizing it and formalizing it.

COMMISSIONER SULLIVAN: Okay. And this comes as a policy that is signed off by the County Manager or it's a Finance Department policy or what is it?

MS. PERRAGLIO: Well, we looked at it as a countywide issue since it affects all infrastructure projects. So it would affect other departments besides Finance. So we did want our Manager, Attorney, to sign off, and the Board to sign off.

COMMISSIONER SULLIVAN: Okay. And I noticed that it put values on all of County inventory, like streets and roads – everything has a dollar value to it. So much per square yard for unpaved road and so much for paved road and on and on and on. Which is interesting. I'm not quite sure what to do with that information, but you've got it anyway. And then how is that updated? Obviously, do you depreciate the roads? Does the value of the road increase, or how do you make changes to it?

MS. PERRAGLIO: Madam Chair, Commissioner Sullivan, my understanding is that we do, we actually have assigned a cost to each of our roads that were existing. That's what part of the valuation was on the threshold. So we assign them a cost, we assign them a useful life that we can depreciate. Those go in only as a governmental entry on the financial statements, so it only affects our financial statements, but that's where you'll actually see the depreciation of the roads and infrastructure, and what we do is each year, we add to the cost of the road like we would to any other fixed asset. So we track them internally in Finance with our fixed asset accountant. She specifically works on that. And she tracks those roads so that by the end of the year we have a detailed listing of all the costs that went into every single particular road or infrastructure. So that gets depreciated. That will get added in to the cost of roads in general or infrastructure. And that goes on the financials.

COMMISSIONER SULLIVAN: And that information on the financials, does that have anything then to do with our bonding capability? Does that affect it one way or the other?

MS. PERRAGLIO: No, I'm not sure if it does. That might just show – it will just show a better presentation of where we stand at the end of the fiscal year and how much we have in capital assets. So I'm not sure if that affects the bonding.

COMMISSIONER SULLIVAN: Okay. That's all the questions I had on that. I'm glad to see we're getting something in writing on that.

MS. PERRAGLIO: Yes, we're actually working really hard to implement as

many policies as we can. We're really trying to combat audit findings, prior year findings and trying to get consistent policies in place for everybody to follow. So that's a main goal for Finance to get going.

COMMISSIONER SULLIVAN: My third question, Madam Chair, was also a Finance Department one, so I don't know if you want to continue on with that.

CHAIR VIGIL: Is that 3? Please.

X. C. 3. **Resolution No. 2007-__ . A Resolution Requesting Approval of the "Sheriff's Office Bonding and Bond Accounting Procedures" to be Adopted as a Policy for the Sheriff's Office and Finance Department to Follow Regarding the Bonding Procedures and Accounting for the Bond Bank Account (Administrative Services Department)**

COMMISSIONER SULLIVAN: Are you the bonding and accounting procedures?

MS. PERRAGLIO: Yes, I can answer.

COMMISSIONER SULLIVAN: Okay. Good. My first question is are these bonding and release powers and times, are these a change or this is just putting down what they've been doing?

MS. PERRAGLIO: Commissioner Sullivan, these are just documenting what is in place. This was part of a couple step procedure which was performed by our internal auditor went in and went through the whole process, documented what is actually in place currently and what we did was we sat down with all the different divisions in the Sheriff's Department to put it on paper, just to have a consistent policy. This might change. The times and certain things might change but the overall procedure is pretty general, just documenting what is already in place.

COMMISSIONER SULLIVAN: And I notice that it came from the Finance Department and not from the Sheriff's. So the Sheriff is in agreement with all of this?

MS. PERRAGLIO: Madam Chair, Commissioner Sullivan, what we did was we went to the Sheriff's Department, we sat down with the different divisions. I updated the Sheriff himself with a copy of the draft and allowed for any of his input, if he needed any input, and he didn't offer any input and I told him we were going to move forward with it. So we did work in collaboration with the Sheriff's Department. Definitely.

COMMISSIONER SULLIVAN: Okay. So as a result of your audit, your fiscal audit. I understand it wasn't a jail audit, but a fiscal audit, was there anything else that popped up as significant?

MS. PERRAGLIO: Commissioner Sullivan, the only other thing that would affect this, part of the reason why this needs to be documented so badly is because there was an issue of the handling of our bond accounts, the accounting of them. There's old

outstanding items that are on the books in our bank accounts in our fiscal agent that need to be researched, and they deal with several different courts – with the magistrate court, and several different courts. And part of the problem that I was trying to find is how to clean those up because that was an auditor recommendation, to see if they applied to New Mexico escheatment laws, if we need to show them as unclaimed property for really old outstanding checks that have never been cleared by these certain courts. So part of the whole process of doing the policies was to find out exactly what it is that we do, step by step, to see where we could try to find if it's our error, if it's the court's error. So that's going to be a work in progress that we focus on in the next fiscal year too to try to get all those cleaned up. And I have worked with the auditor on it too and got auditor input. I'll probably have to work with legal on it too to see exactly what approach we take. But the fact that we've documented some procedures that shall help the audit finding.

COMMISSIONER SULLIVAN: Did you have an opportunity to review the inmate welfare fund?

MS. PERRAGLIO: No, sir. We have not.

COMMISSIONER SULLIVAN: Okay.

MS. PERRAGLIO: If that's something you want us to look at –

COMMISSIONER SULLIVAN: Well, there have been issues with that for some years. And not only the use of the fund but the criteria for the use of the fund, and it's accumulated to a certain level I think under past years when we had contract operators running it, the jail. I don't know if we even still have it. And when there was a question, some question about what the amount was when we took over from Cornell, I don't know how that was resolved but I recall that there was still some balance in that fund. It was fairly substantial because they hadn't done much with it. It's supposed to be used for volleyballs and things like that. Exercise equipment, things like that, and I don't know what else, but certainly there was a lot more in the fund that was needed by buy some volleyballs or reading material for the library.

So if you have time, and the next time you're reviewing those records, you might check into that as well.

MS. PERRAGLIO: I'll do my best to look into that and find out more information for you on that one.

COMMISSIONER SULLIVAN: That's all the questions I had on those three, Madam Chair.

XI. C. 12. Resolution No. 2007-__ . A Resolution Approving Participation in the Program of North Central New Mexico Economic Development District (County Manager's Office) [Exhibit 3:Informational Items]

CHAIR VIGIL: Okay. We are now on item C. 12 for questions.

COMMISSIONER SULLIVAN: Right.

CHAIR VIGIL: This is on North Central New Mexico Economic Development.

COMMISSIONER SULLIVAN: I haven't met this gentleman.

CHAIR VIGIL: Would you please state your name for the record?

ARTURO ARCHULETA: Madam Chair, Commissioners, my name is Arturo Archuleta. I'm the director of planning for the North Central New Mexico Economic Development District.

CHAIR VIGIL: Thank you for being here, Mr. Archuleta.

COMMISSIONER SULLIVAN: Thanks for standing in, Mr. Archuleta. And the question that I had, and it was the same question I had last year when we approved it and we didn't get it answered and it didn't occur to me to follow up on it so now it jogged my memory when it came up this year. And that is, on the second page of the resolution. And this is similar to last year. It says that the County adopts the North Central New Mexico Economic Development District's annual report and overall economic development program as its own. Now, number one, I've never seen a copy of the district's economic development program, and so I wondered what we were adopting as our own. And I also wondered whether we had one. I know we passed many years ago some economic development legislation which was in response I think to get some funding and nothing much ever happened after it. We have a little business park that we're trying to get going and we've been working on that. We're going to buy the land from the State Land Office. I know that. But what is the North Central New Mexico's economic development program that we're adopting as Santa Fe County's here?

MR. ARCHULETA: Madam Chair, Commissioner Sullivan, one of the requirements that North Central has through one of our funding agents, which is the Economic Development Administration through the Department of Commerce is to do a comprehensive economic development strategy every five years. That strategy enables the entities within our district to successfully go for grants from the Economic Development Administration. One of the requirements of the grants themselves or that is included as part of the economic development strategy that our board adopts every five years - we update it. So the purpose for that language is it's difficult to try to get all the economic development projects within a region, and then the priorities change, whether it be through the elected officials change office and directions change.

So what we do is we put that in the resolution every year so essentially stated, any kind of plan that the County has is something that the North Central New Mexico Economic Development District is in agreement with. That kind of covers our bases so that in the event that an organization or lets say the County itself wanted to go for an Economic Development Administration grant, when we're filling out the application one of the questions is whether or not it's in agreement with our CEDS and that allows us to be able to say it is. We try to do the CEDS as general as possible. We're in the process now of updating it, so Barbara Deaux, who I believe you spoke with earlier, our executive director, she's going to start that process now in updating the current version of the CEDS.

COMMISSIONER SULLIVAN: And what is CEDS?

MR. ARCHULETA: It is the comprehensive economic development strategy, and it is a requirement through the Economic Development Administration.

COMMISSIONER SULLIVAN: And is that a document that we can see, that we're adopting? It's not attached here was the reason -

MR. ARCHULETA: Yes, it actually is. There's a current version of it but it's five years old. As I mentioned, we update it every five years. We're in the beginning of our new update cycle. I believe we need to have the revised version done by this summer. I do know that my executive director is going to be going around and talking to the different entities to get information from various plans that you guys may have adopted to make sure it's include in that plan. But we can get a copy of that to you.

COMMISSIONER SULLIVAN: Is there anything - can you summarize? Is there anything key in there? Anything that we should know about?

MR. ARCHULETA: Generally, what we do is we follow the economic plans that are set up by commissions or city councils and other units of government within our district. And we try to keep it, as I mentioned, as general as possible because what we don't want to do is make is so specific that it excludes potential projects that maybe the County or another municipality do foresee, but they recognize that there's a need for it within that fire years. Priorities change and they recognize that maybe they want to put in a meat processing plant or something, that we actually didn't have specifics in the plan. So we try to keep it as general as possible. But we do try to include any major projects that may be going on at the time. We do touch on the key areas of not only economic development in terms of business recruitment but we also look at infrastructure development such as water and wastewater systems, really understanding that that's a key component to creation of wealth within communities, as well as touch a little bit on housing and other various areas. So we try to make it as comprehensive as possible to make sure that we include as many possibilities for future grant applications.

COMMISSIONER SULLIVAN: So would there be in there an infrastructure plan for Santa Fe County?

MR. ARCHULETA: There isn't necessarily an infrastructure plan. What it just does is it touches briefly on the need for supporting infrastructure development projects. We do a lot of work in addition to just the CEDS process. We work closely with Local Government Division on the development of ICIPs for the various entities within your county and the other seven counties that we cover. So we always do recognize the need for infrastructure and community development.

COMMISSIONER SULLIVAN: Okay, so basically - correct me if I'm wrong - that the North Central New Mexico Economic Development District plan is essentially a compilation of all the member plans. Is that sort of what you're saying? Whatever our plan is, is your plan, as it relates to Santa Fe County?

MR. ARCHULETA: Madam Chair, Commissioner Sullivan, that's correct. We try to pool general from all the plans that we can get a hold of and actually make it a

real general plan that's covered. What this allows us to do is, since you guys adopt it as part of your plan then we can say, if you guys move forward on a project we say, yes, they are in agreement with our plan.

COMMISSIONER SULLIVAN: Okay. Thank you. Very much appreciate that. Madam Chair, then I guess my one follow-up question, I saw Mr. Kolkmeier a minute ago in the back and so, Mr. Kolkmeier, that leads me to my question, what is our economic development plan? I don't recall having seen one, other than the ordinance that we have.

JACK KOLKMEYER (Land Use Administrator): Good afternoon, Commissioners, Madam Chair. Commissioner Sullivan, our economic development plan was first of all based on the plan that the Economic Development Act that you were referencing before that we passed several years ago, and then we passed a County business plan. And we're now moving towards solidifying that. As you know, we're in the very beginning stages of purchasing the business park and that will continue to be a part of our overall business plan for the county.

I do believe I was just appointed to this group in January or sometime shortly after the first of the year so I haven't attended any of their meetings, but I think that one of the things that we will pursue will be just in fact how our economic development plans start to merge with the COGs plans. But at this point I don't know how they do that.

COMMISSIONER SULLIVAN: So other than – do we have someone that's in charge of economic development? Is that you with all your other hats?

MR. KOLKMEYER: Yes, apparently that's me, Commissioner, for the time being. And our focus right now is on the business park to get that clarified, to pull that into house and figure out what we're going to do with that and move forward. That's the primary component of our economic development plan at the moment, but we do have that whole business plan that we worked out that goes through and identifies the clusters, like the media cluster and the publishing cluster and all those things so that we can begin to focus on where we want to put our efforts. How that dovetails and fits into the overall North Central New Mexico Economic Development District plans, I'm not sure at this point, Commissioner. I assume that would be one of the reasons that I will be meeting with this group.

COMMISSIONER SULLIVAN: Okay. Thank you, Jack. Thank you, Madam Chair.

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: On that issue, Jack. Did you get a notice that this Saturday is the next board meeting for North Central?

MR. KOLKMEYER: No, I did not. Madam Chair, Commissioner Montoya, you're still a member of that group?

COMMISSIONER MONTOYA: Well, you're our designee in my place.

MR. KOLKMEYER: Okay, apparently they have still not received official

notification of that switch, so we could do that. I think that would be helpful. And I'd be more than happy to take over for you, Commissioner.

COMMISSIONER MONTOYA: Okay. All right. Thank you.

CHAIR VIGIL: Okay. Arturo, could you take that message to your North Central Economic - and perhaps we need to write a formal letter, Mr. Abeyta, making that designation.

COMMISSIONER MONTOYA: Yes, we should.

CHAIR VIGIL: And let Mr. Kolkmeier know what time the meeting is. Thank you very much for being here. We're still under -

COMMISSIONER SULLIVAN: And if you could, I would like to see a copy of that, even though it's five years old, and if you could just get it to Jennifer Jaramillo with the County staff, she'll get it over to me. I'd appreciate it. Thanks a lot.

CHAIR VIGIL: Thank you. Matters from the Commission. Commissioner Campos.

COMMISSIONER CAMPOS: I'd like to have an update from staff about the Cañoncito water project. I understand that the Department of Environment, New Mexico Department of Environment has made some proposals, and Dr. Wust is here. I'd just like a brief - this is taking longer than I thought. If you could give us a brief update.

STEPHEN WUST (Water Resources Director): Madam Chair, Commissioners, the last interaction we had had with the Cañoncito Mutual Domestic board was a March 7th meeting. It was at their invitation. Roman Abeyta and Stephen Ross and I all met with them. At that time they told us, although we got nothing in writing, but they said to us that they're preferring a route where they would themselves take care of the treatment unit and the contract for the treatment unit, and then look into a joint powers agreement as we go along with the County for eventual connection to a pipeline.

So they told us at that meeting that that was their preference at that time, although there was no revised JPA or anything like that and I don't believe we received anything in writing. So that's kind of where it stood. We at the County, because we were told they were going to look into doing it themselves and we sort of backed off from doing that. Lisa Roybal is here. She said she has been trying to get a hold of Olivia but has been unsuccessful on that by phone. And Carolyn's here from the legal department if you have any questions on the JPA that we've given them originally.

COMMISSIONER CAMPOS: When did we get that JPA to them? It's been several months, right?

DR. WUST: About March.

COMMISSIONER CAMPOS: Okay. We never got an official response to that, as I understand it.

DR. WUST: Madam Chair, Commissioner Campos, I don't believe we did in writing but I think that's what sparked their request for us to come to one of their meetings.

COMMISSIONER CAMPOS: I had a meeting with, I think it was the

Department of Energy, New Mexico Department of Energy. Is that right, Ms. Roybal?

MS. ROYBAL: Madam Chair, Commissioners, the meeting was with Chris Vick of the New Mexico Environment Department.

COMMISSIONER CAMPOS: Environment Department.

MS. ROYBAL: Yes.

COMMISSIONER CAMPOS: Okay. They made a proposal for some discussion. They said that they're willing to pay for the treatment, the installation of the system and the maintenance and operation of the system, as I understand it. Is that right, Ms. Roybal?

MS. ROYBAL: Yes. The other person that you spoke with was Mr. Richard Rose of the Environment Department, who's their construction bureau manager.

COMMISSIONER CAMPOS: Is Richard with the Environment?

MS. ROYBAL: Yes. And Chris Vick.

COMMISSIONER CAMPOS: Okay. Thank you. What they proposed is that they do these things at their own expense and the question was do we do it for five, ten or twenty years. And the idea was, I guess their assumption was that the County at some point would run a water line and that Cañoncito, the water system there would become a part of the County water system. That was the assumption. And I'm just curious as to what the Commission has to say, what Dr. Wust has to say about that. Do you have any -

DR. WUST: Madam Chair, Commissioner Campos, Lisa and I spoke about that particular proposal. I would recommend at least a ten-year option if they were going to go with that because basically, in terms of planning, five years is tomorrow. And we know that things don't quite happen that quickly and we wouldn't want to be in a position where we're wondering whether to renew a contract or something which may be at a different price because it's going to be another year or two or something, and certainly if the treatment unit's there for ten years the water could be used. Now, I did just receive an e-mail, I believe Lisa forwarded it to me today that said - from the Environment Department - that said that they're using probably double what their water rights are right now, and so they have another issue. They have to get their water rights together and that's probably something the County would have to seriously look into before we were trying to get involved with ownership of any of that kind of thing, because that's a pretty big liability if you're doubling your water uses and your water rights are -

But if that gets solved, even if a pipeline gets there, that has value, the water and the water rights. So if the treatment unit is there and operational and is still within a contract, that water could be used. Once it's cleaned up it's useful. So again, I don't think we want to look at a short time frame for maintenance because then we're looking at whether we're going to either renew it or get rid of it or have to get a pipeline really fast, and then at least a ten-year option would probably be the best bet.

COMMISSIONER CAMPOS: Well, that's interesting as far as usage, if they're using twice what they have a right to with bad water, what would the draw be with good water? How many people are really - nobody's drinking the bad water, I assume. So

there would be additional demand, I would think, from the current users.

DR. WUST: Probably relatively, Commissioner Campos, the amount of water that's used in a household for drinking is only a very small amount from the total water usage. So I don't know if it would go up that high. Probably what would be a higher pressure factor, in terms of political pressure would be if the water's drinkable, there'll be a lot more people, there'll be a lot more pressure to hook more people up.

COMMISSIONER CAMPOS: Exactly.

DR. WUST: The other thing I'll note on that same sort of realm with water usage is one of the things that we talked to the Cañoncito board about is having them commit to solidifying their metering and billing policy, because even they admit that there's a lot of people who may not pay their bills and they don't have much enforcement on and they're not even sure everybody's metered. And so one of the things that we talked about at the meeting with that board in March was that if we were working up some JPA for a future whatever, that they would commit to looking at trying to solidify their billing and metering procedures so they would have their administrative end of things together. If so, they would probably have enough money to be paying an operator and things like that that they also need.

COMMISSIONER CAMPOS: This proposal from the Environment Department, it seems to me is contingent on the County accepting the idea that eventually it's going to provide water to Cañoncito which means that the County has to make a huge commitment as far as dollars to put that infrastructure in place. I'm not sure we're in a position, today anyway, or next month or so, to make that decision. Any comments here? Any comments for Dr. Wust? Mr. Abeyta?

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Commissioner Campos, I met with Richard Rose and the same folks that you did just an hour after you did and I think they weren't so much looking for Santa Fe County to make a commitment at that time, because we already made a strong legislative commitment and they only got \$50,000 or something from the legislature. I think more what Mr. Rose was looking at was to decide which of that five, ten or twenty-year options they at the Environment Department would approve. The money of course comes not from NMED but from the legislative appropriation that Cañoncito already has, and it's just a question of NMED has to approve how they use that money, and separate from Dr. Wust - I hadn't even talked to him about it but I recommended the ten-year one to them also.

I just didn't feel that Santa Fe County would be anywhere near ready, or the state legislature would be anywhere near ready to fund the cost of that kind of improvements. Plus how the Eldorado Area Water and Sanitation District would fit into that is another issue that will take some time to resolve. It didn't seem like the penalties were too much, if they run a ten-year program and say they got off the treatment system in eight years, they would get somewhat of a rebate back, a yearly rebate. So it didn't seem to be a great difference in money. I think it was in the end maybe \$30,000 or \$40,000 between the ten-

year rental and the five-year rental. I recommended that they not count on the County's commitment but there was certainly plenty of support I think, need, on an emergency basis to go to the legislature and look for money. But we also do have our quarter percent gross receipts tax that comes in every year and we're going to spend \$1.9 million on sewer here for Valle Vista, and that comes out of that fund, so it's not certainly inconceivable that we can't spend a like amount of money next year or the year after on the Cañoncito water line. It's a need just like needs in the Pojoaque area. It's a health and sanitation need.

But I certainly couldn't commit the Commission to that. I don't think they were asking us to sign on the dotted line today. I think they were more just trying to get a feel for how close that project was to reality and I didn't feel it was within the five-year time frame anyway.

COMMISSIONER CAMPOS: Just a couple of comments. One, the difference was \$85,000 between the five and the ten. There's no question that there's strong support but we haven't made the commitment. We haven't signed on the dotted line and they did come to us to get our feeling as to when we were going to put this line in. So they do see us as part of the equation, but we haven't made that commitment yet. We still haven't had the big picture discussion and we may have one in the near future. I'm just concerned that the Environment Department or Cañoncito will say, well, you accepted this. That's why we talked to you. Now you're committed. Maybe we have to ask the question directly to the Environment Department as to what our role is. Because it's still a contingency. We haven't approved it. I know it's a big priority and I'm a strong supporter of it but we haven't signed on the dotted line. Why else would they be talking about a waterline?

COMMISSIONER SULLIVAN: I think, Madam Chair, just in response to that, again I really think they were only trying to decide what the best interim solution was. My \$35,000 was assuming an eight-year life and the rebate that they would get and not the full \$85,000. And that may not be the accurate number. We made a commitment of \$1.2 million in our capital improvement program to them and we put that in that draft memo, but we all know that it's going to cost more than \$1.2 million to build a water line. So I think we have to decide where that project fits in the County's priorities.

It certainly hasn't been designed. That will take a year. Right-of-way hasn't been acquired. That will take a year. So if we're going to move forward with it we need to get moving with those design and right-of-way acquisition activities.

COMMISSIONER CAMPOS: Well, as far as the commitment that we made that night, that was contingent on what the legislature did and we all agreed that we would go back to that discussion after the legislature made its decisions and that hasn't occurred. Maybe we need to talk to the Environment Department and see if they're thinking that we're going to make a commitment of some sort right today or in the near term and I'm not sure we can.

DR. WUST: Madam Chair, Commissioner Campos, I agree with you. We can talk with the Environment Department. One thing staff would like to propose is to use

the \$50,000 from the legislature to contract for some engineering options, because there are actually several routes that the pipeline could take and could develop various cost and would benefit different segments of the area of the county. So we're going to come back to you later but one thing we're looking at is maybe using that \$50,000, which can't really be used for construction, but maybe doing some engineering design options for us on the pipeline route.

COMMISSIONER CAMPOS: Thank you, Dr. Wust.

CHAIR VIGIL: Anything further?

COMMISSIONER CAMPOS: I just brought it up. Any other debate? Any other input from the Commission?

COMMISSIONER MONTOYA: Madam Chair, I agree with Commissioner Campos. I think we do need to have that big picture discussion. I think Roman mentioned that hopefully within the next month or so we'll be having that because there's a lot of projections out there that with the right partnering and the right funding can get done. But I think we have to look at the big picture and not just what's going to be going in my backyard type of deal. So I agree that that needs to take place.

CHAIR VIGIL: Any further discussion?

COMMISSIONER CAMPOS: We'll just get more information then from the Environment Department. Let us know and let us have that discussion as soon as we can. Thank you, Madam Chair.

CHAIR VIGIL: Anything further, Commissioner Campos?

COMMISSIONER CAMPOS: No.

CHAIR VIGIL: Commissioner Montoya, Matters from the Commission.

COMMISSIONER MONTOYA: Madam Chair, I just wanted to invite and remind everyone, tomorrow is the open house for the northern Santa Fe County office in Pojoaque. That will be starting at 2:00. Also, just a brief update on the Aamodt discussions/negotiations. We're going to be having some meetings with Senator Domenici's and Bingaman's staff to discuss the reallocation of some of the water that had been obligated to the Abeyta case, which is in Taos. There's about 2,990 acre-feet which will be discussed, and to let the Commission know that the potential may exist at some point that we'll be talking about our Top of the World water rights as well as a potential for possibly switching for San Juan/Chama. It's actually going to be a good deal and the encouraging part is that the staff is pushing all parties to come to some sort of an agreement and right now the parties being Abeyta and Aamodt. So we'll be looking at - in fact there's a meeting tomorrow afternoon as well to begin those discussions.

The goal being that by the end of the month we would have some legislation introduced which will commit some funding from the feds for the project as well. So things are moving along with it. It's still looking good. So I just wanted to update the Commission on that as well. That's all I have. And thanks for your support on Sombrillo for those who voted for the partnership.

CHAIR VIGIL: I have some clarification questions on the discussions that

have been going on so far. This water on Cañoncito, Roman, one of the criticisms the Commission has received is the fact that we don't have a comprehensive water plan. We do have a 40-year water plan but we don't have a comprehensive. Is that what we're going to be expecting to get in a couple of months?

MR. ABEYTA: Madam Chair, now in June we're going to have a study session that is going to touch on that, along with how we want to deal with associations, our own utility - so we're going to have a big discussion now in June and we'll be polling you tomorrow with dates and times that you can make that study session, which will include - hopefully the end result will be a comprehensive water plan.

CHAIR VIGIL: Okay. So we can just provide direction and staff will take notes and they come forth and -

MR. ABEYTA: We'll actually bring you a list of items. I have a whole list of things we need to discuss and information we need to provide to you in order for you to give us feedback. And like I said, hopefully what results is a comprehensive water plan.

CHAIR VIGIL: And then we spoke about our webpage advertisement. Does our webpage currently have the minutes in it as I actually requested earlier.

MR. ABEYTA: It has our minutes and you had requested one more -

CHAIR VIGIL: The Code.

MR. ABEYTA: The Code is on there also.

CHAIR VIGIL: It is? Oh, good. I'll navigate my way through that. Thank you.

MR. ABEYTA: It's a really cool site now. I looked at it this weekend. It was kind of its unveiling this weekend and that was the point of the ad. Because we actually received a lot of criticism regarding our webpage because it was too cluttered and too much information on there. We have a professional, modern looking webpage on there now and I think you'll all be impressed with it and its contents.

CHAIR VIGIL: Thank you, Roman. I just wanted briefly to thank everyone who participated in the May 20th river blessing and the San Ysidro Park opening. For those of you on the Commission who haven't seen that San Ysidro Park, it's a \$1.3 million project which is one of the most beautiful sites in the river corridor that we currently have and may ever have. The meandering river is actually what they call bio-engineering. There was a nice turnout, but more particularly, the open space and trails group who worked on that and all the other staff who did, did a wonderful job in making that happen.

My next question, and I believe I can just get an affirmation with the community center, the Nancy Rodriguez Community Center. My understanding is the opening of that is scheduled for mid-June. Joseph, do we have a date or an approximation? Your staff has kept us updated. I just wanted to make sure we're still on track.

JOSEPH GUTIERREZ (Community Services Director): Madam Chair, Commissioners, I talked to Ron Sandoval who is the project manager about this last week and they were finalizing the touches with the contractor on the water hookup and those types of things. He told me he was looking at mid-June to late June, something like that,

and accommodating – there were some scheduling problems with some of the individuals but it was no later than the end of June. Between June 15th and June 30th, sometime, would be the grand opening of the center.

CHAIR VIGIL: Okay. And as soon as that date is known would you inform us please?

MR. GUTIERREZ: Sure will, Madam Chair.

CHAIR VIGIL: Thank you, Joseph. Looking forward to that. I'm going to go ahead and sort of – I think, Roman, we passed you a little memo that I received from Linda Dutcher who's making some recommendations on expediting grant requests by requesting that you sign the grant application and if the grant is awarded then it would come before the BCC and we would approve it. I think that there's been some delay in us pursuing grants because staff has come to us before the application actually occurs, and it makes sense to me that if there is a grant available we have a staff willing to draft the grant application and that you be given the authority to sign. But rather than really giving any direction what I'd like to do is give legal the memo and have them respond to it, if not today, at a future date.

MR. ROSS: Madam Chair, that's already the policy that's in the most recent resolution giving the County Manager authority to sign innumerable types of items and that's already a part of that resolution.

CHAIR VIGIL: This memo was written May 23rd.

MR. ABEYTA: We need to communicate it to staff and I'll make sure that we do that.

CHAIR VIGIL: Okay. Thank you very much. And that's all I have.

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Just a quick comment. It seems to me that a lot of the discussion that's now taken about an hour on Matters from the Commission could be dealt with directly with staff instead of tying everybody up here for an hour. So I just ask the Commissioners to keep that in mind.

CHAIR VIGIL: And I would just remind Commissioner Campos that we don't often have the opportunity to take those matters up with staff and when we do, we do.

XI. Consent Calendar

A. Budget Adjustments

- 1. Resolution No. 2007-76. A Resolution Requesting an Increase to the Economic Development Fund (224) to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2007 for the Santa Fe Business Park (Administrative Services Department)**
- 2. Resolution No. 2007-77. A Resolution Requesting an Increase to the**

- Road Projects' Fund (311) / Tano Norte and Cerro Del Alamo, Sunrise and Sunset Roads to Budget State Grants Awarded Through the New Mexico Department of Transportation for Expenditure in Fiscal Year 2007/ \$107,000 (Growth Management Department)
3. Resolution No. 2007-78. A Resolution Requesting an Increase to the Fire Impact Fees Fund (216) / Agua Fria Fire District to Budget Fire Impact fees Revenue to be Used for the Addition to the Agua Fria Station \$342, 613 (Community Services Department)
 4. Resolution No. 2007-79. A Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Budget a Grant Awarded Through the New Mexico Environment Department for a Waste Water Treatment plant at the Santa Fe Opera / \$270,000 (Community Services Department)
 5. Resolution No. 2007-80 A Resolution Requesting a Budget Decrease to the State Special Appropriations' Fund (318) / Homeless Housing Teen Complex for a Grant Awarded to Santa Fe County Which Should Have Been Awarded to the City of Santa Fe Boys & Girls Club / -\$30,000 (Community Services Department/ Community Projects)
- B. Professional Service Agreements**
1. Request Authorization to Accept and Award a Professional Services Agreement to the Highest Rated Offeror, in Response to RFP No. 27-1002-TR/RH to Provide to Bank Depository Services for the County Treasurer's Office (Treasurer)
- C. Miscellaneous**
1. Resolution No. 2007-81. A Resolution Requesting Approval of the "Fixed Assets and Inventory Exempt Items Policy" to be Adopted as a County-Wide Policy Regarding the Treatment, Recording, Inventory and Disposition of County Fixed Assets and Inventory Exempt Items (Administrative Services Department)
 2. Resolution No. 2007-82. A Resolution Requesting Approval for Implementation of a GASB 34/35 Policy and Procedure (Administrative Services Department)
 3. Resolution No. 2007-83. A Resolution Requesting Approval of the "Sheriff's Office Bonding and Bond Accounting Procedures" to be Adopted as a Policy for the Sheriff's Office and Finance Department to Follow Regarding the Bonding Procedures and Accounting for the Bond Bank Account (Administrative Services Department)
 4. Resolution No. 2007-84. A Resolution Authorizing the Surplus of

- Obsolete Fixed Assets in Accordance with State Statutes
(Administrative Services Department)**
5. **Resolution No. 2007-85. A Resolution Authorizing the Public Sale of Seized Personal Property that has Been in the Possession of the Sheriff's Department for More than Ninety days in Accordance with State Statutes (County Sheriff's Office / Administrative Services)**
 6. **Resolution No. 2007-86. A Resolution Imposing An Annual Liquor License Tax Upon Persons Holding State Liquor Licenses (Clerks Office)**
 7. **Request Authorization to Enter into a Lease Agreement with Office Court Companies III, LLC for Office Space to House Administrative Office Staff for the Adult Detention Facility (Corrections Department)**
 8. **Request Approval of a Grant Agreement Between Santa Fe County and the New Mexico Department of Finance, Local Government Division for Grants to Thirty-six Projects Awarded by the New Mexico State Legislature - \$5,190,067.00 (Community Services Department)**
 9. **Request Approval of a Purchase Agreement Between Santa Fe County and Roy H. Glockhoff for the Purchase of Approximately 430 Acres of Land Known as Mount Chalchiuhtl for Inclusion in the Santa Fe County Open Space and Trails Property Inventory \$516,000 (Community Services Department)**
 10. **Resolution No. 2007-87. A Joint Resolution Honoring the Memory of Sarah Williams; Naming a Trail in the county of Santa Fe's Trail System for Her (Community Services)**
 11. **Approval of Amendment No. 3 to Intera Contract #25-104-UT for Technical Support and Expert Testimony in Water Rights Transfer Hearings \$50,000 (Growth Management Department)**
 12. **Resolution No. 2007-88. A Resolution Approving Participation in the Program of North Central New Mexico Economic Development District (County Manager's Office)**

COMMISSIONER MONTOYA: So moved.
COMMISSIONER CAMPOS: Second.

The motion to approve the Consent Calendar passed by unanimous [5-0] voice vote.

XII. Staff and Elected Officials' Items

A. Administrative Services Department

1. Resolution No. 2007-89. A Resolution Requesting Approval of the Fiscal Year 2008 Interim Budget

MR. ABEYTA: Madam Chair, this is just the first step in the approval of our budget. We had our study session two weeks ago. We had general agreement as far as the major categories and the pots of money if you will that we were going to set aside. There still needs to be more discussion with the Commission regarding specific building block requests that are going to be approved, both recurring, non-recurring, and then there's also a list of FTEs, potential new FTEs that we still need to discuss. So the purpose of today is just to approve an interim budget so that we can get the bigger budget approval process started. So there's going to be more discussion with the Commission between now and July regarding these specific areas of concerns, and again, those were the building blocks for new recurring initiatives and non-recurring initiatives and then FTEs.

CHAIR VIGIL: Thank you, Mr. Abeyta. Questions?

COMMISSIONER MONTOYA: Madam Chair, move for approval

CHAIR VIGIL: Motion. Is there a second?

COMMISSIONER SULLIVAN: Second.

CHAIR VIGIL: Any further discussion?

The motion to approve Resolution 2007-89 passed by unanimous [5-0] voice vote.

XII. B. Growth Management

2. Request for Authorization of Expenditures in the Amount of \$100,000 for Required Improvements to the State Pen Waste Water Treatment Plant, and Request for Direction Regarding the WWTP Lease Agreement

DR. WUST: Thank you, Madam Chair. Just so you know, WWTP is wastewater treatment plant. It's abbreviated several times in there. We're coming forward basically to fulfill some language requirements in the lease agreement. The County operates the state pen wastewater treatment plant, although the state owns it. The lease requires that the County maintain it and spend money on capital items and also operational items. We've been doing so. However, any capital that the County puts into that wastewater treatment plant belongs to the state. And it's cost the County a bit of money over the years. It's actually a money-loser for us.

What it says in the lease is it's a termination clause and this is why we're coming forward for this authorization and direction to see, based on the language, if you'd like us to pursue one direction or another. The way - one way that the County can terminate the

lease is that if we're required to put money into it, we can go to the legislature and request that funding. We actually did so this last legislative session. I put in a request on the standardized forms during that process but no funding came forward.

The lease then specifies that we can then go to the County Commission and if the County Commission does not authorize expenditures then that's a way the lease may be terminated, if both the legislature and the County Commission do not authorize the money. So basically, we're not coming forward with a contract or anything, we're just coming forward to get a yes or no on that language and some direction, because if you say no, let's look at terminating the lease, we'd ask for direction on starting to pursue that process to see what that would require.

I will add that the lease itself goes through next year, 08, so it's up anyway, but we're about to be hit with about \$100,000 worth of capital and operational expenditures that we're going to have to put into this. We just got finished paying almost \$20,000 for capital items. There are further capital items that aren't even outlined in here, odds and ends. The major ones are requirements under the discharge permit from the Environment Department, primarily being new monitor wells and removal of trees around the lagoons. It's looking like there's a potential within the next year of having to replace the liner in the lagoon, which is also a pretty major expense. It's not really put in here, and we have to do some spreading of manure that was improperly placed upon the land that we lease, even though we didn't do it.

So there's some major expenditures that have happened. There's some more in the future. So we've come, because of the language in the lease to ask for authorization from the Commission for \$100,000 to be able to do these expenses. If you say yes then we will just – staff will go back and start generating RFPs or requests for bid and contracts or whatever else we have to do. And then come before you again on individual items, individual contracts to do the various pieces. And if you say no, we'll ask for direction. If you'd like us to look at the administrative procedures at terminating that lease. I will add that if we are looking at terminating the lease I will also check with the Environment Department to make sure if there's anything we need to do we can't just get back to the state. We're going to make sure all that's done properly and legally.

CHAIR VIGIL: Thank you, Dr. Wust. Questions? Comments?

Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think this is a good thing to bring this up. We need to consider this seriously. If you look at the page 1 of the lease, the fourth whereas, says it's the intent to extend utility services to County facilities in the surrounding vicinity, and the County has expressed its desire to utilize this system as a primary component of the County wastewater utility system. So for some years, before my time, this lease was in March of 1998. Before my time on the Commission – I may amend that. The concept was that we were going to make this our central wastewater treatment facility. And we had extensive negotiations with the state about this, and in fact one developer came forward and was going to pay a part of it, but eventually backed out because the state

wouldn't commit itself to any specific time frame. And we still have the same problem. They seem to be glad to have us operating the facility for them at no cost, but they're unwilling to make any commitment beyond a couple of years. I don't know what the latest discussions are.

So that's my question then, Dr. Wust, is are we any further in this actually being a regional wastewater treatment facility, and if not, maybe we shouldn't be rearranging the deckchairs on the Titanic here. Maybe we should be getting out of this thing.

DR. WUST: Madam Chair, Commissioner Sullivan, actually the County has made a commitment but not to there. From our process of upgrading and expanding the Valle Vista wastewater treatment plant it appears that that's where we're committing for the County major facility to be. Part of the reason we looked at those two options were at the time, when this was written, Valle Vista and still is, actually, not a very good facility nor could it be expanded over the current position. However, the County and staff recommended that because that's a County facility on County land and we currently serve County customers, the Valle Vista Subdivision for one, County housing for another, and there are other potential customers, that that would be the place we should be putting our efforts, again because the big issue at the state pen is that we put money into it but the state still owns it. So it's not a County facility

The other reason that this was discussed for quite a while is that the discussions were tied to the potential for the state pen to allow the County to acquire the water wells, the wells and the water, but that's been pretty definitively stated to us just this year that that's not going to happen. And we should not be pursuing that anymore. So it got us to take a fresh look at this, especially when we got hit with a new discharge permit which just came early this year, which have these need requirements on it. There is a major County facility that's customer of the state pen wastewater treatment plant, that is the jail and the Sheriff's facility - I forget what it's called. But the jail primarily. But we looked at that and we could actually - it would require some building of pipes, but we could tie them into the Valle Vista plant because it's expandable and upgradeable from the one they just built, and actually construct return flow lines at the same time and be able to help the jail with its water budget, which is a pretty big one. They're one of our biggest water customers.

So we looked at an overall comprehensive plan to use a County facility as our regional wastewater treatment plant and to look at including County facilities as customers in order to be able to utilize return effluent for water budgets, not just with them but with other customers also.

COMMISSIONER SULLIVAN: So obviously we can't, Madam Chair, Dr. Wust, we can't turn off a switch tomorrow because we still have to provide sewer service for the jail and the emergency communications center. How do we do this? When do you plan to build this wastewater treatment plan improvement?

DR. WUST: Madam Chair, Commissioner Sullivan, first of all I'll mention that those guys are customers of the state pen and the change on the lease would only mean

we would look at not operating it anymore. If we get out of the lease the wastewater treatment plant would still be operational because they operate the state facilities too, but we wouldn't operate it. It would have to be a state entity and the current customers would remain customers. What we're looking at for Valle Vista, right now we're in the middle of the feasibility study which is the first step to give us options, both technology-wise and size-wise. As we go along, we're looking at the engineering design for whatever option we select. And by the way, that will come also with a couple public meetings, tell the public the options we're looking at and also presentations to the Board about the options we're looking at to get direction from you on what you'd like to see.

Then we're looking at that the latter part of this year and so engineering and design early next year and then go out for construction bid. That will probably take a year or so, so a couple of years is what we're looking at in terms of the final product for Valle Vista. Now, what we're looking at though, and we have enough space, we know that Valle Vista also has to operate. So that's going to continue until the new plant is built and we're not even going to turn off, switch over our current customers, of course until the new plant's completely built and at that point we'll look at - we'll start looking - or actually we can do it in parallel, start looking at some engineering designs and putting in new pipes or whatever for something like the jail if the Commission thinks that's a good idea also.

COMMISSIONER SULLIVAN: So at this point what's your recommendation? Do we keep pumping money into this facility or not?

DR. WUST: Madam Chair, Commissioner Sullivan, it's been a money sink and as the director of the County utility I don't see that getting any better. Right now if we let it at least go to the end of the lease it's costing us money and we're not getting much benefit out of it, because again, that facility should still operate and the current customers will remain customers, so it's not like anybody is going to lose service. But it's really hurting us. We're also looking at, in Water Resources, that we're going to have to hire another operator just to take care of fieldwork. But if we're not operating this system we'll be able to do just fine with our current staff levels. So it's also an issue of my operational budget, having to do with how many staff field operators we need to have.

COMMISSIONER SULLIVAN: Of course if we're not operating it then we don't get the free 3,750 gallons per month of sewage treatment either. We would obviously have to pay a charge for wastewater treatment.

DR. WUST: You mean the jail?

COMMISSIONER SULLIVAN: The jail and the ECC.

DR. WUST: Yes.

COMMISSIONER SULLIVAN: So if I'm reading between the lines here you're not too enthusiastic about spending this next \$100,000 out there.

DR. WUST: Commissioner Sullivan, no.

COMMISSIONER SULLIVAN: Okay. Thank you, Madam Chair.

CHAIR VIGIL: Are there any questions, comments?

COMMISSIONER CAMPOS: Just a comment.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Dr. Wust, I read your memo and the introduction says give us \$100,000, but yet the analysis is maybe we don't want to do that. I don't see that in the memo. So I'd like to have a little bit more focus on what the real issue that we're going to be deciding here, because here the discussion I think was fleshed out. I didn't catch it in the memo.

CHAIR VIGIL: Anything further? I also would like to see a cost impact analysis with regard to this, what cost it would mean for us if we had to be concerned for paying for our own waste treatment for our facilities. I'd also like to know if General Services Department or the Department of the Environment have been a part of these discussions, if they're familiar with the fact what the infrastructure cost has brought forth. I don't even know how much infrastructure cost we've placed into this project. I heard your testimony, \$20,000 most recently and now requesting \$100,000 but we have been operating this for quite some time and I'm sure there have been pumps, or whatever replacement items that we've had to do. Have you had the opportunity to speak to the state?

DR. WUST: Madam Chair, no we haven't addressed that and the reason is I didn't want to give them the what-ifs. If we're thinking of terminating this lease, what if then? I wasn't sure what kind of response I would get from them at that point. I can tell you, if you'd like a cost I can put that together. I would like to include in it though operational costs because since the jail's free, the wastewater for the whole of the county actually, including Valle Vista is also money-losing because you can never charge - we generally don't charge wastewater fees high enough to pay for costs. So we could include that in the expenses there.

But what I can do is contact General Services or Property Control. I'm not sure which one it would be quite, but we can contact anybody we need to and just start discussing with them, but I want some direction from the Commission before I initiated that on my own.

CHAIR VIGIL: My sense is that it would make sense to contact them and let them know. Once we have the cost impact analysis, how much it has cost the County, how much it will continue to cost the County if we can anticipate that, and what benefits the state is getting, what benefits the County is getting, and without those pieces of information I'm not even sure the state or the County would be willing to say this is the direction we want to go. So I think we need some more information. I would recommend you speak to the state, just with regard to sharing the kinds of information we currently have with them, and letting them know what cost impact this has been for us. I think they may be willing to renegotiate the contract, perhaps even take on infrastructure costs. I don't know.

But I think the only direction I would be comfortable with is getting more information to us and to the state.

DR. WUST: Madam Chair, I would also request direction then because

some of the items from NMED need to be done over the summer, and so while we're talking about them I'll probably come forward, if it's okay, with individual items for approval. For example, the monitor wells need to be drilled, items that need to be done fairly soon. So we'll come – that's why we wanted to look at the big picture first, but we'd be happy to discuss that issue with them but while that's going on we'll probably come back to you with a couple of individual expenditures because those things need to be done in the next six months.

CHAIR VIGIL: Okay. And perhaps the communications can go on with the state before those expenditures need to come to us.

DR. WUST: We'll contact them this week.

CHAIR VIGIL: Okay. Any further discussion?

COMMISSIONER SULLIVAN: Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just let me add one thing. I think that will be useful but I think the state is – communication is always good, but the state has been pretty firm on the use of the wells, the turnover of the wells, and I don't think they're going to be in much of a position to negotiate much different than what we have now. We get so much wastewater for operating the plant. I'm guessing if we took the cost of operating that plant and divided it out by the wastewater we use, it would be a pretty high wastewater per-gallon charge, if we looked at it that way. It would be pretty astronomical, considering how much time we've spent out there. And then when we add capital costs on top of that and these uncertain liabilities now with regard to a new permit. When you get a new NPDES permit you've got a lot of additional obligations that now on these new permits that you didn't use to have on the old ones.

So I think that we do need to – maybe not today, but if not today at the next administrative meeting, have a solid direction. Can you put those numbers together, Dr. Wust by the next administrative meeting?

DR. WUST: Madam Chair, Commissioner Sullivan, yes we can.

COMMISSIONER SULLIVAN: Would it be okay to put this back on the agenda, Madam Chair, next meeting?

CHAIR VIGIL: I agree. The more information we have – perhaps with that information we'd have more of an impetus to give you further direction. I'm always in favor of communicating with the state. They may want to take on the treatment facility themselves. They may say, no, Santa Fe County, we're relying on you. How can we work this out. I'm not sure that those communications should not occur but I do agree that we cannot give you further specific information and perhaps maybe we can wait on the discussions, if it can wait. If no infrastructure is required between now and the next meeting and we can get that cost impact then we'd better be prepared to give you further direction. So I'm okay with getting this on the next agenda and if that means a land use meeting I don't think I have a problem with that. Do you?

COMMISSIONER SULLIVAN: I prefer it be on the administrative? Does

30 days create a problem here?

DR. WUST: No, Commissioner Sullivan. Two weeks might, because I don't know what the response from the state will be. They don't always get back to me real quick.

COMMISSIONER SULLIVAN: An update, plus your cost analysis -

DR. WUST: We can give you an update and a cost analysis and all contact we've had with the state and their response. And this is a preliminary guess, they may say the lease runs out next year - why don't we renegotiate it then? But I'll ask them to see if they can do something in a different time frame.

CHAIR VIGIL: I actually have an appointment tomorrow with Art Jaramillo and Joseph Gutierrez on another project and if you'd like to join us and speak with him you're welcome to.

DR. WUST: Thank you.

COMMISSIONER SULLIVAN: Did you want a motion to table to the next admin meeting, Madam Chair? Because that was a request for authorization.

CHAIR VIGIL: I would entertain a motion to table.

COMMISSIONER SULLIVAN: Okay, Madam Chair. Move to table item XII. B. 2 until the next month's administrative meeting.

COMMISSIONER CAMPOS: Second.

The motion to table discussion of the state pen wastewater treatment plant passed by unanimous [5-0] voice vote.

XII. B. Matters from the County Manager

1. Request Approval of a JPA between Santa Fe County and the City of Santa Fe for the Regional Emergency Communication Center (RECC), Effective 07/01/2007. Santa Fe County will Assume Operations and Serve as the Fiscal Agent for the RECC (Manager's Office)

MR. ABEYTA: Thank you, Madam Chair. The proposed joint powers agreement is in your packet and it is based on the agreement that was reached between the City and the County back in November. It was actually October when we reached an agreement with the City regarding the funding of the RECC. A new GRT tax was passed by the public and as a result the County had agreed that we would take over the financial day-to-day costs of running the RECC. But in order to do that we need to adopt a new joint powers agreement concerning the RECC.

The joint powers agreement leaves in place the board of directors, the existing RECC board, which consists of the Police Chief of the City of Santa Fe, the Fire Chief of the City of Santa Fe, the City Manager of the City of Santa Fe, the Sheriff of the County of Santa Fe, the Fire Chief of the County of Santa Fe, the County Manager of the County of Santa Fe and one

member representing the community at large, which is appointed by agreement with the City and County managers.

The proposed JPA outlines the duties and responsibilities of the RECC. There's a section that deals with RECC meeting. There's a limitations section. There's also a section regarding independent council. There's an article regarding the organization of the RECC, the director. The director will be responsible for the day-to-day operation and management of the RECC. The board of directors shall recommend to the County employment of the director who shall be an exempt employee of the County. Then we have duties of the director. We have a subsection B, which is RECC employees and the fact that they will be transitioning over to County employment and we've already begun that transition with those employees.

Then we have an article regarding financial matters, the responsibility of the fiscal agent, which will be Santa Fe County, the financial responsibilities of the City and County. One, again, the County, pursuant to our previous agreement with the City, the County shall provide all funds needed for day-to-day operation of the RECC. Two, the City and County shall equally provide funds for needed capital expenditures. Three, the RECC shall be housed in space provided by the County. Four, all funds received by the parties to support operations of the RECC or to support capital expenditures shall be provided to the County. Five, the County shall acquire public liability insurance for the RECC operations. Six, any funds being held currently by the City of Santa Fe as fiscal agent for the RECC shall be transferred to the County as fiscal agent for the RECC as soon as practicable after the effective date of this agreement. C, the National Crime Information functions of the RECC may be contracted to the New Mexico Department of Public Safety. D, Multiple street address guide, the RECC shall be responsible for maintaining, updating and providing the necessary information to the telephone company as needed to maintain an accurate street address guide for both the City and the County. And Article C is terms of the agreement.

And again, Madam Chair, members of the Commission, this is based on the agreement that was reached with the City back in October, and we have already started the transition of RECC employees over to County employment. We've had several meetings with those employees. The RECC board has met regarding this joint powers agreement, has reviewed it, and is recommending approval of the agreement. If passed today by the Board of County Commissioners it will be forwarded to the City of Santa Fe for City Council adoption now in June, and then to the Department of Finance and Administration for approval in July. Effective July 1, the RECC will become a section of the County that the County will operate and pay the costs. But again, the board remains the same, stays in place. The director, the current director will remain in place. The employees will become County employees and the County will be responsible for the day-to-day operations, and our budget for FY08 has been prepared to reflect that. I stand for any questions.

CHAIR VIGIL: Questions?

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya, then Commissioner Anaya.

COMMISSIONER MONTOYA: Who's the current director, Roman?

MR. ABEYTA: The current director is Becky Martinez.

COMMISSIONER MONTOYA: Becky Martinez. So she'll become a full-time County employee?

MR. ABEYTA: She's exempt. She becomes a County employee but reports to the board. The County Manager, per the agreement, the County Manager cannot make any changes without the board's consent in regards to the director.

COMMISSIONER MONTOYA: Okay. Is that a good deal?

MR. ABEYTA: Madam Chair, Commissioner Montoya, I believe it is. I think when you look at the makeup of the board, the County has equal representation with the City. I think it's fine that a decision like that be based on a recommendation from that board or with consent of that board. It would be more than a recommendation. But I don't think it would be in either the City or the County's best interest to have the County Manager making that decision. I think it should be made by the board.

COMMISSIONER MONTOYA: And then any funds being held by the City will be transferred. How much, approximately? Do we know what they have in their coffers that will be transferred?

MR. ABEYTA: Madam Chair, Commissioner Montoya, I don't have those numbers. I think the main costs we're talking about is the cost to cover the leave balances, like annual leave and comp time, that these employees have. Those costs, that money needs to be transferred to the County so we can cover those costs.

COMMISSIONER MONTOYA: Oh, okay.

MR. ABEYTA: Because they have existing leave balances as RECC employees and we want to make sure that that leave gets carried over now that they become County employees and if it's used, we have the money to cover it.

COMMISSIONER MONTOYA: And how is that transition going, for the ones that were City and are now going to be County?

MR. ABEYTA: They were all RECC employees, so they weren't really City employees. They did have City benefits and it seemed like one of the biggest issues was health insurance change. But the City landed up changing health insurance companies now anyways in July, so they were facing a change either way. But we've met with almost every single RECC employee. We explained the benefits package to them, the differences, and I think the transition has gone over smoothly to this point. I think they're all on board. And we talked about other issues and other benefits that they don't have right now but that the RECC board and ultimately the Commission would entertain, once they become County employees. But so far I think the transition is going smoothly. We've been out there and have met with them on several occasions.

COMMISSIONER MONTOYA: And finally, remind me where the RECC falls in now on our organizational structure.

MR. ABEYTA: It will be part of the Community Services Department.

COMMISSIONER MONTOYA: Okay. Thank you.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: How many employees are transferring over?

MR. ABEYTA: We have a member from the RECC that probably has the number off the top off his head.

CHAIR VIGIL: Could you come to the podium and state your name for the record and respond to the questions. Thank you for being here.

KEN MARTINEZ (RECC Center Manager): My name is Ken Martinez. I'm the Center Manager for RECC and we currently have 48 employees who will be transferring over from the fiscal agency of the City to become County employees in July.

COMMISSIONER ANAYA: Thank you.

CHAIR VIGIL: Anything further? Other questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: On page 7 of the agreement, you have that the City and County shall equally provide funds for needed capital expenditures. Before, of course we ran the center on the call basis. Is that not right? The participation in all the costs was on the basis of calls and I think it was - what? At least 75 percent of those calls came from the city, didn't they?

MR. ABEYTA: Madam Chair, Commissioner Sullivan, that's correct, but I believe even under the old agreement capital expenses were still split 50-50. We used that for calculating the day-to-day costs but not the capital costs. I think we always split the capital costs 50-50. So we didn't change this section.

COMMISSIONER SULLIVAN: That stayed the same. Of course now we're picking up all of the operational costs and before the City had by far the large share of the operational costs and then we split the capital costs. I guess it seems to me that one thing that should be considered is that those capital costs, the use of the facility is a function of the use of the facility. Let's put it that way. And it's consistently been used a great deal more by the city. So improvements, new computers, new radios and all those things that you need to operate the facility, I assume are the types of capital costs you're talking about, as well as roof replacements and things like that.

It seems that it would be fairer if that was on a percentage basis. Has there been any discussion of that or is this too late in the process to bring that up?

MR. ABEYTA: Madam Chair, Commissioner Sullivan, no, I think now would be the time to bring it up. We can send the JPA over to the City with that recommended change.

COMMISSIONER SULLIVAN: This is my suggestion. I don't know if the rest of the Board agrees with that or not, but it's a big hit for us on the capital expenditures. I don't mind paying for a roof replacement every 20 years, but those costs, particularly those technology related capital costs that it takes to operate that facility are really high and we're biting a big bullet there, in addition to the - what? - it's about \$2 million a year to operate it?

MR. ABEYTA: It's close to \$3 million.

COMMISSIONER SULLIVAN: Close to \$3 million to operate.

MR. ABEYTA: Most of the capital costs are covered with grants. A lot of those big ticket items are usually covered with grants, but there could be an occasion where we do

have a major need that a grant won't cover, so now would be the time to make that change.

COMMISSIONER SULLIVAN: I don't know. I'm just thinking out loud. Maybe we don't want to complicate it. Maybe – there is a lot of record-keeping and bookkeeping that goes on with keeping track of those calls. And if the capital costs are covered by grants then it's not such a big item, but certainly any extensions or renovations to the facility or upgrades of the facility could get pretty expensive. We just paid \$13 million for a Public Works building. No, it was \$8 million. I take that back. Was it 13 or 8? Whatever it was, it was expensive. I don't know how the Commission feels about this. Is it worth pursuing or not?

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Commissioner Sullivan, could you repeat that? Your request again? I missed part of the discussion.

COMMISSIONER SULLIVAN: I was just asking if under item B. 2 on page 7 where we equally share the capital expenditures since we're now, as B. 1 says, providing all of the day-to-day operation costs. And we agreed to that as part of the quarter percent gross receipts tax discussions, before the election. So I'm not trying to back out on that. But I was just mentioning that before our costs for operating were split on the basis of call and Chief Holden told me on several occasions that the number of calls are much higher weighted towards the city. Seventy-five to 80 percent of the calls are actually from the city. So in the past the City was actually paying 75 to 80 percent of the operational costs. We're now relieving them of that.

COMMISSIONER CAMPOS: I understand that. But what was your proposal?

COMMISSIONER SULLIVAN: My proposal was that the capital expenditures be based on – or our non-reimbursable capital expenditures, let's put it that way –

COMMISSIONER CAMPOS: Based on calls?

COMMISSIONER SULLIVAN: Be based on call volume. If it's reimbursed by grants, we're not concerned about it.

COMMISSIONER CAMPOS: Madam Chair, may I ask a couple of questions of staff?

CHAIR VIGIL: Please.

COMMISSIONER CAMPOS: Mr. Abeyta, going to page 7, B. 1, the County shall provide all funds needed for day-to-day operation of the RECC. There is no cap? I kind of remember that we were going to cap it, because otherwise, all our quarter cent tax – in time, this is not going to be \$3 million forever. It's likely to be \$3 million plus. It's going to increase every year or so.

MR. ABEYTA: Madam Chair, Commissioner Campos, there was a discussion early on about if the cap being just the \$2.3 million that the City was currently paying, but as it evolved and we got down to the actual agreement, the records show that we agreed to cover the day-to-day costs and we didn't limit it to the \$2.3 million. But there was discussion early on but as this evolved, that kind of got lost.

COMMISSIONER CAMPOS: When you say "agreement" and "we" what do you mean?

MR. ABEYTA: We finally agreed to just cover –

COMMISSIONER CAMPOS: We who?

MR. ABEYTA: The County, the Board of County Commissioners.

COMMISSIONER CAMPOS: And we have an agreement?

MR. ABEYTA: We have a joint resolution that was adopted by the Board of County Commissioners and then the City Council that agreed to the County covering the day-to-day cost without a cap and without a limitation. Like I said, early on, in the early discussions there was that \$2.3 million cap, but as the discussions evolved and went back and forth between the City and County the County finally agreed to cover the day-to-day costs.

COMMISSIONER CAMPOS: Indefinitely.

MR. ABEYTA: Indefinitely. There is, under Terms of the Agreement, there is a termination clause and an amendment clause built in, if costs were to become an issue for the County over the years, but as I reviewed the record, we did agree to covering the costs.

COMMISSIONER CAMPOS: I'd like to make sure that that's accurate because my recollection was that it was capped at a certain number, but I may be wrong. But you talk about day-to-day, you talk about capital expenditures, but what about equipment and fixtures? I think Commissioner Sullivan raised replacing your computers. That would be equipment or fixtures. Does that come under day-to-day operation or does it come under capital, or is there a third category that we need to talk about?

MR. ABEYTA: It usually comes under capital and when you look at the RECC budget, a lot of that, I'd say 80, probably to 90 percent of it is covered through grants that we receive. So a computer, all the technology, those are funded by grants that we receive.

COMMISSIONER CAMPOS: What grants?

MR. ABEYTA: There are both state and federal grants for having this kind of center, a communications center like this.

COMMISSIONER CAMPOS: Your assumption is that this will occur indefinitely, but what if it doesn't? Do we need a separate category? Because capital talks - I think of capital as the building, things like that. I don't know. It's not clear to me.

MR. ABEYTA: Madam Chair, Commissioner Campos, we could define capital, or I think it may be defined, actually, and I think it's anything that's depreciable.

COMMISSIONER CAMPOS: So it's already taken care of?

MR. ABEYTA: Yes.

COMMISSIONER CAMPOS: Okay. Thank you, Madam Chair.

MR. ABEYTA: Page 3.

CHAIR VIGIL: Anything further, Commissioner Campos? Any further discussion?.

COMMISSIONER SULLIVAN: I guess, Madam Chair, just to follow up then on the comments I was making is we probably need to provide the County Manager some sense of whether we would like him to pursue this concept or not. I think particularly if we are funding the full operation - I remember it was an initial proposal from Chief Holden was \$2.5 million and that's kind of what he had in his presentations that he was making to the public. If that's what we agreed subsequently to I think the City did quite well on it but they might not be

too averse to agreeing to a per-call allocation, particularly if 80 or 90 percent of those capital costs – or these equipment costs anyway – are funded by grants.

COMMISSIONER CAMPOS: I like the idea. I support that we go back to the City and make that as a counteroffer.

COMMISSIONER SULLIVAN: Anybody else?

COMMISSIONER MONTOYA: As a cap?

COMMISSIONER CAMPOS: As a counteroffer. Cap is another issue. I still need to see the evidence and I get from staff there is documented evidence that we agreed to something. A hundred percent of the day-to-day, I'm just not sure what we can do about that today.

CHAIR VIGIL: Is there any other discussion? I guess I have a concern if the other Commissioners don't with what this might do to the JPA and how the City might respond to it, because I know working through this and the GRT, I had a clear understanding that we would take over the operations and the \$2.1 million or whatever was the current cost for the operations. At some point in time no one was really clear and so there were further discussions with regard to whether the operations, as they increase would be taken over by the County or if it was capped. And my understanding was that it wasn't capped, that in fact the reason why the City agreed to support the GRT was that they felt strongly that the GRT was strongly supported by City residents and that in effect was quid pro quo for the operations of it. So that was my understanding.

I suppose I really don't have any major objections to the discussions going on with the pro rata share for infrastructure or capital, being a part of a pro rata share for the amount of calls that are given there. My fear is that we will hear that the City and the Mayor will say this is not something we agreed to initially. We don't want the County again to be backpedaling on us. So we may be running that risk. That does give me a level of concern. I don't want to lose the opportunity to enter into this JPA. It's clean from my understanding with regard to all the discussions that were had. So I don't even know if it's worth a political risk that way. So I'm thinking, Roman, you could throw it out there, but I wouldn't let it come between us and the JPA.

COMMISSIONER CAMPOS: Thanks for the leverage.

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER CAMPOS: Thanks for giving away the leverage there.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: I'm going to agree with the way that it's written right now. I'm okay with that.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: I'm fine with it the way it is as well. I guess the concern that I do have and somewhere along the line my recollection was that there was a cap and I guess it slipped by all of us. I think that is a concern, more so than the capital

expenditures to me. I don't know if that can be brought up at this time, or how we want to do that, but I think we should certainly leave that as an option for future JPAs on this RECC.

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Is there a time line as to when we have to get this back or do we have time to think about it a little bit?

MR. ABEYTA: We need to get it out as soon as possible.

COMMISSIONER CAMPOS: By July 1.

MR. ABEYTA: We have a July 1 deadline and the real deadline is the Department of Finance. We've got to get it there as soon as possible. Myself and Steve Ross, we searched the minutes and like I said, there was a cap in the beginning of \$2.3 million, but as we got down to crunch time with both bodies, the resolution we adopted, the letter we sent over there, none of it mentioned that cap. We had finally agreed to cover the day-to-day costs. I think it's something we can look at. The Commission still has to approve the budget every year, and so when the budget comes back to us next year or the third of fourth year and we see that, okay, this is getting to the point where it's \$2.5, \$2.6 million and then we can look at amending the agreement, but I think we're wasting our time going back looking at the record because both the County Attorney and I did. I tried to put the cap in there but I couldn't find any evidence to where we stuck to that cap but the Board's final decision was to cover the day-to-day operations.

Like I said, there was discussion in the beginning in the minutes of this special study session and even when we went and talked to their subcommittee, talked about that cap, but as it got close to crunch time and there was a lot of negotiating going back and forth we finally agreed to cover the day-to-day operations. And the resolution you adopted does not reflect a \$2.3 million limit or a cap. It says we will cover the day-to-day operations.

COMMISSIONER CAMPOS: What about number 2. It says we will equally provide funds to capital. Was that explicitly agreed to also?

MR. ABEYTA: No. Because we didn't get into that level of detail. We were more concerned with the day-to-day costs.

COMMISSIONER CAMPOS: So it's something that's open that could be reconsidered or negotiated at this point.

MR. ABEYTA: It's from the original agreement and we can - if you want to make that amendment we can do it now or it's something that we could put them on notice that next year when we look at this this is an area that we want to explore, if we find that those costs are really high. Either way.

COMMISSIONER CAMPOS: Well, expenditures for capital. This is a relatively new building, new operation. These capital expenditures are going to be coming up down the road somewhere. Maybe not in the near term, but I agree with Commissioner Sullivan that we could broach that issue at this point since it's open, not explicitly agreed. And it makes sense that we can argue that based on usage, we should divide capital expenses. Thank you, Madam Chair.

CHAIR VIGIL: Okay. Roman, I'm going to try to summarize here, because I think we need some clarity. I hear three Commissioners saying to go forth with the JPA as is to further clarify the two issues, perhaps even bring them up for discussion with the City. And I hear two Commissioners wanting us to look at leveraging the capital with a pro rata assessment of the capital through the operations distribution. Do you feel --

COMMISSIONER MONTOYA: I agree with that as well. I think it needs to be brought up, put them on notice. At least broach the subject.

CHAIR VIGIL: Okay.

COMMISSIONER MONTOYA: On both of those.

COMMISSIONER SULLIVAN: So Madam Chair, would you like a motion to approve the JPA between Santa Fe County and the City of Santa Fe as presented, and provide the Manager and staff with flexibility regarding negotiation of items B. 1 and B. 2 in accordance with our discussion here.

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Motion and second. Any further discussion?

COMMISSIONER SULLIVAN: Does that do the job, Mr. Abeyta?

MR. ABEYTA: Almost.

COMMISSIONER SULLIVAN: Almost. Okay.

MR. ABEYTA: We can negotiate it. They could say no. Then what do I do?

COMMISSIONER SULLIVAN: Well, the intent of my motion was --

CHAIR VIGIL: Flexibility.

COMMISSIONER SULLIVAN: Was if there's no give, and there's no cap -- we can't trace any cap, then we move forward with the agreement as it is.

MR. ABEYTA: Okay.

COMMISSIONER SULLIVAN: Secunder, is that what you had in mind?

COMMISSIONER MONTOYA: Yes.

CHAIR VIGIL: And that was my understanding.

COMMISSIONER SULLIVAN: There could be tinkering, that if they didn't want to do it on that basis, if they wanted to do it 60-40, or some finite percentage which might be administratively easier to deal with --

MR. ROSS: Madam Chair, Commissioner Sullivan, as a practical matter, given the Open Meetings Act, I don't think we can approve an agreement that we don't have the specific terms of, which fully fleshed out this point. We would have to bring it back.

COMMISSIONER SULLIVAN: Well, yes. But you wouldn't have to bring it back if there was no change, was the intent of my motion.

MR. ROSS: I think we'd have to bring it back in that case also, just to let you know there was no change.

COMMISSIONER SULLIVAN: Even there was no change?

MR. ROSS: For formal approval. Because we're going to need to be able to trace this approval to some specific motion at a meeting, and if we have a motion that

allows the Manager to have discretion and then he has somebody sign it, the minutes won't reflect what was actually approved. So I think as a practical matter we'll have to bring it back in a couple of weeks, which we'll do.

COMMISSIONER SULLIVAN: Okay. Well, I'll withdraw the motion and we can think of something better. If the seconder will withdraw.

COMMISSIONER MONTOYA: Yes, I withdraw my second. Madam Chair, I would just make a motion that we accept the joint powers agreement between the City of Santa Fe and Santa Fe County for the operation of the Regional Emergency Communications Center.

COMMISSIONER ANAYA: Second.

CHAIR VIGIL: There's a motion and a second. Further discussion? I would just say that these communications need to occur and I think that based on the fact that we do have the clauses that allow us to withdraw from this that we do need to have that communication with regard to this because the GRT is unpredictable. If it does turn out that the County is overburdened with the cost of this then it is something we'd have to renegotiate. So I'm in agreement with the motion but I do what the communications to occur with regard to the concerns that were brought up.

The motion to approve the JPA with the City of Santa Fe regarding the RECC passed by unanimous [5-0] voice vote.

XII. C. 2. Update on Various Issues

MR. ABEYTA: I have none, Madam Chair.

XII. D. Matters from the County Attorney

1. Authorization to Publish Title and General Summary of an Ordinance Enacting the County Health Care Gross Receipts Tax (County Attorney's Office)

MR. ROSS: Madam Chair, we've talked a little bit in the past few meetings about enacting the County local option gross receipts tax that's called the County Healthcare gross receipts tax. That is a 1/16 tax in unincorporated areas that raises, oh, I think about \$1.3 million annually. The revenue from this tax must be dedicated to the County-supported Medicaid fund and that is a fund from which funds are drawn to support the statewide Medicaid program. So in a sense, enacting this tax relieves the pressure on that particular fund and frees up some real dollars that the County could use elsewhere.

The tax if approved would begin to be collected on January 1, 2008 if we enact it according to a schedule that I have in my mind, which is possibly advertising and enacting the

tax in July.

COMMISSIONER SULLIVAN: Questions for Mr. Ross? Comments? I have one, if there's not any others.

COMMISSIONER ANAYA: When you get a chance.

COMMISSIONER SULLIVAN: Oh, excuse me. Commissioner Anaya, go ahead.

COMMISSIONER ANAYA: Steve, so this would create \$1.3 million is this money that we needed for our sole community provider?

MR. ROSS: Mr. Chair, Commissioner Anaya, I understand that there is a lot of pressure on the funds that are being used to support the SCP right now and this is thought of as a way to relieve the pressure on those funds. So, yes.

COMMISSIONER ANAYA: And we've already looked at trying to find other monies for sole community provider funds and we can't come up with any?

MR. ROSS: I think we've exhausted all the opportunities at this point.

COMMISSIONER ANAYA: But we did look, the staff?

MR. ROSS: Oh, yes. You recall from the budget study session a couple of weeks ago, that was a major focus of the Finance Department's report. We've been subsisting on cash to support that program for many years and the cash is gone.

COMMISSIONER ANAYA: Thank you, Mr. Chair.

COMMISSIONER SULLIVAN: Any comments or questions?

COMMISSIONER MONTOYA: Mr. Chair, I think this is something that is needed in terms with how we're going to proceed with continuing to fund the sole community provider at the level that we have committed to fund. The other thing that I see is that there will be legislation that's going to be required in order to change the current sole community provider and how it operates so that there's some flexibility that's going to allow counties like ours to be able to utilize other resources, other than us having to continue to tax our citizens. So this, in my opinion presents the legislature with the commitment that Santa Fe County has to use every avenue that we have available to us to fund this program and at the same time gives them the message that we need to work to amend what's out there now so we're not strapped and we're not in a position where we're going to be able to utilize any more funding than what we've already put into it.

So I think given that scenario that this is something that I will vote in favor of.

COMMISSIONER SULLIVAN: Any other comments?

CHAIR VIGIL: With the GRT? Commissioner Campos.

COMMISSIONER CAMPOS: Madam Chair, this initiative, even though it's something that we don't like to increase taxes, it really provides resources for the St. Vincent Hospital. And it helps maintain St. Vincent as a viable, locally owned hospital and I think that's important. I think that's what we have attempted to do. Our efforts with St. Vincent's have not been perfect but I think this is helpful as an interim solution. As Commissioner Montoya pointed out, this is likely to be an interim solution and we are likely to have some major legislative changes in the next couple of years as far as how you fund local hospitals. So I

support it.

COMMISSIONER SULLIVAN: Madam Chair.

CHAIR VIGIL: Commissioner Sullivan, then Commissioner Anaya.

COMMISSIONER SULLIVAN: I can't support it for a couple of reasons.

When we pass this \$9.2 million we had a lot of encouragement from the legislature and there was a lot of discussion saying we're going to get relief in this legislative session and we're going to have other alternatives. The legislature is going to find a way to take this burden over, and none of that happened. And in point of fact we're taxing the citizens, that's where this money is going to go, to fund the sole community provider, and the sole community provider program is currently funding, adequately, the needs of the patients that come under it. And it's in the black. So that's the first issue I have with it.

And the second is this doesn't solve the problem, as we discussed in many work sessions. This 1/16 of a percent gross receipts tax won't provide enough funding to handle next year's request from St. Vincent. So we have the same problem next year.

And the third reason I had is there have been some that have said, well, the County has to pass all the GRT that it can. And we can do that, and it looks like we may today. However, what's going to come back from the legislature or from the lobbying from St. Vincent Regional Medical Center is just going to be creating more GRT authorization for the County. It's going to continually be a County problem. So if it's going to be another quarter percent we're going to get laid on us next legislative session. So what are we going to do then? Add another quarter percent. And continue to fund the hospital.

I heard in today's Indigent Fund meeting that we are currently funding about 25 percent through the sole community provider program, the County and the state funds, that are federal funds, about 25 percent of the operational costs of St. Vincent Hospital. That's far and beyond what Santa Fe County's function is. That's a third reason.

And then I saw in the Sunday paper a two-page ad in both the *New Mexican* and the *Albuquerque Journal*, from St. Vincent stating all the community benefits that they're providing, which are provided through the sole community provider program, obviously. None of them come from St. Vincent, and not even mentioning Santa Fe County, but aside from that, if they have the funds to fund two of these, which I would estimate between the two papers if probably over \$10,000 for an advertisement like that, it doesn't appear that they really need this money.

So here we are enacting a tax to assist an entity that doesn't need the money by its own fiscal accounting. And I have a basic problem putting that burden on the taxpayers, particularly, I'd rather put it on for some other use where there really is a demonstrated need, be it water, sewer, other programs. So I don't feel this solves it. I think we're being sucked into this like the tar baby in B'rer Rabbit. He puts one foot into it and then another and you just don't have any - there's no ultimate resolution. It's just constantly coming to the County and saying tax the residents, even though we don't need the funds.

So I just don't see anything that supports the fact that St. Vincent Regional Medical Center needs as much money as it has been requesting of us through our 28 percent share. I

can't support the tax, Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Madam Chair. If this 1/16 were to be enacted, how many years does it go?

MR. ROSS: Madam Chair, Commissioner Anaya, it's in effect until you repeal the ordinance.

COMMISSIONER ANAYA: Repeal the ordinance. I'm kind of on the same lines of thinking as Commissioner Sullivan. We were told that we were going to get help from our legislators and that never happened. And they, like you said, tend to always give us the power to tax our constituents and I do agree that they'll continue to do that and then we end up being the bad guys to tax the county constituents. I know it's needed but I think we should try to figure out another way to get it. Thank you.

CHAIR VIGIL: How many other counties, and do we know which counties are that have enacted this? I know part of the blush that we get from the state and our delegation is the fact that Santa Fe County is the only county or one of the few counties of a Class A type - do we know exactly what other counties have enacted this?

MR. ABEYTA: Madam Chair, we're not the only ones. There are probably between six and ten counties that have enacted it.

CHAIR VIGIL: Are they Class A counties?

MR. ABEYTA: I think all the Class A's have enacted it.

CHAIR VIGIL: So Doña Ana, Bernalillo, San Juan and San Miguel all have enacted it?

MR. ABEYTA: I think so.

CHAIR VIGIL: Okay.

MR. ABEYTA: And again, this is the only - the other alternative is that we cut programs, and we're probably looking at our health programs, meaning programs and employees, in order to pay for the commitment we already made, which is the \$9 million. So that's the only alternative. And we heard from the legislature and their response was you have a tax and once that tax is done, then we'd be more inclined to do something about it.

The other thing is, we benefit from this also. And it's nothing that this Commission did or even this administration did, but an agreement was made years ago and we're relying on that, and that's something, as our revenues grow, we need to get out from underneath that. We need to start putting general funds to some of these programs that are relying on these other agreements and MOAs that we have out there, so that if something does happen to this program then we don't feel the effects. We can still have a Health Department and health programs, and because we're reliant on the general fund and not some kind of agreement with another entity.

That's part of the problem here. I wish I could say, yes, don't enact the tax. But I can't say that without it having an impact on some of the services we're providing and some of the employees that we have, really, because that's where it's going to come out of.

CHAIR VIGIL: And Roman, the 1/16, how does that translate into cents? It's 1/16 of one cent, is that correct?

MR. ABEYTA: Yes. And it translates, I believe it's more like \$2 million a year that it's going to generate.

CHAIR VIGIL: Okay. And currently, what is our percentage of GRT in Santa Fe County? Do we know that? Is it 6-point -

MR. ABEYTA: There's both incorporated and unincorporated. And in unincorporated it's about - under 7.

CHAIR VIGIL: Under 7. I know we're one of the - we're not as high as Bernalillo County, and yet one of the criticisms, again, that we receive is the fact that the GRT, although traditionally it's a recessive tax, but in fact in Santa Fe County it has to be evaluated independently because the GRTs that are collected here are collected highly proportionately through our tourism industry. Correct?

MR. ABEYTA: Yes. That's part of the - or a lot of where it's generated from.

CHAIR VIGIL: Okay. Actually, this is how I see it. St. Vincent's may be in the black now, but back in 1999 and 2000 when they approached the County on the sole community provider dollars they weren't. Actually, their bond rating and everything was not as well as it today. I think the County has really stepped up to the plate in helping them go into the black, but I also think we need to step back and be a little more analytical, not that we not help them, but to the extent that we help them. And it seems to me that we've been very generous from our approach to be able to provide the matching dollars and the increase to those matching dollars on an annual basis.

That isn't necessarily required through the sole community provider, but recognizing the problems our community hospital has with emergency care, with losing doctors, with losing nurses, with trying to make them a healthy regional hospital and the fact now that they're faced with competition with other hospitals and hospital sites being proposed in the future, I think it is incumbent upon us to consider a sustainable source, because what we've been considering at this point in time is not sustainable. And that at the time we initially considered it, it was a very appropriate thing to do because there was excess funds. Those excess funds no longer exist.

I don't believe that the legislature will support us in any way if we don't enact the GRT. I believe that the message that they were clearly saying, and I think it was mentioned earlier is Santa Fe County, we have given you the authority to enact the GRT. And I don't necessarily know that they're going to come back and give us more authority on that. I think that in effect what's happening with healthcare throughout the state and what may happen in the next legislative session is an entire revamping of what may happen with healthcare, insurance. Sole community provider, indigent funds - we may be adversely impacted.

I think as a result of that we need to give the message to our community that they will have a health hospital to go to and that we can assure that for them, not by relying on unsustainable funds but by relying on sustainable funds. So I think it's a mistake not to look at this with regard to what it means to our community and what benefit it ultimately will bring, because I think the fact of the matter is we have to come up with the sole community provider funds for next year we couldn't. We maxed ourselves up this year. And that's not going to do our community any bit of good. We actually need to keep our hospital viable and this is one

way to do it. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Madam Chair. I was just visiting with Commissioner Sullivan, trying to figure out how we could come up with the money. But what - could we enact this tax for one year? And then that would mean that we'd have to go out and really push this for the next year. I know that the Association of Counties has been - it's going to be working on this, but just a suggestion.

MR. ROSS: Madam Chair, Commissioner Anaya, while I believe that you could probably write up the ordinance just in the fashion you suggest, that it's applicable from January 1 to January 1, we are using - we're required to use the forms of these ordinances that are provided to us by the Taxation and Revenue Department, so I don't know and I can check, but I don't know sitting here today whether they would agree to collect a tax, the form of ordinance of which varies from the one that they promulgated.

If that's the case and they're uncomfortable allowing an amendment like that to their form, what I would suggest is that you enact it and in a year, repeal it. But I will check and see whether that's a possibility.

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Is that a wise move? Does it complicate things, saying we're going to have an ordinance for a year or two that we're committed at this point to rescind. Of course we can always do whatever we want in two years or one year. That discretion is never given up, I don't believe.

MR. ROSS: Madam Chair, Commissioner Campos, I think if Taxation and Revenue allows us to have an ordinance that's effective for only one year, this Commission would make that decision, not a subsequent Commission. It might not be a bad idea to consider something like that because between the federal regulations and the new restrictions on intergovernmental transfers that are proposed, between the statewide efforts to look hard at the indigent funds and the sole community provider program in general, plus this push for some sort of a health insurance plan for all, this plan may not even be recognizable in a year. So maybe something like that is appropriate to get us over that. There's a lot in play and a lot of changes could happen in the next year. And they really do have to happen. We're the first county that's hit this problem but all the other Class A counties are just a year or two behind us, including San Juan and Doña Ana in particular.

CHAIR VIGIL: Okay. Further questions?

COMMISSIONER MONTOYA: Madam Chair, we did have preliminary discussions, probably about a year ago I guess, with our legislative delegation. I believe that - I recall - Steve, were you at those meetings that we had with Representative Wirth and Lucky Varela? I believe the statement that Representative Wirth made was that we need to act on this before they're going to act on anything else, essentially is what he said. So I think - I didn't come away from this past legislative session disappointed because really nothing was promised in terms of looking at any sort of resolution as to how we're going to fix the sole community provider as it currently exists. And Steve, weren't there a couple of different - this is a

question for you. Were there a couple of different things that were discussed in terms of revamping the sole community provider?

STEVE SHEPHERD (Health & Human Services Department): Madam Chair, Commissioner Montoya, yes, there are. There have been a number of suggestions about revamping sole community provider and it is up in the air and what Steve Ross said is right. If the proposed federal regulations go into effect it's going to totally change that program, if not put it out of business eventually. So pretty much everything is on the table. I think Steve said it right. We may within a year end up with a health plan for everybody or part of everybody, something like that. So there's just a number of things, but you're right. Your representation of that meeting is correct.

COMMISSIONER MONTOYA: Okay. Thank you, Steve. Thank you, Madam Chair.

CHAIR VIGIL: Okay. Further discussion? What is the –

COMMISSIONER MONTOYA: Madam Chair, move for approval to authorize publication and general summary of the ordinance enacting the County health gross receipts tax.

COMMISSIONER CAMPOS: Second.

CHAIR VIGIL: There's a motion and second. Would the motioner and the seconder consider a term of one year or –

COMMISSIONER MONTOYA: Madam Chair, I think it doesn't allow for good long-term planning if we do it for one year. That's just my sense in terms of giving the staff the ability to do the planning over a longer period than just one year. I think at the point that there is some legislation enacted that the Commission can visit that at that time.

CHAIR VIGIL: Secunder?

COMMISSIONER CAMPOS: I think that the discussion to do this is inherent in this body and we can do it six months, nine months, twelve, down the road, without doing it today.

CHAIR VIGIL: Okay. There's a motion that we go with staff recommendations to enact this GRT.

The motion to authorize publication of title and general summary of a GRT ordinance passed by 3-2 voice vote with Commissioners Sullivan and Anaya voting against.

COMMISSIONER SULLIVAN: Madam Chair, I think you said it was something to enact the GRT. As a clarification. It was only publish title and general summary.

COMMISSIONER MONTOYA: That was my motion.

COMMISSIONER SULLIVAN: That was your motion. It was just her summary was to enact it.

CHAIR VIGIL: But I think I prefaced that by saying staff's recommendation, so I think we're okay on that.

COMMISSIONER SULLIVAN: I think we are.

XII. D. 2. Executive Session

CHAIR VIGIL: Are there any other matters from the County Attorney. I know that you had initially mentioned that the need for an executive session wasn't required. Is this anything burning that we could maybe set a half an hour aside for if you feel we need to, Mr. Ross?

MR. ROSS: Madam Chair, I know there's some need for some of the members to leave and there is nothing urgent that I have, at least, unless some of the members have something they want to discuss. Everything can wait until next meeting.

CHAIR VIGIL: Okay. Unless I hear a request for executive, we're adjourned.

XIII. ADJOURNMENT

Chair Vigil declared this meeting adjourned at approximately 4:55 p.m.



ATTEST TO:

Valerie Espinoza
VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Approved by:

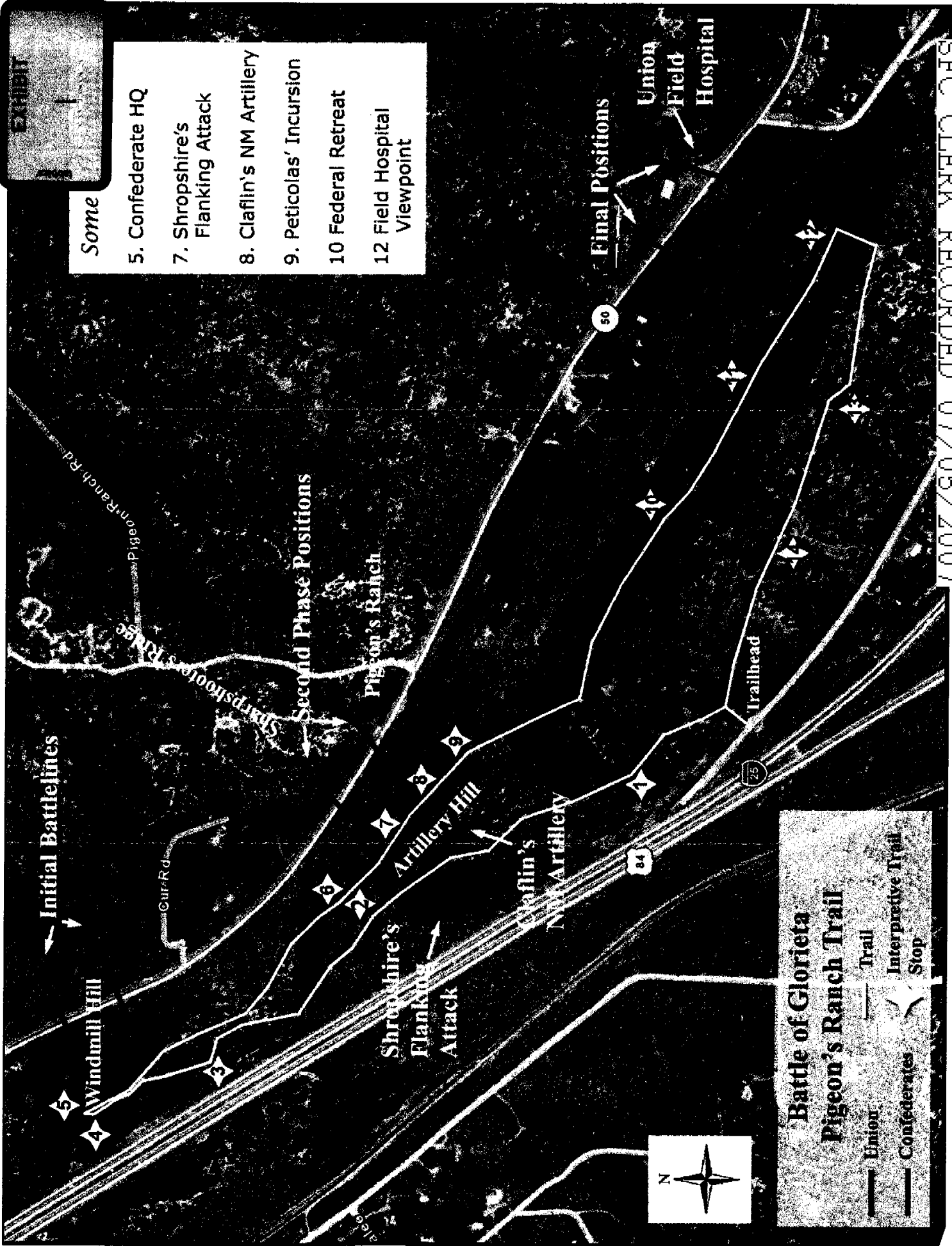
Virginia Vigil
Board of County Commissioners
Virginia Vigil, Chair

Respectfully submitted:

Karen Farrell
Karen Farrell, Wordswork
227 E. Palace Avenue
Santa Fe, NM 87501

Some

- 5. Confederate HQ
- 7. Shropshire's Flanking Attack
- 8. Clafin's NM Artillery
- 9. Peticolas' Incursion
- 10. Federal Retreat
- 12. Field Hospital Viewpoint



Battle of Glorieta
Pigeon's Ranch Trail

— Union
 — Confederates

— Pigeon's Ranch Trail
 — Interpretive Trail
 * Stop

SCOPE OF WORK FOR GLORIETA BATTLEFIELD TRAIL

INTRODUCTION

Pecos National Historical Park is comprised of the Pecos and the Glorieta Units. The Glorieta unit was added to the park in 1990, and is itself composed of the Cañoncito and Pigeon's Ranch Subunits. The congressional purpose of authorizing the additional lands of the Glorieta Unit is "to preserve and interpret the Battle of Glorieta and to enhance visitor understanding of the civil War and the Far West by establishing a new unit of Pecos NHP" (Public Law 101-536).

The park is currently in the process of planning interpretation of the Glorieta Unit for visitors. As part of the park plans to open the Pigeon's Ranch Subunit to visitation, an interpretive trail will be built. Before construction is begun, the initial route needs to be archeologically surveyed in order to identify and avoid cultural resources that would be adversely impacted by the creation of the trail and subsequent increases in visitation. This work is being conducted to meet stipulations of the National Historic Preservation Act (as amended), Executive Order 13287, and the National Environmental Policy Act.

DESCRIPTION AND LOCATION

In the current proposed plans, the trail will consist of a loop with a spur and measure approximately 3 miles in length. Approximately three bridges will be needed to facilitate foot traffic over arroyos. Additional trail details will be determined by the funding received. The terrain is mostly of lightly covered pinion, juniper and ponderosa with level ground and some slight inclines following for the most part a ridge top.

From the park's visitor center, visitors would be directed along a portion of the Old Denver Highway (Route66) which parallels current I-25. A parking lot would be established at or near the terminus of this road, and a loop trail developed to interpret the battlefield. An introductory/orientation wayside exhibit would be placed at the trailhead. In addition to providing an introduction and context for the battle, this wayside exhibit would orient people to the loop trail, its length, degree of difficulty, and what they can expect to experience along the route.

Key points along the proposed trail will include Artillery Hill and Windmill Hill. Both sites were important during the battle, and with proper vista clearing, both locations could provide views of the action below. Artillery Hill offers potential views of Pigeon's Ranch, the Old Well, and Sharpshooter's Ridge. Windmill Hill offers potential views of both Pigeon's Ranch and Glorieta Pass.

PUBLIC BENEFITS

The interpretive trail will be the only public access to the battlefield. For the first time since the National Park Service acquired this property 17 years ago the public will be

able to walk the hallowed ground associated with this battle. The Battle of Glorieta Pass is often referred to "The Gettysburg of the West" since it deterred the Confederate advance upon the far west.

Currently about 40,000 people visit Pecos National Historical Park each year. It is estimated that about half of those visitors would be interested in walking the new interpretive trail. Visitors then will be spending more time and more money in the Pecos valley vicinity.

Discretionary Fund Approval – Commissioner Sullivan

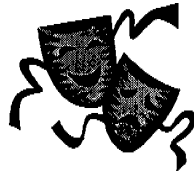


SHC CLERK RECORDED 07/05/2007

Eldorado Children's Theatre Info:

1. Eldorado Children's Theatre will present *Oliver*, the musical based on *Oliver Twist* by Charles Dickens, in 10 performances January 25-February 3, 2008 at the James A. Little Theater, NM School for the Deaf in Santa Fe.
2. Forty to fifty children ages 7-18 will begin rehearsing in September at the Eldorado Community Center in classes divided by age group and experience.
3. Rehearsals are twice a week for the older group and once a week for the younger group until approximately a month before performance time, when rehearsals begin to be held more frequently.
4. A live professional orchestra will accompany the performers for the 6 public performances. The keyboard will accompany for the 4 school performances. The orchestra will include instruments such as flute, piccolo, reed, violin or bass, percussion, trombone, horn, clarinet, bass clarinet, and keyboard.
5. Notices of the reduced-cost school day performances will be issued to every public elementary school in the Santa Fe district to reach a broad cross-section of students. The public performances will also be widely publicized to reach a diverse audience.
6. Scholarships are given for students who have a strong desire to participate in Eldorado Children's Theater but are unable to pay tuition.
7. Eldorado Children's Theatre's other programs include a summer musical theater workshop and a spring teen show. This year's spring teen show was *Godspell*, which was just performed May 18-20 at the James A. Little Theater. Audiences and professionals were very impressed and enthusiastic about the performance. Comments at this and other performances have included: "It doesn't seem like a teen show (or like youth theater). This is like a professional performance."
8. Eldorado Children's Theatre is a 501(c)(3) nonprofit.

Bonney Hughes
Assistant Director
Eldorado Children's Theatre



Eldorado Children's Theatre

13 Melado Drive
Santa Fe, NM 87508-2255
505-466-4656

lisa@rancheros.com
www.eldoradochildrenstheatre.org

Commissioner Jack Sullivan
c/o Jennifer Jaramillo
Santa Fe County Manager's Office
102 Grant Ave.
Santa Fe, NM 87504

Dear Commissioner Sullivan,

It was good to see you playing again in the Blue Heaven Jazz Band at the United Church of Santa Fe on Mardi Gras Sunday! Bonney, the assistant director of Eldorado Children's Theatre, sings in the choir. That was a fun service!

Eldorado Children's Theatre (ECT) began bringing the joy of high-quality theatrical training to children in Eldorado in 1999 in a small studio at the Agora Shopping Center. Since then, we've grown to involve youth ages 6-18 from throughout Santa Fe County in three major training and performance opportunities a year, rehearsing twice a week from September through May in the Eldorado Community Center. Artistic director and producer Lisa Lincoln offers the life-changing experience of theater to any young person who has a strong desire to pursue it, regardless of ability to pay. We have given scholarships to 5 girls from the New Mexico Girls' Ranch. One of these girls had leading roles in two productions, and ECT played a critical positive role in her life. About 15% of ECT's students have received full or partial scholarships based on need. The directors and students' parents have noted that participation in ECT increases students' self-esteem, sense of belonging, public speaking ability, and often, school performance. Students also gain literacy skills from studying and memorizing scripts and having content explained to them.

We've begun using a live orchestra for our musicals, including *Honk!*, the musical comedy version of the ugly duckling story we just produced, and *Seussical*, produced in February 2006, both of which were highly acclaimed. We also plan to use a live orchestra for *Godspell*, our next musical to be performed May 18-20 at the James A. Little Theatre by our teen theater group. Our productions are praised for their professional quality, which results from the live music, the excellent vocal and dramatic training the students receive, professional sound and lighting design and execution, and

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creative, detailed set and costume designs. We have many people to thank for these achievements, particularly the students themselves!

As you may know, most theaters cannot support themselves solely on ticket sales and tuition. With such professional productions, Eldorado Children's Theatre is no exception. Musicians, sound and lighting designers and technicians, choreographers, and others need to be paid for their services. Additional expenses include costumes, sets, theater rental, props, scripts, and royalties. We obtained our 501(c)(3) nonprofit status effective June 2005 and have been actively pursuing funding from foundations, government sources, individuals, and businesses.

To maintain the high quality of our training in an area of the county with no other theater companies, we are asking for your help. We understand you have some control over some county discretionary funds. \$5,000 would pay for our musicians, choreographer, and a small portion of our sound or lighting expense for *Godspell*. \$4,400 would pay for the musicians and choreographer. \$3,600 would pay for our sound engineering and lighting. \$2,000 would pay for the sound engineering alone. \$1,000 would pay for our choreographer and scripts for *Godspell*. We would be grateful for a grant of any amount for any expense. I am enclosing our projected FY2007 (7/1/06-6/30/07), our fundraising brochure, and a DVD of last year's production of *Seussical*. We would be happy to provide any other information you need, and look forward to hearing from you. Please feel free to call Bonney at 466-6209 (I will be out of town until March 6) or Lisa at 466-4656.

Sincerely,



Lisa Lincoln
Artistic Director/Producer



Bonney Hughes
Assistant Director

Eldorado Children's Theatre Projected FY 2007 Budget

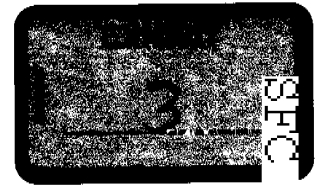
SFC CLERK RECORDED 07/05/2007

	Summer 2006 class and dance class	May 2007 show	Jan/Feb 2007 show	Total 7/1/06- 6/30/07
INCOME				
Lessons-tuition*	5,700	5,500	20,000	31,200
Dance class tuition	2,000	0	0	2,000
T-shirt sales	0	0	500	500
Ticket sales		2,000	5,500	7,500
Video sales	0	0	950	950
City Arts Commission		2,000	1,850	3,850
Frost Foundation		1,000	2,000	3,000
Multi-year grant (\$52,545 rec'd FY 2006)--amount to be released 2007		6,700	4,300	11,000
Dividend income from multi- year grant		600	600	1,200
Other grant income		4,800	4,000	8,800
Donations		1,800	1,000	2,800
Total income	7,700	24,400	40,700	72,800
*15-20% of students receive scholarships each year				
EXPENSES				
Advertising		850	1,300	2,150
Commissions—security sales (multi-year grant)		350	450	800
Contract Labor				
Accompanist	1,500	1,500	2,000	5,000
Choreography		700	700	1,400
Musician wages		2,200	4,000	6,200
Beg/Int class teacher		0	1,000	1,000
Assistant director		2,000	4,000	6,000
Sound engineering		2,000	4,500	6,500
Lighting		1,600	2,200	3,800
Dance class teacher	1,200	0	0	1,200
Set artistic fees		0	500	500
Total contract labor	2,700	10,000	18,900	31,600
Costumes		500	1,200	1,700
Executive Director salary	2,000	9,000	11,000	22,000
Insurance		200	600	800
Licenses and Permits		125	650	775
Meals and Entertn.		0	60	60
Music scores		180	180	360
Postage and delivery	15	50	120	185
Printing and reproduction	80	400	800	1,280
Purchases for resale		0	1,300	1,300
Royalties		1,200	2,200	3,400
Scripts**		400	800	1,200

Sheet1

Service fees (acct. mgmt., multi-year grant)	55	75	130	
Sets and props	350	1,200	1,550	
Storage	120	420	540	
Rehearsal space	0	0	0	
Theater rental	0	700	1,550	2,250
Add to reserves	2,905	-80	-2,105	720
Total	7,700	24,400	40,700	72,800

**Scripts for Jan/Feb. 2007,
May 2007, Jan/Feb 2008



SHC CLERK RECORDED 07/05/2007

Date

Name

Address

City state zip

Dear :

Each year, North Central New Mexico Economic District asks you for a membership fee which is used to match federal funds from the Department of Commerce Economic Development Administration. Our assessment is based on population according to a formula that has remained the same for virtually the entire life of the District. There are not many bargains like us in local government. We are enclosing an invoice for your consideration and a model resolution.

Please consider sending us this assessment, as many of your neighbors have done. NCNMEDD has recently been more successful than ever in obtaining EDA funds for our communities. This year, we continued to work with the spinning facility in Mora, which is nearing completion and has begun operating on a limited basis. They are already receiving contracts to process fiber both from local growers and from alpaca growers around the country. We helped Ohkay Owingeh Pueblo receive \$1 million for development of its General Aviation Facility. EDA provided \$250,000 for the Española Valley Fiber Arts Center, \$1.5 million for the Santa Fe Indian School and \$1.2 million for Northern New Mexico College for campus expansion.

In past years, we have had awards announced by our congressional delegation as follows: \$1.4 million for the Cumbres and Toltec Scenic Railway, \$760,000 for Tapetes de Lana in Mora, \$1.3 million for the city of Las Vegas water infrastructure, \$400,000 for the Village of Pecos fire station, \$1.3 million for a permanent location for the Eight Northern Indian Pueblos Arts and Crafts Show, and \$1.8 million for new construction at the Institute of American Indian Arts in Santa Fe County, \$650,000 for sewer infrastructure in the town of Taos, \$1.1 million for the Santa Fe Business Incubator, \$1 million for the Los Alamos Research Park and \$130,000 for post-Cerro Grande fire disaster mitigation.

In addition, NCNMEDD has continued work with regional wastewater treatment and water system issues. We are heavily involved Santa Fe County and the village of Chimayo in development of their water system. In Chimayo, we are providing some grant management, financial management and development assistance as the Greater Chimayo Mutual Domestic Water Consumers Association moves ever closer to operating the first phase of its water system. We participated in the acquisition of water rights, merger with another system and initial construction. We will be very

active in the assessment of feasibility for a regional water transmission line funded by the Bureau of Reclamation that could link Española and Chimayo.

We now provide regional transportation planning to all seven counties in the District and to the Pueblos and Jicarilla Apache Nation. Many of you have met our transportation planners and joined us at RPO meetings. It is our goal to insist that local needs and priorities are recognized by the Department of Transportation, and that the best possible technical assistance is provided to communities in our region. We want to thank all of you who were active in the effort to pass GRIP II. It is not perfect legislation, but it is a real beginning for transportation improvement in northern New Mexico.

NCNMEDD staff worked with almost every community in our region last year on capital outlay projects. The Department of Finance and Administration asked us to assist with the processing of severance tax bond certifications, helping communities complete the forms and get them in to DFA to help speed bond sales. Staff also helped complete fifty Infrastructure Capital Improvement Plans for communities and other eligible entities, like water associations and acequias. In preparation for the legislative session, staff held workshops on filling out capital outlay requests to make it easier for communities to work with their elected representatives.

NCNMEDD is also the home to Area Agency on Aging services for most of the state of New Mexico. We house the Non-Metro New Mexico Area Agency on Aging that serves all non-tribal programs outside of Bernalillo County. We are pleased and proud to work with you as your community plans and administers programs to help our citizens remain independent and in their communities. This year we have initiated many changes in administration designed to offer seniors more choices, to cut down on programmatic paperwork and to guarantee accountability at the Area Agency for all state, local and federal funds.

Please contact me at 827-7313 to discuss the District's activities and ways in which we can help. Director of Planning Arturo Archuleta, Planner Linda Martinez and our RPO Planners are also available to provide assistance and answer questions. Members of our staff may already be in contact with you about transportation, planning or senior citizens issues. Please feel free to ask them or to contact me about a presentation to your council.

Sincerely,

Barbara Deaux
Executive Director

Proposal for Continued Membership in North Central New Mexico Economic Development District

I. Introduction

North Central New Mexico Economic Development District is a Council of Governments formed in 1967 under federal and state legislation to pursue the planning and implementation of economic development programs. Begun primarily as a tool to bring funds from the Economic Development Administration to economically distressed communities, districts all over the country have worked for the past thirty years to improve regional economies, especially by securing federal funds for infrastructure development.

NCNMEDD serves the counties of Taos, Santa Fe, Los Alamos, Rio Arriba, Colfax, Mora and San Miguel, and the municipalities within that region. Sandoval County participates with the District for some purposes, although it also belongs to the Middle Rio Grande Council of Governments.

II. Services and Membership

The governments which make up the District are assessed a participation fee, generally based on population within their territory. Membership provides the following benefits and services.

- A. Participation in the District and inclusion in the District's Comprehensive Economic Development Strategy are pre-requisites for award of funds from the Economic Development Administration. Since 1996, EDA has provided about \$1 million each to Pojoaque Pueblo for an industrial park, to Española for renovation of the Bond House, and to Institute of American Indian Arts for development of a new campus. EDA is a prime sponsor of the Regional Wastewater Study, having provided \$300,000 in study funds. EDA has awarded \$1.3 million for the city of Las Vegas water infrastructure, \$400,000 for the Village of Pecos fire station, \$1.3 million for a permanent location for the Eight Northern Indian Pueblos Arts and Crafts Show. EDA in 2002 provided an additional \$1.8 million for a technology center at IAIA and is working with Sandoval County the Zocalo Project. That follows recent awards of \$650,000 for sewer infrastructure in the town of Taos, \$1.3 million for the Santa Fe Business Incubator, \$1 million for the Los Alamos Research Park and \$130,000 for post-Cerro Grande fire disaster mitigation.
- B. District staff provide assistance with EDA applications, including pre-application development, interface with the Regional Office in Austin and full application assistance.

- C. District staff provide assistance with USDA Rural Business Enterprise Development grant applications.
- D. District staff prepare and disseminate the Comprehensive Economic Development Strategy for the entire region.
- E. Staff provide regular assistance with the ICIP as required by the Department of Finance and Administration.
- F. Staff assisted in the certification of Severance Tax Bond projects in cooperation with the Department of Finance and Administration.
- G. Additional technical assistance in economic development planning will be provided to communities that request it, resources permitting.
- H. Regular reports on District activities will be provided to member communities.
- I. NCNMEDD continues dissemination of its own newsletter.

In addition, NCNMEDD has other roles and responsibilities. Participation in the District via the membership assessment helps to insure the proper governance and oversight of these activities. Presently, the additional activities of the District include the administration of two economic development loan funds which make loans to small businesses for the purpose of job creation; the administration of contracts for services to the elderly in 21 counties; assistance to smaller communities in development of HUD CDBG and other applications; and fiscal agency for a million dollar waste water management study for part of the region.

III. Amount and Uses of Assessment

All membership assessment funds received by the District are used to match federal funds provided by EDA for administration and planning. EDA provides \$50,000 annually. Your community is assessed each year for its share of the matching funds. All matching funds are received into the General Fund and transferred by board action into the board approved EDA budget.

IV. Assurances and Certifications

NCNMEDD operates as a council of governments for the purposes specified in its original charter and in compliance with the state and federal regulations which govern the grants and contracts it receives. NCNMEDD is audited annually and is subject to the Single Audit Act.

NCNMEDD has a 35 member board of Directors. Officers of the Board are as follows: Nick L. Salazar, President of the Board of Directors; Lawry Mann, Vice President; Lesah Sedillo, Secretary; and Nick Vigil, Treasurer.